

Report to:	Cabinet
Date:	12 November 2020
Title:	Responses to Government consultation on reforms to the planning system
Report of:	Ian Fitzpatrick, Deputy Chief Executive and Director of Regeneration and Planning
Cabinet member:	Cllr Emily O'Brien, Portfolio hold for Planning and Infrastructure
Ward(s):	All
Purpose of report:	To report on the Council's submitted responses to the consultations on the Government's 'Planning for the future' White Paper and 'Changes to the current planning system' proposals for reforming the planning system
Decision type:	Non-Key
Officer recommendation(s):	To note the responses submitted to the Government's consultations on reforms to the planning system
Reasons for recommendations:	To update Cabinet on the responses submitted to the Government's consultations on reforms to the planning system
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1 Introduction

- 1.1 In August 2020, the Government published two consultations on proposed reforms to the planning system: the 'Planning for the future' White Paper on proposed long-term major reforms to the way that the planning system operates; and 'Changes to the current planning system' containing short-term changes to current national planning policy to be implemented prior to the long-term reforms.

- 1.2 Responses to both consultations on behalf of Lewes District Council were submitted prior to the consultation deadlines of 1st October 2020 for the 'Changes to the current planning system' and 29th October 2020 for the 'Planning for the future' White Paper.
- 1.3 This report summaries the proposed changes and presents the responses that were submitted on behalf of Lewes District Council.

2 'Planning for the future' White Paper

2.1 The package of major reforms to the planning system proposed within the White Paper are intended to streamline and modernise the planning process, improve outcomes on design and sustainability, reform developer contributions and ensure more land is available for development where it is needed.

2.2 The proposals include:

- Local Plans being streamlined and shorter, and designated all land in the local planning authority area as being in either: a 'Growth' area; a 'Renewal' area; or a 'Protected' area.
- Local plans would specify the type of development that would be allowed within each area, and would include design codes that developments would be required to follow.
- Communities would be involved at plan-making stage, but would not have the chance to comment again on the principle of development at application stage.
- The introduction of a 'fast-track for beauty' to incentivise and accelerate high quality development which reflects local character and preferences.
- Binding housing targets for local planning authorities set using a 'standard method' that takes into account constraints
- Community Infrastructure Levy and section 106 planning agreements would be replaced by an Infrastructure Levy, which would be charged as a fixed proportion of the development value above a threshold.

3 Changes to the current planning system

3.1 The proposals for short term changes are intended to improve the effectiveness of the current planning system. The four main proposals are:

- changing the standard method for assessing local housing need
- securing of First Homes through developer contributions in the short term until the transition to a new system
- supporting small and medium-sized builders by temporarily lifting the small sites threshold below which developers do not need to contribute to

affordable housing

- extending the current Permission in Principle to major development

3.2 In particular, the proposed new standard method for calculating local housing need would increase the housing requirement for the District from 483 homes per year to 800 homes per year. The proposed increase in the small sites threshold could result in a 37% decrease in the amount of affordable housing being delivered.

4 Consultation

4.1 A members seminar was held on Monday 28th September to brief members and invite discussion and comment on the proposals in the White Paper. The response was informed by this discussion.

4.2 In addition, the consultations on the White Paper and 'Changes to the current planning system' were discussed with members of the Local Plan Steering Group.

5 Financial appraisal

5.1 There are no financial implications of the responses to the consultations themselves.

6 Legal implications

6.1 There are no direct legal implications of the responses to the consultations themselves.

7 Risk management implications

7.1 There are no direct risk management implications of the responses to the consultations themselves.

8 Equality analysis

8.1 An Equality Analysis is not required in this instance as the report presents the responses to the consultations that will have been submitted to the Government.

9 Environmental sustainability implications

9.1 There are no direct environmental sustainability implications of the responses to the consultations themselves.

10 Appendices

- Appendix 1 – Response to ‘Planning for the future’ White Paper
- Appendix 2 – Response to ‘Changes to the current planning system’

11 Background papers

The background papers used in compiling this report were as follows:

- ‘Planning for the future’ White Paper, MHCLG, August 2020 - <https://www.gov.uk/government/consultations/planning-for-the-future>
- ‘Changes to the current planning system’, MHCLG, August 2020 - <https://www.gov.uk/government/consultations/changes-to-the-current-planning-system>

Appendix 1 - Response to 'Planning for the future' White Paper

Submitted on Thursday 29th October 2020

Summary

Lewes District Council has strong concerns and objections to a number of proposals in the 'Planning for the future' White Paper.

There is strong objection to proposals on the format of new-style local plans, which it is considered will not allow reflection of detailed local circumstances; will not address the climate emergency that has been declared by Lewes District Council; will have significant adverse impacts on biodiversity and miss opportunities to rebuild ecosystems; will reduce the democratic influence of communities on the places that they live; and ultimately will result in poorer quality and unsustainable development and even less public trust in the planning system.

There is strong opposition to the establishment of a nationally determined, binding housing requirement, which will not take into account local constraints and circumstances, including the fact that half of the District is located within the South Downs National Park.

There is significant concern about the lack of democratic accountability in the proposals for reducing the opportunity for people to comment on developments at planning application stage as it will reduce the ability of communities to have input into proposals affecting their local areas, and will reduce local democracy.

There is also concern that a 'fast-track for beauty' will put too much emphasis on the way that development looks at the expense of thought being given to climate change adaptation and mitigation to address the climate emergency.

There is particular concern that the penalties for under-delivery continue to be focused towards local authorities and their communities, rather than the developers and landowners who are not building out their permissions.

Responses to Consultation Questions

1. What three words do you associate most with the planning system in England?

Not applicable – this is the response of a local authority.

2. Do you get involved with planning decisions in your local area?

[Yes / No]

Not applicable – this is the response of a local authority.

2(a). If no, why not?

[Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]

Not applicable – this is the response of a local authority.

3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?

[Social media / Online news / Newspaper / By post / Other – please specify]

Not applicable – this is the response of a local authority.

