

High Weald Joint Advisory Committee

Woodland Enterprise Centre
Hastings Road
Flimwell
East Sussex TN5 7PR

Tel: 01424 723011
Email: info@highweald.org



www.highweald.org

Working together to care for one of England's finest landscapes

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Ministry of Housing, Communities and Local Government
Emailed to TechnicalPlanningConsultation@communities.gov.uk

Changes to the Current Planning System Consultation

Standard method for assessing local housing need – Questions 1-5

The document proposes a revised standard method for calculating local housing need which will be used as the basis for plans created prior to any changes outlined in Planning for the Future being introduced. Will also be part of the process for setting any binding housing requirement. However, this consultation does not set out how this binding requirement would be calculated. Main reason for revision is to meet the Government's target of 300,000 new homes per annum. Achieved by adding into the formula the existing stock (assuming an increase of minimum of 0.5%) and removing the previous cap. Impacts on High Weald LPAs below:

Local Authority (% in AONB)	Adopted Local Plan dpa	Current Method	Proposed Method
Ashford (14%)	1,093	970	1,211
Crawley (1%)	340	476	598
Hastings (18%)	215	451	453
Horsham (7%)	800	920	1,715
Mid Sussex (49%)	964	1,114	1,305
Rother (83%)	335	736	1,173
Sevenoaks (16%)	165	711	820
Tandridge (4%)	125	646	533
Tonbridge & Malling (0.4%)	425	843	1,440
Tunbridge Wells (69%)	300	678	893
Wealden (53%)	450	1,225	1,199

The Litchfields map below illustrates the impact of the proposed new standard method of calculating housing need on England and its disproportionate impact on the South East, including the High Weald. The Atlas of Rural Settlement map shows the correlation of areas affected by high increases in housing numbers with dispersed settlement areas whose rural architectural character is dominated by a

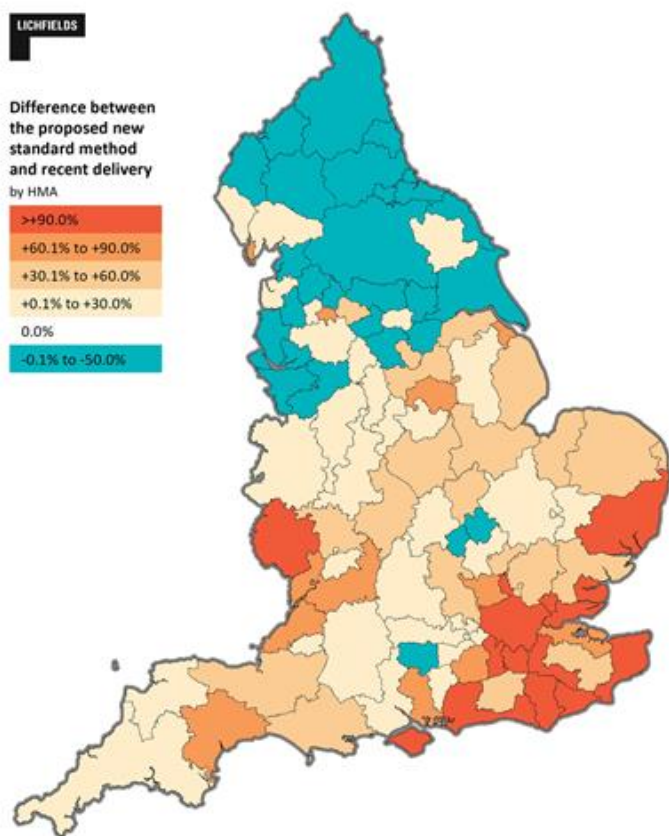
Anglesey
Arnside and Silverdale
Blackdown Hills
Cannock Chase
Chichester Harbour
Chilterns
Clwydian Range
Cornwall
Cotswolds
Gower
Cranbourne Chase and Dee Valley
West Wiltshire Downs
Dedham Vale
Dorset
East Devon
Forest of Bowland
Howardian Hills
High Weald
Isle of Wight
Isles of Scilly
Kent Downs
Lincolnshire Wolds
Llyn
Malvern Hills
Mendip Hills
Nidderdale
Norfolk Coast
North Devon
North Pennines
North Wessex Downs
Northumberland Coast
Quantock Hills
Shropshire Hills
Solway Coast
South Devon
Suffolk Coast and Heaths
Surrey Hills
Tamar Valley
Wye Valley



