



WORTHING BOROUGH
COUNCIL

Worthing Planning Committee
27 March 2019
Agenda Item no. 7

Ward: Worthing – All

Draft Worthing Local Plan – Reporting Consultation Responses and Next Steps

Report by the Director for the Economy

1.0 Summary

- 1.1 A new Local Plan is being prepared to provide the development strategy for the borough over a plan period of 15 years. The Council undertook public consultation on its Regulation 18 Draft Worthing Local Plan for a period of six weeks commencing on 31st October 2018 and closing on 12th December 2018. This followed consultation on the Issues and Options in 2016.
- 1.2 This report provides an overview of the consultation, a summary of the representations received and the key issues raised (Appendix A). The report then sets out a summary of further work that is required to be undertaken. The work programme has then informed the revised timetable established within an updated Local Development Scheme (Appendix B).

2.0 Background

- 2.1 The Worthing Core Strategy was adopted in 2011 and the intention was that it would help to guide development in the borough until 2026. However, as explained in previous reports, it must be reviewed to reflect latest national policy, particularly with regard to how Councils now need to plan for housing. As such, the Council has committed to replace the Core Strategy with a new Local Plan for the borough.
- 2.2 The Local Plan, when adopted, will provide a strategy for development and change in Worthing over the next 15 years. The process of preparing a new Local Plan is made up of a number of statutory stages. The first stage of consultation, the 'Issues and Options' stage was undertaken in 2016 when the

Council sought views on how Worthing should grow and develop. The responses received helped to inform the next key step, the drafting of the Regulation 18 version called the 'Draft Worthing Local Plan'.

- 2.3 Having identified the key issues and challenges for the borough the Draft Local Plan was published for consultation at the end of October 2018. All interested parties were invited to comment on the Council's preferred options. The Plan set out the proposed Spatial Strategy, potential site allocations and a number of supporting Core Policies. The consultation represented an important step in the progression of a Local Plan towards adoption. The comments received and further evidence will now help to inform revisions for the next version of the Plan (known as the Regulation 19 publication version). Once the Regulation 19 version is published it will be consulted on and submitted for Examination.

3.0 Consultation on the Draft Local Plan

- 3.1 Formal and informal stages of consultation with the public and all relevant stakeholders are integral to the development of a new Local Plan. Prior to the publication of the Draft Local Plan engagement undertaken included: the Issues and Options consultation (2016); several workshops for elected Members; engagement with other Council service; ongoing engagement with infrastructure and service providers; and a number of 'calls for sites' (when landowners and developers are asked to put forward land that may have some development potential).
- 3.2 Following consideration by Planning Committee (Sept 18) and approval by Joint Strategic Committee (Oct 18) the Draft Local Plan was made available for a six week consultation period from the end of October to mid-December. The consultation was undertaken in line with the Joint Adur and Worthing Statement of Community Involvement (Dec 2012) and the Local Plan Engagement Strategy (2018). The engagement activities went beyond the basic legal requirements of Plan preparation which helps to demonstrate the Council's commitment to engage fully with the community and stakeholders.
- 3.3 The 'Consultation Summary Report', that will be made available to view on the Council's website, provides a 'performance review' of the consultation along with an assessment of what consultation methods worked well and which methods were not so effective. The Consultation Summary report outlines how a variety of techniques were used to publicise the consultation ranging from drop-in sessions, presentations, summary leaflets, press releases and the regular use of social media.

4.0 Summary of Representations Received

- 4.1 The Council received a total of 218 representations, 60 of which were submitted by organisations with the remainder (158) being received from individual members of the public. A summary of the comments submitted during the consultation are tabulated in Plan order and attached as Appendix A. In addition, all of the representations can be read in full on the Council's website or as hard copies at the Council Offices at Portland House.
- 4.2 A wide range of comments were received during the consultation that cover nearly every section and policy within the Plan. Some of these were supportive of the policy approach whilst others raised questions or objections about the proposed strategy. In part, it is some of the concerns raised during the consultation that have influenced the work programme (see below).
- 4.3 Whilst the tables in Appendix A provide a clear indication of the level and type of response on each topic area it is noteworthy that by far the highest majority of representations submitted expressed support for the proposed Local Green Space Designations and the protection of the Goring Gaps.

