

## WORKING GROUP AGAINST OVER-DEVELOPMENT

### MINUTES OF THE MEETING OF WEALDEN TOWN COUNCILS, PARISH COUNCILS AND PARISH MEETINGS HELD ON 8<sup>th</sup> April 2022

This meeting was held at the Village Hall in Horam.



#### 1 Present

Members of WGOD: Cllr Jean-Mary Crozier (Laughton PC), Nick Daines (CPRE Sussex and speaker), Cllr Miranda Dart (Laughton PC), Cllr Tania Freezer (East Hoathly with Halland PC), Peter McLaughlin (Chiddingly), Cllr Nikos Mikelis (Chair, Chiddingly PC), Cllr Geoff Sambrook (Isfield Parish Council and speaker), Cllr Steve Tolhurst (Chiddingly PC), and Richard Williams (Chiddingly).

Other speakers and Clerk: Cllr Ann Newton (Deputy Leader, Wealden District Council), Cllr Paul Stevens (Plumpton PC), and Alison Stevens (Clerk to the meeting).

In total 65 persons attended from 35 Town Councils, Parish Councils and Parish Meetings in Wealden<sup>#</sup>.

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<sup>#</sup> Alfriston; Arlington; Berwick; Chalvington with Ripe; Chiddingly; Cuckmere Valley; East Hoathly with Halland; Fletching; Forest Row; Framfield; Frant; Hadlow Down; Hailsham; Heathfield and Waldron; Hellingly; Herstmonceux; Hooe; Horam; Isfield; Laughton; Little Horsted; Long Man; Maresfield; Mayfield & Five Ashes;

## 2 Introduction

The Chairman began by explaining the background of and the reasons for the meeting. A digest of "Common threads and common concerns" contributed by Parish and Town Councils prior to the meeting and the text of the Chairman's opening speech are attached to these Minutes. (Appendices 1 and 2).

## 3 The Standard Method by Mr Nick Daines, (CPRE, Sussex and WGOD)

Mr Daines read from his presentation in which he explained the Standard Method. The Standard Method is the mechanism by which planning authorities are required to calculate their minimum housing need. Mr Daine's presentation is attached (Appendix 3).

A discussion followed on the frustrations caused by the lack of a five year supply, the huge increase in housing numbers (which was 9,579 over the past 20 years and is going to be 24,000 plus for the next twenty years) and the 7,500/8,000 houses which have been granted permission but yet to be built.

In answer to Councillors' questions it was confirmed that:

- i. Conditions like water neutrality imposed by Natural England on all new developments in parts of West Sussex do not reduce the housing need number set by the Standard Method.
- ii. Building only on brownfield sites would not meet the current requirements.
- iii. The Standard Method is purely to assess the need, which is a one size fits all formula.
- iv. The 7,500 houses already given permission will only be included in the new local plan if they were approved within the start date of the Plan.
- v. Some housing is needed but parishes would like more influence over the mix because there are too many 4 and 5 bedroom houses and not enough 2 to 3 bedroom starter homes.
- vi. This area is attractive to developers because it has a large number of greenfield sites and yields higher property prices than elsewhere in the country.
- vii. Wealden's Sussex Weald Homes builds a mix of housing not just 3, 4 and 5 bedroom homes.

## 4 The draft Local Plan by Cllr Ann Newton

District Councillor Ann Newton read from her presentation on the Draft Local Plan. Councillor Newton's presentation is attached to these Minutes (Appendix 4).

A discussion then followed in which it was confirmed that:

- i. The District Council does not have the power to issue penalties to developers who fail to complete their developments in time. It was suggested a land tax could be imposed instead.
- ii. The Standard Method is based on household projections not population growth.
- iii. All social housing is for local residents. There are very strict criteria to make sure that this is the case.
- iv. The Local Plan includes a policy to guide job growth.
- v. House sizes also need to reviewed as they are currently based on 2.35 people per household.
- vi. The Pevensey Levels and Ashdown Forest are protected areas and will continue to be. Councillor Newton said she will check who monitors water quality and levels at the former.

- vii. If the numbers of the housing need were to come down, Eastbourne may be able to meet its own housing need which would mean Wealden would no longer have to pick up its shortfall.
- viii. The Secretary of State for Levelling Up, Housing and Communities, Michael Gove appears to be positive and listening as does Stuart Andrew, the Minister of State for Housing. The MP Nus Ghani was said to have helped set up these meetings.
- ix. When submitting the Plan, evidence is key and Wealden will need to be able to prove, for example, that the A27 will not be able to cope.
- x. Towns and Parish Councils are being asked to consult on planning applications when there is no Transport Plan in place and feel they are making decisions blindfolded as a result. Traffic Modelling is carried out by the County Council and instigated by Wealden who does all it can to get it moving.
- xi. Updates on the Local Plan are reported back to Parish and Town Councils through Cluster Meetings. Anyone with any issues can also email Cllr Ann Newton.
- xii. It has not been possible to pin down the Prime Minister to explain the comment he made that 'there will be no building on greenfield sites'. He may have meant Green Belt sites.
- xiii. Infrastructure providers are consulted as part of the Infrastructure Delivery Plan.
- xiv. We need a Local Plan because without one it would be open season for developers.

5 The Need to set up a support network for parishes facing unsustainable development – by Cllr Paul Stevens, Plumpton Parish Council and Cllr Geoff Sambrook (Isfield Parish Council).

Councillor Paul Stevens and Councillor Sambrook read out their presentations which were about the need to set up a support network for parishes facing unsustainable development. Both presentations are attached to these Minutes (Appendices 5 and 6).

