**THE CHICHESTER DISTRICT COUNCIL (ACCESS TRACK OFF CROOKED LANE, BIRDHAM) COMPULSORY PURCHASE ORDER 2023**

# PROOF OF EVIDENCE OF SARAH POULTER

**Planning Inspectorate Reference: APP/PCU/CPOPF5540/3326950**

1. **INTRODUCTION**
   1. My name is Sarah Poulter and I am the Regional Development Director for the South region in the Investment, Development & Partnerships Directorate at the Hyde Group (“**Hyde**”). I joined Hyde in October 2014 as a Land and Planning Manager. I became a Lead Land & Planning Manager in July 2015, an Associate Director of Land and Planning in September 2019 and was appointed to my current position in June 2022.
   2. Prior to joining Hyde I was a Planning and Environmental Associate Solicitor at DMH Stallard LLP, a South-East based private practice law firm. I qualified in 2008 and gained 6 years of post-qualification experience before moving to Hyde. I became a Legal Associate Member of the Royal Town Planning Institute in 2013.
   3. In my first three roles at Hyde I was responsible for identifying and appraising new land opportunities for the development programme in the South region, including project managing the sites through the internal approval, planning and acquisition processes and preparing them for handover to the Construction team for delivery.
   4. My current role involves overall management of the development programme and leadership of the development team in the South region. We currently have three developments under construction totalling 664 affordable homes in Adur & Worthing and Arun districts. We have also recently completed two developments in Brighton and Hove in joint venture with Brighton & Hove City Council totalling 346 affordable homes. These are all being delivered through our Strategic Partnership Agreements with Homes England which provide a guaranteed level of grant funding for delivery of affordable homes.
   5. The Hyde Group is primarily a group of not-for-profit organisations headed by Hyde Housing Association Limited, a Registered Provider of Social Housing (“**RP**”) which was established in 1967. Hyde is a charitable organisation which owns or manages about 48,000 homes across the South East, East of England and East Midlands for people who might not otherwise be able to afford one. Hyde also delivers a range of services to support customers and the communities in which they live, including financial, health and jobs advice, and grants to vulnerable customers through the Hyde Charitable Trust.
   6. Martlet Homes Limited (“**Martlet**”) is an RP and a subsidiary of Hyde Housing Association Limited. On 13 March 2001 Chichester District Council (“CDC”) transferred its c.4,500 affordable homes through a Large Scale Voluntary Transfer to Martlet. As a result of organic development growth and a merger with Chichester Diocesan Housing Association in 2007, the portfolio of homes in Hyde’s ownership and management in Chichester has grown >35% since 2001 to c.6,100.
   7. I write this evidence in support of confirmation of the Chichester District Council (Access track off Crooked Lane, Birdham) Compulsory Purchase Order 2023 (“**Order**”). The Order will deliver the ownership of the road access (“**Order Land**”) connecting the land lying to the west of Crooked Lane (“**Site**”) with Crooked Lane, the adopted highway. This will facilitate the residential development of 15 social rented homes on the Site, a rural exceptions site, in accordance with planning permission BI/16/01809/FUL (“**Development**”).
   8. The facts stated in this proof of evidence are either within my own knowledge or, where indicated, reflect the advice that I have received. The opinions that I have expressed represent my true opinion.

Scope of evidence

* 1. In this proof of evidence I will address the following matters:
     1. The background and history to the acquisition of the Site;
     2. consideration of alternative means of access to the Development;
     3. suitability of the Order Land as a means of access to the Development;
     4. adequacy of drainage infrastructure;
     5. impact of the Development on nature; and
     6. Hyde’s capacity, ability, and commitment to delivery of the Development.

References

Appendices to this proof of evidence are numbered SP1 – SP17. References are also made to the appendices to the Proof of Evidence of Mark Bristow.