5.0 Key Issues and Summary of Further Work Required

- 5.1 Local Plans must also be based on robust local evidence that is used to help understand the needs, opportunities and constraints within the borough. A range of technical evidence contributed to the development of the draft Local Plan, including work on infrastructure capacity, sustainability, transport, the economy, retail needs, infrastructure, flood risk, housing need & capacity; and landscape & biodiversity assessments. The studies, and a number of other documents that supported the Draft Local Plan, can be found on the Council's website.
- 5.2 Prior to the next version of the Plan being prepared updates will be needed for some of the existing evidence (e.g. viability, flood risk, housing need, retail, the economy and open space/leisure). It is largely the time taken to get this evidence in place that will influence the timetable for the Local Plan (see Section 6 below). Work will also need to be undertaken to respond to the revised National Planning Policy Framework which was published shortly before the Draft Local Plan had been prepared.
- 5.3 Work will also need to be undertaken to address some of the comments submitted during the recent consultation. Whilst the officer comments

included within the summary tables provide a clear indication of what work may now be required this section of the report highlights and expands on some of the key issues that must now be addressed:

Housing Need / Capacity

- 5.4 A number of representations challenged the proposed housing requirement in that it doesn't fully meet the identified needs for the Borough and thus leaves a significant unmet need. It has been suggested that additional work needs to be carried out to explore reasonable alternatives to increase housing provision and actively work with landowners of areas of change sites and omission sites to overcome the identified delivery constraints.
- 5.5 As Members will be aware, the housing delivery target set in the Draft Local Plan is significantly higher (approximately 25%) than the levels of growth planned for within the Worthing Core Strategy. The Draft Plan explains that this is a challenging but realistic level of housing development that takes a positive approach to the allocation of sustainable sites whilst also providing the appropriate balance between meeting development needs and protecting the environment and character of the borough.
- 5.6 However, it is acknowledged that despite taking a positive approach to development the delivery rate for housing will fall significantly below the levels of housing need identified. In this regard, the NPPF is clear that Local Plans should strive to meet development needs unless any adverse impacts of doing so would significantly outweigh the benefits. As previously explained, officers are of the view that very strong evidence is in place that demonstrates the lack of land availability and other constraints that limit the potential for significant growth in and around Worthing. As a consequence, the reality is that local housing needs will never be met. Despite this, and in response to some of the comments received during consultation, further work will be undertaken to explore all opportunities for new development, 'leaving no stone unturned'. In particular, this will include a reassessment of proposed densities to establish where a greater intensification of development might be appropriate.

Development Sites

- 5.7 To provide the necessary delivery certainty work will continue with all interested parties to address any of the identified development constraints and to respond to any additional issues or solutions (e.g. flood risk, access arrangements, environmental impacts / mitigation) that were raised during the consultation. In this regard, all Areas of Change and Omission Sites will be

carefully assessed to see if there is now enough certainty to make them allocations.

Green Gaps / Local Green Space Designation

- 5.8 Supported by strong evidence, the draft Plan proposed to designate the most significant undeveloped areas on either side of the borough as Green Gaps and Local Green Space. It was these policies that generated the highest level of response, the vast majority of which were supportive. However, as expected, the landowners of the Goring gap sites have objected to this approach, particularly given the level of unmet housing need. Technical work has been submitted alongside these objections and this will now be reviewed to test whether there is still robust justification for the continued protection of these sensitive areas within the Plan.

Space Standards

- 5.9 A couple of representations questioned the proposed adoption of space standards and argued the justification and evidence for this was lacking. Linked to this, there was some support for 'mirco-flats' / studios which would fall below the proposed standards as it was argued that these could provide some much needed housing for those in need. In response, it is accepted that further work is required to provide justification that could support the approach outlined in the draft Plan and to assess the implications of allowing a more flexible approach that would deliver 'smaller' studios and flats for those in emergency need.

Transport Study

- 5.10 Highways England were invited to transport study meetings and were issued with technical notes on its progress. The Council was therefore somewhat surprised by the key concerns Highways England raised in relation to the transport study and modelling work undertaken to support it. In response, officers and the Council's consultants have met with Highways England and further work is now being undertaken to address these concerns.

Duty to Co-operate

- 5.11 Representations were received from several neighbouring Councils that highlighted the need for all local authorities across the sub-region to continue to work together to try to address strategic priorities, particularly how objectively assessed development needs can be best met. Of note, is that an

objection to the Draft Plan was received from Arun District Council on the grounds that the Plan leaves a significant unmet need unresolved which will be prejudicial to Arun's own Local Plan preparation.

