

From: Helen Blackith <Helen.Blackith@midsussex.gov.uk>
Sent: 30 July 2024 21:05:51 UTC+01:00
To: "Chris Barker" <cbarker@ecephanning.com>; "Joseph Swift" <Joseph.Swift@midsussex.gov.uk>
Cc: "Megan Smith" <MSmith@ecephanning.com>; "Helen Blackith" <Helen.Blackith@midsussex.gov.uk>
Subject: RE: DM/23/2610 - Land South of Hanlye Lane, Longacre Crescent, Cuckfield, West Sussex - Updated Housing comments
Attachments: 7343-PL58_Plot 4 Layout Plan.pdf, 7343-PL57__Unit Type T - Ground Floor Plan.pdf

Dear Chris

Further to your recent e-mail, please see my comments below :

1. The need for all units to meet our occupancy and minimum floor area requirements was made clear at pre-app stage nearly 12 months ago and the Council's requirement for 2B/4P units rather than 2B/3P units has been in place for many years and is included in the Affordable Housing SPD adopted in July 2018. It is important because Affordable Housing is a scarce resource and it is obviously cost effective to house the maximum number of people in a property. It also means that families with 2 children are able to be housed or parents could have a second child without having to incur the time and expense of moving. 2B/4P units at a minimum of 79m² (2 storey) also comply with, and do not exceed, the Nationally Described Space Standard and RP's are aware of our requirement for such units. It would also be unfair for the Council to allow a developer to deviate from our occupancy and minimum floor area requirements when others are required to meet them.

As a result the 2B/3P maisonettes will either need to be increased in size to form 2B/4P maisonettes at a minimum of 70m², excluding the staircase and entrance hall or 79m² including them (with an area of Private Open Space again provided for each), or reduced in size to form 1B/2P maisonettes at a minimum of 50m², excluding the staircase and entrance hall or 58m² including them. Alternatively, the two maisonettes can be simply swapped to market sale housing units and 2 x 2B/4P houses or 2 x 3B/5P houses or 1 x 2B/4P house and 1 x 3B/5P house provided instead as social or affordable rented units, as long as there are no more than 10 affordable housing units in the cluster. **Whichever option is chosen, amended plans showing 15 units of the correct size & occupancy & an Amended Schedule of Accommodation will need to be submitted.**

2. The Council requires at least 25% of the affordable housing units on a scheme to be provided as First Homes in line with Government requirements. It also recognises that the NPPF expects that 10% of homes on major developments should be for affordable home ownership, unless this would significantly prejudice the ability to meet the identified affordable housing needs of specific groups. The Council's approach regarding the 25%/75% mix is supported by the SHMA findings which highlights a clear and acute need for rented housing (both social and affordable rented) and the approximate 2,000 households on the Council's Common Housing Register (as at November 2023). It should also be noted that the Governments consultation on the NPPF

issued today (30/7/24), is proposing removing both the 10% LCHO requirement and the 25% First Homes requirement.

In any event however, in this instance, the Council will be prepared to allow 5 Affordable Housing Units rather than 4 Affordable Housing Units to be provided as First Homes, in order to avoid a situation where a Registered Provider is put off from delivering the Social or Affordable Rented units, due to one of the units being in a block where all of the other units are First Homes, despite the rented unit having its own separate access.

3. We still require three x A1 sized hard copies of 1:50 plans showing the various dimensions, floor areas & furniture layouts of individual rooms and the measurements and floor area of the dwelling for the wheelchair accessible unit, together with a plan showing the access from the wheelchair accessible parking space to the dwelling, since only digital plans have been received to date.

As a result I should be grateful if the hard copies can be sent to the Council offices marked FAO Helen Blackith as soon as possible for forwarding to our OT, so that these plans can be checked to ensure that all of the requirements for wheelchair accessible dwellings contained in Part M4(3)(1)(a) and (b) and Part M4(3)(2)(b) of Schedule 1 of the Building Regulations 2010 as amended are being met. A copy of the compliance checklist showing any changes/confirmations required will then be forwarded to the applicant so that updated plans can be submitted if necessary, since the plans need to be approved prior to planning permission being granted as stated in the affordable housing SPD. The approval of any final minor details, in order to ensure full compliance with the requirements, will be covered by a condition attached to the planning consent.

