

**LINDSAY FROST** *Consulting Limited*

**INDEPENDENT EXTERNAL REVIEW OF ISSUES RELATING TO THE FUTURE SCALE AND LOCATION OF NEW HOUSING DEVELOPMENT IN THE HORSTED KEYNES NEIGHBOURHOOD DEVELOPMENT PLAN**

**(FOLLOWING THE 6 WEEK PRE-SUBMISSION CONSULTATION PERIOD IN APRIL-MAY 2016)**

**AUGUST 1 2016**

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**EXECUTIVE SUMMARY**

Horsted Keynes Parish Council (HKPC) has commissioned an independent external review of the current position on the scale and location of any new housing development to be included in the Neighbourhood Development Plan (NDP) for the parish.

The review will make recommendations on the way forward leading to formal submission of the NDP to Mid Sussex District Council (MSDC), following which MSDC would take it through the statutory stages leading to public examination and a referendum.

It begins with a review of the planning context in which the NDP is being prepared. There is particular reference to the framework provided by national and local planning policies, and how these policies affect the way the NDP strikes a balance between meeting local housing needs, supporting the viability of local facilities, and protecting and enhancing the attractive rural character of the village and its surrounding countryside which forms part of the High Weald Area of Outstanding Natural Beauty`.

The key issue identified is how far the NDP can, or should, meet MSDC's "objectively assessed housing need" for the parish of 126 new dwellings up to 2031, which is neither a target or requirement , but a starting point for considering the scale of future housing provision.

The review goes on to examine how the draft NDP has been prepared through the gathering of evidence and extensive engagement with the local community and service providers, and with landowners who have offered potential sites for housing development. These sites were evaluated through a process of sustainability appraisal focusing on whether sites were "suitable, available and achievable". A draft NDP published for consultation in April-May 2016, allocated three sites for housing development at Old Police Field, Westall House and Jeffrey's Farm Buildings.

The comments received during the draft NDP consultation held in April-May 2016 are summarised. These focus on comments received on the appropriate scale of housing development, the proposed allocations above, and on other sites previously rejected during the plan process.

The review concludes by identifying three broad options for taking forward the NDP, examines the pros and cons of each option, and makes recommendations for next steps to take forward the NDP.

## INTRODUCTION

1.1 The parish of Horsted Keynes forms part of Mid Sussex District in the county of West Sussex. It is a rural parish, centred on the village of the same name, and had a population of 1586 at the 2011 Census (**Reference 1**). The village of Horsted Keynes has a long history, evident in its ancient church and other historic buildings, and lies in attractive wooded countryside forming part of the High Weald Area of Outstanding Natural Beauty (AONB). The nearest towns are Haywards Heath (8 km south-west) and East Grinstead (13 km north)

1.2 Since 2012, Horsted Keynes Parish Council (HKPC) has been working to prepare a Neighbourhood Development Plan (NDP) under the Localism Act 2011, and associated regulations, to guide its future development up to 2031. The NDP covers the entire parish. (**Map A in Appendix 1**). As in many other parishes in south-east England, the scale and location of new housing development is the most difficult and contentious planning issue to be tackled in the NDP. This has been evident throughout the work so far on the Horsted Keynes NDP.

1.3 Following public consultation on a “pre-submission” draft of the NDP in spring 2016 (**2**), during which this issue was once again to the fore, Lindsay Frost Consulting Ltd was appointed by HKPC on July 12 2016 to carry out an independent external review of the current position. The review will make recommendations on the way forward leading to formal submission of the NDP to Mid Sussex District Council (MSDC), following which MSDC would take it through the statutory stages leading to Public Examination and a Referendum.

1.4 The review requires “stepping back” to consider the wider planning context; the NDP process so far including engagement with the local community and landowners and developers; and the clarity of, and justification for, the housing strategy proposed in the NDP. A clearly justified strategy will help to understand, and assess, the planning policy choices open when determining the scale and location of housing development in the NDP

1.5 HKPC has provided access to documents on all stages of NDP preparation. All sites put forward for potential development have been visited and viewed from public vantage points. However, the scope of this work, and the time allocated, does not allow for a detailed independent review of the existing site assessments and sustainability appraisals carried out by MSDC and HKPC, or the views received as a result of public consultation, although the overall conclusions from them will be brought into this review of the wider picture.

1.6 This review will be reported to the special meeting of HKPC on 9 August 2016, at which councillors will consider its recommendations, and what action –if any - to take on them, in order to move the plan forward. If considered appropriate by HKPC, the review can also be used as a supporting document for subsequent statutory stages of the NDP

## 2. THE PLANNING CONTEXT

### The National Planning Policy Framework (2012)

2.1 This document (**3**) sets out the Government’s planning policies for England and how they should be applied. All local plans and neighbourhood plans are expected to have regard to it. At its core, the NPPF has a presumption in favour of sustainable development (NPPF: paragraph 14). One definition of sustainable development is “meeting today’s social and economic needs without narrowing the choices open to future generations”.

2.2 The national policy is that sustainable development will be achieved by:

- building a strong, competitive, and prosperous economy
- promoting sustainable transport
- supporting high quality communications infrastructure
- delivering a wide choice of high quality homes
- requiring good design
- promoting healthy communities
- meeting the challenge of climate change
- conserving and enhancing the natural environment
- conserving and enhancing the historic environment

2.3 More specifically, the NPPF expects that neighbourhood plans will support the strategic development needs set out in local plans ; plan positively to support local development that is outside the strategic elements of the local plan; and identify opportunities to use Neighbourhood Development Orders to enable development that is consistent with the neighbourhood plan (NPPF: paragraph 16). The NPPF says “every effort should be made objectively to identify, and then meet, the housing, business, and other development needs of the area” (NPPF: paragraph17)

2.4 The NPPF goes on to say that plans should provide housing to meet local needs, particularly for affordable housing, including through rural exception sites, where appropriate. Plans should also consider whether allowing some market housing would facilitate the provision of significant affordable housing to meet local needs (NPPF: paragraph 54). The NPPF’s definition of “affordable housing” is attached as Appendix 2.

2.5 Obviously, housing provision must be balanced with other planning objectives, particularly conservation and enhancement of the local environment. The NPPF says that “valued landscapes should be protected and enhanced” and attaches “great weight to conserving landscape and scenic beauty in AONBs”, with strict control over major development in AONBs (NPPF: paragraphs 109, 115 and 116), where national policy affords the highest degree of landscape protection.

2.6 The role of neighbourhood plans is described in paragraphs 183 -185 of the NPPF.

#### **Mid Sussex Local Plan (adopted 2004)**

2.7 The Local Plan **(4)** covers the whole of Mid Sussex District including the parish of Horsted Keynes. It covers the period up to 2006 and was produced under earlier planning legislation. Preparation of a new plan under new legislation was delayed by various factors, particularly the advent and then demise of the regional plan for SE England with its specific housing allocations for each district. Therefore, certain planning policies from the 2004 plan were “saved” in 2007 **(5)** and still remain in force, albeit having to be interpreted in the context of the later national policy in the NPPF. The following “saved policies” are particularly relevant to the scale and location of housing development in Horsted Keynes:

- G1, G2 and G3: general policies on sustainable development in Mid Sussex
- C1: protection of the countryside outside built up areas
- C4: protection of AONBs
- C5: protection of sites and features important for nature conservation
- C6: protection of trees, hedgerows and woodlands
- C13: Re-use and adaptation of rural buildings
- H1: housing provision and allocations to 2006
- H2: housing density and mix

- H3: Infill and other housing development in built up areas
- H4: affordable housing , including provision for commuted payments
- H5: rural exceptions housing
- H11: housing in the countryside

2.8 The Local Plan defines a built up area boundary for the village of Horsted Keynes. (Chapter 29 of the plan). This boundary needs to be clearly defined and “defensible” on the ground” if it is to be an effective planning tool. Development is acceptable in principle within this boundary, subject to policy H3 above and other considerations such as preservation and enhancement of the village conservation area. Beyond the boundary, development is very strictly controlled in the surrounding countryside in the interests of conserving the rural setting of the village, the High Weald AONB and other countryside assets, such as ancient woodland and important nature conservation sites. These policies have been successfully applied with only a limited amount of infill development and no outward expansion of the village over recent years (see paragraphs 2.22 to 2.26 below). The built up area boundary is shown in **Map B in Appendix 1.**

**Mid Sussex District Plan (Pre-submission draft June 2015 and “Focused Amendments” November 2015)**

2.9 The 2004 plan for Mid Sussex District is being replaced by a new plan, prepared under new legislation and informed by the NPPF (6). It covers the period from 2014 to 2031. A draft plan has been the subject of public consultation, but has not yet been submitted to the government for formal examination. Submission is expected later in 2016. Accordingly, its policies do not yet attract the full weight of an adopted plan. The following draft policies are particularly relevant to the scale and location of housing development in Horsted Keynes:

- DP1: sustainable development in Mid Sussex
- DP5: housing provision to 2031
- DP6: settlement hierarchy
- DP10: protection and enhancement of the countryside
- DP13: new homes in the countryside
- DP14: protection and enhancement of the High Weald AONB
- DP15: Ashdown Forest Special Protection Area and Special Area for Conservation
- DP18: securing infrastructure
- DP24A : housing density
- DP28: housing mix
- DP29: affordable housing , including commuted payments for off-site provision in AONB area
- DP30: rural exception sites
- DP36: trees, woodlands and hedgerows
- DP37: promoting biodiversity
- DP38: green infrastructure

2.10 The new District Plan reaffirms the village’s built up area boundary from the 2004 Plan, leaving the NDP to consider whether it is necessary to review and amend it. It makes no housing development allocations for Horsted Keynes. A primary objective of the new plan is to protect the countryside by minimising the land taken for development and preventing development which does need to be there. However, it goes on to say that “new development to meet local needs can be proposed through NDPs, where this will support local services and be otherwise compatible with District Local Plan policies”.