It was also said that:

- i. Sales figures should be included in planning decisions ie: how many houses have sold from the previous development before any others are even considered, but it is understood that change would have to be made at a higher level for this to happen.
- ii. Some Parishes in Wealden have been told that District Councillors are actively discouraged from carrying out site visits when this might not be the case.
- iii. Developers seem to work on the assumption their speculative application will go to Appeal and be dealt with by someone with little or no local knowledge, and so might include misleading and often incorrect information to make their application more attractive.
- iv. Planning Officers are highly qualified Members of their Professional Bodies who are under a lot of pressure and have to follow the democratic process. Anyone who has any problems with any actions taken is asked to contact Cllr Ann Newton.
- v. Parish and Town Councils need to support each other.

Those present also expressed their frustration because:

- i. The other statutory authorities rarely object and if they do so it is only in a very 'gentle' way.
- ii. The A27, A22 and A2270 are the most congested roads but money is only ever given to mitigate the effects. The applications are not objected to.
- iii. When looking at the impact of a development, the database TRICS is used and figures are always taken from the 2011 census. A recent planning application for 33 houses in the south of the District was evidenced as generating 16 trips which is clearly too low. It was suggested that District Councillors should be invited to visit areas at peak times to see the traffic chaos for themselves.

It was also noted that Wealden is listening to Parishes and donated free officer time to support this Working Group.

## 6 The outcomes from the meeting

The four main outcomes of the meeting were:

- i. All participants, except one, agreed the major problem facing the district is the obligation imposed by the Government to use the Standards Method. The Councillor who objected felt it was the data that is at fault not the Standard Method.
- ii. The participants unanimously endorsed the need to continue the campaign: for a sound national housing policy; to influence the WDC Local Housing Plan; to set up a support network for parishes facing overdevelopment.
- iii. The participants unanimously agreed in principle that all Parish and Town Councils in Wealden should be asked to sign a new letter to the Secretary of State for Levelling Up, requesting a proper response to our earlier request for change in the Standard Method and for a meeting with him.
- iv. The meeting agreed that consideration should be given to reforming the current Working Group to be a more representative body with wider participation across the District with a Terms of Reference. Seven councillors from four Town and Parish Councils volunteered to join the Working Group.

There was no further business so this meeting closed at 9:10pm

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## **APPENDIX 1**

### **COMMON THREADS, COMMON CONCERNS**

**The following is a digest of concerns expressed by town councils, parish councils and parish meetings, submitted prior to the conference on over-development in Wealden of 8<sup>th</sup> April 2022**

1. Parish and town councils are under tremendous pressure to do something urgently to address overdevelopment of Wealden and adjacent districts, but feel that, while they have the power to express opinions, they are powerless to act to halt it. The issue is consuming their time and attention unduly, in some cases almost to the exclusion of their other work.
2. There is general consternation in many towns and villages that the quality of life and the environment in Wealden and adjacent districts have deteriorated, are deteriorating and will continue to deteriorate under the onslaught of overdevelopment.
3. There is a broad consensus that the key driver of overdevelopment and its consequences is the existing unsustainable and unfair targets for housebuilding set for the South East as a region, and Wealden and adjacent districts specifically.
4. There is a strong belief that the 'standard method' to set housebuilding numbers employed by central government is demanding that too much housing be built in Wealden, principally targeted because it is rural and has green open space that can be built upon easily.
5. The one-size fits all 'standard method' is based on outdated, inaccurate data which renders its algorithmic output not fit for purpose and skews building targets upwards and on to green field land in the South East; it needs reforming.
6. The deployment of the flawed 'standard method' and the rejection of Wealden's 2019 local plan is incentivizing the building of the wrong numbers, of the wrong type of houses, in the wrong places, at the wrong price point for affordability: on green fields currently used for farming; in or near small villages; on flood plains; in natural habitats; near protected areas and areas of natural beauty, with hundreds of houses also proposed for the High Weald AONB.
7. Existing permissions for thousands of houses which are delivered only slowly or not yet at all are not being counted towards critical metrics, such as the Five-Year Land Supply and the Housing Delivery Test, which many councillors see as unjust and unwarranted.
8. Housebuilding is not evenly distributed: for instance, there is a strong perception in some councils that the brunt of proposed housing projects is being borne mainly by four towns.
9. There is a strong perception of a lack of coherence and 'joined-up' thinking in the planning system, with multiple authorities' and decision-makers' agendas, sometimes contradictory, in play – central government; MPs; Wealden District Council; the East Sussex County Council; the Planning Inspectorate are widely seen by councillors and many of their electors as parts of the problem, not the authors of solutions to overdevelopment.
10. Councillors report that decision-makers and authorities are seen to be deaf to the concerns raised by electors and their town and parish councils or absolve themselves of responsibility for the current situation.
11. Opportunistic large- and medium-scale developers are gaming the system and policy-making incoherence, and moving into the gaps to build and propose projects that are overdeveloping the entire district and overwhelming for specific localities.
12. Opportunistic individuals are exploiting the current system to seek permission for extensions or conversions that contribute to overdevelopment or can later be more easily turned into more housing.
13. The sheer (sometimes multi-thousands) scale of some residential estates currently being built and others proposed that are effectively small 'new towns', and the aggregate of all large and small developments, is historically unprecedented and deforming or destroying

the human, animal and plant habitats of Wealden and adjacent districts. The term 'concretization' is often used by councillors.