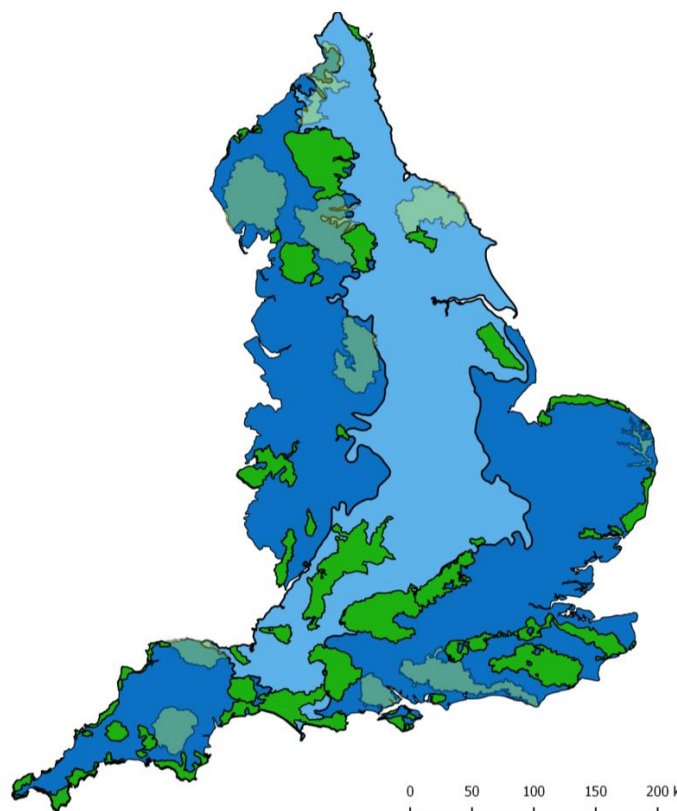
high density of dispersed historic farmsteads and smaller villages. The distinctive character of these places is likely to be harmed by large-scale generic housing development.

A high proportion of the countryside in these areas may be more anciently enclosed with smaller fields, abundant hedgerows and a greater proportion of semi-natural ancient woodland. The structural diversity and intimate mix of habitats, coupled with a high proportion of small-scale farming, represent a socio-ecological system which has the potential to produce food in a more climate resilient way and support high levels of biodiversity. Both capacities are vulnerable to large-scale housing development.

Areas identified for increases in housing numbers of above 30% include large areas of AONBs and National Parks – England’s finest landscapes. In the South East, where the proposed changes increase housing numbers in general by over 90% compared with current delivery, our finest national landscapes cover over one-third of the land area. The formula’s approach of perpetuating past trends that focus growth in London and the South East puts inordinate pressure on some of England’s finest landscapes, threatening the natural beauty and landscape character for which these areas were designated.



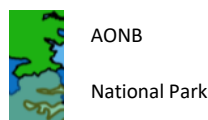
Litchfields <https://lichfields.uk/grow-renew-protect-planning-for-the-future/how-many-homes-the-new-standard-method/>



Roberts and Wrathmell: Atlas of Rural Settlement

Dispersed settlement landscapes to the east and west dominated by a high density of individual farms (darker blue) and the ‘central province’ dominated by village landscapes (lighter blue)

Fig.1 Comparison of proposed increases in housing numbers with rural settlement character and distribution of national landscapes



The proposed standard method for assessing local housing need over-simplifies a complex relationship between housing need, affordability and landscape capacity. The formula should be revisited. Landscape capacity – that is consideration of what is valued in a place and its sensitivity to change – should be applied to all landscapes; applied at a fine-grained scale and factored in at the start of the process for assessing housing numbers, rather than at the end as a mitigating factor.

From the publication date of the revised PPG, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning Inspectorate.

Recommendation to Government

The formula should be revisited to achieve the Government’s housebuilding aspirations in a way that is more evenly distributed across the country and supports the economic prosperity of northern towns and cities. Perpetuating past trends that focus growth in London and the South East puts inordinate pressure on protected landscapes which threaten their landscape character and the purposes for which they were designated.

First Homes and the Affordable Housing Threshold – Questions 11, 16 & 22

It is proposed to replace 25% of currently required affordable housing with ‘First Homes’. These are homes available to buy at a minimum of 30% discount from open market price. These would replace the highest value affordable homes required under existing Local Plan policies (such as shared-ownership or affordable rent). It is also proposed to replace the current NPPF policy for entry-level exception sites with First Homes exception sites and to remove the site size restriction in footnote 33.

It is also proposed to replace the current minimum threshold for affordable housing of 10 units with 40 or 50 units to support SME builders. This would be a temporary measure to support delivery during the downturn resulting from Covid-19.

These proposals are not currently intended to apply in AONBs. The exemptions in the current NPPF for ‘designated rural areas’ in relation to affordable housing thresholds and entry level exception sites are proposed to continue and the substitution of First Homes for intermediate affordable homes does not apply in these areas. ‘Designated rural areas’ are defined in the NPPF glossary as National Parks, Areas of Outstanding Natural Beauty and areas designated as ‘rural’ under Section 157 of the Housing Act 1985. The latter is a rather random selection of small settlements outside of protected

landscapes which are excluded from the 'right to buy', the nearest of which to the High Weald are in Chichester district.

However, Action with Communities in Rural England (ACRE) is campaigning to change these exemptions so they apply to all communities of 3,000 or less. This may mean that some larger villages/towns within the High Weald AONB do become subject to these changes such as Battle, Cranbrook, Hawkhurst, Wadhurst, Ticehurst, Rotherfield, Mayfield and Forest Row.