4. What are your top three priorities for planning in your local area?

[Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

Lewes District Council's Corporate Plan 2020-2024 identifies goals and ambitions for the coming years. These include:

- Becoming a net zero carbon and climate resilient council and district by 2030
- Creating a sustainable economy that enables a fairer place to live and work
- Building warmer, better homes that people can afford to live in
- Having the greenest Local Plan and putting sustainability at the heart of our local planning processes.

5. Do you agree that Local Plans should be simplified in line with our proposals?

[Yes / No / Not sure. Please provide supporting statement.]

No.

Lewes District Council welcomes the Government's commitment to continuing with a planned system, and supports the principle of simplifying local plans to make them simpler and quicker to prepare.

Lewes District Council supports the principle of encouraging greater levels of public engagement in the plan-making process, and making the local plans much more accessible for communities through enhanced digitisation, visualisations and mapping; however Government must provide appropriate resources to enable this to take place effectively.

However, Lewes District Council is strongly opposed to the current proposals for a 'zoning' approach to local plans, which it is considered will not reflect detailed local circumstances; will not address the climate emergency that has been declared by Lewes District Council; will have significant adverse impacts on biodiversity and miss opportunities to rebuild ecosystems; will reduce the democratic influence of communities on the places that they live; and ultimately will result in poorer quality and unsustainable development and even less public trust in the planning system.

Whilst a 'zoning' approach may in theory provide developers and communities greater certainty over what development would be acceptable and where, Lewes District Council has strong concerns that this approach will not allow specific concerns and local circumstances to be taken into account, which will reduce the influence that local communities can have in implementing their vision for the future of their areas. In particular, it will make it more difficult to influence the way that development takes place in light of Lewes District Council's climate emergency declaration and the ambitions for 'carbon zero' by 2030.

The proposals will significantly reduce scrutiny of detailed proposals, and Lewes District Council is concerned that this will ultimately result in significantly poorer and unsustainable forms of development.

There are local complexities and nuances that the 'zonal' system is unable to take into account. One single neighbourhood may contain a number of sites or smaller areas, each requiring different zoning. To designate areas to such a fine grain of detail is likely to be severely problematic. In addition, the town of Lewes is within the South Downs National Park, which may be designated as a 'Protected' area. However, there are parts of the town of Lewes that would be appropriate to designate as a 'Growth' zone to help aid regeneration, and other parts of the town that would be appropriate as 'Renewal' areas. Any proposals should allow more nuanced designations at local levels, rather than identification of how areas should be 'zoned' at a national level.

Lewes District Council are concerned that the proposals could mislead communities about how their areas may change in the future, and further undermine trust in the planning system, which the proposals are aiming to restore.

The White Paper identifies specific designations that would justify identification as a 'Protected' area, however not all of these designations can be considered as equals. Designations that are recognised as important on a national or international level will have

greater safeguards than locally important designations. The parts of the 'Protected' area that are not nationally designated (e.g. open countryside) will not have any additional protection over and above those that exist currently. This means that despite the nomenclature suggesting little or no development would take place, 'Protected' areas may actually see significant amounts of development, particularly in circumstances where a local planning authority fails the Housing Delivery Test, and the presumption in favour of sustainable development continues to apply.

Should this proposal be implemented, Lewes District Council would recommend that the Housing Delivery Test and presumption in favour of sustainable development be abolished alongside the Five Year Housing Land Supply. A local plan that passes examination will by definition provide sufficient land to meet the housing requirement, and if developers are not delivering the housing requirement, the penalties should be directed towards them, and not the local planning authorities and their communities.

Whilst Lewes District Council supports the principle of making local plans more accessible, easier to use and quicker to produce, it is considered that the current proposals will in fact make them more complicated and costly to produce.

Under the proposals, designating 'Growth' areas will be akin to preparing multiple outline planning applications and will mean a significant amount of technical work and assessment will need to be undertaken at the plan-making stage. The proposals for design guides or code produced on a 'twin track' with the Local Plan would add a further resource requirement, particularly as these skills will need to be developed significantly to achieve this, and put too high an expectation on local planning authorities who are not necessarily creative leaders compared to the private sector. All of this amounts to more complications in preparing local plans.

A significant part of the time taken and resource used in preparing a local plan relates to the gathering and interrogation of evidence in order to inform and justify the contents of the local plan. Without more details on the proposals for the 'more limited evidence that will be expected to support sustainable local plans', Lewes District Council has serious concerns about the proposals.

Given the significant costs involved in preparing evidence, it is unlikely that many local planning authorities are currently providing more evidence than is actually required to justify their plans, so it is difficult to see how the evidence requirements can be reduced to the extent that it will allow local plans to be prepared significantly quicker and still deliver sustainable development.

Significant changes to the way that local plans are prepared will require a significant lead-in time in order to understand the new ways of working and to develop the different skills required to put a new plan in place, and Government should ensure that local planning authorities are supported through this process, and communities not penalised.

Lewes District Council considers that the way to build public trust in the planning system is to allow local planning authorities to prepare a local plan with strong community involvement, and then to leave that plan in place, without undermining it, for a specific period of time. A review that leaves a plan immediately out of date and necessitates regular changes to designations will not build trust with communities who have been sold certainty. Therefore, Lewes District Council would support the abolition of the Housing Delivery Test and the presumption in favour of sustainable development in addition to the abolition of the five year housing land supply.

Lewes District Council is concerned that there is no reference made to Waste and Minerals planning and how this would fit into the new system to local plans, and that there is a failure to fully consider and address the importance of other uses of space, such as rewilding, renewable energy generation and employment.

6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

[Yes / No / Not sure. Please provide supporting statement.]

No.

Lewes District Council understands that there may be some merit in the proposal to set out broad development management policies on a national basis only where those policies are addressing issues that apply on a national basis. However, it is important that local planning authorities retain the ability to provide specific development management policies that address specific local issues where they do not duplicate national policy. This is particularly important in relation to ensuring that the aspirations of the community are appropriately captured, and influencing the way that development takes place in light of Lewes District Council's climate emergency declaration and the ambitions for 'carbon zero' by 2030.