14. The A27, A2270 and A22 are too narrow and/or convoluted to be or to become arterial roads supporting the many thousands of houses already built, being built, proposed to be built and demanded by central government. The existing towns are already congested with heavy traffic and on-road parking, as is the case with numerous small villages. But there is a strong feeling that a new offline A27 destroying our diminishing countryside is not the answer.
  15. Country lanes and minor roads are congested and battered by excessive local private and commercial vehicular traffic and traffic displaced by congestion from the A-roads and are seriously inadequate to absorb proposed growth. Speeding has become a dangerous threat to many households and small villages, including routes for schoolchildren.
  16. Longer distance commuting inwards and outwards from large new estates to surrounding towns and beyond is already overwhelming the roads and lanes and increasing pollution, thereby nullifying calls for more environmentally sustainable lifestyles; and proposed new 'dormitory towns' of 1,500-3,000 houses will exacerbate this trend.
  17. Air quality is too frequently 'poor' or 'fair', especially near congested roads where vehicular traffic is slow or stationary or in congested town and village centres. Health impacts of such pollution are worryingly high, notably ground level ozone that affects respiratory illnesses.
  18. Large solar farms are spreading and in some locations are adding to the visual blight of green landscapes.
  19. Public transport is either non-existent or inadequate in many district locations and therefore cannot mitigate congestion and pollution.
  20. There is general acceptance amongst parish councils that there is a need for affordable housing but a number point to the perverse outcome of Wealden's building more houses than some adjacent districts but few of them are genuinely affordable for the younger age and lower income demographics of the district, the supposed intended beneficiaries of the government's 'standard method'.
  21. Infrastructure provision for water supply and sewage disposal, and even cemetery space, is already under pressure or inadequate and will be inadequate for the scale and density of proposed housing numbers. Water run-offs have been severely affected by 'concretization'.
  22. Quality, timely and accessible healthcare, notably GP practice provision, is already under great pressure, and overdevelopment is likely to exacerbate that in the absence of a comprehensive plan.
  23. Quality education provision and school places are already under pressure and large-scale developments will add to the pressure.
  24. There is widespread certainty that responses to date from decision-makers and authorities to appeals for action have not slowed, diverted or halted an overdevelopment 'juggernaut' which is perceived to be accelerating.
  25. There is a widespread belief that, given the nature and mobility of our local society and economy, no town or parish is an island; there is an inescapable impact of developments within any one jurisdiction, notably with respect to traffic density, speeding, parking, noise, light and air pollution, on adjacent town and parish council and parish meeting jurisdictions. Consequently, concerted action is necessary and desired.
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## **APPENDIX 2**

### **Introduction to the meeting**

**By Cllr Nikos Mikelis, Chiddingly PC**

#### **WGod Meeting – Horam Village Hall – 8 April 2022**

A warm welcome to the 35 TC, PC and PM attending today.

I am Nikos Mikelis and I am a councilor of CPC and a member of its Working Group against Over-Development.

This Group was established last summer after a discussion amongst friends over drinks in the garden. We all agreed that something is seriously wrong with so much of the countryside being built-up, all the way down to the sea. We concluded that our parish council should consider opposing overdevelopment.

In very little time, CPC had set up a working group made up of three councilors and four parishioners to see how we could protect our parish and our district from over-development.

The problem is really so widespread, and people are so concerned, and fed up, that we quickly found another six neighbouring parishes who agreed to join us in writing to the Secretary of State to explain our grievance.

Our letter went out on 6 December. We received two replies to our letter, one in late December from an unnamed, and a second one from a named official in mid-January. Whereas our letter had outlined real concerns supported with rational explanations, the replies were verbose with wooly sentences of the “Yes Minister” type, that defied logic. For example, the replies supported the use of the 2014 out-of-date and inflated projections for housing need, with the pathetic explanation that this is “*in order to provide stability and certainty*”. The Ministry also supported the government’s stated policy to have 300,000 new houses built in England each year. The fact that this critical policy is not supported by the Office of National Statistics population and household projections, appears to be immaterial to those elected to run the country on our behalf.

As a citizen I have felt that enough is enough. And it seems that most of the citizens around us feel exactly the same way. In just three months, the original 7 parish councils have now become 39 parish and town councils and parish meetings in Wealden. Only three out of the total of 42 have so far not formally agreed to support our initiative, and two of those three are attending today and may soon decide to add their voice to ours.

From very early on, our Working Group concluded that the root cause of the overdevelopment is the Standard Method algorithm, that appears to have been devised to prop the government’s mantra of 300,000 new houses each year. While our Local Authority is often accused by individuals and local organisations for poor planning decisions and for encouraging overdevelopment, we have felt and still feel that central government has removed from Wealden DC the ability to plan independently and on the basis of local knowledge. Instead, Wealden is forced to play the government’s numbers’ game with irreversible consequences for our countryside.

And this brings me to our meeting tonight. We wanted to address three things here, so our program is split into three sessions. Each session will have a presentation followed by around 20 minutes’ open discussion. In the first session Nick Daines of CPRE (Sussex) will discuss the national policy and the “standard method”. In the second session, Cllr Ann Newton, Deputy Leader of Wealden DC, will brief us on the development of Wealden’s draft Local Plan and will touch on some of the difficult decisions that need to be taken in the time ahead. In the third session we will hear Cllr Paul Stevens from Plumpton PC in our neighbouring Lewes district and Cllr Geoff

Sambrook, Chairman of Isfield PC who will discuss and present ideas on the need for a support network for parishes facing unsuitable development.