2.11 As before, the District Local Plan supports development in principle within the built up area boundary, but exercises strict control in the countryside beyond it where policies to protect and enhance the rural setting of the village, the High Weald AONB, and other countryside assets remain in place.

2.12 To assist in determining the scale and location of new housing development, and delivering it in the most sustainable way, the District Local Plan identifies a settlement hierarchy in draft policy DP6. The village is at level 3 – a “medium sized village” - in the settlement hierarchy in Mid Sussex **(7)**. This level is defined as “providing essential services for the needs of its own residents and immediate surrounding communities. Whilst more limited, these services can include key services such as primary schools, shops, recreation, and community facilities, often shared with neighbouring settlements”

2.13. Draft policy DP6, and its supporting text, state that “the growth of settlements will be supported where they meet identified local housing, employment and community needs”. Outside defined built up areas, the draft policy indicates that the expansion of settlements will be supported where:

- The site is allocated in the District Local Plan, a neighbourhood plan or later development plan document
- The site adjoins an existing settlement edge
- The development is demonstrated to be sustainable, having regard to the settlement hierarchy, local development needs, and any significant local constraints on development. The availability of suitable housing sites, and localised infrastructure constraints and opportunities will also be factors that legitimately influence the amount of development planned for individual settlements.

2.14 As part of preparatory work for the new district local plan, MSDC has to prepare and regularly update a Strategic Housing Land Availability Assessment (SHLAA). This is required by NPPF paragraph 159. The purpose of the SHLAA is to assess potential land for housing development in the district – as put forward for consideration by landowners and developers via a “call for sites” - with the aim of sustaining an adequate supply of land for development. All local planning authorities are expected to identify and maintain at least five years supply of land for housing development. The SHLAA is a technical evidence document. It is not a statement of local planning policy and does not, in itself, determine whether a site should be allocated for development.

2.15 The most recent SHLAA document **(8)** assessed six sites in the parish and excluded five others on the basis that they did not meet the criteria for assessment. The six assessed sites were:

- Ludwell Field, adjacent to Keysford Lane and Sugar Lane (SHLAA site 69)
- Front field, Jeffrey’s Farm (SHLAA site 70)
- Constance Wood Recreation Ground (SHLAA site 183)
- Land south of St Stephen’s Church (SHLAA site 184)
- Land at Birch Grove Road/Danehill Lane (the Old Police Field) (SHLAA site 216)
- The Old Rectory (SHLAA site 748)

The SHLAA technical analysis has helped to inform the work on the NDP with all of the above sites also coming forward for parallel consideration through the NDP’s own “call for sites”

### **Objectively Assessed Housing Need**

2.16 As part of the background work for the District Local Plan, and to meet NPPF requirements, MSDC have also carried out a Housing and Employment Development Needs Assessment (HEDNA)**(9)**. This includes **Objectively Assessed Housing Need (OAHN)**, based on future population and household projections and using a nationally recommended methodology **(10)**. This work concludes that Mid

Sussex will generate a need for 11,162 new homes up to 2031. This figure does not include any additional homes which may be needed to cope with “overspill” from adjacent districts that are unable to meet their own needs.

2.17 Calculation of OAHN at the district level is difficult, since it relies on projections of population, migration and a host of other social and economic trends far into the future. It is even more difficult when taken down to the individual parish, as all the necessary information is not available down to that level and parish data is subject to more variation. Government guidance does not require a specific assessment at the parish level **(11)**, but suggests that neighbourhood plans should use work by local planning authorities (such as MSDC) as a starting point. MSDC have examined the implications of their district-wide OAHN for neighbourhood plans in a simple way: they have apportioned the district-wide figure according to the proportion of the district’s population and households that were in each parish at the time of the 2011 Census. This suggests that the OAHN for Horsted Keynes parish is 126 new homes up to 2031 **(12)**

2.18 MSCD stress that “the figures are only an indication of need within each parish”; that “the numbers are by no means a requirement or target”; and that “neighbourhood plans will need to examine whether this need can be met in the light of further evidence on constraints , suitability/availability of sites to meet any need, and sustainability considerations”. It concludes that “in reality it is likely to require fewer households for each parish than indicated “**(13)**. In short, the parish OAHN is simply a starting point which needs to be considered against many other factors, particularly the planning policies operating locally and the potential development sites which are available.

#### **Ashdown Forest Special Protection Area (SPA) and Special Area for Conservation (SAC)**

2.19 The nearby Ashdown Forest is protected by two European designations to protect rare birds (SPA) and habitats (SAC), which are transposed into UK law by the Habitats Regulations. The local authorities have a legal duty to protect the integrity of these areas from any adverse impacts. An assessment under these regulations suggests that the main impacts arising from development in and around Ashdown Forest are likely to from two sources: first, disturbance to ground nesting birds from recreational pressures on the forest, and secondly, air pollution arising from increased traffic through the forest.

2.20 The response of the local planning authorities is to offset the impact of new residential development within a “zone of influence” extending 7km from the edge of Ashdown Forest. This zone includes the whole of Horsted Keynes parish **(14)**. The proposed approach is to intercept recreational pressure by requiring new residential development to either provide, or make a financial contribution to, a Suitable Alternative Natural Greenspace (SANG) , and also make a financial contribution to Strategic Access Management and Monitoring (SAMM) on Ashdown Forest itself.

2.21 The SANG and SAMM arrangements do not, in themselves, act as a block on housing development on sites in the “zone of influence”, such as Horsted Keynes. However, they may add to the costs of development, affect development viability, and require a larger land take for a given level of development than would otherwise be the case.

#### **Past housebuilding rates**

2.22 Past housing completions in Horsted Keynes parish are as follows:

<b>Periods</b>	<b>Gross Completions</b>	<b>Average annual rate</b>
1984-90	26	3.7

1991-95	9	1.8
1996-2000	13	2.6
2001-05	17	3.2
2006-10	4	0.8
2011-15	8	1.6
Overall 1984- 2015 (31 years)	77	2.5

**Source: West Sussex County Council Residential Land Availability Surveys**

2.23 Apart from periods in the mid to late 1980s and either side of the millennium, housebuilding rates in the parish have been very modest. The average over the last thirty years or so has been two to three new houses per year. This reflects the limited opportunities for infill and other housing development within the built up area boundary and the strict control of development in the countryside beyond in order to protect the village’s rural setting , the High Weald AONB and other countryside assets

2.24 As the 2004 Local Plan did not set housing development targets at the parish level, it is not possible to say whether the above housebuilding rates represent either “too much” or “too little”. However, it does suggest that the built up boundary has been an effective tool in protecting the village’s rural setting and the surrounding AONB countryside. The social and economic impact is less easy to assess. One way to approach this issue is to examine the changing pattern of housing need , and local market signals ( such as house prices and rents) to see if these have been influenced by past levels of housebuilding.

2.25 These factors have been assessed at the district level in the Strategic Housing Market Assessment (SHMA), but no comprehensive data appears to have been collected at the parish level **(15)**. The MSDC Housing Needs Register does, however, give one indicator of housing need with 17 households with a Horsted Keynes connection registering a need at March 2016, all of it for 1or 2 bed accommodation. Most (12/17) favoured housing in Horsted Keynes, but a minority (5/17) expressed a preference for their needs to be met outside the parish (perhaps wishing to be closer to the wider choice of jobs and services available in the towns).**(16)**

2.26 At the 2011 census, the dwelling stock in the parish was 664. Housing completions up to 2015 have raised this to 672 **(17)**

**Infrastructure to support new housing development**

2.27 Housing developments may require new or upgraded infrastructure, both on and beyond the development site, if they are to be successfully integrated into their surroundings. This may be physical infrastructure, such as highway or drainage improvements, without which the new development cannot function, or may be social or green infrastructure, such as schools, health and recreation facilities, which needs additional capacity to cope with the occupiers of the new housing. Lack of suitable infrastructure may be a reason for refusing planning permission.

2.28 Where the planning balance suggests planning permission should be granted, these requirements have previously been handled through Section 106 planning obligations. These are legal agreements between the developer and the planning or highway authority, where the former agrees to provide or pay for the necessary infrastructure before the development commences, or before it is occupied.

