

## Deputation:

Members, there is good news and bad news. The bad news is that the Statement appears to be a 'knee jerk' reaction to the lack of a 5-year housing land supply. Consequently the Statement may have little value above providing a 'Developer's Charter'. It may **expose** the Council to a Judicial Review with all the consequent costs and delays. This is **bad** planning.

The **Good News** is that there the pressure is off. There is time to take some remedial action. The threat of a flood of 'planning by appeal' applications has not yet arisen. There is nothing in the pipeline yet and the government have no current plans to change the New Homes Bonus arrangements for the foreseeable future.

So, you can **defer** a decision and take more time to examine the evidence you have available and to gather more evidence on specific matters that have been identified in relation to some of the sites...to take a wider view than housing alone. You can consult specialists, like the Conservation Officer, who has been excluded so far. This can include public engagement with residents who support the need for more housing but have some concerns. It should make the Statement more **robust** and '**yes**' it may result in a different conclusion on some sites.

So, the **Bad News**...

The Statement, if adopted, will have no statutory status. If it were subject to review by an Inspector my experience says it would be found **unsound**, either as a whole or in part. Inspectors are not meant to do the work of the LPA.

Looking at UE30 (Land at Lower Road) the Borough has...

- Failed its duty under Section 72 of Part II of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to preserve or enhance the character or appearance of such places... and
- Failed to follow the requirements of Section 12 of the NPPF in relation to the protection of heritage assets. LPAs cannot 'cherry pick' from this guidance.
- The Local Plan Inspector balanced the need for possible development of Lower Road against the availability of other land not so constrained. He identified safeguarding the Conservation Area as sufficient reason to exclude the land and this **material consideration** has been overlooked. The circumstances today are similar.
- Developing a substantial part of the adjacent historic coastal agricultural land will irrevocably destroy the setting of the Conservation Area. It is **not** sustainable development.

- You cannot reach the site without passing through the Conservation Area. This will exacerbate **known** safety problems. 2 Blind and 1 restricted view corners and very limited turning space from the main road are incapable of solution. To be advised otherwise is to **mislead** you. Recent surveys show that traffic will double through the Conservation Area. This will adversely impact on visitor safety and amenity and will destroy its character. Entry queues will double and back immediately onto the B2177/B2149 4-way mini roundabout where serious accidents have been recently recorded. No account has been taken that movement through the blind corners where the road is shared by all users will exceed the government guidance in Manual for Streets another **material consideration**.
- The Statement **ignores** parts of the evidence base available during its preparation on wildlife, evidence which has emerged since representations closed on traffic and the soon to be done review of the Conservation Area.
- An ecologist's report of July this year, commissioned by the Borough, identifies UE30 as suitable for providing mitigation measures that would enable development to proceed on land known to be significant for Brent Geese. Further surveys are currently taking place.
- The Local Plan identifies land opposite the A27 at Harts Farm Way (BD11) known to be **significant** for Brent Geese as employment (650 jobs). The real prospect of no opportunity for mitigation and losing these jobs could be an unintended consequence of having 50 dwellings on UE30. There are many more opportunities for housing than employment.
- The total number of dwellings suggested for early release sites significantly exceeds (by approximately 30%) what the report says is needed for a 5-year supply. UE30 is less than 4% of this and less than 0.6% of the total needed. Omitting UE30 will have **no** significant impact on housing delivery.

### **In conclusion:**

Members often like analogies. Well, this is like fielding more players than you need to start a game, some of them have no kit, some of them are still to pass the medical and some would be better playing a very different sport.

I/we have a simple desire to see UE30 dropped altogether for the cumulative reasons I have outlined and I think a proper up to date review will provide this.

Thank you for listening.