Hopefully we will have enough time to finish with an open discussion involving all four speakers.

We anticipate the following four outcomes from the meeting:

1. General agreement on the major planning issues facing the district.
2. Confirmation of the need to continue the campaign: for a sound national housing policy; to influence the WDC local housing plan; and to set up a support network for parishes facing overdevelopment.
3. Possibly, an agreement in principle for all 39, or 41, Parish and Town Councils, to be asked to sign a new letter to the Secretary of State for Levelling Up, requesting a proper response to our earlier request for change in the Standard Method and for a meeting with him.
4. Consideration of reforming our current Working Group to be a more representative body with wider participation across the district.

Let me finish by asking that if you take part in the discussion, please start by stating your name and your council, and please be clear and concise, so as to allow more people to raise questions.

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## **APPENDIX 3**

### **The Standard Method**

**By Mr Nick Daines, CPRE (Sussex)**

The standard method is the mechanism by which planning authorities are required to calculate their minimum annual housing need.

I will be talking a lot about the need, but I suggest that this need is not one that you or I would understand. The natural population growth is the difference between the number of births and deaths. Wealden's natural population growth is negative and this negative increase, or in plain English, a reduction, indicates that deaths outnumber births. This is the same for all other rural authorities in Sussex.

So, without anybody wishing to move into Wealden from outside the district, we would only need very few new houses. But people do wish to move to Wealden, many more than move away from the district and therefore, we do need some more houses.

But the Government has decided that a one size fits all formula should be used to calculate the minimum housing need and currently, this requires 1,218 new homes a year. This is a large figure - the current local plan adopted in 2013 required 450 homes a year, which is an annual increase in homes of 0.64%. The 1,218 is a 1.7% annual increase which is a massive 34% over a twenty-year plan period.

But this 1,218 new homes is the housing need, it is not the housing requirement, which is the figure that Wealden will include in the new local plan. In theory, the housing requirement can be lower than the housing need figure if the district is heavily constrained, but probably a lower figure will only be acceptable to the planning inspectorate if a neighbouring authority has agreed to make up the shortfall. The government's planning guidance permits a lower requirement than the need, but only in exceptional circumstances. The government would like to see the housing requirement being higher than the need in order to get closer to their ambition for England to build 300,000 new homes a year.

There are just two inputs to the standard method formula:

1. The 2014 household projections, and
2. The affordability factor.

It is clear that the government has fixed the inputs to the standard method so that the sum of all the outputs from English authorities comes to a total of around 300,000 new houses a year.

Therefore, a more apt understanding of housing need as contained in planning documents is that it represents the Government's housing ambition, not the definition of need that you or I would understand.

This begs the question of why the 2014 household projections? And also why is the affordability factor calculation set out in the way it is? The simple answer is that these manipulations help to get the national total of all the needs to near 300,000. That is why the more up to date household projections are not used, if they were, the output from the standard method would fall well short of 300,000

However, the latest 2018 population (not household) projections for Wealden, indicate an 8% population growth over the next 20 years. To achieve this amount of growth, Wealden would only need in the next 20 years 5,700 new houses, not the 24,000 given by the formula. This large

difference is an illustration of exactly how artificial the standard method is. When the next population projections are published next year, they will show a reduction from the 2018 figures, which will further widen the gap between the population and the so-called housing need.

The concept underpinning the affordability factor uplift is also a sham. It simply won't do what it says on the tin. To expect developers to build more houses than they can sell is a pipe-dream; it simply won't happen. It is totally against their business model and they are not in the habit of providing discounts to sell more.

The new local plan will contain policies for housing that will indicate how many houses are to be built each year and for a large proportion of them, where they are intended be built. The plan will also contain policies detailing where development will be resisted like:

- Outside development boundaries
- In the flood zone
- Where a site would be wholly dependent on cars
- Where a development would harm the landscape
- etc.

But where a plan is more than five years old and the housing numbers have not been reviewed, or the authority does not have a five-year supply, both of which apply to Wealden, or has scored less than 75% in the annual housing delivery test, then they are subject to the presumption in favour of sustainable development. This is detailed in paragraph 11 of the NPPF which says:

*Permission should be granted without delay unless 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*

There are 223 paragraphs in the NPPF and just a single paragraph, has a box around it, as if to set it on a pedestal and emphasise its importance. Yes, you have probably guessed, it is paragraph 11, the one titled presumption in favour of sustainable development.

Fortunately, there are exceptions to the presumption and for us, the main one is the AONB, where it normally does not apply. But this is no help whatsoever for the Low Weald.

On the face of it, the presumption trumps whatever policies are in the local plan. But thankfully, when bringing out the NPPF in 2012, the government did not amend some existing legislation which requires that planning applications must be determined in accordance with the development plan. Thus, policies in this plan cannot be simply ignored when the presumption applies, but they can be given reduced weight. However, it is far easier for a developer to gain planning permission when a council is subject to the presumption.

Wealden has been in this position since 2016 and this will continue until they adopt the new plan.

But this new plan will have to be based on the 1,218 need from the standard method unless exceptional circumstances can be found and then an alternative method of assessing the need may be permitted. I say may be permitted because to date, I'm not aware of any authority gaining approval for a new local plan containing a housing number that was not based on the standard method.