1. **BACKGROUND TO ACQUISITION AND DEVELOPMENT OF THE SITE FOR AFFORDABLE HOUSING**
   1. All events referred to within paragraphs 2.1– 2.6 below have been established from a review of the relevant documentation and are not within my personal knowledge as I did not join Hyde until October 2014, after Martlet acquired the Site. The personnel who were responsible for the negotiation, acquisition and planning processes relating to the Site are either deceased or have since left Hyde.
   2. On 31st December 2007 Martlet entered into a Rural Affordable Housing Partnership Agreement with CDC (“**RAHP agreement**”) [Appendix SP1]. This was extended via letter dated 16th July 2012 [Appendix SP2]. The principal aims of the partnership were set out at clause 3.1 of the agreement and included:
      1. *“To maximise the investment in affordable housing in rural villages across the Chichester district with a five year programme to meet the district rural housing targets and the regional priority for affordable housing”;*
      2. *“To improve the deliverability of rural affordable housing schemes by identifying specific sites over the period of the agreement and both parties using their best endeavours to deliver units on those sites as quickly as possible”; and*
      3. *“To provide an innovative means of funding and to secure affordable housing by maximising funding capacity and a programme of schemes to attract Housing Corporation funding by allowing the Rural Housing Pot monies to be recycled as far as possible”.*
   3. The RAHP agreement also contained the following provisions at clause 7.1.2 and 7.1.3:
      1. *“In consideration of the covenants by Martlet in Clause 6 the District Council shall:…*

*7.1.2 During the course of this agreement use its best endeavours to identify in partnership with Martlet sufficient plots of land suitable for the provision of a minimum of sixty two (62) Affordable Housing Units to develop in accordance with the terms hereof either by the identification of those plots through the Local Development Framework Review process or as ‘exception’ sites in accordance with the Adopted Local Plan Policy H9 of the Local Plan or such equivalent policy in any replacement of the Local Plan*

*7.1.3 Where such sites have been identified and agreed with Martlet but are prevented from development by lack of consent from a third party landowner it shall seek approval from its Executive Board for the use of compulsory purchase order powers to assemble the sites in accordance with the provisions of the CPO Protocol at Schedule 2 hereof Provided That there shall be prior agreement between the Council and Martlet before acquiring any plot or Affordable Housing Unit by use of the CPO Protocol”.*

* 1. On 5th April 2013 Martlet entered into a sale and purchase agreement with Nicholas Way to acquire the Site. The agreement was conditional on securing a satisfactory planning permission for the Site. It was identified during the acquisition process that the access track between the Site and the adopted highway was unregistered, that extensive investigations of neighbouring titles had been undertaken and that ownership of the track had not been ascertained. It was also identified that the Site benefitted from a claimed right of way over the track but the Land Registry had determined that there was insufficient evidence to register the previous owner of the Site with title to the track.
  2. On 3rd May 2013 Martlet submitted an application to CDC for the development of 15 new affordable dwellings and associated external works under reference 13/01391/FUL. On 29th November 2013 a Section 106 agreement was entered into and full planning permission was granted for the Development [See Appendix 12 and Appendix 13 of Proof of Evidence of Mark Bristow]. There was no Judicial Review challenge prior to expiry of the 6 week deadline and on 3rd January 2014 the Site was transferred to Martlet.
  3. In January 2014 Hyde New Build Limited, a subsidiary of Hyde, appointed a contractor, Drew Smith Limited, for construction of the Development. An internal board paper from February 2014 records that neighbours had taken steps to prevent the contractors accessing the site, namely installing a locked gate, a post and wire fence and barbed wire, parking cars and using their physical presence to block the access. Options identified to resolve the position were:
     1. Negotiate with the neighbours either side of the track to acquire any rights or interest they may have in the track;
     2. Consider alternative routes of access into the Site; and/or
     3. Instigate the CPO procedure set out in the RAHP agreement with CDC.
  4. I began assisting with the project management of the Development in February 2015. By that time offers had been made to some of the parties who had potential claims to rights over the track. Please refer to the Statement of Case and the Proof of Evidence of Virginia Blackman for details of the offers made to those with potential claims to the track.
  5. Hyde then began to explore alternative access options for the Development and contacted CDC officers regarding the potential to seek a CPO for the track. I discuss the potential alternative access routes in more detail in the next section.
  6. On 23rd January 2016 Hyde wrote to CDC, via it’s Solicitors Blake Morgan, to formally request that CDC pursue compulsory purchase of the access track.
  7. It was necessary to lawfully implement the planning permission prior to the expiry date of 29th November 2016 to preserve Martlet’s ability to build out the Development. Groundwater monitoring was undertaken in February 2016 and ecology surveys were undertaken in May 2016 in preparation.
  8. On 23rd May 2016 an application was submitted by Lewis & Co Planning on behalf of Martlet for a variation of conditions attached to the planning permission 13/01391/FUL in order to allow the Development to commence. That application was permitted. On 14th October 2016 a Deed of Variation to the Section 106 Agreement dated 29th November 2013 was entered into and a new permission issued under reference 16/01809/FUL [see Appendix 14 and Appendix 15 of Proof of Evidence of Mark Bristow]. The pre-commencement conditions on that permission were formally discharged. Initial works to implement the permission were undertaken in November 2016, prior to the expiry date on the permission of 29th November 2016.
  9. An application was subsequently granted under reference 17/01163/PLD on 25th July 2017 for a lawful development certificate [see Appendix 16 of Proof of Evidence of Mark Bristow]. This established that permission BI/16/01809/FUL had been lawfully implemented before the expiry date of 29th November 2016 and could therefore lawfully be carried out after that date.

