

Dear Sir/ Madam

WEALDEN DRAFT LOCAL PLAN

1. Thank you for consulting with the Home Builders Federation (HBF) on the Wealden Local Plan.
2. HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which include multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.

Draft National Planning Policy Framework

3. HBF recognise the draft NPPF will have no weight until it is formally adopted. However, consideration will need to be given as to how the new NPPF, when it is published later this year, impacts on the soundness of policies in the local plan.
4. On the basis of paragraph 4 and 8 in Annex A of the draft NPPF this local plan, which the Council propose to submit under the current plan making process, will be examined under the NPPF24. However, it is also notable that in relation to decision making Annex A also states that from the date the new NPPF is published local plan policies that are "*...any way inconsistent with national decision making policies in this Framework should be given very limited weight, except where they have been examined and adopted against this Framework*". Therefore, should this new iteration of the NPPF be adopted unchanged the Council will need to have regard to national policies for decision making given that any inconsistency would effectively render many of the development management policies proposed in this consultation that are not consistent with the new Framework redundant as soon as the local plan is adopted.
5. It is clear from the draft NPPF, and the decision to establish national policies for decision making, that the Government are seeking to limit the number of development management policies in local plans that seek to gold plate policies and go beyond national standards which place significant burdens on applicants as well as their own officers. The Council have noted that it will need to review development management policies following publication of a new NPPF. HBF agree and it is our contention that any policies which are inconsistent with the new framework should be deleted in order to avoid unnecessary and length discussions on an application by application basis as to the weight that should be attached to the policies in the adopted local plan.

Duty to Co-operate.

6. The publication of the Housing and Planning Minister's Written Ministerial Statement on Reforming Local Plan Making published on the 27th of November states that the Government has decided not to save the Duty to Co-operate. Therefore, once the relevant regulations have been enacted local planning authorities will no longer be under a legal duty to co-operate.
7. While the legal duty to co-operate will therefore not apply to this local plan this does not remove the requirement in the NPPF that in order to be considered sound a local plan must be "*based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground*". The only difference arising from the removal of the duty is that a failure to co-operate effectively is a soundness matter and as such the Council will need to be able to show that they have co-operated effectively on strategic matters such as unmet housing needs.

Policy SS1: Spatial Strategy for Wealden

8. The success of the spatial strategy will be whether or not it can deliver the level of development required to meet identified needs. We will come to this in more detail in our comments on policy SS2, however on the basis of what is presented in this focused consultation the proposed spatial strategy will mean significant shortfalls in housing delivery against needs. However, this position is in part based on a negative view of new development that fails to sufficiently appreciate the potential benefits that new development brings.
9. As is noted in the Sustainability Appraisal (SA) in relation to higher growth scenarios, increased development should have a positive impact on the vitality and viability of existing towns and villages, which suggests that the Council should within the spatial strategy take on a more positive approach to development in the general principles section of SS1. HBF would therefore suggest that part c is amended to read:

"c) Support new development that enables our towns and villages to be 'complete, compact and connected neighbourhoods' which help provide health, social, environmental and economic benefits to our communities."

While this is a relatively small amendment it is important as it ensures that recognition is given in the spatial strategy as to the positive benefits that development can bring to communities in securing existing services as well as delivering new and enhanced infrastructure that meets the needs of both existing and new residents.

Policy SS2: Provision of homes

10. This policy proposes a housing requirement for Wealden of 16,609 dwellings over the plan period of 2025/26 to 2041/42 - an annual requirement of 977 dwellings per annum (dpa). As the Council notes this results in a shortfall in housing of 8,160 homes over the plan period, or 480 homes per year. The justification provided by the Council for not meeting needs in full is due to the constraints in Wealden such as national landscape, the national park, biodiversity designations and flood risk which it is considered to lead to a lack of deliverable sites.
11. However, in paragraph 3.51 the Council state that it is revisiting its assertions from the previous consultation that the potential impact of housing growth on highways will limit the number of homes that can be delivered

in the south and north of the district, in particular around Hailsham and Uckfield, and is undertaking a county-wide transport model to consider further housing growth options. Alongside this the Council states in paragraph 3.54 that there may be changes in the potential allocations following a review of the further housing strategy options and then in table 6 sets out sites for further assessment and consultation. The situation as to how many homes the next iteration of the plan might deliver is then further confused by the SA which considers four options for growth, rejecting the lower growth option that aligns with what is being proposed in this consultation and recommending that the two options that would deliver, or get close to delivering, the standard method are taken forward at the next stage of plan preparation.