2.29 The Community Infrastructure Levy (CIL) was introduced by the Government in 2010. The purpose of CIL is to raise funds from developers to help pay for infrastructure that is required to support new development across the district. The Community Infrastructure Levy will simplify and largely (but not entirely) replace the existing system of Section 106 Planning Obligations. The latter will continue for provision of affordable housing and a range of site specific infrastructure. The CIL works through a fixed levy per square metre of new residential floor space which reflects local market conditions. The funds generated are pooled and directed to a list of new and upgraded infrastructure ( the so-called section 123 list) required to serve planned growth across the district, so funds are not necessarily spent where they are generated.

2.30 MSDC is working on the introduction of a CIL for development in Mid Sussex. A preliminary charging schedule has been published for consultation, proposing a charge of £235 per square metre for new housing in rural areas of the district (**18**). However, the schedule has not been submitted for formal examination or adopted by MSDC. It is likely that commencement of the CIL will follow on from adoption of the new District Local Plan

2.31 Nevertheless, the CIL is likely to be the main mechanism for delivering the new infrastructure to support housing development over the life of the NDP to 2031. The bulk of the CIL receipts will go to MSDC and priorities for spending will be determined by them. After commencement, 15% of any CIL receipts would be retained by the parish council. If the NDP is adopted, this element will rise to 25% and can be spent wholly in the parish on infrastructure priorities identified by HKPC.

2.32 As a general point, Section 106 Planning Obligations and CIL can only address infrastructure requirements arising directly from new housing development. They cannot be used to address any existing infrastructure deficiencies.

#### **Key conclusions to be drawn from the planning context**

2.30 The following key conclusions are drawn from the above analysis of the planning context:

- National planning policies seek to promote sustainable development and a positive approach to growth. In rural areas , the priority is meeting local housing needs ,particularly for affordable housing, in a sustainable way
- In some rural areas, the ability to deliver more housing will be heavily constrained by the need to protect and enhance the countryside, particularly valued landscapes and sites important for nature conservation. The highest level of protection is afforded to national parks and AONBs. Practical considerations , such as availability of a safe access and other necessary infrastructure , will also be important
- These national policies are reflected in the existing (2004) and emerging (2015) local plans prepared by MSDC, where a built up area is defined for the village of Horsted Keynes within which development will be supported in principle (subject to some detailed considerations), and beyond which development in the surrounding countryside will be strictly controlled in the interests of conserving the rural setting of the village, and protecting and enhancing the High Weald AONB and other countryside assets
- The emerging local plan seeks to direct new development to the most sustainable locations, which are the larger towns and villages (levels 1 and 2 in the settlement hierarchy). Horsted Keynes is classed as level 3, having some facilities and transport links, which might justify a limited measure of growth. **However , the emerging local plan sets no specific housing development target for Horsted Keynes**

- The NDP affords the chance to review the built up area boundary and - if justified, and possible through “suitable, available and achievable” development sites - to extend it in order to accommodate some new housing
- Any such extension will need to be very carefully justified and emerging local plan policy suggests some factors that need to be taken into account , including local housing needs
- It is difficult to assess future housing needs at the parish level. However, on the basis of a pro-rata distribution based on population and households, MSDC suggest that 126 of the district’s 11,000+ assessed housing needs up to 2031 might be generated in Horsted Keynes. This is not a requirement or target to be met. However, it is a starting point for the NDP. **The key issue is the how far can, or should, these needs be met given the particular local planning circumstances?**
- The Ashdown Forest SPA and SAC designations, and the planning response to them, add a further layer of complexity to consideration of the scale and location of any new housing development in Horsted Keynes
- The amount of housing development in the parish over the last 30 years or so has been very modest , averaging 2/3 new houses per year
- Planning mechanisms are available to secure funding for the necessary infrastructure to support new housing, where it represents sustainable development. The emphasis is shifting from Section 106 planning obligations to the Community Infrastructure Levy , with the latter weakening the link between where revenue is generated and where it is spent

### **3. HORSTED KEYNES NEIGHBOURHOOD DEVELOPMENT PLAN**

#### **Preparatory work and community engagement**

3.1 In July 2012, MSDC designated a NDP area covering the whole parish. Work soon began on gathering information and local views with community questionnaires to all residents and businesses in the parish. A first questionnaire on “people, businesses, and housing” attracted over 300 responses in autumn 2012. A second questionnaire on “critical infrastructure” attracted nearly 200 responses in spring 2013.

3.2 A Steering Group comprising three councillors and three members of the public was formed in April 2014. The constitution, composition, and personnel of this group changed over the following months. However, the focus of its work remained fixed on:

- (a) widening and deepening community engagement on key planning issues facing the parish
- (b) developing a vision for the future and the objectives by which it might be achieved and seeking public views as they evolved
- (c) making a “call for sites” to landowners who could offer potential development sites for consideration and appraisal . The method for consideration of these sites (the sustainability appraisal) and its application to these sites were then also subject to public consultation. Some of these sites have also been proposed to, and assessed by, MSCC as part of their Strategic Housing Land Availability Appraisal (SHLAA) process. ( see paragraph 2.14 above) **(19)**
- (d) preparing a draft plan for consultation

3.3 The key stages in the process of public engagement were as follows:

- Stakeholder consultation with local service providers , and clubs and societies ( July-September 2014)

- Consultation on draft vision and objectives, and sustainability criteria ( September-December 2014)
- Community engagement event in Village Hall ( January 2015)
- A series of community workshop sessions ( September 2015) focusing on potential development sites
- Two “calls for sites” ( in November 2014 and July 2015) and dialogue with landowners on the potential development sites they had put forward (ongoing)

This process is described in more detail in chapter 1 of the draft NDP published in April 2016 **(20)** and will be fully documented in the forthcoming “Consultation Statement”, which will need to accompany formal submission of the NDP to MSDC.

3.4 A large range of views and technical information was collected during this process. This review cannot assess them all in detail. However, in very broad terms, the various consultations showed:

- strong support for protecting the rural character of the village , its countryside setting and the High Weald AONB
- support for some new housing development , particularly where it helps to meet local housing needs and helps to support the viability of key village facilities such as the primary school and shop, but also some concerns over “large estate development”
- a concern that any new housing development should be matched by provision of the necessary supporting infrastructure
- a mixed response to the suitability of the various potential housing sites offered for consideration by landowners , with particular concerns on whether any resulting extension of the built up area could be satisfactorily contained, impact on the landscape, access ( for both cars and pedestrians) and parking
- No clear consensus on how far the NDP can , or should, go towards meeting OAHN

#### **Decisions on the scale and location of new housing for inclusion in the draft NDP**

3.5 All these issues were brought together in debate at meetings of the parish council in December 2015 and February 2016, where councillors considered the recommendations of the Steering Group on whether to make any allocations of land for housing development in the NDP **(21)**. These recommendations were based on detailed sustainability appraisals of each site, using criteria adapted from the NPPF and parallel work by MSDC on their SHLAA. Views received from the public consultation in the preceding September – which specifically sought views on the sites - were also taken into account. All the sites lie beyond the built up area boundary, and so are subject to planning policies to protect the rural setting of the village, the High Weald AONB and other countryside assets ( **see Map C in Appendix )**

3.6 A number of other sites had been previously rejected through the sustainability appraisal process, mostly on account of being in unsustainable locations distant from the village and/or on practical grounds such as lack of access.

3.7 The parish council decisions on the steering group recommendations were as follows:

Site and map reference	Key issues	Parish Council decision
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Police House Field (HKNP002)	<ul style="list-style-type: none"> <li>➤ Location of access</li> <li>➤ Screening and containment</li> <li>➤ Number of dwellings to be allocated</li> </ul>	Allocate for 7 dwellings ( subsequently increased to 10 at February meeting )
Westall House , Abbeyfield (HKNP0028)	<ul style="list-style-type: none"> <li>➤ No issues raised</li> </ul>	Allocate for 14 self- contained bungalows for independent living
Old Rectory, Church Lane (HKNP012)	<ul style="list-style-type: none"> <li>➤ Access and road safety</li> <li>➤ Number of dwellings and balance between new build and conversion of existing buildings</li> </ul>	Do not allocate
Constance Wood Field (HKNP003)	<ul style="list-style-type: none"> <li>➤ Current lack of access</li> <li>➤ Impact on traffic and parking in Hamsland</li> <li>➤ Competing claims for informal open space, allotments and community garden</li> </ul>	Do not allocate
Land south of St Stephen's Church (HKNP025)	<ul style="list-style-type: none"> <li>➤ Current lack of access</li> <li>➤ Impact on traffic and parking in Hamsland</li> </ul>	Do not allocate
Jeffrey's Farm buildings (HKNP013)	<ul style="list-style-type: none"> <li>➤ Access using existing farm track</li> <li>➤ Number of dwellings and viability of small scale development based on courtyard style development</li> <li>➤ Screening from the west side</li> </ul>	Allocate with numbers to be agreed following further discussions with landowner ( subsequently agreed to be approx.6 dwellings)
Jeffrey's Farm sites (HKNP014/016/017)	<ul style="list-style-type: none"> <li>➤ Crossing the "defensible boundary" of Sugar Lane and the ability to contain development beyond it, if these sites were allocated</li> <li>➤ Ability to achieve safe access off Sugar Lane</li> <li>➤ Effect of restrictive covenant on HKNP017</li> <li>➤ Screening of development, particularly on the west side</li> </ul>	Do not allocate