In light of the above I now look forward to receiving the outstanding information required as detailed above, so that I will be able to provide what will hopefully be final comments

Kind Regards

Helen

Helen Blackith
Housing Enabling Team Manager

Every Affordable Home Matters

Direct Line: 01444 477232
Email: helen.blackith@midsussex.gov.uk

Please note that I only work Mon, Tue, Thu & Fri

From: Chris Barker <cbarker@eceplanning.com>

Sent: Thursday, July 25, 2024 9:35 AM

To: Helen Blackith <Helen.Blackith@midsussex.gov.uk>; Joseph Swift <Joseph.Swift@midsussex.gov.uk>

Cc: Megan Smith <MSmith@eceplanning.com>

Subject: RE: DM/23/2610 - Land South of Hanlye Lane, Longacre Crescent, Cuckfield, West Sussex - Updated Housing comments

Dear Joseph and Helen,

Thank you for your email. Please see our response below in **red**.

We acknowledge your comments but wish to highlight that the proposed development has had to reduce housing numbers from 55 dwellings (under the site allocation) to 50 dwellings due to existing site constraints.

While we have endeavoured to achieve a policy compliant development in line with the Mid Sussex Development Plan, the existing constraints of the site alongside ongoing market constraints relating to Registered Providers has meant that we are deviating from some requirements listed within the Affordable Housing SPD (2018).

The proposal is however, providing 30% affordable housing, that is fully compliant with the Nationally Described Space Standards, and NPPF and NPPG requirements on affordable housing. We ask that the competing, constrained nature of the site is taken into consideration, and the deviation from the Affordable Housing SPD is weighed up in the wider planning balance of the scheme, as outlined in further detail below.

Kind Regards

Chris Barker MATP MRTPI

Managing Director

ECE Planning

We are very pleased to announce that we have received Planning Approval for 228 dwellings at a key allocation within the centre of Worthing. Click [here](#) to read more.



64-68 Brighton Road, Worthing, West Sussex, BN11 2EN

01903 248777 | M: 07889 730 512

[Privacy/Confidentiality Statement](#)

www.eceplanning.com

ECE Planning Limited, Registered in England No 07644833, Registered Office Amelia House, Crescent, Worthing, West Sussex, BN11 1QR.

From: Helen Blackith <Helen.Blackith@midsussex.gov.uk>
Sent: Saturday, July 20, 2024 11:24 PM
To: Joseph Swift <Joseph.Swift@midsussex.gov.uk>
Cc: Nicholas Royle <Nicholas.Royle@midsussex.gov.uk>; Melanie Sharp <Melanie.Sharp@midsussex.gov.uk>; Andrew Marsh <Andrew.Marsh@midsussex.gov.uk>; Helen Blackith <Helen.Blackith@midsussex.gov.uk>
Subject: DM/23/2610 - Land South of Hanlye Lane, Longacre Crescent, Cuckfield, West Sussex - Updated Housing comments

Dear Joe

Please see my updated comments below.

**DM/23/2610 - Land South of Hanlye Lane, Longacre Crescent, Cuckfield, West Sussex
Residential development of 50 dwellings with vehicular and pedestrian access, car parking, open space, play space, landscaping and all other associated works (Amended description and plans 24/06/2024)**

The applicant is now proposing a development of 50, rather than 55, one, two, three, four and five bed dwellings, which gives rise to a minimum onsite affordable housing requirement of 30% in accordance with District Plan Policy DP31. This represents 15 units as proposed.

25% (4) of the total number of affordable housing units need to be provided as First Homes (with a price cap of £250K after a minimum 30% discount) and 75% (11) need to be provided as social or affordable rented housing. All of the units also need to meet the Council's occupancy and minimum floor area requirements as stated in the Affordable Housing SPD.

The amended plans do now meet our clustering requirement of no more than 10 affordable housing units in one cluster, however the proposed mix (as outlined below) does not meet our requirements.