**Even if exceptional circumstances can be found and the inspectorate agree, bizarrely, the five year and the housing delivery test will still use the standard method to assess the number of houses that should be provided.**

Unfortunately, the standard method is not the only threat to our rural surroundings. The 2019 local plan was withdrawn because the inspector considered that Wealden failed in their duty to co-operate with neighbouring authorities who could be struggling with meeting their housing need. The inspector singled out Eastbourne, who have practically no green field land on which to build, and it is possible, that Wealden will be expected to increase the 1,218 to include some houses for Eastbourne. Of course, Eastbourne is struggling because they have to use the standard method to assess their minimum need.

If the standard method did not result in such high housing numbers, then fewer authorities would struggle and need to seek help from their neighbours.

I think that the standard method qualifies in planning terms, as the root of all evil.

I also believe that there is some misinformation doing the rounds with regard to the standard method. It has been said by a local MP that

*“...the standard method is a guide and not a target and a local authority can set its own housing number”*

This completely ignores the government requirement to use the standard method unless exceptional circumstances can be demonstrated. It is correct that the standard method does not form the target but it is the government's hope that the target is higher than the standard method's need.

Therefore, if you ever hear words like these from a politician or someone in planning, they should be challenged.

Unless Wealden can find a way of avoiding the use of the standard method, the amount of new building is going to dramatically increase – over the last 20 years, 9,579 new houses have been built in Wealden, over the next 20 years, with the standard method this is going to be 24,000+, and it could be a very big plus.

That is all that I have prepared for this evening, but I think we have around 20 minutes for a discussion or any questions:

- Is there anything that wasn't clear from the briefing note?
- Is there anything that you have heard about the standard method or the housing numbers that doesn't stack up with what I have just said?
- Would anybody like to know anything further about the standard method?

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## **APPENDIX 4**

### **The draft WDC Local Plan**

**By Cllr Ann Newton,  
Deputy Leader of WDC and Portfolio Holder for Planning and Development**

The Group - representatives of a Parish Council once asked me what they could do to help Wealden and I said at that time support us, don't pillory us – and this is just what this group is doing and I am very grateful.

Nick has done a very good job of explaining the mechanics behind the current way in which a planning authority has to calculate its housing need including the background we have to use and the ramifications if we don't! I don't need to repeat any of that and only intend tonight to talk about where we at Wealden currently find ourselves within our Local Plan process. I'm happy to answer questions at the end of this session.

We are told that we must have a Local Plan in place by 2023 although there is a huge amount of elasticity in this statement because once submitted, the Examination process by one of the Secretary of State's Inspectors can take an inordinate amount of time – all of which is out of our control. I therefore expect and hope to have agreed at Full Council to submit a Plan to the Inspectorate by the very latest of 31 December 2023!

Although I'm not sure what ramifications there would be if we didn't because the Inspectorate will be deluged with work with all authorities trying to submit their Local Plans by the end of that year and I can imagine the timescales to be elongated even more!

Our current calculated housing need is 1,221 or thereabouts. Because this is unpalatable to all councillors and residents alike, and it is unreasonable and unjustified, we have been and still are in dialogue with Michael Gove and Stuart Andrew to reduce that figure. I have another meeting with the latter at the end of April. I am confident from this dialogue that something will be done to bring that number down – it would be nice and appropriate if we were allowed to calculate our own figure based on our own need but we shall have to wait and see. As it stands at the moment I cannot tell you what I think would be an acceptable number – many people would say none, which I think is unreasonable. We do have a need for first time buyer properties, properties for older residents to downsize into plus there is a huge shortage of homes with suitable accommodation for the disabled and of course for social housing for the residents on our housing register.

So currently, officers are continuing to put together all the documents which form part of the Plan but there are several that cannot be completed until the final number is known, this may delay the Plan but is something that we are prepared to do and manage with down the line.

They are working hard on the SHELAA document and assessing out of the large number of areas of land submitted what would be suitable or not. The colloquial term and one which some authorities use is the 'Call for Sites' process. And this sums the process up very well. Every Planning Authority as part of the Local Plan process has to go through the process of calling for sites, ie asking landowners if they wish to put forward their land for development. This is then the map if you like which Wealden officers will use to formulate where development whether it be for housing, commercial or recreational purposes can go. It also helps officers formulate a more cohesive approach, for instance if a piece of land has been omitted in the middle of land which has been submitted, and they think there is potential for the area, they can approach the landowner.

One warning which if I was writing I would put in bold and underline it. If land is submitted to the SHELAA, it does not mean it will be built on. I cannot say that firmly enough. A lot of residents

immediately think that this is not the case and I cannot emphasise the point enough. I only yesterday published a press release on the subject.

The SHELAA is a very important document which we would not wish to publish until we have our final figure as the two are tied in together. Whilst working on this document and tying it into infrastructure modelling, it can already be seen that there will be highway constraints. Our public transport system is severely deficient in many areas of the District as well. This work is yet to be finally concluded but will be an important factor in our Local Plan.

We have always said that we would publish our Draft LP in Spring 2022 for consultation. Again this has some elasticity and we are prepared to wait until we have news from Government.

We also hope that Government will allow us to include within our calculation for the 5YLS all of our current approvals which stand close to 8,000. This would go a long way to helping us achieve a 5YLS and something which when I spoke to Michael Gove he said that he 'would close the gap' and that was a quote. However fundamentally we need our overall housing number to be reduced otherwise we still may fail the Housing Delivery Test.