3.8 The Vision and Objectives which eventually emerged from public consultation and the work of the Steering Group for inclusion in the draft NP were as follows:



## **VISION**

*In 2031 Horsted Keynes remains an attractive rural village, centred on the village green, and is a desirable place to live, work and visit. It has a thriving local economy and is able to sustain sufficient essential services and facilities to meet most local needs. Homes are available for all stages of life and circumstances and there is a strong sense of local community which contributes to low levels of crime. Development has taken place in a sustainable way, at a scale and form that preserves the distinctive rural character, landscape and community ethos.'*

## **OBJECTIVES**

- 1. Conserve and enhance the environment of the village in order to maintain its distinct rural identity and outstanding landscape setting.*
- 2. Maintain and enhance existing and establish new local services and facilities.*
- 3. Meet Horsted Keynes's housing needs over the plan period with emphasis on housing that addresses the needs of younger people and families to help maintain the village age profile.*
- 4. Support local businesses and provide enhanced employment opportunities within the parish including home working.*
- 5. Reduce the negative impacts of traffic and roadside parking on the village and encourage safe walking and cycling.*
- 6. Minimise the adverse environmental effects of new development and support energy reduction and sustainable energy opportunities for the whole village.*

3.9 A draft NDP was published for pre-submission consultation in accordance with regulation 14 of the Neighbourhood Planning (England) Regulations 2012 (as amended) for a six week period ending on 26 May 2016 **(22)** .It incorporates the housing allocations agreed as above by the parish council and sets out its approach to the scale and location of new housing development, as follows in paragraphs 5.1 to 5.3 and 9.1 to 9.6 of the draft plan. This is worth setting out in full as represents the plan's current response to the key question posed in paragraph 2.30 above : how far can , or should, the plan go in meeting the OAHN identified in work by MSDC ? . As such, it expresses the plan's housing strategy.

## **EXTRACTS FROM DRAFT NDP INDICATING CURRENT HOUSING STRATEGY**

### **5. HOUSING AND DESIGN OF DEVELOPMENT**

*5.1 Horsted Keynes is a desirable and attractive place to live, a traditional Sussex village within the High Weald AONB, surrounded by farmland, woodland and open countryside. It provides road access to the surrounding towns, travel hubs and employment opportunities.*

*5.2 Opportunities for additional housing supply are extremely constrained due to the surrounding AONB, the conservation area and very limited infill sites within the current built up area boundary.*

*5.3 There is an overwhelming desire to maintain the scale, style and setting of the parish settlements and to protect the surrounding countryside from inappropriate development.*

### **9 SITE ALLOCATIONS**

9.1 This section of the Neighbourhood Plan allocates land for residential development.

9.2 The approach taken in the Horsted Keynes Neighbourhood Plan is to identify housing allocations which achieve the objectives of the Neighbourhood Plan within the context of the overall strategic objectives of the emerging Mid Sussex District Plan. These include:

- Protecting the unique character of Mid Sussex
- Increasing the district's sustainability
- Supporting economic growth
- Meeting local housing need and ensuring developments in suitable locations

9.3 The following sites are proposed for allocation:

- Police House Field (10)
- Land at Jeffreys Farm (6)
- Land at Westall House (14)

9.4 These allocations total 30 dwellings and when combined with the two completions and 12 dwellings in the planning pipeline\* since the start of the Local Plan period provide a total of 44 dwellings. This scale of growth is considered to represent an appropriate balance between the need to provide for a growing and changing population whilst also recognising the aim of maintaining Horsted Keynes as a quiet, attractive and sustainable rural village.

#### **Site selection criteria**

9.5 The site selection criteria adopt the objectives of the Neighbourhood Plan listed in Section 3 above together with those of the NPPF and the emerging Mid Sussex District Plan.

9.6 Sites were identified via two public calls for land which invited local land owners to present prospective development sites. They were assessed against the following criteria which are provided within Government guidance on undertaking assessments of sites proposed for housing:

- Availability – if the site is available for development;
- Suitability – if, when assessed against policy restrictions (such as designations, protected areas, existing planning policy), physical problems (such as access, infrastructure, ground conditions, flood risk, hazardous risks, pollution or contamination), potential impacts (including effect upon landscape features and conservation) and environmental conditions (which would be experienced by prospective residents), it is a suitable location for development;
- Achievability - if there is a reasonable prospect that housing will be developed on the site, this being a judgement about its economic viability.

*\*Conversion of former Ravenswood Country Inn, Horsted Lane , Sharpthorne ( in HK parish) to 12 flats*

#### **Consultation on the draft NDP**

3.10 Consultation on the draft NDP attracted representations from 111 different organisations and individuals (23). It will be for the parish council to consider these representations carefully and to decide whether to make any further amendments to the draft NDP (and its supporting documents) in response to them, before it formally submits the plan to MSDC.

3.11 This review does not assess the representations in detail but, as part of its examination of the way forward, looks at the broad pattern of views received of the scale and location of development. It is evident that views are highly polarised on this key issue. Some 40 representations expressed broad support for the draft plan's approach and 47 representations were not supportive on the basis that they felt that the draft plan had proposed insufficient new housing. No one seemed to think that too much housing was being proposed. Planning policies are not decided on the basis of a "head count" between supporters and objectors, but on the planning merits of the case, so we need to look at the arguments for more housing in greater detail.

3.12 The case for more housing in these representations is based on five main arguments:

- (a) there is a need for more affordable housing, starter homes, and family housing to meet local housing needs in Horsted Keynes and to increase choice in the local housing market. Many representations centre on a perceived lack of affordable housing to retain young people and families in the village.
- (b) more new housing to retain existing residents in housing need, or to increase the population, will support retention of key village facilities, particularly the village school and the shop, and also support activities like clubs, societies and sport, which aid long-term community cohesion
- (c) new development may help to provide (or help finance) new community facilities, such as open space or improvements to highways and pedestrian routes, with benefits to both new and existing residents
- (d) the background work for the draft NDP- particularly the sustainability appraisals carried out on sites put forward by landowners and developers - has unreasonably rejected the development potential on certain sites, which some representations claim are "suitable, available and achievable" and so should be allocated
- (e) the housing strategy in the draft NDP is unclear in terms of its relationship to the OAHN identified by MSDC, and other material considerations which bear on the scale and location of new housing development

These arguments are now considered in more detail in the paragraphs below

3.13 The draft NDP allocates land for housing development at Police House Field (10 units), Jeffrey's Farm Buildings (approx.6 units) and Westall House (14 units). With two housing completions since 2014 and an outstanding planning permission for conversion of a hotel to provide 12 flats at Horsted Lane, Sharpthorne, a total of 44 new units of housing are envisaged over the plan period to 2031. This would be a 6.5% increase in the dwelling stock over 2014 levels. There seems to be little objection in principle to the three sites allocated (although the Jeffrey's Farm Buildings site is suggested by some to be better considered as part of a comprehensive development package on the wider Jeffrey's Farm site). However, several representations question whether this package will realistically yield 44 units and what proportion of them will meet the perceived need for smaller scale, affordable, housing

3.14 It is argued that Westall House will provide specialist housing for older people which – if combined with an element of communal facilities and care support - would not constitute residential use in planning terms (Use Class C3), but would be accommodation in a residential institution (Use Class C2) and, secondly, that the Ravenswood Hotel site is so far out of the village (albeit still in the parish) that it does not contribute to meeting local housing needs. The first point hinges upon detailed management arrangements which will only become evident when Westall House moves to a detailed planning application. In the meantime, I think it is reasonable for the draft NDP to assume that "independent living accommodation" proposed on the site (which agents for the owners now say has risen to 22 units in their latest proposals) should be counted as new dwellings. I see no reason

why the Ravenswood flats should not be counted: the site is in Horsted Keynes parish and is part of the NDP area.