Lewes District Council does have concerns about the expectations for policies and code requirements to be written in a machine-readable format. The application of policy is often not a binary decision, but requires consideration and judgement to be applied to them.

7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of "sustainable development", which would include consideration of environmental impact?

[Yes / No / Not sure. Please provide supporting statement.]

Not sure

Lewes District Council would support a consolidated test as a means of making the local plan examination process simpler and quicker. However, without details of what this consolidated test of “sustainable development” would look like, Lewes District Council cannot support the proposals.

There is a concern that a test of “sustainable development” could end up being more complex than the current tests of soundness. “Sustainable development” is a concept that is hugely open to interpretation, and could therefore result in longer examinations, rather than shorter, and ultimately the final local plan could be too heavily influenced by a Planning Inspectors interpretation of sustainable development, rather than the local community’s interpretation.

Lewes District Council agree that the current Strategic Environment Assessment / Sustainability Appraisal process is complex and time-consuming; however it is important that the environmental impacts of plans and proposals are properly assessed, particularly in the context of the climate emergency and the biodiversity emergency of species loss and extinction. Therefore, Lewes District Council would strongly support a replacement for Strategic Environment Assessment / Sustainability Appraisal that goes beyond a ‘tick box’ exercise to thoroughly assess the impacts of proposals and guide decisions on what development is the most sustainable, and that is also accessible for the public and has continuing utility and active use once the local plan has been adopted.

7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

Lewes District Council agrees that the Duty to Co-operate has become increasingly complex and time-consuming, and creates too high a risk of local plans falling over at too late a stage in their preparation, resulting in wasted time and resources. Therefore, Lewes District Council would support the abolition of the duty to co-operate for meeting housing need; however it should not be replaced by less effective and less democratic solutions.

Many of the strategic, cross-boundary issues that do not involve housing need relate to the provision of infrastructure. Further consideration needs to be given to how appropriate and effective strategic planning takes place on a cross-boundary basis that provides a truly accountable means for co-operation over infrastructure.

**8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?
[Yes / No / Not sure. Please provide supporting statement.]**

No.

The current standard method for establishing a housing requirement amounts to a starting point after which local constraints and circumstances can be taken into account at the local level. Lewes District Council is very concerned that the proposals will result in the assessment of these local constraints and circumstances being undertaken without the involvement of the local planning authority, or worse, not taken into account at all.

The Lewes Local Plan Part 1 (Joint Core Strategy with the South Downs National Park) identifies a housing target of 345 homes per year across the whole District, against an objectively assessed need of 520 homes per year. This demonstrates that there are environment and infrastructure constraints that would prevent the District's housing need being met in full.

Over half of Lewes District is in the South Downs National Park, which runs through the middle of the District and splits the local planning authority area into two. The southern part of the area ('coastal belt') is constrained by the National Park boundaries and the coastline, with the erosion of the coastal cliffs likely to be a significant issue that will impact development capacity in the future. The northern part of the local planning authority area is mainly open countryside that provides the setting to the National Park with a small number of villages served mainly by low-grade countryside roads, a number of which are single-track.

In addition, there are designations and constraints located outside of Lewes District, such as the Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA), which will restrict the amount and distribution of development within Lewes District.

There are significant concerns about a housing requirements being determined by a 'standard method' as Lewes District Council cannot possibly see how these local circumstances and constraints can be taken into account through an algorithm that will result a housing requirement that is deliverable and sustainable for Lewes District.

Whilst Lewes District Council would support the principle of having an established housing requirement at the very start of the local plan process in order to reduce delays in preparing the local plan itself, any housing requirement must be determined at a local level to enable local circumstances to be taken into account.

Lewes District Council firmly believes that the 'standard method' is completely unworkable in local authorities that contain part of a National Park, such as Lewes District, because it does not allow for the disaggregation of the housing requirement. Previously, Lewes District Council was required to issue judicial review proceedings to successfully resolve the issue of disaggregation relating to the Housing Delivery Test. Any standard method would need to incorporate a method of disaggregation to local planning authority area.

**8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?
[Yes / No / Not sure. Please provide supporting statement.]**

No.

There are many factors that influence affordability, not just supply. There is little evidence to demonstrate that increased house-building makes homes more affordable for local people, particularly in areas such as Lewes where there are high levels of in-migration due to the high quality of the environment. In a similar way to new road-building only creating greater use of the car, a greater level of housebuilding only has the impact of creating greater in-migration into the area. It does not have positive impacts on affordability for the District's residents.

In general, Lewes District Council consider that the affordability adjustment focuses an unsustainable level of new housing to the south-east of England and too little growth to the large cities of the midlands and north of the country. This is contrary to the Government ambition to 'level-up' the country and support a 'Northern Powerhouse'.

The element of the affordability ratio that appears to be ignored is the average earnings. The White Paper also makes no reference to how employment land should be planned for under a reformed system, and more emphasis should be placed on economic regeneration as a way to increase average earnings and address affordability issues via this route that by simply increasing supply.

Lewes District Council does support the proposal to abolish the five year housing land supply assessment. The White Paper identifies that having enough land supply in the system does not guarantee that it will be delivered, but delivery is not the responsibility of the local planning authority. As such, the Housing Delivery Test and the 'presumption' should be abolished also, and penalties for non-delivery of sites should be directed towards developers and landowners, rather than local communities.

**9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?
[Yes / No / Not sure. Please provide supporting statement.]**

No.

Lewes District Council support a plan-led approach to setting of the principle of development; however there is concern that the removal of the opportunity for people to comment at outline planning application stage on sites allocated for growth will reduce the ability of communities to have input into proposals affecting their local areas, and will reduce local democracy.

The provision of automatic outline permission for growth areas on adoption of the local plan will mean that some of the work usually done by developers will be required from the local planning authorities, who will not have the resources, expertise or creative abilities to undertake this, particularly if the local plan identifies a number of 'growth' areas. The effect of this is that it will take longer to get a local plan in place, which is contrary to other aims to simplify the process.