There is also the big 'what if' – what if we were to submit a Plan to the Inspectorate, with lower housing numbers but based on sound and sustainable numbers for this District. If we were to do this, we would have to have firm and robust evidence to do so. The Planning process actually works the other way round in that we have to start with the high figure, and evidence any exceptional circumstances if any. Then work downwards adding in any environmental constraints reducing our number accordingly. We would have to provide enough evidence to justify the lower figure to convince an Inspector. This we may be able to do as I have already mentioned with regards to infrastructure constraints.

If we were to deliberately submit a Plan that challenges the Government's unsound prescriptions, without that evidence, unless the Planning Inspectorate completely changes the way in which it judges Plans, we would be found unsound.

Wealden Full Council have to agree to the Plan going forward and it will be for them to decide what we do. For me, we should do everything we can to make sure that the Plan is sound – making the reasoning behind any constraints robust with the evidence we have and dotting every i and crossing every t. To me, to wilfully go in with something we think will fail would be a pointless exercise and I believe the price of failure too high. We must do our best.

There is also the other what if. What if we don't bother to do a Plan at all? Some authorities, albeit very few, don't. But these are usually authorities where the majority of their land is protected, ie a very large percentage AONB and their housing requirement low. When I spoke to the Leader of Sevenoaks after their Plan failed, he wasn't then in a hurry to put a new one together because of the large amount of Green belt land they have along with their low housing requirements.

This unfortunately does not apply to Wealden. We are one of the biggest districts in geographical size with 60+% protected land but also an awful lot of unprotected land in the Low Weald plus a high housing number and lots of willing landowners! For me, this would be a dangerous move.

Just to conclude – I can't emphasise enough how much effort myself and in particular the Leader along with senior officers have already put in and continue to put into lobbying Government to reduce our housing numbers. It's not simple – Government ministers are not on the end of a telephone or email unfortunately – I wish they were. I am convinced we can achieve what we need for the residents of the District – don't forget I'm one too.

AEN/08.04.2022

## **APPENDIX 5**

### **The Need to set up a support network for parishes facing unsustainable development**

**By Cllr Paul Stevens, Plumpton PC**

Firstly, thank you to Nikos for the invitation and opportunity to share our experience with you. In the few minutes available to me I will try and cover a topic that has consumed huge amounts of parish councillors time over the last 7 years plus.

I'll cover this as a play in 5 acts, with an introduction to Plumpton, real and threatened inappropriate development in our parish and beyond, the lessons we have learned, what we are doing to try and mobilise in our district, and finally whether we have actually had any success. Plumpton is essentially a small rural parish with less than 700 dwellings, one small rural industrial complex, with the major employers being Plumpton College and Plumpton Racecourse.

We're in the North of the Lewes district, and half the parish by area, but not dwellings, is in the South Downs National Park. We have one road into and out of the village, sewage and electricity infrastructure that fails with monotonous regularity, and slow broadband. The Lewes District plan was made in May 2016, and the Plumpton Neighbourhood Plan followed in May 2018 after one false start – the first iteration went for popularity over effectiveness and would have resulted in huge additional development as all the preferred sites extended the existing planning boundary leaving all the undeveloped sites within the village as being more sustainable options.

Also immediately we had made the plan we suffered a speculative development for a minimum of 49 houses on Nolands farmland within the heart of the village, but it was refused as being outside of plan, represented unacceptable incursion into open countryside, and had poor road access being on a bend near the brow of a hill.

Unfortunately, but predictably, when the 2018 NPPF changes kicked in, the clock ticked to 5 years on the District plan, and the same developer came back with a revised proposal for the site, with double the number of houses. The developer sunk a lot of time and effort into the proposal, even entering into a Planning Performance Agreement with Lewes ahead of the 5 year mark. It is fair to say the developer thought that the principle of sustainable development meant the application was certain to succeed.

At the same time, the much publicised Eton development reappeared as a 3000+ dwelling new village. Strictly speaking, this is not even in Plumpton, but it borders our boundary and would dwarf us so we stand with East Chiltington and Chailey on opposing this. There is now an organisation called Don't Urbanise the Downs with significant membership that started specifically to oppose the Eton site but now takes a wider remit.

As a parish we mobilised against the Nolands application as it was a real threat, but also could have implications for the success of the Eton site in due course. We engaged our local parishes as the application was likely to be the first test of Lewes resolve under the presumption of sustainable development and so could act as a precedent for the inevitable applications in their parishes. We happily used Don't Urbanise the Downs at arms length. We had over 600 objections submitted, which we think is a record, we lobbied the head of planning regularly, and spoke at the public planning meeting.

Much to our delight we got a unanimous refusal decision based on the planning officers recommendation that the site remained an unacceptable incursion into open countryside. Councillors also questioned the transport sustainability of the site (one asking why if everyone

could walk everywhere were there so many parking spaces), and ecology (where there was incredulity that building 90 houses could improve the environment for the existing flora and fauna). The developer was very surprised, especially since their planning consultant had been largely responsible for the Lewes plan before switching sides.

We now await the decision on whether the developer will appeal, or after two strikes will give up and go through the plan process.

So what did we learn whilst fighting this application. Quite a lot, and some of it surprised us. Firstly, planners seem to work willingly with developers under Planning Performance Agreements, but are much less likely to proactively engage the parishes, despite that being best practice in a PPA. We only found out by chance that the Nolands site was back on the table, and were disappointed to find that district planners seemed happy to take the developers word for matters which they claim to have consulted with us on – they hadn't, and were prone to mis-represent our views.

Planning officers also seemed unwilling to defend the existing district plan. The councils executive offices even less so. They see the NPPF as a rules-based document, and its not as it is largely made up of subjective policy statements. We felt we were educating the professional planners on what was actually in the NPPF and what it meant in practice. To date, the chief executive of Lewes has not seen the need to engage with concerned parishes, but the planning officers have.