3.15 The proposed allocations will be subject to the dwelling mix and affordable housing policies set out in the Mid Sussex Local Plan 2004 ( H2 and H4), as moderated by the NPPF and ongoing work on the new District Local Plan, along with draft NDP policy HK2. Westall House is 1 and 2-bed specialist housing accommodation for older people and will not contribute to the housing needs of the wider population, particularly young people and families. The other two sites will only provide a handful of small 1-2 bed units (3 at Jeffrey's Farm and 5 at Police House Field on the basis of HK2). This is hard to square with the draft NDP vision of " homes available for all stages of life and circumstances " and the objective of "meeting Horsted Keynes's housing needs over the plan period with emphasis on housing that addresses the needs of younger people and families to help maintain the village age profile ". Therefore, I consider that either the vision and objectives need to be re-visited, or a more concerted effort needs to be made to identify additional housing

3.16 A number of representations (including one from the village school governors) argue that more housing developments would support the retention of key village facilities and a range of activities which support community cohesion. This is often advanced as an argument for more housing. However, there is no clear linear relationship between increased housing and the ability of a settlement to retain or improve facilities: many other factors are at play, some of which are arguably more important. These other factors include (for example):

- any new affordable housing may – either wholly or in part- be directed to meeting the needs of households who are already resident in the parish, and so not add to demand for facilities or community activity
- the personal circumstances of the individuals operating facilities such as shops or pubs
- the changing role of local education authorities , the increasing independence of individual schools, and the extension of academies and academy chains into the primary school sector
- increasing levels of internet shopping
- thinning out of the post office network , even in the towns, as more transactions move online
- reduced commitment to community activity in modern society ( this applies in settlements of all sizes)
- people travelling over longer distances for a wider variety of recreation activities

It is important to note that some of the trends giving rise to concerns in Horsted Keynes are also evident in larger villages, or even small towns. The trend towards fewer, larger, more centralised, facilities has been going on for decades and is still continuing, irrespective of housing growth

3.17 Therefore, I conclude that additional housing may only have a **marginal** benefit in terms of additional support for key facilities and activities. Development of the scale we are examining in Horsted Keynes (up to 126 dwellings in the OAHN indicated by MSDC, but probably less given the difficulty of finding sustainable sites) would not be enough to decisively affect their long-term viability. The combination of other factors (such as those listed above) will probably have more influence.

3.18 New development may indeed contribute to new community facilities (see paragraphs 2.27-2.32 above). However, any section 106 agreements can only seek infrastructure necessary to make the proposed development itself acceptable. This means that any upgrades will be directed to managing the impacts of development, rather than providing wider community benefit or tackling existing infrastructure deficiencies. When CIL is introduced in Mid Sussex, the lion's share (75-85%) will go to

MSDC, to be allocated in line with district-wide priorities for infrastructure to support growth: little of this can be expected to come back to the parish. The remaining 15-25% can be spent in line with parish priorities, but again the scale of development will mean that the sums raised for new community infrastructure will not be large, will be intermittent, and may well need to be topped up with funds from other sources

3.19 The arguments on whether the recent consultation has produced additional evidence which would warrant re-consideration of potential housing development sites are the most difficult and time consuming issue to resolve. This is because:

- all the material provided , and comments made, in the representations need to be carefully considered. This includes additional technical information, illustrative housing layouts, traffic assessments and proposed new access arrangements, and proposals for provision of open space and screening landscaping. Some of this will need to be checked with outside parties , for example with WSCC Highways on access , parking and road safety issues ; with MSDC Housing and Planning on local housing needs; with the High Weald AONB Unit on the impact of development on key features of the nationally important landscape **(24)**
- sustainability appraisals of potential housing development sites will need to be reviewed and updated, and the parish council will need to look again at whether any additional sites are now “suitable, available and achievable” and so represent sustainable development. If further housing allocation(s) is (are) proposed, this may also require updating of the Habitats Regulations Assessment.(see paragraphs 2.19 to 2.21 above) .These are all “living documents” which need to be reviewed and updated as the plan progresses
- the vision and objectives, overall housing strategy and relationship to OAHN will need to be considered again ( this is discussed in more detail below)

3.20 I recommend that the parish council do not take any hasty decisions and give due consideration to all these matters before deciding whether or not to amend the plan prior to submission. This will pay dividends in the long run in taking a more robust document to independent examination.

3.21 To assist the further work suggested above, I have identified the following issues raised during the recent consultation that need further consideration prior to any decisions on the response to the recent pre-submission consultation and any further amendments to the draft NDP before it is formally submitted to MSDC. This is not an exhaustive list: detailed consideration of the views received during consultation may identify other issues.

Site and map reference ( Map C in Appendix)	Issues requiring further consideration following consultation on the draft plan in April-May 2016  (NB. Issues identified in prior work on sustainability assessments remain relevant and will need to be considered alongside those listed below in any future review and update)
All sites	<ul style="list-style-type: none"> <li>• whether site owners ( particularly any that have failed to respond to the consultation) are still willing to make them available for housing development</li> <li>• whether development of sites will have an adverse impact on key features of the High Weald AONB landscape in Horsted Keynes parish , and whether any such impacts can be managed and mitigated to an acceptable level ( see recently published information online at: <a href="http://www.highweald.org/downloads/publications/parish-information.html">http://www.highweald.org/downloads/publications/parish-information.html</a> )</li> </ul>

	<ul style="list-style-type: none"> <li>• whether possible development sites can achieve the increased housing densities now being sought by MSDC in draft policy DP24A (at least 30 dwellings per hectare), whilst avoiding “ cramped forms of development or harm to the established character of surrounding areas “</li> <li>• the extent to which development of the sites could offer affordable housing to meet local needs</li> <li>• opportunities for providing publicly accessible green spaces within new residential developments of over 15 dwellings or 0.5 ha, in accordance with draft policy HK6</li> </ul>
Police House Field (HKNP002)	<ul style="list-style-type: none"> <li>• whether the proposed density of development ( 10 dwellings on a 0.26ha site ) can be accommodated on the site</li> </ul>
Westall House , Abbeyfield (HKNP0028)	<ul style="list-style-type: none"> <li>• whether the latest proposals from the landowner , involving an increase from 14 to 22 “independent living units”, are acceptable</li> <li>• whether improved pedestrian links into the village need to be considered</li> </ul>
Old Rectory, Church Lane (HKNP012)	<ul style="list-style-type: none"> <li>• whether access to limited development on the southern part of the site could be secured from the south side to overcome access issues off Church Lane</li> </ul>
Constance Wood Field (HKNP003)	<ul style="list-style-type: none"> <li>• whether access can only be obtained in conjunction with the development of site HKNP025 , or whether other points of access might be practicable with less impact on Hamsland</li> <li>• whether traffic and parking issues in Hamsland could be better managed if the site were developed</li> <li>• screening on south side</li> <li>• how any new housing could be successfully integrated with other uses on the site such as informal open space and allotments or orchard, and continuing access to adjacent agricultural land</li> </ul>
Land south of St Stephen’s Church (HKNP025)	<ul style="list-style-type: none"> <li>• whether the proposed access on the west side of the church is a safe location and is suitable to serve a development of the scale suggested by the landowners’ agents (20-25 houses)</li> <li>• the impact of an access in this location on mature trees there and on the need for improvements to the Hamsland/Lewes Road junction</li> <li>• whether traffic and parking issues in Hamsland could be better managed if the site were developed</li> <li>• screening on south side</li> </ul>
Jeffrey’s Farm buildings (HKNP013)	<ul style="list-style-type: none"> <li>• whether the current density proposed is appropriate or whether additional housing is possible , given the limitations of the existing access track</li> <li>• whether it makes sense to develop this site in isolation or whether it would be better incorporated in a comprehensive development on the west side of Sugar Lane ( with HKNP014/015/016/017 )</li> </ul>
Jeffrey’s Farm sites (HKNP014/015 /016/017)	<ul style="list-style-type: none"> <li>• whether the layout submitted by the landowner’s agents overcomes, confirms, or worsens concerns over the effect of development crossing the existing built up boundary provided by Sugar Lane and the extent to which this development is contained , and does not open up development pressure over a wider area of countryside to the west</li> </ul>

	<ul style="list-style-type: none"> <li>• whether the proposed access to the site opposite Jeffries is a safe location and is suitable to serve a development of the scale proposed ( indicated as 42 dwellings in recent material from the landowners’ agent)</li> <li>• the degree to which the sites can be seen from public vantage points to the north and west, given the extent of existing tree cover</li> <li>• impact of development on recently imposed tree preservation orders</li> <li>• the impact of the restrictive covenant on site HKNP017 on the layout of development : does it push development further out from the village and lead to increased visual impact?</li> </ul>
Land west of Church Lane (HKNP0008)	<ul style="list-style-type: none"> <li>• whether it has been demonstrated that access to the site can be achieved in a safe location and whether it is suitable to serve a development of the scale proposed ( the landowners’ agents provide three indicative layouts of 10, 41 and 47 dwellings)</li> <li>• impact on the setting of the parish church and the village conservation area</li> </ul>
Land beside Ludwell Grange (HKNP006)	<ul style="list-style-type: none"> <li>• No additional issues identified as a result of the consultation</li> </ul>
Land at the end of Church Lane (HKNP001)	<ul style="list-style-type: none"> <li>• No additional issues identified as a result of the consultation</li> </ul>
Land at Little Keynes , Birchgrove road (HKNP005)	<ul style="list-style-type: none"> <li>• No additional issues identified as a result of the consultation</li> </ul>

3.22 The last main lines of criticism in the representations are that the draft NDP lacks a clear housing strategy, particularly in explaining the relationship of its proposals to the OAHN figure of 126 and in giving a clear indication of the housing need the plan is seeking to meet. I have some sympathy with these criticisms and think that the draft NDP would be wise to address them directly before proceeding to submission.