There is also a concern that not all of the site information will be available at an early stage, which could mean a site is granted outline permission without many issues of technical detail being explored, including environmental impacts. This may result in a site creating significant environmental impacts, or not being deliverable in the form that was originally envisaged and ultimately developed contrary to the desires of the local community.

9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?

[Yes / No / Not sure. Please provide supporting statement.]

No.

Lewes District Council is concerned about the lack of democratic accountability in the consenting arrangements in Renewal areas under these proposals. Proposals for automatic consent will reduce the ability of communities to have input into proposals affecting their local areas, and reduce local democracy.

Lewes District Council is also concerned about proposals for numerous different routes to consent in 'Renewal' areas. Multiple routes require greater resources and understanding of legislation and guidance, which puts additional pressure on local planning authority resources. It is considered that it would be more productive to have fewer routes to consent that are done well, rather than more routes that stretch resources further. In addition, more numerous routes to consent can be confusing to the public and have negative impacts on the issues of public trust in the system, which the proposals are seeking to resolve.

Lewes District Council is also concerned that a failure of developers and landowners to deliver the development that has been planned for could result in additional development in areas designated as 'Protected' via 'the presumption', which penalises local planning authorities and local communities through no fault of their own. This will further undermine public trust in the planning system that the reforms are trying to address.

**9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?
[Yes / No / Not sure. Please provide supporting statement.]**

No.

Lewes District Council does not support the proposal to allow new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime, as this would remove community input and local planning authority influence on a development that may have significant impacts on the nature and character of the District. Such a proposal would further erode the issues of public trust in the planning system that the reforms are seeking to address.

**10. Do you agree with our proposals to make decision-making faster and more certain?
[Yes / No / Not sure. Please provide supporting statement.]**

Yes

Lewes District Council supports the principle of a simpler and more streamlined process for applications that will enable decision making to be faster and more certain. This would require substantial upgrades to technology, which would require significant investment in technology that will need to be provided by Government.

A move towards the standardisation of data and standardised and machine-readable applications is supported in principle; however this should not be relied upon totally. Planning decisions often involve the weighing up of complex and interrelated matters that requires a judgement to be made, which technology will be unable to do.

Lewes District Council is strongly opposed to the proposals for refunding application fees if decisions are not made within time, as this would exacerbate existing resource issues and would run counter to the need to properly resource the planning system to ensure these reforms are successful. It would mean pressure to sacrifice of quality for speed, which would run contrary to the aims for sustainable development.

**11. Do you agree with our proposals for accessible, web-based Local Plans?
[Yes / No / Not sure. Please provide supporting statement.]**

Yes.

Lewes District Council agrees in principle with the proposal for greater emphasis on accessible, web-based local plans that allow users to 'self-serve' and understand the planning rules that apply to them more easily.

However it should be noted that greater digitisation may potentially disadvantage some members of communities, particularly those already have significant existing disadvantages. Lewes District Council also notes that significant resource and investment will be required in order to move towards digital local plans that are fit for purpose and accessible for all.

12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?

[Yes / No / Not sure. Please provide supporting statement.]

No.

Lewes District Council supports the principle of speeding up the preparation of local plans; however it is considered that 30 months (two and a half years) is too short a timeframe to prepare a local plan that will deliver sustainable development. This is particularly in light of the additional technical work and assessment that will be required to enable a 'growth' area to have equivalent outline consent, and to twin-track design codes alongside the local plan.

Whilst Lewes District Council would strongly support a shorter and simpler timetable for local plan preparation, the reality is that a significant part of the time taken and resource used in preparing a local plan relates to the gathering and interrogation of evidence in order to inform and justify the contents of the local plan. A 12 month period to gather evidence and draft the local plan is not considered sufficient to produce a well-informed local plan that appropriately considers and assesses the impacts of the development that it is planning for. In addition, much of the evidence base relies on input from or review by third parties, including statutory consultees such as the Environment Agency, which can delay the finalisation of evidence.

The timetable also does not take into account the lead-in times for Council meetings where decisions are made.

Lewes District Council would welcome a requirement for the Planning Inspectorate to speed up their timescales, particularly considering that Lewes District Council experienced a nine month delay in receiving the Inspectors Report on the Lewes Local Plan Part 2 examination. However, the proposal for examination to take 9 months is not considered realistic, bearing in mind the 'right to be heard', the potential need for supplementary work to take place, and any requirement to undertake consultation on the 'binding' changes from the Inspector (which is not mentioned in the proposals).

The statutory timetable also does not take into account that the first tranche of local plans under the reformed system will all be being prepared at the same time. This will no doubt create issues with the capacity of private sector consultants that are relied upon to deliver specialist evidence projects, but it will also affect availability of planning inspectors to examine the local plans. This will impact the ability of the local planning authorities to meet the timetable, through no fault of their own. This could potentially be addressed through appropriate transition arrangements.

13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

[Yes / No / Not sure. Please provide supporting statement.]

Yes.

Lewes District Council strongly supports the proposal to retain Neighbourhood Plans in the reformed planning system. The majority of town and parish councils in Lewes District (outside of the South Downs National Park) have prepared, or are preparing Neighbourhood Plans. Currently in Lewes District, there are eight 'made' Neighbourhood Plans which are part of the development plan and seven of these allocate housing sites. There are a further two Neighbourhood Plans in preparation, one seeking to allocate housing and one not.

Neighbourhood Plans are an important means by which local communities can have a strong influence on the future of their area. However, town and parish councils are extremely concerned that the current proposals will mean that they have no say in where and what development takes place in their parishes. The role of neighbourhood planning in a new streamlined system needs to be very clearly defined.

The community involvement in their preparation cannot be dismissed. Neighbourhood planning has become an important method by which communities have educated themselves about the opportunities, limitations and nuances of the planning system. In addition neighbourhood planning has empowered them and truly devolved policy-making to the neighbourhood level.