1. **ALTERNATIVE MEANS OF ACCESS TO THE DEVELOPMENT**
   1. I attended a site visit in June 2015 with Martlet’s Planning Consultants, Transport Consultants and Solicitors, who were instructed to advise on the feasibility of alternative access routes to the Site. This was also attended by Mr Way and Mr Pick, both owners of agricultural land to the South and West of the Site.
   2. The first proposed access route under review was via Chaffer Lane, a road further south west of the Site and identified on drawing number P902 [Appendix SP3]. This was initially considered by Hyde and its advisors to be the most straight forward alternative route because Chaffer Lane was already in the ownership of Martlet and the route would cross open land owned by Mr Pick and Mr Way, both of whom were, at the time, open to discussions regarding the proposal.
   3. However, having considered the position further, the conclusion reached by Hyde and its advisors in relation to the Chaffer Lane route was that it would not be feasible due to a combination of: length of the road required and associated cost, non-conformity with highways and planning policy and non-conformity with best practice design considerations. Further, it was considered that the proposed access route would be viewed unfavourably by the local planning and highway authorities.
   4. To establish the likely position of the local planning authority a formal pre-application advice request was submitted to CDC on 6th December 2017 for an access road from Chaffer Lane to the Site [Appendix SP4]. A written response to the request was received from CDC on 11th January 2018 [see Appendix 17 to the Proof of Evidence of Mark Bristow]. This confirmed that the proposed access road would be: *“…harmful to the rural landscape and natural beauty of the AONB through an unjustified and excessive length of hard surfacing along what are currently agricultural field margins”;*  *“…would create a visible urban intrusion in the landscape…”* and *“…would also disrupt species networks , following existing field drainage ditches…”.* The response concluded that “*For the reasons given above there are fundamental concerns with the principle of an access road as proposed and such a scheme would be unlikely to receive officer support. Therefore an application would not be encouraged”.*
   5. The second proposed access considered was via the Saltings. This is shown indicatively on the plan at Appendix SP5. This was considered because no.6 the Saltings was in the ownership of Mr Way and he was, at the time, open to discussions regarding acquisition of the property for the purposes of creation of an access to the Site. It was concluded by Hyde and its advisors that this route was not feasible due to land ownership considerations (namely the Saltings being in private ownership and being subject to estate covenants, see proof of evidence of Mark Bristoe at paragraph 11.11) and it also required demolition of no.6 the Saltings. It would also have faced similar planning and highways policy challenges to the Chaffer Lane proposal.
   6. A third proposed access route was discussed in 2016 from Westlands Lane. Although a specific route was not identified at the time, an indicative route is shown on the plan at Appendix SP6 to assist the Inspector in identifying the location of Westlands Lane in relation to the Site. It was identified by Hyde and its advisors that any route from Westlands Lane would be lengthy and would encounter the same barriers as the Chaffer Lane route, namely cost impact, planning policy contravention, and it would cross land in other private ownerships. It was not therefore pursued further.
   7. To assist the Inspector, Hyde’s framework contractor has estimated the current cost of construction of the approved access road to the Development at £250,000. They have also provided an average rate for construction of alternative access routes to the Development of £285 per square metre. Applying this rate to the approximate lengths of each of the alternative access routes produces the following indicative cost figures:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Route** | **Length of route (m)** | **Width of route (m)** | **Square meterage** | **Build cost per sq m** | **Total cost** |
| Chaffer Lane | 339 | 4.8 | 1627.2 | £285 | £463,752 |
| The Saltings | 183 | 4.8 | 878.4 | £285 | £250,344 |
| Westlands Lane | 460 | 4.8 | 2208 | £285 | £629,280 |