Community land trusts and social housing providers have demonstrated that affordable homes can be provided economically on smaller sites in rural areas. These provisions are particularly important for rural communities. Rural landscapes require land-based workers to manage them – to produce food and materials, enhance natural processes and ecosystem function, and manage public access to land for health and wellbeing. Many rural land-based jobs provide insufficient income to allow workers to live in the landscapes they manage. A pause on the provision of affordable housing on small sites, even temporarily, will adversely impact rural communities and in turn threaten land management and provision of nature-based recreation.

Recommendation to Government

In the event that the exemptions are broadened out to include all settlements of up to 3,000 population, the exemptions for England's finest landscapes (AONBs and National Parks) should remain so that the larger settlements in these areas continue to be exempt. Higher rents and house prices in these protected areas means that there is a significant need for accommodation for those who cannot afford open market rents or house prices. Some of these will be land-based sector workers who manage the landscapes and help to conserve and enhance their natural beauty.

Permission in Principle – Question 24

Local authorities currently have the power to grant Permission in Principle to suitable sites allocated on registers of brownfield land and minor development (i.e. small sites that support fewer than 10 dwellings).

The Permission in Principle consent route has two stages:

- the first stage ("Permission in Principle") establishes whether a site is suitable in-principle for development. Applicants only required to identify site and type of use with range of number of units. This grant of Permission in Principle is for five years and no planning conditions can be attached to it;
- the second ('technical details consent') stage is when the detailed development proposals are assessed, and conditions can be attached. S106 agreements and CIL also apply at this stage.

A grant of Permission in Principle plus a grant of technical details consent together equates to full planning permission. The first stage has a 5-week determination period and the 14-day period for consultation with the public and statutory consultees (advertised electronically). The second stage has 10 weeks for major development and 5 weeks for other forms of development (unless an

application is subject to an Environmental Impact Assessment in which case a 16 week limit applies). Consultation is only be with those who have requested it at stage 1.

It is proposed to remove the restriction in the current Permission in Principle regulations on major development. This will enable applications for Permission in Principle to be made for all scales of housing led development. In theory this does not apply to EIA or HRA developments, but in practice a blanket HRA can be applied to development and EIA either screened out or required at stage 2.

There is no exemption proposed to these changes within AONBs. In the absence of any supporting environmental information such as LVIAs and ecological reports - the only information provided being a line around a site and the number of units proposed - local authorities will not be able to carry out their legal duty to have regard to conserving and enhancing AONBs (Section 85 of the Countryside and Rights of Way Act 2000) which requires assessing impact on the protected landscape and the purposes for which it was designated.

The impact on vulnerable landscapes outside of designated areas may also be considerable. Information on the historic environment, landscape character, ecological value and local public perceptions is not necessarily available from existing sources and without access to commissioned studies, local authorities may not be in a position to make informed and evidenced decisions. The inevitable impact will be inadvertent damage to the landscape legacy of the past, and the landscape resilience of the future.

Recommendation to Government

It is considered that local authorities will not be able to carry out their legal duty to have regard to conserving and enhancing the AONB if the only information provided is a line around a site and the number of units proposed. In the absence of any supporting environmental information it will not be possible to properly assess the impact on a protected landscape or the purposes for which it was designated. It is therefore considered that any extension of permission in principle to major development should not apply in AONBs.

Yours sincerely,

Claire Tester MRTPI

Planning Advisor, High Weald AONB Unit

Advising on the management of a nationally important landscape, part of our Natural Health Service

Background Information about the High Weald AONB



The High Weald was designated in 1983 as an Area of Outstanding Natural Beauty. It is an exceptionally beautiful medieval landscape covering 564 square miles across the counties of East and West Sussex, Kent and Surrey.

The High Weald AONB Joint Advisory Committee is a partnership established in 1989 of 15 local authorities, Defra, Natural England and organisations representing farming, woodland, access and community interests. The JAC is responsible for publishing and monitoring the statutory AONB Management Plan. The JAC is supported by a small, dedicated staff team, the High Weald AONB Unit, which provides advice on how to conserve and enhance the AONB. The advice provided by the AONB Unit assists public bodies and statutory undertakers to meet their duty as set out in Section 85 of the Countryside and Rights of Way Act 2000 to have regard to the purpose of conserving and enhancing the natural beauty of AONBs in making decisions that affect it.

Unlike National Park authorities, the High Weald AONB Unit is not a statutory body but an advisory one. It is not a local planning authority and the responsibility for determining planning applications remains with the 15 local authorities. The AONB Unit is not a statutory consultee on planning matters and it remains each local planning authority's decision whether or not they seek its advice on a particular planning application.

The scope of the advice in this letter is set by the statutory High Weald [AONB Management Plan](#), which has been adopted by all partner authorities, as 'their policy for the management of the area and for the carrying out of their functions in relation to it'.