12. From the consultation documents and the SA, it would therefore appear that while the Council have a preferred option that is set out in SS2, there are now sites that were previously rejected which are now being reconsidered on the basis that the potential harms arising from those development could be overcome through appropriate mitigation. If these sites were to be included in the local plan, then they would add a further 4,854 homes to housing supply over the plan period – leaving a shortfall of circa 3,300 homes.
13. On the basis of the evidence presented and the Council's own SA the proposed housing requirement in SS2 has not been justified as the work on highways capacity has not been presented and the outcomes of the SA indicate there are opportunities for delivering higher levels of housing growth than that proposed in SS2. The SA also indicates that delivering levels of housing would have a negative impact on the sustainability of the area and its communities. Therefore, it is HBF's position that Wealden must look to meet its housing needs in full by revisiting examine all opportunities for housing development. In addition to meeting their own needs the Council must also take full account of the significant shortfalls arising in neighbouring areas in addition to their own needs.
14. In considering its approach to housing supply and meeting housing needs in full the Council must have regard to paragraph 11 of the NPPF which establishes that Councils must prepare plans that meet development needs in full, as well as the needs of other areas that cannot be met, unless the adverse impacts demonstrably and significantly outweigh the benefits of meeting needs or the application of policies in the NPPF provide strong reason for restricting overall growth – as defined in footnote 7 of the NPPF.
15. Turning to the footnote 7 restrictions first the Council have identified locations where development is restricted by the NPPF. It is recognised that development in these area will be more limited having regard to the NPPF, however, it is also the case that not all the policies referred to in footnote 7 indicate that no development can take place in areas covered by those designation and that there will still need to be strong reason for restricting growth. As such HBF would suggest that even those settlements in the national landscape may offer opportunities for new development that could help the Council meet it housing needs subject to appropriate mitigation.
16. It is also the case that these designations do not extend across the district and as such on their own do not provide a justification for not meeting needs in full. In order not to meet housing needs in full the harm arising from development the harms arising from meeting needs would substantially and demonstrably outweigh the benefits.

This position would appear to be undermined by the Council’s own SA, which rejects an option proposing to deliver only 63% of identified housing needs. This option is rejected as a reasonable alternative as it fails to

- Fails to meet housing need.
- a lack of development will mean that improvements to infrastructure are less likely to be provided; and
- town centres and villages struggling with vitality and viability will not benefit from an increase in population and the potential for economic prosperity.

17. In addition to these the Council must consider the significant benefit that meets needs in full would allow the Council to deliver more affordable housing to meet the needs of the community. A lack of housing supply in Wealden, and indeed across East Sussex, has led to an affordability crisis. As can be seen in the table below, the affordability of homes across East Sussex is poor but is the most acute in Wealden.

LPA	Median Affordability Ratio 2024	Median affordability ratio 5 year average
Lewes	12.02	11.68
Wealden	11.47	12.38
Rother	11.07	12.36
Eastbourne	8.48	9.09
Hastings	8.29	9.99

18. What is evident is that across East Sussex house prices far exceed local salaries, meaning that housing in the area is unaffordable for those people who live and work in the area. Even those areas in the county that are more affordable, Eastbourne and Hastings, still see average house prices of 8 times salaries. It is also notable that these two areas are the most constrained with tight boundaries to the urban edge meaning development opportunities are far more limited. Without a significant boost to the supply from those areas not as physically constrained as others in the county, such as Wealden, this situation will not improve and only likely to get worse.