In respect of the Saltings route, the same contractor has estimated current day cost of demolishing no.6 the Saltings at £25,000-£50,000. This does not include the cost of acquiring the property from the current owner. An estimate obtained from Zoopla suggests the current value of the property is £773,000 or within a range from £618,000 to £927,000 [Appendix SP7]. These additional costs would render the Development unviable.

1. **SUITABILITY OF ORDER LAND AS A MEANS OF ACCESS TO THE DEVELOPMENT**
   1. The access track between the Site and Crooked Lane was assessed for its suitability as a means of access to the Development during the course of the planning application reference 13/01391/FUL.
   2. A topographical survey of the track was undertaken by Shaw Colegate Land & Building Surveyors in October 2013 [Appendix SP8]. Photographs of the track taken in 2013 and included in the Design and Access Statement for the planning application are in Appendix SP9. For comparison, a photograph of the access track taken in July 2024 with the planning application boundaries shown indicatively is included in Appendix SP10.
   3. A Tree Survey was submitted as part of the application and identified the position and condition of trees on the track, including those recommended for removal as part of the proposed development [see extract plan at Appendix SP11].
   4. Upton McGougan, a firm of Civil Consulting Engineers, were instructed by Martlet to advise on the proposed access and they prepared the access road layout and cross sections drawing number 136.0099-2100 [Appendix SP12]. This was reviewed by CDC’s planning department and by West Sussex County Council as Highway Authority during the course of the application.
   5. CDC’s case officer recommended the application for approval. The officer’s report to committee [Appendix SP13] summarised the access review in the following paragraphs:
      1. *“3.5 With regard to access, the proposal involves upgrading an existing 100m long farm track to form a 4.8m wide shared surface lit by low level lighting bollards. In common with the proposed parking and turning areas the track would be formed in permeable paving. A ‘no-dig’ construction method would be used in areas close to trees that are located along the track’s edges, however it would be necessary to remove one mature Elm tree located on the southern side of the track close to its junction with Crooked Lane. The straight section of the existing track would link to the main part of the site via a new curved access road which terminates in a turning head sufficient to enable the turning of refuse and emergency vehicles.”*
      2. *“3.6 There would be some widening of the track’s existing bellmouth and crossover where it joins Crooked Lane, together with a new 10m section of footway linking the northern side of the access to a new dropped-kerb on both sides of the road to facilitate pedestrian crossing at that point.”*
   6. The comments of West Sussex County Council Local Development Division were summarised at paragraph 6.7 of the report, as follows:
      1. *“Access road is sufficiently wide to enable two vehicles to pass each other and amended plans have been received to show the inclusion of a second speed-reducing feature along the road’s straight section. These arrangements accord with Manual for Streets guidance. Modifications to the geometry of the access onto Crooked Lane allow large vehicles to safely enter and leave the site without possible conflict with parked vehicles on the opposite side of the junction in the vicinity of the school access. The auditor has confirmed that there are no highway safety concerns regarding the proposed pedestrian crossing point to the north of the access. The development should give rise to a maximum of 10 vehicles movements at peak times and is in a reasonably sustainable location. No objections subject to conditions and informatives.”*
   7. The conclusions of the Case Officer relating to the access are set out at paragraphs 8.13 – 8.15 of the report, as follows:
      1. *“8.13 Access arrangements are summarised at paragraph 3.5 above and would involve forming a 4.8m wide shared surface in block pavers flanked by low level lighting bollards. It will be necessary to clear some low lying vegetation along the track’s edges, and one tree close to Crooked Lane would be removed and another cut back. The track’s edges would be retained by a bespoke timber edging system, and services to the site would be routed along the track and installed in accordance with national guidance relating to the provision of utilities in close proximity to trees. The Council’s Tree Officer has confirmed he has no objection on the basis of the detail of these works being secured by condition. It is acknowledged that the works will result in a noticeable change to the current character and appearance of the track, however, it is considered that any such impact will be relatively localised and not significant.*
      2. *“8.14 With regard to highway safety, the comments of the Parish Council and a number of local residents regarding the proximity of the access to the entrance to Birdham Primary School are noted. During the course of the application revised plans have been received showing the introduction of a second speed-reduction feature to the straight section of the track, alterations to the geometry of the access and the creation of a longer section of footpath to its northern side in order to facilitate the crossing of Crooked Lane by pedestrians. The application has been subject to a Safety Audit and, subject to the imposition of a number of planning conditions, the Highway Authority has raised no objection to the proposal”.*