Be wary of the 'reserved matters' approach to planning applications. It only needs one part of the application to be detailed, in the case of Nolands the access solution, and the remainder can be dealt with under reserved matters which means in practice between the district and the developer with no further public consultation.

Also utility companies always seem to claim capacity, even when there isn't in practice. Politically, all parties claim to object, but in our limited experience there are some district councillors who will defer to the planning officer – if he or she recommends a site for development then they could just vote for it. This means you must lobby well before it reaches planning committee.

Despite the planning offers interpretation of the NPPF, we found sufficient policy statements to make our case. Chief amongst these was paragraph 15 states "The planning system should be genuinely plan-led". Also, the dreaded paragraph 11 on the presumption of sustainable development which basically says that permission should always be granted unless the adverse effects outweigh the benefits. There is no policy statement for judging weight of disbenefits, but it does mean that if there is no single reason why an application should be refused, the cumulative effect of lots of little ones can be sufficient to prevent permission being granted. If the professionals had issues with the NPPF, then it was no surprise that a lot of parishes were like rabbits in headlights on the threat, though none seemed to bury their head in the sand over it. It took some work to mobilise the collective under the argument that 'saying yes in Plumpton will not protect surrounding villages'. The collective impact on new building ripples far beyond the parish directly impacted, especially around road traffic volumes and impact on already ineffective infrastructure. That is before the threat of precedent kicks in – within Lewes there is no hope of hitting the Standard Method target so the developers are looking everywhere for sites.

The Standard Method is the root cause of all of the immediate and longer term planning issues. I won't go over the ground covered by Nick Daines, but as an illustration Lewes went from 345 dwellings per annum in the made plan, to a minimum starting figure of 782 for the new plan. Our MP likes to insist that the number has been reduced from what it could have been, but to most of us it has doubled. It is worth noting that the 345 figure was lower than the original target for

Lewes, but the planning inspectorate settled on that number as the best balance between achievability and sustaining the fabric of rural communities.

We also learned that our MP wanted to be seen to champion protection of green spaces, but seems reluctant to acknowledge the root causes of the current planning nightmare, and still maintains it is for Lewes to decide its number despite her ministerial colleague making it perfectly clear that Lewes must start with the Standard Method as the minimum number for a new plan. It remains unclear just how Lewes can reduce the number by applying 'exceptional circumstances'.

So what have we done with those learnings. We have created an Inter-Parish Working Group to address the here and now threat of speculative development.

We set this up to promote collective best interests and not simply Plumpton. It shares information on development applications, and we act collaboratively and pool resources to respond to applications that are not supported. This in fact its primary purpose, to combat unacceptable and inappropriate development in the villages to the north of LDC, but it does offer a collective approach for new plan making in due course.

It doesn't cover the whole of Lewes, which includes coastal towns like Newhaven and Seaford in addition to Lewes itself, most of which offer little scope for significant additional development, which leaves the small rural parishes to the North under very real threat of having to deliver the unrealistic growth. That means Plumpton, Chailey, Wivelsfield, East Chiltington, Hamsey, Ditchling, Streat and Westmeston initially, but also Barcombe, Newick and Ringmer. We have had several virtual meetings, for which feedback is positive. We limit those to a maximum of 2 representatives per parish – I suspect you will need to limit it to one if you follow that route to keep it manageable.

How effective is it in practice? Well we did get the 10 parishes to sign our letter to Michael Gove, and we are currently working to get Lewes district councillors to work with neighbouring districts to lobby on the Standard Method.

We have had success in getting neighbouring parishes to respond to planning applications across our group, and that is important.

However it is not always easy. Councillors are unpaid and not planning specialists – they need encouragement to challenge the 'experts'.

Most are apolitical, but it's not universal and it's good to see the Tories across the group moving from toeing the party line (and selective information from MPs) and understanding the reality of the Standard Method – the joke now is that the main change to the NPPF was actually to create a principle of 'sustaining developers' rather than 'sustainable development'.

We are beginning to share information on the emerging District plan consultation exercise. We are constrained by our role as elected officers and need external campaigning bodies, such as DUTD. We need a national campaigning body to deal with the Standard Method issue - we look to the CPRE to lead this.

Thank you for listening and I hope the content helps you in some way.