19. With house prices being so high this has led to a substantial need for affordable housing with a growing number households being unable to afford to buy or rent in Wealden over the period of this plan. In Wealden the local housing needs assessment indicates that 542 affordable homes are needed each year to meet the needs of households who can neither afford to rent or buy in Wealden. This is over half of the number of the homes the Council is planning for and has the potential to place significant strain council budgets through the need for temporary accommodation in Wealden, and indeed across East Sussex. In April 2023 there were 717 households on the register, this number rose to 1071 households by 1 April 2024 and now currently stands at 1298 – an 81% increase from 2023 to 2025, reflecting the escalating shortage of affordable housing in Wealden.

20. Clearly there are likely to substantial benefits from meeting housing needs in full and, therefore, must be given substantial weight in the preparation of the regulation 19 local plan. These benefits must be considered not only

with regard to considering the overall need for development but also when considering the suitability of allocating of additional sites against the potential harms arising from the development of those sites.

21. In addition to these benefits the Council must also take into account cumulative negative impacts arising from adding to the unmet needs of an area where there is a substantial under supply of new housing. One of the main drivers of poor affordability is the scale of the unmet housing needs in Wealden across East Sussex. At present none of the plans being prepared in East Sussex meets needs in full. The table below shows how many homes each of the authorities in East Sussex are planning for based on recently published consultation documents. The shortfall is over 2,000 homes each year – nearly 36,000 homes over the period of this local plan.

LPA	Housing Needs (dpa)	Proposed Supply (dpa)	Shortfall (dpa)
Lewes (outside of NP)	682	390	292
Wealden	1,457	977	480
Rother	912	495	417
Eastbourne	714	301	413
Hastings	697	187	510
East Sussex	4,462	2,350	2,112

22. The potential scale of the unmet needs in neighbouring areas is discussed in paragraphs 3.32 to 3.39 of the consultation document. However, no direct conclusion is reached with regard to the unmet needs other than to state there is still some uncertainty as to the exact level of unmet needs arising in neighbouring areas and that these will be considered as part of plan preparation. Based on comments made with regard to unmet needs in the national park it is clear that Wealden does not consider it possible to meet the unmet needs of neighbouring areas. However, in considering the unmet needs of other areas Wealden must go beyond whether they can help but have regard to the cumulative impact of unmet housing needs across the region and the negative impacts of Wealden adding to this situation.
23. The dire situation with regard to affordability is also a cross border issue that needs to be considered as part of plan preparation. In Eastbourne there is a need for approximately 500 affordable home each year, yet they are only able to deliver 300 homes each year due to physical constraints. This inability to meet needs and deliver affordable housing has significant impacts for example, in 2024 Eastbourne Borough Council said it was paying 49p out of every £1 in council tax on temporary accommodation, a position it considered to be unsustainable¹. Without development in neighbouring areas, it is not able to increase supply to even begin to address this issue.
24. Even if Wealden cannot meet the needs of other areas at the forefront of any consideration it must be not to add to the problem given that Borough such as Eastbourne, Hastings and further west Brighton and Hove, do not

¹ [Eastbourne Borough Council says temporary housing costs unsustainable - BBC News](#)

have the physical space to meet housing needs. These areas must rely on boroughs and districts that are less physically constrained to as a minimum meet their own needs and not add to the to the problem.

25. While the SA does not reference the scale of the unmet needs in neighbouring areas, a failing that must be rectified, it does recognise the importance of meet housing needs in full and the benefits of doing so – and why option 1 that met just 63% of housing needs was rejected as a reasonable alternative. As such it is imperative that in taking this plan forward the Council look to take a more positive approach to development that seeks to address any barriers and recognises, as is established in NPPF, the benefits of meet housing needs in full.

Conclusion on SS2

26. The Council appears to be taking some steps in this direction in revisiting site assessments that have resulted in Table 6 of the consultation document which includes a range of sites that may have potential for allocation. HBF welcomes the fact that the council are proactively revisiting sites that were rejected previously, however, even the allocation of these sites will leave a shortfall of over 3,000 homes and we would recommend the Council seek further reformation on all previously submitted sites to try and overcome any barriers to delivery. The scale of the housing need in Wealden and the unmet needs in neighbouring areas clearly warrants the further consideration of all sites submitted for allocation.