Social or Affordable Rent – 10 Plots (4, 5, 26, 27, 33, 34, 35, 36, 49 & 50) comprising:

- 1 x 1B/2P maisonette (approx.. 50m²) with its own private balcony
- 1 x 1B/2P Wheelchair Accessible M4(3)(2)(b) maisonette (approx.. 60m²) with its own private patio area
- 2 x 2B/3P maisonettes (approx. 62m² & 64m²) each with its own private patio area
- 3 x 2B/4P houses (approx. 79m²)
- 3 x 3B/5P houses (approx. 94m²)

First Homes – 5 Plots (28, 29, 30, 31 & 32) comprising:

- 4 x 1B/2P flats (smallest approx. 52m²)
- 1 x 2B/4P flat (approx. 81m²)

The issue of 2B/3P maisonettes not meeting our affordable housing size or occupancy requirements has not been addressed on the amended plans. They therefore need to either be increased in size to a minimum of 70m², excluding the staircase and entrance hall or 79m² including them and shown as accommodating 4 bedspaces, with an area of Private Open Space again provided for each, OR they need to be reduced in size to a minimum of 50m², excluding the staircase and entrance hall or 58m² including

them, & shown as accommodating 2 bedspaces. Alternatively the two maisonettes can be swapped to market sale housing and replaced with 2 x 2B/4P houses or 2 x 3B/5P houses or 1 x 2B/4P house and 1 x 3B/5P house as social or affordable rented units, again ensuring that there are no more than 10 affordable housing units in one cluster. **Whichever option is chosen, amended plans showing 15 units of the correct size & occupancy & an Amended Schedule of Accommodation will need to be submitted.**

The 2B/3P Maisonettes have been designed to meet Nationally Described Space Standards (NDSS) excluding the staircase and entrance hall. While we acknowledge the MSDC Affordable Housing SPD requirements sets out a requirement of 79sqm (including staircase and entrance hall) for 2-storey 2-bed units, the reality is that this size for an affordable rent unit is not viable, as Registered Providers will not pay for additional space above NDSS, resulting in a loss for the developer. This allocated site has already lost 5 dwellings due to existing site constraints, dropping from 55 dwellings to 50. Therefore the viability of the scheme is currently being tested. We cannot understand how any viability testing of an SPD would allow for such an increase in GIA beyond NDSS for no discernible reason.

You must also be aware that there is increasing difficulty in securing Registered Providers for on-site affordable housing. We understand that the market is struggling currently due in part to funding constraints, debt refinancing and the costs associated with addressing mould, and Fire Safety Standards etc. Based on these challenges, many RPs are retreating from the market and focussing instead on existing stock and subsequently are not making competitive offers on development sites. Given the scale of affordable units on site's such as this, Sigma Homes is already starting discussions with RPs, and there is little interest on their part for dwellings above NDSS.

The Affordable Housing SPD is now six years old, and in our view is out of date. The SPD shows limited flexibility with regards to the changing housing market.

In our view, the maisonette's meet NDSS and will be affordable/social rent. We therefore we asked that while this is not fully compliant with the Affordable Housing SPD, that the above justifies this deviation and is weighed up in the planning balance.

The proposed tenure mix is also incorrect because one more unit than required is shown as being provided for First Homes and one less unit than required is shown as being provided for Social or Affordable Rent. This matter can however be resolved by providing plot 28 (a 1B/2P ground floor flat) as a rented unit rather than as a First Home, since it already has its own separate access. **Amended plans and an amended Schedule of Accommodation showing this change and the correct tenure mix (ie 4 units for First Homes and 11 units for Social or Affordable rent) are therefore also required to be submitted**

Similarly to the above, while you have suggested that one of the GF units within the First Home block be amended to social/affordable rent, in reality RPs are unlikely to be interested in this singular affordable unit within an intermediate affordable block due to management/cost issues. Therefore, from a management and deliverability perspective this is not a realistic option for the applicant. Secondly, we do not consider that a 75//25 split is appropriate, based on the age of adopted policy and the SPD and more recent guidance provided in both the Framework and NPPG in relation to affordable home ownership. In this regard, the National Planning Practise Guidance which requires that 10% of overall homes should be for affordable ownership.

I have outlined this key section of the NPPG below in blue with underlining for clarity.

Does the First Homes requirement apply to variations or amendments to existing planning permissions?

The policy does not apply to applications made under section 73 of the Town and Country Planning Act 1990 to amend or vary an existing planning permission unless the amendment or variation in question relates to the proposed quantity or tenure mix of affordable housing for that development.

Paragraph: 022 Reference ID: 70-022-20210524

How does the requirement for 25% First Homes interact with the requirement in the National Planning Policy Framework that where major development is proposed, at least 10% of homes should be available for affordable home ownership?

The 25% expected First Homes contribution for any affordable product can make up or contribute to the 10% of the overall number of homes expected to be an affordable home ownership product on major developments as set out in the NPPF.