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## APPENDIX 6

### The Need to set up a support network for parishes facing unsustainable development

By Cllr Geoffrey Sambrook, Isfield PC

- 1) This affects us all - or in the words of George Osborne "We are all in this together."
  - Don't be seduced by the idea that because a development is in another parish, or because you are in the National Park or Ashdown Forest you can afford to ignore it.
  - The immediate impact of development is indeed localised.
  - But the second order implications impact far more widely than just the Parish in which the development sits
  - Infrastructure is crucial. Roads, water, sewerage, medical practices, dentists, schools - all will be impacted by over-development.
  - Public transport across Wealden is of a standard that almost certainly means most travel to and from work, most shopping, many children's journey to school, will be done in private cars. Realistically, in 21st century rural Britain, most new homes will mean at least two more cars on the roads. 1000 new homes means 2000 cars, on roads already struggling with traffic levels (see Uckfield and Lewes mornings and late afternoons.....). I think it was Nus Ghani who gave us the figure - the numbers produced by the standard method would mean 1 new home for each 2.8 existing ones across Wealden.
  - I'm not an expert in water, but the late Jim Smith, for many years my vice-chairman on Isfield PC, was. He was the water bailiff along the Ouse for many years. There was an article published about Jim and water supply in the Guardian newspaper in October 2015, which makes shocking reading<sup>1</sup>. Like many of us, I guess I have always thought - if at all - that in a temperate climate, with a consistent rainfall, water is something that takes care of itself. It's not. We already have problems with water supply, and we cannot just take more and more out of the over-stretched rivers and aquifers to satisfy excess new development. This is the crux of Jim's article, and if I have to believe him or Southern Water's glib assurances that they can always cope with water supply and sewerage requirements, well, it's not a difficult choice (how many times have they been disciplined for releasing raw sewage?). I recommend you read this article - it's easily available on line.
  - I could go on and talk about schools, doctors, dentists - all of the infrastructure we need, in fact, but I'm conscious of time constraints. But my point here is a clear one - the impact of over-development is felt and will continue to be felt across the whole of Wealden, and indeed outside the District, across pretty much the whole of Southern England.
- 2) There are two levels to this issue. The first, which has been ably presented by Nick, is the high level, the strategic level - that is the standard method of calculating housing need. I'm not going to say any more about that, except that it is formula created to arrive at a predetermined result (the magic figure of 300000 across the country) that purports to use mathematics to reach its conclusion. Eat your hearts out Pythagoras, or Euclid, or Fermat - you may be real mathematicians, but these guys are creative mathematicians...

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<sup>1</sup> <https://www.theguardian.com/environment/2015/oct/08/are-we-killing-our-rivers>

The second level is the tactical one, the point where a Parish is faced with an application for what seems to be an unacceptable development. Paul has just made some very interesting points about how Plumpton were able to make their case to resist a project, at least up until now. I'm not going to rehash the same points, but it seems to me that crucial areas to look at are the development boundaries within the village, sustainability - availability of public transport, shops, pavements, which protect children who will need to walk along villages streets and lanes, and the like - and other constraints. I would also point out that the planning consultants do not always get their facts right. In Isfield, we have seen several applications which include - as a supportive factor - the claim that Isfield has a pre-school in the village; it doesn't - it closed about five years ago. Interestingly, in commenting on a recent appeal, a planning inspector repeated the claim. We are entitled to expect factual accuracy, and where it is not present, I would recommend commenting strongly on it; such errors undoubtedly weaken the case in favour of the proposal.

But where are we now? We have this Working Group, started by Nikos and his colleagues, and which is currently is group under the auspices of Chiddingly Parish Council. We have to consider how to take this forward, and what form it should take. We are open to suggestions here, because it is important to be clear that the group is legitimately constituted and can continue to make representations to District and County Councils, and to central government, as demonstrated by the letter to the Secretary of State, which was the first iteration of this whole process. At the moment, the members are from Chiddingly, Laughton, East Hoathly with Halland and Isfield PCs, together with Nick from CPRE and some Chiddingly residents who have a particular interest or skill. But we need to expand this group, to cover a wider area and hopefully to find some more relevant skill sets. We have a form here, which asks for volunteers who would be interested in joining the Group, or being part of a re-formed group. We would particularly welcome anyone who is a lawyer, a planning specialist, a surveyor, or who has media or press contacts, or who has a background in marketing or publicity. That list is not exclusive, and anyone who feels that can contribute in any way should be keen to put themselves forward - I refer to my opening comment - we are all in this together.

The publication a couple of months ago of the SHELAA land availability survey should act as a wake-up call. Of course, we all understand that it is purely testing the water, and just because a site appears on there absolutely does not mean it will be put forward for development, but already some ominous signs are appearing, and some sites seem to be gathering supporters amongst the planning officers. Let's not forget that one one-site 1500-2000 house project would ease the pressure on Wealden' numbers. So the Owlsbury Farm land - which runs across Isfield, Little Horsted and the edge of Fletching, is - I understand - gathering support amongst the planning officers. This is - if we are to believe the rumours we hear - a development of 2-2500 homes on the western side of the A22/A26. Just for those who don't know, Isfield currently has around 250 homes, Little Horsted around 90, and Fletching, I'm not sure, but just a bit bigger than Isfield. So quite apart from the overall infrastructure considerations I have mentioned, this is would be a potentially complete swamping of those Parishes. So there would seem to be necessary actions almost imminently.

Of course, maybe I'm being pessimistic, and Wealden, through the good offices of Councillor Newton and her colleagues, together with pressure from Nus Ghani and her fellow local MPs, may be enough to persuade the central government that their demands upon Wealden and its inhabitants are unsustainable and unreasonable; in which case, of course, the raison d'être of the Group will simply drop away. But let's wait until we reach that nirvana before we all fade into the background.....

3) I do just have a couple of random thoughts about planning, which perhaps Councillor Newton could comment on.

I understand that Planning Committees do not have access to sales figures for previous developments. This seems absurd to me - surely those making the decisions on planning

applications should be able to have up-to-date figures which would give them the most accurate reflection of genuine demand? Genuine demand is people actually buying or renting properties, not something created by a dubious formula. The answer “commercial confidentiality” I’m afraid is not acceptable when it comes to house building, and I say that as one who comes very much from the free-market, limited governmental involvement side of the politico-economic spectrum. Is this an issue that should be raised with central government, as I guess legislation would be necessary to make the release of such figures to Planning Committees obligatory?

I also understand that there is sometimes a reluctance amongst some Planning Committee members to visit sites of planning applications. Surely best practice should almost always be to make a site visit before making a decision?

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