The preparation of Neighbourhood Plans takes a lot of time and effort, mainly by committed volunteers. To reduce neighbourhood plans to simply design code documents would not attract the same level of commitment; it would likely reduce community buy-in. Lewes District Council has concerns over the treatment of Neighbourhood Plans in the reformed planning system and would seek commitment from Government to consider allowing neighbourhood plans to set secondary development zones or provide communities with their own mechanism to allocate their own sites for development and set their own locally responsive development requirements in neighbourhood plans.

If the scope of neighbourhood plans were to be reduced to the preparation of design codes as the current proposals indicate, Lewes District Council would expect to see the provision of transitional arrangements that would allow 'made' neighbourhood plans to continue to have weight in any new planning system. Lewes District Council would also support the use of Neighbourhood Development Orders by communities, but would suggest that the process for their preparation should be streamlined as it is currently nearly as onerous as preparing a full Neighbourhood Plan, which is considered to be disproportionate.

13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?

The use of digital tools in neighbourhood planning will be significantly affected by the skills and knowledge available and the willingness of people with those skills to get involved. This may result in neighbourhood planning groups requiring more support from the local planning authority, seeking assistance from 'Locality' or commissioning support from elsewhere, all of which will need to be properly funded.

**14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?
[Yes / No / Not sure. Please provide supporting statement.]**

Yes.

Lewes District Council supports the greater emphasis on the build out of developments, which could be achieved through larger sites being delivered by a range of smaller developers, and requirements that seek to deliver a wide range of new homes. This increase in competition should also result in increased quality of developments.

Lewes District Council believes that local planning authorities should be given powers to encourage the build out of developments at the expense of the landowner who is not delivering. This could be in the form of automatic compulsory purchase powers, or by requiring the landowner to pay an amount equivalent to the Council tax that the development would be paying if it were occupied.

15. What do you think about the design of new development that has happened recently in your area?

[Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or poorly-designed / There hasn't been any / Other – please specify]

Not applicable – this is the response of a local authority.

16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?

[Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]

Lewes District Council believes tackling climate change should be central to all activities. Key areas of focus include:

- Improving the energy efficiency of homes including supporting low-carbon heating technologies in our own council houses
- Encouraging more cycling and walking in the district by improving infrastructure and reduce barriers to cycling
- Having the greenest Local Plan and putting sustainability at the heart of our local planning processes.
- Improving air quality, developing an air quality strategy, a local transport strategy and increasing opportunities for public transport and electric vehicle charging infrastructure.
- Increasing biodiversity, wildflower and pollinator opportunities through cutting pesticide use on council land and have an ambitious programme of tree planting and rewilding.
- Influencing and creating the conditions for a reduction in emissions from agriculture and food production.
- Reducing waste and emissions that arise from dealing with waste.
- Prioritising efforts to address flooding and coastal erosion as well as water availability due to the impact of climate change.
- Building and encouraging affordable, energy efficient, climate resilient and adaptable locally sourced and provided housing.

17. Do you agree with our proposals for improving the production and use of design guides and codes?

[Yes / No / Not sure. Please provide supporting statement.]

Yes.

Lewes District Council supports proposals that would help to deliver development to a local design that is distinctive to the area and is influenced by the local community.

However, whilst design codes could be an effective method of influencing design, the production of design guides and codes is likely to require skills, expertise and creativity that do not currently exist within local planning authorities.

Lewes District Council is also concerned that adherence to design codes may not be able to be enforced, particularly where the developer claims that they will impact the viability of a scheme. In these circumstances, continuing to enforce design codes may discourage the developer from delivering the development, particularly when they know that this may impact the results of the Housing Delivery Test, and under the presumption in favour of sustainable development they may be able to water down their scheme even further.

Enforcing high design standards will require greater tools for local planning authorities, and not penalties such as 'the presumption' when developers choose not to deliver the development that the local plan has planned for.

18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?

[Yes / No / Not sure. Please provide supporting statement.]

Yes.

Lewes District Council support proposals that would provide much greater help and assistance to local planning authorities in preparing design guides and codes, and raise the profile and importance of good design in new development. Part of this will necessarily involve greater resourcing from Government, particularly to put in place a chief officer for design and place-making.

19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

[Yes / No / Not sure. Please provide supporting statement.]

Yes.

Lewes District Council supports greater emphasis being given to design in the strategic objectives for Homes England. High quality and locally influenced design is essential, particularly in relation to getting local communities involved and accepting of new development.

It is also important that climate change mitigation and adaptation is fully integrated into design so assist with the Council's ambitions to be carbon net zero by 2030.

20. Do you agree with our proposals for implementing a fast-track for beauty?

[Yes / No / Not sure. Please provide supporting statement.]

No.

Whilst Lewes District Council believes that 'beautiful' development is important, it is not the only factor that needs to be considered. There is a significant need for development to be designed to react to the climate emergency in terms of adaptation and mitigation. A 'fast track for beauty' is likely to have the effect of placing more importance on the look of a development rather than function, particularly in relation to climate change.

Lewes District Council supports the principle of allowing high quality developments that accord with design codes/guides to be approved more quickly; however, design codes must allow a significant emphasis to be placed on climate change adaptation and mitigation. Lewes District Council would welcome additional funding to develop skills that allow us to produce design codes for 'growth' areas in-house, otherwise it is likely to fall to the site promoter who will be less likely to take on board concerns from the local community.

However, in the absence of detail on how this would work, a number of questions are raised, particularly in relation to who would determine what is 'beautiful' in the first place; and who would decide if a scheme is compliant with this idea of beauty.

In addition, Lewes District Council is concerned that the use of pattern books or replication of popular designs will reduce local distinctiveness in new development and prevent innovation and excellence in design.

21. When new development happens in your area, what is your priority for what comes with it?

[More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]

The Planning System should consider and address all of these issues, and more, together, The White Paper has given little consideration to transport, which is not only a key consideration for sustainable land use planning, but will also play a significant role in addressing the climate emergency.

**22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?
[Yes / No / Not sure. Please provide supporting statement.]**

Yes.