This will vary depending on local circumstances, notably what the development plan may set out in terms of proportions of different affordable home tenures. For example, a development of 100 homes in a local authority with a policy for 40% affordable housing contribution on major sites would therefore be expected to provide 40 affordable homes to comply with local policy, of these: 25% of these affordable homes would be expected to be First Homes, (10 homes). This would also meet the expectation set out in the NPPF – as 10% of the total number of homes would be an affordable home ownership product.

If a planning application for a major housing site in which 25% of the affordable homes are First Homes does not deliver enough First Homes to meet the 10% affordable home ownership expectation in the NPPF, additional affordable home ownership homes may be provided on top of the First Homes provision, in order to meet this expectation.

For example, a development of 80 homes in a local authority with a policy for 30% affordable housing would be expected to provide 24 affordable homes to comply with local plan policy. 25% of these affordable homes would be expected to be First Homes, which would equate to 6 First Homes (7.5% of the total number of homes provided). The expectation that at least 10% of homes on this site to be available for affordable home ownership would equate to 8 homes so an additional 2 affordable home ownership products would be expected.

Paragraph: 023 Reference ID: 70-023-20210524

On this basis, we have allocated 10% of the full 50 dwellings to 'affordable home ownership', equalling 5 First Homes as required by the NPPG. Please can you confirm you agree with this summary.

Also, as mentioned in our previous comments, the 1 x 1B/2P wheelchair accessible flat for rent needs to meet the requirements contained in Part M4(3)(1)(a) and (b) and Part M4(3)(2)(b) of Schedule 1 of the Building Regulations 2010 as amended. **Consequently three x A1 sized hard copies of 1:50 plans showing the various dimensions, floor areas & furniture layouts of individual rooms and the measurements and floor area of the dwelling as a whole are still required for the wheelchair accessible unit, together with a plan showing the access from the wheelchair accessible parking space to the dwelling.**

Please see the two attached plans detailing the above as requested.

These plans should be sent to the Council offices marked FAO Helen Blackith as soon as possible and a copy will be forwarded to our OT for checking against the requirements for wheelchair accessible dwellings contained in Part M4(3)(1)(a) and (b) and Part M4(3)(2)(b) of Schedule 1 of the Building Regulations 2010 as amended. Any changes identified as being required will be advised so that updated plans can be submitted, since the plans need to be approved by our OT prior to planning permission being granted as stated in the affordable housing SPD. The approval of any final details, in order to ensure full compliance with the requirements, can be covered by a condition attached to the planning consent.

Finally, I can confirm that once all of the information detailed above has been received, I will be able to provide further and hopefully final comments.

Kind regards

Helen

Helen Blackith
Housing Enabling Team Manager

Every Affordable Home Matters

Direct Line: 01444 477232
Email: helen.blackith@midsussex.gov.uk

Please note that I only work Mon, Tue, Thu & Fri

From: Helen Blackith <Helen.Blackith@midsussex.gov.uk>
Sent: 03 November 2023 12:26
To: Joseph Swift <Joseph.Swift@midsussex.gov.uk>
Cc: Nicholas Royle <Nicholas.Royle@midsussex.gov.uk>; Melanie Sharp <Melanie.Sharp@midsussex.gov.uk>; Andrew Marsh <Andrew.Marsh@midsussex.gov.uk>; Helen Blackith <Helen.Blackith@midsussex.gov.uk>
Subject: DM/23/2610 - Land South of Hanlye Lane, Longacre Crescent, Cuckfield, West Sussex - Initial Housing comments

Dear Joe

Please see our initial comments below

DM/23/2610 - Land South of Hanlye Lane, Longacre Crescent, Cuckfield, West Sussex

Residential development of 55 dwellings with vehicular and pedestrian access, car parking, open space, play space, landscaping and all other associated works

“The applicant is proposing a development of 55 x 1, 2, 3, 4 and 5 Bed dwellings which gives rise to a minimum onsite affordable housing requirement of 30% in accordance with District Plan Policy DP31. This represents 17 units as proposed, since the number of affordable housing units is rounded up if not a whole number.