HO8: Affordable Housing

Viability

27. A new local plan viability assessment (LPVA) has been published to consider the cumulative impact of the local plan policies on viability. HBF remain concerned that some of the costs in the viability evidence have not been fully taken into account. House builders are facing increasingly challenging market conditions with the costs of materials and labour increasing rapidly, the Building Safety Levy, Biodiversity Net Gains and Land Fill Tax increasing the regulatory burden and higher standards required by building regulations all adding to the burden even before local plan policies are taken into account.
28. HBF are concerned that not all the costs facing house builders have either been included or accurately assessed in the Council's Viability Assessment. Firstly, no allowance appears to have been made for the Building Safety Levy. For Wealden this is expected to place an additional £17.88 per sqm on Previously Developed Land (PDL) and £35.77 per sqm on non-PDL which will need to be included in the LPVA.
29. Secondly the cost relating to BNG are based on the DEFRA Impact Assessment from 2019. The 0.7 % cost increase used is based on the Central Estimate where 25% is delivered offsite at a cost of £11,000 per biodiversity unit. This is considerably lower than the costs being experienced by the development industry. The latest pricing report by Biodiversity UK from February 2026 indicates costs range from £25,000 to £30,000 per unit for the medium distinctiveness habitats with higher distinctiveness habitats costs in excess of £50,000. Therefore, where there is a need to deliver more BNG offsite the cost assumed in the LPVA will be significantly lower than would

be experienced by a developer. It must also be remembered that the cost of BNG will vary significantly from site to site and without an understanding the biodiversity on a site it is impossible to know what that cost will be. For example, an urban site may be defined as open mosaic habitat that is difficult to recreate on site and could require 100% offsite delivery at over £50,000 per biodiversity unit. Therefore, it is essential that there is significant headroom in all development to ensure that BNG requirements will not be a barrier to development in future. Iti also noted that BNG and Urban Greening Factor have been costed together. The Council will need to provide justification for this approach.

30. HBF also consider the costs relating to policies CC1 on net zero homes to have been under estimated. HBF do not consider the uplift including the LPVA to be representative of the cost of meeting net zero homes. The uplift, included the LPVA, is 5%, as set out in paragraph 4.20. The cost of achieving net zero is likely to be higher. Work undertaken by the Future Homes Hub and published in 'Ready for Zero' indicates in Figure 7 of that report that the costs of achieving space heating standards being proposed by the Council are likely to be 15% to 19% above those of current building regulations. These costs are based on detailed assessment made by house builders as to what it will cost and as such should be given significant weight when compared to the broad assumptions used in the Council's evidence. An additional uplift of has then been given for achieving net zero embodied carbon meaning the cost included is 15% for CC1. However, based on evidence from the Future Homes Hub this is likely to only address costs relating to net zero and not those relating to embodied carbon as well.
31. HBF would also recommend that developments of special accommodation for older people are not required to deliver affordable housing. The HBF considers that the Council's support for specialist and supported housing that increase choice for older, vulnerable and disabled residents is appropriate. The viability of the development of older persons housing (including extra care schemes) is particularly challenging with paragraph 6.53 of the LPVA stating that such development is generally not viable at 35% affordable housing . There are a number of reasons for this including: less efficient net to gross ratios than general purpose housing; the inclusion of extensive communal areas, providing care and other ancillary uses; different net to gross ratios, typically of 70% compared with 85% for low rise general purpose flatted blocks; specialist housing developments for older people tend to have longer sales periods, as purchasers prefer to view the flat they intend to buy which results in very little off-plan buying during construction; and sales and marketing budgets are typically higher as a result of the lengthier sales period.
32. To conclude, HBF are concerned that the policy is not justified as the viability evidence supporting the local plan does not reflect the cost of developing new homes in Wealden. In order to be considered robust, the LPVA must be amended to reflect the higher costs facing development compared to the assumptions made in the LPVA.

Future Engagement

33. I trust that the Council will find these comments useful as it continues to progress its Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider housebuilding industry.
34. The HBF would like to be kept informed of all forthcoming consultations upon the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

Yours sincerely,



Mark Behrendt

Regional Planning Manager – SE and E

Email: mark.behrendt@hbf.co.uk

Phone: 07867415547