Lewes District Council supports the principle of a consolidated Infrastructure Levy charged as a proportion of development value, provided that there is local control over the setting of rates and thresholds, and that the new system provides at least the same level of funding, and preferably more funding, than the current system. The simplification of the system could have benefits in relation to reducing the time spent on negotiation and providing clarity on expectations.

However, Lewes District Council does have significant concerns about the proposal for collecting the new Infrastructure Levy at the point of occupation. This severely limits local planning authority's options for enforcement should the Infrastructure Levy not be paid. It will also cause issues with the delivery of important infrastructure or mitigation that may be required prior to the development commencing, or force local planning authorities to borrow against the Infrastructure Levy, which comes at its own risks and is an entirely unrealistic and unreasonable expectation.

Lewes District Council also has concerns over the abolition of Section 106 agreements. Section 106 agreements are not only used for funding, they also have any other important functions, such as providing site specific mitigation, habitat mitigation, employment and training plans, or other necessary legal restrictions on the use of land, and it is not clear how these could be achieved under the proposed changes.

In addition, Lewes District Council is concerned that any imposed inflexibilities on rates and thresholds in a new system may result in sustainable development not being delivered. Brownfield sites that have higher existing land values and abnormal costs would have greater viability challenges, which could impact on Housing Delivery Test result and would ultimately have the effect of incentivising the development of greenfield sites.

Further, only residential and retail development is deemed sufficiently viable to justify a CIL charge in Lewes at the current time. There needs to be sufficient local flexibility to ensure that other types of development, for example employment-generating uses that may have marginal viability, are not discouraged from coming forward.

22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

[Nationally at a single rate / Nationally at an area-specific rate / Locally]

Locally.

Whilst setting a single rate on a national basis would result in time and resource saving for local planning authorities, setting the rates locally would allow local circumstances to be taken into account and allow a more appropriate balance between securing contributions and ensuring viability.

In Lewes District, there are currently two zones of viability: the coastal belt where values are lower; and the north of the National Park where values are higher. Without these local circumstances being taken into account, there is a risk that either rates will be too low and not capture appropriate value from development, or rates will be too high which could make development unviable.

22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?

[Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]

More value.

Lewes District Council strongly believes that any new system should capture more value from development to support greater investment in infrastructure. A significant amount of the community objection to new development stems from concern around the provision of infrastructure, particularly in relation to the capacity of health services, education and transport infrastructure. Capturing greater value to invest in infrastructure should make development more acceptable for local communities.

22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

[Yes / No / Not sure. Please provide supporting statement.]

No.

The abolition of Section 106 agreements and the payment of the Infrastructure Levy on occupation would mean that any site mitigation or infrastructure that is required prior to the completion of the development will have to be provided by the local planning authority. Borrowing against the Infrastructure Levy will be the only way that this can be provided. However Lewes District Council considers this to be completely unrealistic to implement and will place untenable risks on local planning authorities.

23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

[Yes / No / Not sure. Please provide supporting statement.]

Yes.

Lewes District Council agrees that the Infrastructure Levy should be extended to capture permitted development as these developments will have an impact on infrastructure that will require mitigation. The concern would be how the local planning authority will be made aware of such developments where there is no requirement for prior approval.

24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

[Yes / No / Not sure. Please provide supporting statement.]

Yes.

Lewes District Council supports the principle that the Infrastructure Levy should provide at least as much affordable housing as the present system, and preferably more. Lewes District Council supports the principle that affordable housing should be provided on-site unless there are exceptional circumstances where this is not possible.

24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

[Yes / No / Not sure. Please provide supporting statement.]

Not sure

Lewes District Council would favour affordable housing being secured as in-kind payment towards the Infrastructure Levy, as provision as a 'right to purchase' at discounted rates for local authorities could place additional burden on local authorities. There should be sufficient flexibility within the system to allow either approach depending on particular circumstances.

24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

[Yes / No / Not sure. Please provide supporting statement.]

Yes.

Local authorities should not be expected to re-pay or compensate the developer if the value secured through in-kind payments is greater than the Infrastructure Levy liability.

24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

[Yes / No / Not sure. Please provide supporting statement.]

Yes.

Without Section 106 agreements, it will be necessary for mechanisms to be put in place to ensure that affordable housing is provided at appropriate quality standard. Lewes District Council supports the proposal that local authorities would have an option to revert back to cash contributions if no provider was willing to buy the homes due to their poor quality.

25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

[Yes / No / Not sure. Please provide supporting statement.]

No.

Lewes District Council supports greater freedoms for local planning authorities over how the Infrastructure Levy is spent; however the priority should always be funding the mitigation required to alleviate the impact of new development. It is imperative that funding should be directed towards the locations where development creates an infrastructure impact that needs to be addressed. However, Lewes District Council believes that using contributions from development to facilitate a reduction in council tax would be unacceptable.

25(a). If yes, should an affordable housing 'ring-fence' be developed?

[Yes / No / Not sure. Please provide supporting statement.]

Yes.

Lewes District Council believes that it is important for affordable housing to be ring-fenced to ensure that they are used to provide affordable housing and not used for other purposes when there are pressures elsewhere, as addressed in responses to previous questions.

26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

Whilst Lewes District Council supports greater use of digital technology in the planning system, we are concerned that this may disadvantage people with protected characteristics (particularly age related) who are unable to use the technology, and result

in digital exclusion. Therefore it will be necessary to provide alternative methods of consultation to ensure equality in engagement opportunities.

Without greater detail on how the proposed reforms will be implemented and will work in practice, it is not possible to say whether or not there will be further impacts on people with protected characteristics. Lewes District Council would want to see any new planning system ensure that the whole community would be able to actively engage and have significant input into how their area will change in the future, and that it does not exclude any people with protected characteristics.

Appendix 2 – Response to ‘Changes to the current planning system’

Submitted on Thursday 1st October 2020

The standard method for assessing housing numbers in strategic plans

Q1: Do you agree that planning practice guidance should be amended to specify that the appropriate baseline for the standard method is whichever is the higher of the level of 0.5% of housing stock in each local authority area OR the latest household projections averaged over a 10-year period?