3.23 The draft NDP includes some analysis based on 2011 census data, MSDC’s housing register, and the SHMA **(25)** on housing in the parish. However, it does not appear to be supported by a specific parish housing needs assessment. I understand from MSDC officers that such a piece of work was actively considered earlier in the draft NDP process, but ultimately was not undertaken. Such an assessment carries out surveys to gather detailed local evidence on the extent and nature of housing needs in the parish, what sort of housing people need ( not just size , but also type of tenure and what they can afford to pay), and what forms of development would best meet the identified need. It would be an essential platform for preparation of any affordable housing scheme(s) specifically tailored to meet the parish’s needs and would need to be worked up in partnership with MSDC and registered social landlords active in the area.

3.24 Sections 5 and 9 need to be developed further to explain how the plan’s housing proposals relate to the OAHN of 126 dwellings identified by MSDC. Whilst this is not a target or requirement, it is a starting point for the draft NDP. It is likely – particularly given the nationally protected AONB landscape and the various constraints on potential development sites – that the amount of development in the draft NDP will be significantly less than the OAHN. This difference needs to be fully explained and justified. This is not a mathematical formula: it is a realistic and pragmatic assessment of the planning position, supported by evidence.

### **Options available in taking forward the Horsted Keynes NDP**

3.25 There appear to be three broad options for taking forward the draft NDP to formal submission to MSDC, depending on the outcome of the further work recommended above. These are:

**(a) If the further work recommended in paragraphs 3.13 to 3.24 above does not indicate any further sites which are “suitable, available and achievable” as sustainable housing development sites:**

**Option 1: Proceed to formal submission on the basis of a similar amount of development as proposed in the current draft NDP (approx. 40-50 dwellings up to 2031)**

**Option 2A: Proceed to formal submission on the basis of a similar amount of development proposed in the current draft NDP (approx. 40-50 dwellings up to 2031) and also seek to identify a “rural exceptions site”, as part of the draft NDP**

**Option 2B: Proceed to formal submission on the basis of a similar amount of development proposed in the current draft NDP (approx. 40-50 dwellings up to 2031) and make a commitment to work with MSDC and social housing providers to investigate the practicability of a “rural exceptions site” outside the NDP process.**

**If ultimately delivered, a “rural exceptions site” could push up housing provision closer to the OAHN, perhaps up to around 70 dwellings**

**(b) If the further work recommended in paragraphs 3.13 to 3.24 above indicates a further site, or sites, which are “suitable, available and achievable” as sustainable housing development sites:**

**Option 3: add new housing allocation(s) to the draft plan and proceed to formal submission on the basis of an increased amount of development, which is even closer to the OAHN, perhaps providing 70-90 dwellings overall**

#### **Option 1**

3.26 Option 1 is where the additional work still drives the parish council to the conclusion that no additional sites are “suitable, available and achievable” and so are not sustainable as housing allocations. It accepts that the draft NDP will fall well short of the OAHN, but justifies this in terms of evidence that the sites rejected do not meet perform well enough against the criteria in the sustainability assessment and that their development will cause overriding harm to planning objectives. This option will yield only a few small units/affordable housing to meet local needs, necessitating a further look at the vision and objectives to make the plan more coherent and robust.

3.27 The advantages of Option 1 are:

- it provides the greatest degree of protection to the village’s rural setting, the High Weald AONB and other countryside assets, which has strong local support
- it does not make any additional allocations, which are likely to prompt further objections
- it retains the existing well defined built up area boundary

3.28 The disadvantages of Option 1 are:

- it provides only a small amount of housing to meet local needs

- the marginal benefit of additional housing to support of community facilities and activities is least of the three options
- a significant body of local opinion is likely to continue opposing the plan vigorously at both examination and referendum , with risk to successfully completing the plan
- pending formal “making” of the plan after referendum , it will leave the area more vulnerable to speculative planning applications for housing development

### **Options 2A and 2B**

3.29 Option 2 seeks to strike a different balance between protection of the local environment and meeting local housing needs. It uses the device of a “rural exception site (or sites)” in addition to housing allocations. These are sites which would not normally be granted planning permission for housing development, so “the bar is a bit lower” than for a housing allocation because an exception is made in order to provide 100% affordable housing in perpetuity to meet local needs .They are built and managed by social housing providers and are occupied by local people in housing need nominated by the local authority ( in this case , MSDC ) . Occupiers are households either already living locally, or with a local family or employment connection to the parish. Tenure is usually rent, but part ownership schemes to give occupiers a financial stake in the property are also possible. Rural exception housing is tailored to specific local needs as revealed by detailed local surveys. The approach is supported by paragraph 54 of NPPF (2012), policy H5 of the Mid Sussex Local Plan (2004), and policy DP30 of the emerging Mid Sussex District Local Plan (2015)

3.30 After need is established, a rural exceptions site needs two things: a site with an owner willing to make land available at a price much nearer to agricultural value than to open market housing values (which carries through into cheaper development costs and then rents) **and** a social housing provider with access to the funds necessary to build out the scheme and the capacity for its ongoing management and maintenance.

3.31. The advantage of this approach is that it provides a development dedicated in perpetuity to meeting the need of local people for affordable housing. As a planned and carefully justified exception to planning policies to strictly control development in the countryside, it does not create any precedent or justification for further, open market, development beyond the built up area boundary. A “rural exceptions” project can be pursued either within or outside the NDP process, but –either way- is normally led by the parish council .There are important differences between the two approaches which are worth considering in more detail.

### **Option 2A**

3.32 If a “rural exceptions site” were to be included in the draft NDP, it would need to be supported by a detailed parish housing needs survey prepared in partnership with MSDC and social housing providers. This would take several months to commission and complete, and could incur a significant cost. Obviously, it would also delay submission of the plan to MSDC.

3.33 In parallel, the parish council would need to consider whether any of the potential development sites so far put forward might be available as a “rural exceptions site” . As I understand it, only one site – Constance Wood Field (HKNP003), which is owned by MSDC – has been previously suggested in this context. However, there is no reason why other landowners should not be approached to see if they would be willing to offer a site on the understanding that the financial return would not reflect the “hope value” that often attaches to sites around the edge of villages. Work would also need to be done to address the technical issues that go with any development, such as safe access and landscaping and screening to ensure that, as far as possible, it respects the setting, form and

character of the village and the surrounding landscape. Further local consultation would be required as this work evolves. If a satisfactory proposal emerged, it could be incorporated in the draft NDP as an exception to planning policy.

3.34 The advantages of Option 2A are:

- it provides a development specifically tailored to meeting local housing needs and maintains it in perpetuity
- it allows a given level of local housing need to be met with a smaller land take, and incursion into the surrounding AONB countryside, than allocated sites for open market housing with a 30% affordable housing element
- it would bring the draft NP closer to its stated vision and objectives, and the OAHN
- it would address concerns raised in the recent consultation that the draft NP is not providing sufficient housing to meet local needs and to support community facilities and activities, reducing (but probably not eliminating) objections on this point

3.35 The disadvantages of Option 2A are:

- delays and costs in taking forward the draft NDP to submission
- further work may not be able to identify a suitable site with an owner who is willing to make it available at a price which makes a scheme viable
- identification of a site will, almost inevitably, lead to fresh objections on the NDP
- delays will leave the area more vulnerable to speculative planning applications for housing development
- changes to government policy on housing support (with a diversion of finance to privately developed "starter homes") may make this type of development harder to fund

### **Option 2B**

3.34 The alternative is to pursue the possibility of a "rural exceptions site" outside the NDP process. This would require a statement in the draft NP to the effect that:

(a) sustainability assessment has yielded only a limited number of "suitable, available and achievable" sites to allocate for housing development

(b) planning policies for dwelling mix and affordable housing on these sites will not provide sufficient new properties to meet local needs for affordable housing

(c) this has driven the parish council to the conclusion that it needs to investigate the possibility of promoting a "rural exceptions site" to provide 100% affordable housing and that this is best considered separately outside the NP process

(d) any site emerging from this process would bring development closer to the OAHN

3.35 This would require much the same process as outlined in 3.29 to 3.31 above. However, it would not delay the draft NP process in the same way. If a satisfactory site emerged, it would be pursued as a planning application, or through a Community Right to Build scheme or a Neighbourhood Development Order **(26)**

3.36 The advantages of Option 2B are:

- it avoids delays and costs to the NDP process through immediate work on a detailed parish housing needs assessment

- if successful, it provides a development specifically tailored to meeting local housing needs and maintains it in perpetuity
- if successful, it allows a given level of local housing need to be met with a smaller land take , and incursion into the surrounding AONB countryside, than open market housing with a 30% affordable housing element
- it would recognise concerns raised in the recent consultation that the draft NP is not providing sufficient housing to meet local needs and to support community facilities and activities, reducing ( but probably not eliminating) objections on this point, but less than Option 2A