      3. *“8.15 A number of third parties have questioned the ownership of both the farm track and adjoining land. Whilst these comments are noted, this is a private legal matter that should not prejudice consideration of this planning application”.*
      4. *“8.16 In summary on this issue the proposal is considered to satisfy criterion 2 of the Local Plan Policy H9”.*
   8. This issue was properly reviewed at planning stage and the Order Land found to be suitable for access to the Development.
   9. Following receipt of objections to the Order, Martlet instructed Ridge & Partners LLP (who took over Upton McGougan, the original firm of engineers), to review the issue again to provide further assurance. Ridge produced a Transport Technical Report dated February 2024 [Appendix SP14]. This included completing an updated Stage 1 Road Safety Audit and tracking drawings and reviewing the proposals against updated policy and guidance.
   10. The report concludes as follows:
       1. *“8.2.1 Therefore, it is concluded that the proposed access design is safe and suitable as per the requirements of the NPPF and complies with the relevant National and Local design guidance. These findings are supported by an independent Stage 1 Road Safety Audit.”*
       2. *“8.2.2 On this basis there are no transport or highways reasons why this Compulsory Purchase Order should not be progressed”.*
2. **ADEQUACY OF DRAINAGE INFRASTRUCTURE** 
   1. The drainage proposals for the Development were assessed during the course of the planning application 13/01391/FUL. The comments of CDC’s Drainage Engineer were summarised in the Case Officer’s report [at Appendix SP13] as follows:
      1. *“6.10 The site is in Flood Zone 1, however, there is a historic flooding problem on Crooked Lane. The ditches surrounding the site are in reasonable condition but could be improved by removing vegetation, debris and silt. The surface water strategy is based on percolation testing and advocates the use of soakaways which is in line with the hierarchy of water disposal set out in the Building Regulations. It is likely that the use of soakaways alone will prove adequate , but the final design of the scheme will need to be based on the results of winter groundwater monitoring. Should soakaways prove inadequate in isolation the limited use of the adjacent ditch network should be acceptable. No objections subject to conditions.”*
   2. The Case Officer’s conclusions on drainage were as follows:
      1. *“8.19 The site lies within EA Flood Zone 1 which is defined as being at a low risk of flooding. Given the local concerns about historical flooding along Crooked Lane, the applicant was requested to submit additional information concerning the proposed approach to surface water drainage. The proposed drainage strategy has been drawn up following percolation testing on the site. Hard surfaces would primarily be formed in permeable materials, with soakaways proposed to drain impermeable areas. The Council’s Drainage Officer has visited the site and reviewed the strategy, and has no objection to the application but recommends winder groundwater monitoring in order to inform the detailed design of the drainage scheme. Should this monitoring suggest that soakaways alone would not be adequate then some limited discharge to the adjacent ditch network may be necessary, and the Drainage Officer raises no objection subject to a condition requiring the approval of the drainage scheme’s technical details.”*
   3. Condition 6 included on planning permission 13/01391/FUL, which related to drainage, was varied as part of the application for variation of conditions under reference 16/01809/FUL. Drainage was considered during the course of that application. Paragraph 6.4 of the Case Officer’s report on that application [at Appendix SP15] summarises CDC’s Drainage Engineer’s comments. Following an initial objection, further information was submitted and the report records that:
      1. *“We do not object to the proposed alteration to the condition. The reason for this is that we are satisfied that provision remains to ensure the site is adequately drained. The proposed marking out and or fencing can, and would need to be moved if the approved drainage scheme requires.”*
   4. The conclusions of the Case Officer are summarised in paragraphs 8.9-8.12. The final sentence of paragraph 8.12 states *“The proposal would not exacerbate flood risk therefore and is compliant with policy 42 of the Local Plan”*.
   5. The wording of drainage conditions on the varied planning permission 16/01809/FUL [see Appendix 14 to Proof of Evidence of Mark Bristow] is as follows:
      1. “*6) Before the development hereby permitted is begun, other than the erection of boundary fencing, or the pegging out of any road or part of a road shown on application drawing 381415-CO-01, a scheme showing the proposed method of surface water disposal from roads, paved areas and roofs, including all necessary on-site and off-site works, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on Sustainable Urban Drainage principles and, unless otherwise agreed by the Local Planning Authority, shall be informed by winter groundwater monitoring of the site. In the event that the scheme involves discharge to the local ditch network, it shall be demonstrated to the Local Planning Authority's satisfaction that the rate of that discharge does not exceed pre-development values and that the ditches are in an acceptable condition to accept such discharge. Before the development hereby permitted is occupied the approved scheme shall be carried out and completed in full accordance with the details shown in the scheme. The responsibility for securing all necessary agreements and permits from the landowner or other party shall rest with the developer.*