Lewes District Council does not consider it appropriate that household projections are used to set the baseline for housing need.

Household projections are based on past trends, which are heavily influenced by migration. This means that the projections are therefore indicative of past levels of demand for housing in the area, rather than the local need for future housing. Household projections are also volatile, which results in an unreliable methodology. This is demonstrated by the significant changes between the 2014-based projections and the 2018-based projections.

Lewes District Council is concerned that the use of household projections focuses an unsustainable level of new housing to the south-east of England and too little growth to the large cities of the midlands and north of the country. This is contrary to the Government ambition to ‘level-up’ the country and support a ‘Northern Powerhouse’.

The use of household projections in the proposed new standard method means that Lewes District would see a significant increase in its housing requirement, from 483 homes per year (capped under the current standard method), to 800 homes per year under the proposed new standard method.

Severe constraints means that Lewes is unlikely to be able to meet its housing requirement, which means it will need to look to neighbouring authorities to accommodate the shortfall. The proposed new standard method would also see Lewes District’s neighbouring authorities receive significant increases in their housing requirement, which will severely reduce their ability to help meet any of Lewes’ shortfall.

Lewes District Council is very concerned that the consultation paper identifies that the short-term changes to the standard method will have ‘*relevance to proposals for land supply reforms set out in Planning for the Future*,’ as it is likely to result in a ‘binding’ housing requirement (as identified in ‘Planning for the Future’) that is totally unachievable and unsustainable, and would severely impact the character of the District in the future.

From a practical point of view, there is also a clear difficulty with using household projections where the local planning authority boundaries do not align exactly with local

authority boundaries, such as the case where part of a local authority is within a National Park.

In circumstances where a local authority includes part of a National Park, such as Lewes District, there is no simple method to disaggregate the household projections between the local planning authority area and the National Park. Therefore the result of the standard method is not applicable to the area that Lewes District Council has planning responsibility for.

In order to solve this issue as simply as possible, it is considered that the baseline should purely be a percentage of the housing stock in the local planning authority area (i.e. the District excluding the National Park), and household projections should not be applied at all in these circumstances.

In addition, it is noted that the housing requirement as calculated by the standard method changes twice per year: once on 1st January at the start of the calendar year for the purposes of the household projection baseline calculation, and again in March when the house price to workplace-based earnings ratio is published.

Planning Practice Guidance should make it clear that the housing requirement should be recalculated just once per year, and should be calculated using the standard method as at 1st April.

Q2: In the stock element of the baseline, do you agree that 0.5% of existing stock for the standard method is appropriate? If not, please explain why.

Lewes District Council agrees that a figure of 0.5% of existing stock would be an appropriate baseline following the removal of household projections from the proposed new standard method.

Q3: Do you agree that using the workplace-based median house price to median earnings ratio from the most recent year for which data is available to adjust the standard method's baseline is appropriate? If not, please explain why.

Lewes District Council does not consider that it is appropriate to use workplace-based median house prices to median earnings ratio to adjust the standard method's baseline in all circumstances.

From a practical point of view, there are clear difficulties using the workplace-based median house prices and median earnings ratio where the local planning authority boundaries do not align exactly with local authority boundaries, such as the case where part of a local authority is within a National Park.

The workplace-based median house prices and median earnings ratio data are only available at a local authority level, which results in clear inconsistencies where the local planning authority boundaries do not align exactly with local authority boundaries, as is the case in Lewes District. This means there is no simple way to calculate the affordability ratio for the local planning authority area (i.e. the District excluding the National Park) only.

This impacts the appropriateness of the adjustment to the baseline figure as the house prices are likely to be inflated within the National Park.

In Lewes District, the average house price in the part of the District that is in the National Park is considered to be significantly higher than the part of the District outside of the National Park. This means that the adjustment is not applicable to the local planning authority area (i.e. the District excluding the National Park).

If the use of house prices to earnings ratio is to be continued, it is considered that this should be done on the basis of the lower quartile figures, rather than the median figure, to reduce the disproportionate impact of higher house prices in particular parts of the District.

Q4: Do you agree that incorporating an adjustment for the change of affordability over 10 years is a positive way to look at whether affordability has improved? If not, please explain why.

There are many factors that influence affordability, not just supply. There is little evidence to demonstrate that increased house-building makes homes more affordable for local people, particularly in areas such as Lewes where there are high levels of in-migration due to the high quality of the environment.

The impact of the affordability adjustment in the proposed new standard method is that the housing requirement is more than double the baseline (119% uplift), compared to 20% uplift on the baseline figure for the Objectively Assessed Need used in the current Lewes Local Plan.

Q5: Do you agree that affordability is given an appropriate weighting within the standard method? If not, please explain why.

Lewes District Council considers that the affordability adjustment is given too much weight in the proposed new standard method. There are factors other than supply that influence affordability, and areas with high in-migration are likely to be adversely impacted by the proposed adjustment.

Under the proposed new standard method, the use of the affordability adjustment means that housing requirement is not reflective of local need and is therefore too high.

The disproportionate impact of the affordability adjustment could be reduced through a change to the multiplier included in the calculation. Instead of increasing the baseline by 0.25% for each 1% the ratio is above 4, the increase should be reduced to 0.1%. This would reduce the weighting of affordability to a more appropriate level.

Do you agree that authorities should be planning having regard to their revised standard method need figure, from the publication date of the revised guidance, with the exception of:

Q6: Authorities which are already at the second stage of the strategic plan consultation process (Regulation 19), which should be given 6 months to submit their plan to the Planning Inspectorate for examination?

Lewes District Council agrees that there should be appropriate transition arrangements in place for local authorities that are close to submitting their plan for examination. However, the timescales identified are in no way sufficient time to review and update local plans to ensure that policies are reflective of any change to the housing requirement.

Q7: Authorities close to publishing their second stage consultation (Regulation 19), which 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?

If not, please explain why. Are there particular circumstances which need to be catered for?