3.37 The disadvantages of Option 2B are:

- it could be portrayed as recognising a problem, but then delaying taking action on it ( “kicking it into the long grass”)
- it would go some way to bringing the draft NP closer to its stated vision and objectives , and the OAHN ( but not as much as Option 2A) and so the plan would be more vulnerable to rejection at the examination stage
- further work may not be able to identify a suitable site with an owner who is willing to make it available at a price which makes a scheme viable
- identification of a site will , almost inevitably , lead to fresh objections
- delays will leave the area more vulnerable to speculative planning applications for housing development
- changes to government policy on housing support ( with a diversion of finance to privately developed “starter homes”)may make this type of development harder to fund

### **Option 3**

3.38 Option 3 is where the recommended further work leads to the conclusion that there is now evidence that an additional site (or sites) are “suitable, available and achievable” and that , as a result, the draft NDP proposes to include additional housing allocations prior to submission to MSDC

3.39 The advantages of Option 3 are:

- this could bring the draft NDP closer to its stated vision and objectives , and to the OAHN
- it would address concerns raised in the recent consultation that the draft NP is not providing sufficient housing to meet local needs and to support community facilities and activities, reducing future objections on this point
- it will provide more housing to meet local needs through the 30% affordable element
- it may ease pressure for speculative planning applications for housing development

3.40 The disadvantages of Option 3 are:

- it will lead to a further incursion of housing development into the rural setting of the village and the High Weald AONB and it may not be possible to manage and mitigate all the adverse impacts to the satisfaction of all residents
- any additional housing allocations will inevitably lead to fresh objections, both from nearby residents and from owners of sites which remain unallocated
- although obliged to consider the evidence, the parish council may be portrayed as “inconsistent” if it now allocates additional land

#### **4. Recommendations**

4.1 Horsted Keynes Parish Council consider this report at their special meeting on 9 August 2016

4.2 No decisions are made on the response to the representations on the pre-submission draft NDP during the April-May consultation period until the further work recommended in paragraph 3.19 of the report is carried out , specifically:

- ❖ careful consideration of all the 111 representations made during the consultation along with the technical information , illustrative layouts , proposed new access arrangements etc. submitted at that time , including technical liaison where necessary with MSDC, WSCC and High Weald AONB Unit
- ❖ review and updating of sustainability appraisals for potential housing development sites and , if necessary, Habitat Regulations Assessment
- ❖ review NDP vision, objectives , and housing strategy in light of assessments emerging from the above work

4.3 Report back to a further meeting of the Parish Council to formally consider response to the representations on the pre-submission draft NDP during the April-May consultation period and any amendments necessary to the plan (NB. This will need to cover all aspects of the NDP and not just the scale and location of new housing covered by this review)

4.4 Amend plan in the light of decisions made in item 4.3 above , and then complete preparation of NDP Basic Conditions Statement and NDP Consultation Statement ( required by Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 )and liaise with MSDC on arrangements for formal submission of NDP and all necessary supporting information