*Reason: To ensure that the proposed development is satisfactorily drained.*

* 1. As part of the variation of conditions application BI/16/01809/FUL an additional obligation was included in the Deed of Variation to the s106 Agreement dated14th October 2016 [see Appendix 15 to Proof of Evidence of Mark Bristow] to provide an additional level of assurance and enforcement mechanism for CDC to ensure that no works save for boundary perimeter fencing and pegging out of roads could be undertaken unless and until the Surface Water Disposal Scheme was approved by the Council.
  2. Condition 7 which also relates to drainage is as follows:
     1. *“7) None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted in accordance with details to be submitted to and approved by the Local Planning Authority.*

*Reason: To ensure that the development is satisfactorily drained.”*

* 1. Southern Water are responsible for Wastewater treatment services in the area of the Site. When the original application was submitted, the response from Southern Water confirmed that there was network capacity for the Development. Ridge Consultants, who advised on the application via their predecessor organisation Upton McGougan, confirmed via email in July 2024 [see Appendix SP16] as follows:
     1. “*Southern Water have previously confirmed network capacity for the development in 2011.* *Due to the low level of development in the immediate area and the nature of a small development of 15 units, it is not envisaged the position will have drastically changed. Irrespective of if there is capacity or not, Southern Water have a duty to provide capacity for the development at the nearest suitable connection point on their existing sewer network in line with the new connections charging regime.”*
     2. *“There is an infrastructure charge that covers new properties being connected to the Southern Water network which provides Southern Water with the means to upgrade their network as required to accommodate new connections from a network capacity aspect. This charge can be reduced under the environmental incentive scheme.”*