As mentioned in our pre-app comments and stated on the Council’s website, 25% (5) of the total number of affordable housing units need to be provided as First Homes (with a price cap of £250K after a minimum 30% discount) and 75% (12) need to be provided as social or affordable rented housing. All of the units also need to meet the Council’s occupancy and minimum floor area requirements as stated in the Affordable Housing SPD. Also, in accordance with the Affordable Housing SPD, the location of all affordable housing units needs to meet our clustering requirement of no more than 10 affordable housing units in one cluster, with open market units in between each cluster in order to assist social integration and the creation of a balanced community, and the 1 x 1B/2P wheelchair accessible flat needs to meet the requirements contained in Part M4(3)(1)(a) and (b) and Part M4(3)(2)(b) of Schedule 1 of the Building Regulations 2010 as amended.

The achievement of the above requirements can be met by:

- Providing the 5 flats, plots 30-34, as First Homes rather than the 4 houses, plots 39-42, as shared ownership.
- Providing Plots 37 and 38 (2 x 2B Maisonettes) as market sale housing instead of social or affordable rented housing. *These two plots are 2B/3P not 2B/4P (which need to be a minimum of 70m² excluding the staircase & entrance hall or 79m² including them) as required for affordable housing, and their swap to market housing would mean that the cluster of 17 affordable housing units is able to be split enabling our clustering requirement to be achieved*

- Providing Plots 5 and 6 (2 x 1B Maisonettes) as social or affordable rented housing instead of market sale housing. *The greatest rented need in the district is for 1B units (with over 50% of applicants on the Council's Common Housing Register requiring a 1B unit) so the provision of 2 x 1B units (which are a minimum of 50m² excluding the staircase and entrance hall or 58m² including them in the case of a general needs unit or 60m² in the case of the M4(3)(2)(b) wheelchair accessible unit), would be very much welcomed.*
- Increasing the size of the houses on plots 40 and 41 from 76m² to 79m²

The resulting mix would be:

Social or Affordable Rent - 12 Plots numbers 5, 6, 28, 29, 35, 36, 39, 40, 41, 42, 54 & 55, comprising

1. x 1B/2P general needs maisonette @ a minimum of 50m² excluding the staircase and entrance hall or 58m² including them, with its own private garden area
1. x 1B/2P wheelchair accessible M4(3)(2)(b) maisonette/flat @ a minimum of 60m², with its own private garden area
- 4 x 2B/4P houses @ a minimum of 79m² (2 storey) and
- 6 x 3B/5P houses @ a minimum of 93m² (2 storey) or 99m² (3 storey)

First Homes - 5 Plots numbers 30-34, comprising

- 4 x 1B/2P flats @ a minimum of 50m² excluding the staircase and entrance hall in the case of any maisonettes or 58m² including them
1. x 2B/4P flats @ a minimum of 70m² excluding the staircase and entrance hall in the case of a maisonette or 79m² including them

NB if desired Plot 4, currently a market sale 2B/4P house, could also be swapped with plot 55, currently a social or affordable rent 2B/4P house.

This mix would be acceptable.

In light of the above I look forward to receiving both an updated Affordable Housing Plan (with the proposed First Homes shown in blue and the proposed Social or Affordable Rent units shown in red (with the M4(3)(2)(b) wheelchair accessible unit for rent shown in green)), and an updated Accommodation Schedule reflecting the necessary changes.

Three x A1 sized hard copies of 1:50 plans showing the various dimensions, floor areas & furniture layouts of individual rooms and the measurements and floor area of the dwelling as a whole will also be required for the wheelchair accessible unit (Plot 5?), together with a plan showing the access from the wheelchair accessible parking space to the dwelling and the access from the wheelchair accessible flat to its private garden space.

These plans should be sent to the Council offices marked FAO Helen Blackith as soon as possible and a copy will be forwarded to our OT for checking against the requirements for wheelchair accessible dwellings contained in Part M4(3)(1)(a) and (b) and Part M4(3)(2)(b) of Schedule 1 of the Building Regulations 2010 as amended. Any changes identified as being required will be advised so that updated plans can be submitted, since the plans need to be approved by our OT prior to planning permission being granted as stated in the affordable housing SPD. The approval of any final details, in order to ensure full compliance with the requirements, can then be covered by a condition attached to the planning consent.

Finally, I can confirm that once all information has been received I will be able to provide final comments.”

Kind regards

Helen

Helen Blackith
Housing Enabling Team Manager

Every Affordable Home Matters

Direct Line: 01444 477232
Email: helen.blackith@midsussex.gov.uk

Please note that I only work Mon, Tue, Thu & Fri