**Lindsay Frost BA (Hons) DipTP MRTPI**

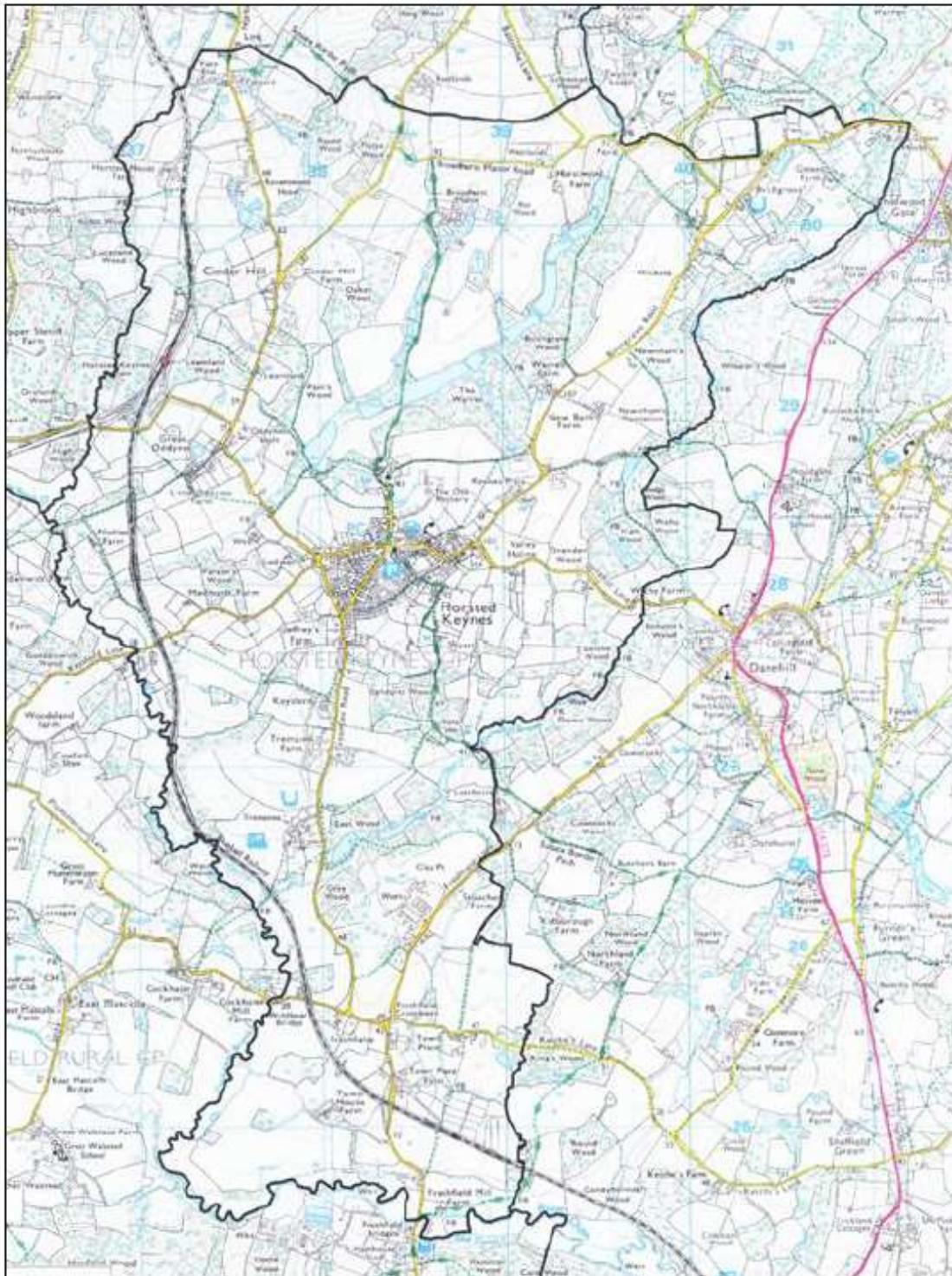
**Independent planning consultant**

**Lewes, East Sussex**

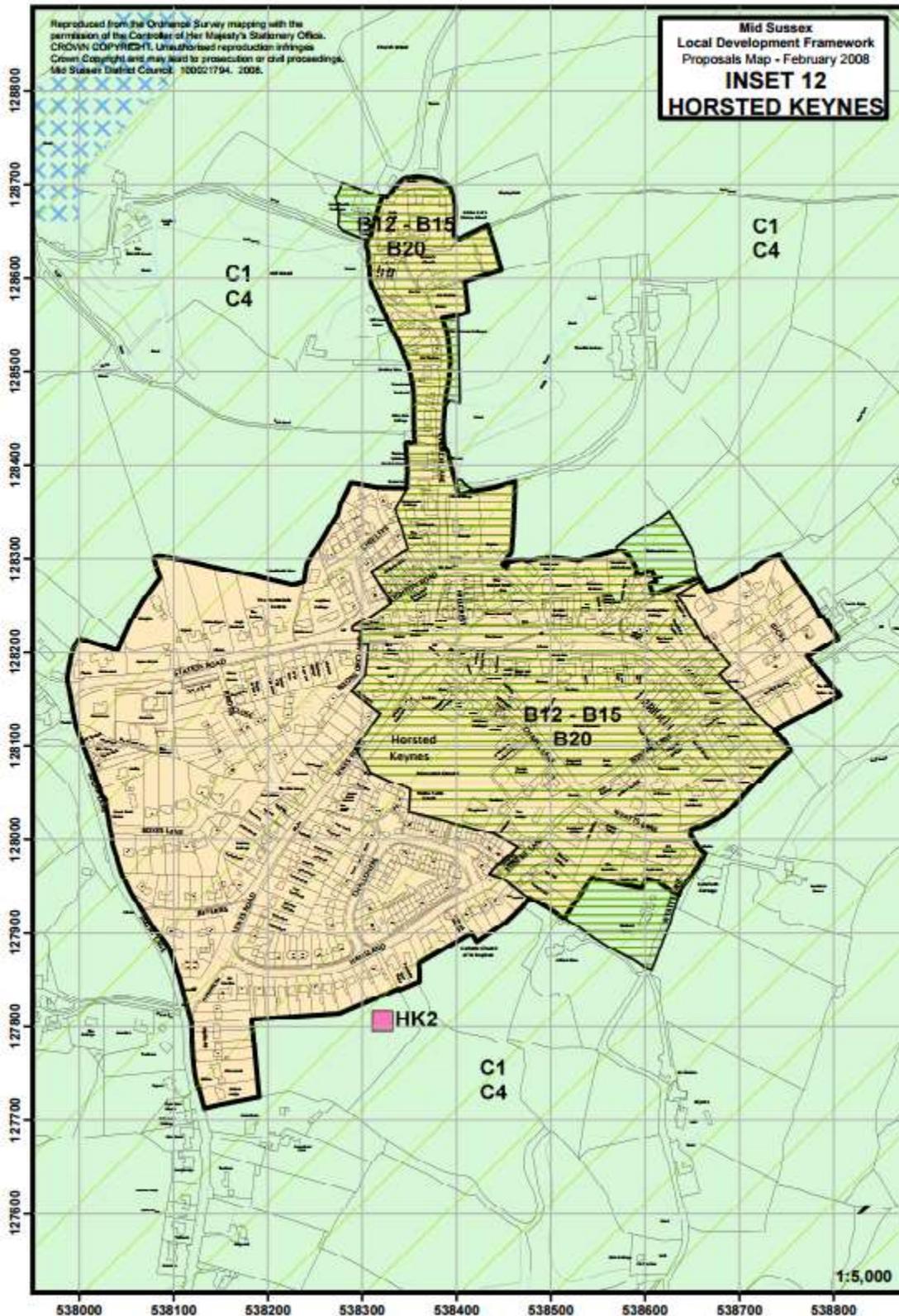
**1 August 2016**

**APPENDIX 1**

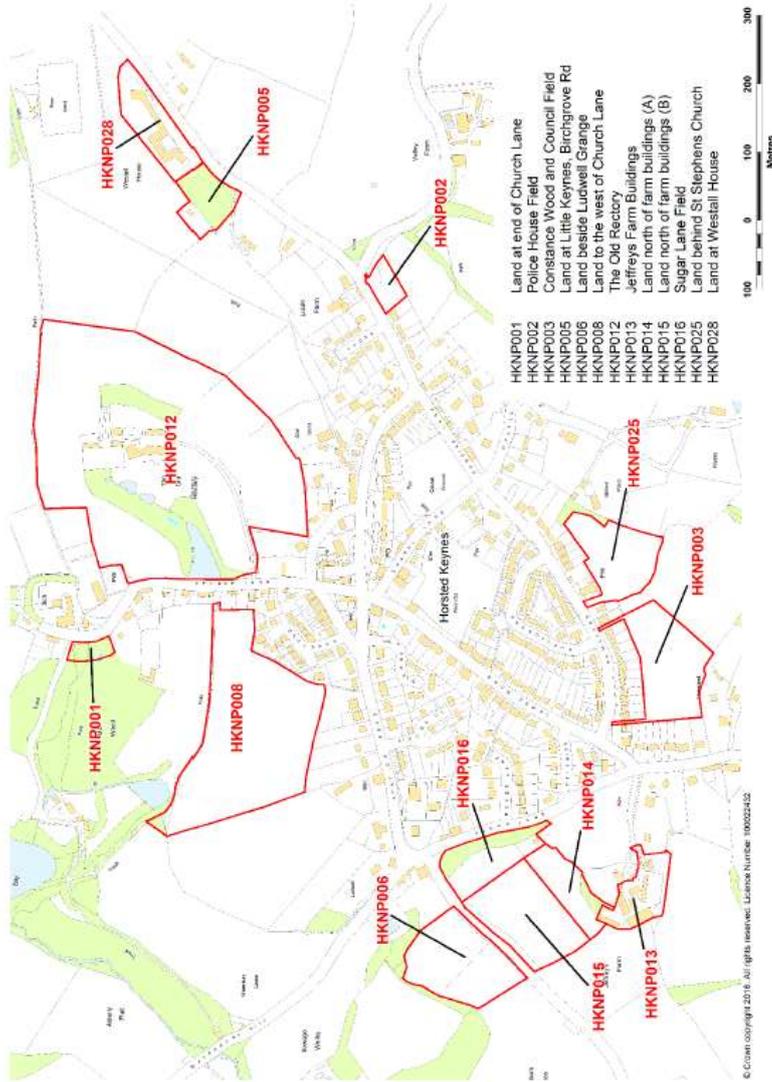
**MAP A THE DESIGNATED NEIGHBOURHOOD DEVELOPMENT PLAN AREA**



**MAP B THE BUILT UP AREA BOUNDARY OF THE VILLAGE AS INDICATED IN THE MID SUSSEX LOCAL PLAN (2004)**



## MAP C POTENTIAL HOUSING SITES SUBJECT TO SUSTAINABILITY APPRAISAL



## **APPENDIX 2**

### **DEFINITION OF “AFFORDABLE HOUSING” IN THE NATIONAL PLANNING POLICY FRAMEWORK**

Affordable housing: Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision. Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.

## REFERENCES

- (1) 2011 Census, Neighbourhood statistics for parish of Horsted Keynes, Office for National Statistics
- (2) Horsted Keynes Neighbourhood Plan 2016-2031, Pre-submission (regulation 14) draft. April 2016, Horsted Keynes Parish Council
- (3) National Planning Policy Framework, Department for Communities and Local Government, London, March 2012
- (4) Mid Sussex Local Plan. Mid Sussex District Council adopted June 2004
- (5) "Saved "policies of the Mid Sussex Local Plan: letter from Government Office for the South East, September 26 2007
- (6) Mid Sussex District Plan, pre-submission draft for consultation, Mid Sussex District Council, June 2015 and "Focused amendments" , November 2015
- (7) Mid Sussex Settlement Sustainability Study, Mid Sussex District Council, May 2015 and updated November 2015
- (8) Strategic Housing Land Availability Assessment (interim), Mid Sussex District Council. November 2015.
- (9) Mid Sussex Housing and Employment Needs Assessment (HEDNA), Mid Sussex District Council, February 2015 and updated November 2015
- (10) (a) National Planning Practice Guidance – Housing and economic development needs assessments. Department for Communities and Local Government, London, March 2014 and (b) Objectively Assessed Needs and housing targets: Planning Advisory Service Advice Note. July 2015
- (11) National Planning Practice Guidance – Housing and economic development needs assessments. Department for Communities and Local Government, London, March 2014 (2a-006-20140306)
- (12) Mid Sussex Housing and Employment Needs Assessment (HEDNA), Table 24 and paragraphs 8.22-8.36, October 2015 update
- (13) Mid Sussex Housing and Employment Needs Assessment (HEDNA) Paragraphs 8.22- 8.26 October 2015 update
- (14) Habitats Regulations Assessment for the Mid Sussex District Local Plan. Mid Sussex District Council, March 2015 and updated October 2015
- (15) Strategic Housing Market Assessment (SHMA) for Mid Sussex, Crawley and Horsham Districts. GVA Grimley for Mid Sussex District Council May 2009. Updated by GVA Grimley. October 2012. Updated for affordable housing needs model by Chilmark Consulting Ltd. October 2014
- (16) Housing Needs Register, Mid Sussex District Council March 2016, quoted at Paragraph 2.14 of Horsted Keynes Neighbourhood Plan 2016-2031, Pre-submission (regulation 14) draft. April 2016, Horsted Keynes Parish Council
- (17) 2011 Census, Neighbourhood statistics for parish of Horsted Keynes, Office for National Statistics
- (18) Preliminary Community Infrastructure Levy Charging Schedule, Mid Sussex District Council. Published for consultation. August 2015

**(19)** Strategic Housing Land Availability Assessment (interim), Mid Sussex District Council. November 2015.

**(20)** Horsted Keynes Neighbourhood Plan 2016-2031, Pre-submission (regulation 14) draft. April 2016, Horsted Keynes Parish Council. Chapter 1 Paragraphs 1.11-1.14

**(21)** Minutes of the meetings of Horsted Keynes Parish Council on 8 December 2015 and 9 February 2016

**(22)** Horsted Keynes Neighbourhood Plan 2016-2031, Pre-submission (regulation 14) draft. April 2016, Horsted Keynes Parish Council.

**(23)** Schedule of representations received on Horsted Keynes Neighbourhood Plan 2016-2031, Pre-submission (regulation 14) draft. April – May 2016, Horsted Keynes Parish Council.

**(24)** See specific representation from High Weald AONB Unit on this point referenced representation no 65 in the Schedule

**(25)** Horsted Keynes Neighbourhood Plan 2016-2031, Pre-submission (regulation 14) draft. April 2016, Horsted Keynes Parish Council: Appendix A: Socio-economic profile

**(26)** Community Right to Build schemes and Neighbourhood Development Orders are explained in the National Planning Practice Guidance, What is a Neighbourhood development order .Department for Communities and Local Government, London, March 2014 ID-41-010-20140306