1. **IMPACT OF THE DEVELOPMENT ON NATURE**
   1. Concerns have been raised by some of the objectors to the Order regarding the impact that the Development will have on nature. This matter has already been reviewed as part of the planning application, which included an ecological survey. Natural England and the Council’s Ecologist raised no objections to the application and the permission contains various conditions which are designed to protect and conserve nature in the vicinity of the site, namely:
      1. Condition 8 requires a landscaping scheme to be submitted to the local planning authority for approval which must include *“seeding with a Native British Wildflower Flora mix appropriate to the soil and climate of the site and shall make particular provision for the conservation and enhancement of biodiversity on the application site including the provision of bat and bird boxes and log piles on the site. The scheme shall be designed to achieve levels of shelter/windbreak, shade and drought resistance to accord with the expected climate changes during the design life of the development”.*
      2. Condition 10 requires a scheme to be submitted for approval to ensure the protection of all existing trees and hedges to be retained on the site and must include *“the method of protecting trees (and their root systems) located adjacent to the existing access track during the construction phase of the development.”*
      3. Condition 11 required submission of a scheme designed to mitigate the impact of the development on the reptile population of the locality of the site. A Reptile mitigation and Translocation Strategy dated September 2016 was submittedas part of the discharge of conditions application reference BI/16/03492/DOC. That application was approved on 2nd November 2016.
      4. The impact of the Development on nature has been found to be acceptable by the Local Planning Authority and this should not constitute a legitimate reason for refusal of the Order.
2. **FINANCIAL VIABILITY, FUNDING AND DELIVERY**
   1. The Development will benefit from various sources of funding, as follows:
      1. Homes England have contracted, via its Strategic Partnership Agreement with Hyde, to provide a fixed rate of grant funding per affordable home for new Developments which meet the relevant criteria. One of those criteria is that the Development will achieve a start on site by March 2026 and practical completion by March 2028. Those dates are achievable for this Development if the Order is confirmed. The grant that will be provided for this Development via the Strategic Partnership Agreement is £2.01m.
      2. Hyde has allocated £450,000 of its Recycled Capital Grant Funding, which it holds internally, towards this Development.
      3. CDC have confirmed that approximately £300,000 of funding originally secured through the Rural Housing Partnership Fund remains ring fenced specifically for the Scheme (see Statement of Case ref [ ]).
      4. The balance of the total costs of the Development will be funded by Hyde.
   2. Hyde has sufficient funding set aside in its Financial Plan to deliver the scheme. Hyde’s most recent financial statements [Appendix SP17] confirm that at March 2023 it had a core operating surplus of £57.4m and £873m of available liquidity.
   3. If the Order is approved, Hyde would commence the process of procuring a main contractor for construction of the Development immediately thereafter. The negotiation, approval and signing of the build contract would take approximately 2 months. The contractor would then commence detailed design and undertake any preparatory works necessary to enable construction activity to start and relevant planning conditions to be discharged. This could take 3-6 months depending on the time of year, as it will involve ecology works and drainage surveys which have to be undertaken during particular seasonal periods. The construction programme is expected to take 15 months from commencement of construction to practical completion. It is currently Hyde’s intention to build out the scheme in line with these timescales.
   4. The financial viability of the scheme is reviewed and updated periodically and continues to meet the internal financial requirements of Hyde.
   5. Hyde have extensive of experience of delivering and managing housing led developments across the South East and have the capability and capacity to deliver the Development.
   6. Hyde started building 2,105 new homes in the financial year 2022-23, its highest ever number of starts, and completed 625 homes. Hyde’s recent affordable housing delivery in the region includes:
      1. Blisham Road, Yapton – 250 affordable homes, currently under construction
      2. Kingston Wharf, Shoreham-by-Sea – 255 affordable homes, currently under construction
      3. Adur Civic Centre, Shoreham-by-Sea – 159 affordable homes, currently under construction
      4. School Road, Hove – 104 affordable homes, completed in 2021
      5. Woodfield Park, Chichester – 24 affordable homes, completed in 2018
      6. Former garage sites – Barlow Road, Cherry Orchard Road, Exton Road, Sherlock Avenue and Tozer Way - 18 homes, completed in 2018.
   7. The above developments have or will, once completed, provide safe, secure, good quality affordable homes for up to 2682 people who are unable afford open market housing.
   8. Once completed, the homes in this Development, which will be managed and maintained by Hyde, will house up to 61 people who are currently on CDC’s housing waiting list.
3. **CONCLUSION**
   1. Hyde intend to deliver the Development if the Order is confirmed and have the necessary experience and funding in place to ensure that it is successfully completed.
   2. Alternative routes of access to the Development have been explored and there are no suitable alternatives to the Order Land.
   3. The concerns of objectors relating to highway safety and suitability of the access track as a means of access to the Development, adequacy of drainage and impact on nature have all been fully considered by the relevant authorities as part of the planning process. The Development of the Site has already been determined to be acceptable through the grant of planning permission, which has been lawfully implemented and can be lawfully built out.
   4. There are no physical, legal, procedural, financial or practical impediments to delivery of the Development and I would therefore request the Secretary of State to confirm the Order.