Lewes District Council agrees that there should be appropriate transition arrangements in place for local authorities that are close to submitting their plan for examination. However, the timescales identified are in no way sufficient time to review and update local plans to ensure that policies are reflective of any change to the housing requirement.

Delivering First Homes

Q8: The Government is proposing policy compliant planning applications will deliver a minimum of 25% of onsite affordable housing as First Homes, and a minimum of 25% of offsite contributions towards First Homes where appropriate. Which do you think is the most appropriate option for the remaining 75% of affordable housing secured through developer contributions? Please provide reasons and / or evidence for your views (if possible):

- i) Prioritising the replacement of affordable home ownership tenures, and delivering rental tenures in the ratio set out in the local plan policy.**
- ii) Negotiation between a local authority and developer.**
- iii) Other (please specify)**

Lewes District Council considers that local planning authorities should be free to meet affordable housing needs based on local circumstances. The requirement to deliver 25% of affordable housing as First Homes will affect local authority's ability to meet all types of housing need through the planning system. It is not considered appropriate that 'First Homes' be automatically elevated above all other affordable tenures, particularly as local housing authorities have a duty to house those that are homeless, and these households are unlikely to have the financial ability to access 'First Homes'.

Lewes District Council are concerned that there may not be demand for 'First Homes' equivalent to 25% of on-site affordable housing provision. Whilst First Homes would be more affordable than market homes, they may still be unaffordable to local people. In Lewes District, the median house prices are 11.22 times the median earnings, so a 30% discount is unlikely to make First Homes significantly more affordable for local people. This is particularly relevant when the Government assume in the standard method that the average mortgage is a maximum of four times average annual income.

There does not appear to be any consideration given to disposal of these properties in such a situation. Where First Homes go unsold, they should revert back to other forms of affordable housing tenure, rather than allow the developer to sell them at full market rate.

Lewes District Council is concerned that local authorities would be expected to play a large management role in the provision of First Homes, but there are no definite proposals as to how such councils would be able to resource, manage and fund this additional workload.

Notwithstanding the above, the Lewes Local Plan policy on affordable housing identifies a tenure split of 75% affordable rented and 25% shared ownership. However, given that First Homes would essentially replace shared ownership, there may be less need for shared ownership than the tenure split set out in local plan policy. Therefore it is considered that it would be most appropriate for negotiation between the local authority and developer, based on an up to date assessment and evidence of needs in the site locality.

In Lewes, significantly more than the 4% of affordable housing contributions identified in the consultation paper are secured as financial contribution in lieu of on-site provision. The requirement to provide First Homes on the Council's own affordable housing developments that utilise these financial contributions is likely to have a significant impact on local authority resources and the viability of these developments.

With regards to current exemptions from delivery of affordable home ownership products:

Q9: Should the existing exemptions from the requirement for affordable home ownership products (e.g. for build to rent) also apply to this First Homes requirement?

It is considered that the current exemptions identified in the NPPF para 64 should also apply to the First Homes requirement.

Q10: Are any existing exemptions not required? If not, please set out which exemptions and why.

Lewes District Council considers that all of the existing exemptions are required.

Q11: Are any other exemptions needed? If so, please provide reasons and /or evidence for your views.

Lewes District Council considers that it is important that there should be an exemption for local authority developments, where Councils are building their own social rented housing. This is to protect the viability of development and allow local authorities to build to meet local affordable housing needs.

In addition, rural exception sites should be exemption from the 'First Home' requirements. The identification of these sites is on a need basis, and there may not be a need for 25% of the units to be 'First Homes' in the parish.

Q12: Do you agree with the proposed approach to transitional arrangements set out above?

Lewes District Council agrees that there should be appropriate transition arrangements in place, and some flexibility on planning applications in advanced stages would be beneficial. However, 6 months is in no way sufficient time to review and update local plans to ensure that policies are reflective of the update tenure mix.

Q13: Do you agree with the proposed approach to different levels of discount?

Whilst Lewes District Council does not disagree with flexibility being given to local planning authorities to provide different levels of discount, it is not clear how this would be evidenced in the first instance, particularly as increase discounts on 'First Homes' are

likely to further reduce the provision of affordable rented homes for viability reasons. In addition, it is not clear how different levels of discount will be applied through subsequent sales and who will be responsible for ensuring that the level of discount is provided in perpetuity.

Q14: Do you agree with the approach of allowing a small proportion of market housing on 'First Homes' exception sites, in order to ensure site viability?

Lewes District Council considers that it is important that exception sites are needs led, the starting point being that a need for housing exists in the parish, rather than the availability of a particular site. It may be difficult to evidence the need within a parish for First Homes.

Whilst the current Lewes Local Plan allows a proportion of market housing on exception sites, this is only permitted where it can be demonstrated that an affordable housing scheme would be unviable without cross-subsidy.

The provision of market housing on 'First Homes' exception sites should be evidenced with viability assessments to demonstrate that the market housing is required to enable the site to come forward, and should be limited to a small proportion only.

Q15: Do you agree with the removal of the site size threshold set out in the National Planning Policy Framework?

The NPPF para 71 (footnote 33) currently identifies a site size threshold of no larger than one hectare or exceed 5% of the site of the existing settlement.

Lewes District Council does not agree with the removal of the site size threshold. It is considered that this is a useful guide to what size of exception site is proportionate to the size of the existing settlement, and will provide greater certainty for applicants and decision makers.

Q16: Do you agree that the First Homes exception sites policy should not apply in designated rural areas?

It is not clear from the consultation document whether or not rural exception sites will be retained in non-designated rural areas. Lewes District Council strongly supports the continued provision of rural exception sites in designated and non-designated rural areas, and would disagree with any proposal to allow rural exception sites in designated rural areas only.

The Lewes Local Plan contains a policy promoting rural exception sites, based on the need for affordable housing, which has delivered much needed affordable housing in the past. Whilst it is appreciated that 'First Homes' exception sites may prove to be more popular than rural exception sites, the option should be retained, particularly for local authority development.