- 5.12 As explained within the Interim Duty to Co-operate Statement that supported the Draft Worthing Local Plan the Council has been working with other local authorities across the sub-region over a number of years to address strategic issues. This work has clearly demonstrated that, given the level of housing need identified in neighbouring areas and the significant constraints to growth across the sub-region, the reality is that there is currently very limited potential for other local authorities to meet some of Worthing's unmet need. However, the Council will continue to work with all relevant parties to ensure that all opportunities are fully explored within Worthing and beyond. This work will include meetings with all neighbouring authorities, the preparation of Statements of Common Ground and work to progress Local Strategic Statement 3 prepared by the West Sussex and Greater Brighton Strategic Planning Board.

Longer term work programme

- 5.13 Whilst some decisions need to be taken about work which will be done prior to the Regulation 19 plan, thought is also being given to work which will follow after examination and adoption of the Plan. Examples of future work might include an Historic Environment Supplementary Planning Document (SPD) and a Green Infrastructure Strategy SPD. The sort of detail included in these documents, and the work required to produce them, mean that they are better as standalone documents because they 'supplement' the overarching policy approach in the Local Plan.

6.0 Timetable

- 6.1 A new Local Development Scheme (the Council's 3-year work programme for Planning Policy) has been prepared. This document, which is attached as Appendix B, illustrates that much of 2019 will be spent updating evidence, responding to comments received during the Draft Local Plan consultation and addressing changes made to planning policy at the national level.
- 6.2 Following this, a formal 'submission' version of the plan will be considered and approved by elected Members (anticipated in winter/spring 2020). A statutory period of consultation will then follow (Regulation 19), during which interested parties can comment as to whether the Plan meets the 'tests of soundness' as set out in the NPPF. These relate to whether the Plan is: positively prepared,

justified, effective, and consistent with national policy. Following this the Plan will be submitted for formal Examination (anticipated autumn 2020). This could result in adoption of the Worthing Local Plan by spring / summer 2021.

7.0 Legal

7.1 The Worthing Local Plan is being prepared in accordance with the Planning and Compulsory Purchase Act 2004 and 2012, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Localism Act 2011. The Plan should be subject to Sustainability Appraisal, Conservation of Habitats and Species Regulations 2010 and The Habitats Regulations Assessment (HRA). The plan should comply with national policies except where indicated.

8.0 Financial implications

8.1 There are some significant costs attached to the progression of a new Local Plan. Most of these costs relate to the evidence base required to make informed decisions within the Plan but there are also costs associated with consultation stages and the Examination. The production of the Local Plan is to be funded by the existing service budget.

9.0 Recommendation

9.1 The Planning Committee is asked to consider and comment on the Officer's report and the summary of comments received during the Draft Local Plan consultation (Appendix A).

9.2 Prior to its approval by the Executive Member for Regeneration, the Planning Committee is also asked to consider and comment on the work programme as outlined in the report and set out in the revised Local Development Scheme (Appendix B).

Local Government Act 1972

Background Papers:

Background Papers

- Report to Joint Strategic Committee (04/04/17)
- Report to Joint Strategic Committee (09/10/18)
- Worthing Local Plan Issues & Options Consultation Document (May 2016)
- Worthing Draft Local Plan and associated reports (Oct 2018)

- Worthing Core Strategy 2011
- National Planning Policy Framework
- Platforms for Our Places

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Schedule of Other Matters

1.0 Council Priority

- 1.1 When adopted, the Local Plan will be a key tool for meeting the ambition for our communities' prosperity and wellbeing as set out in Platforms for our Places (in particular, Platforms 1,2,3 and 5).

2.0 Specific Action Plans

- 2.1 Establish an up to date planning framework Worthing provide a clear platform for the future development of our places and the protection of key environmental assets. An adopted planning framework will also help to underpin a clear regulatory service for development management, help facilitate business growth and meet future housing and community needs.
- 2.2 The timetable for the progression of a new Local Plan is set out in the Council's revised Local Development Scheme - 2019 (Appendix B)

3.0 Sustainability Issues

- 3.1 The Government requires that all Development Plan Documents (including Local Plans) be subject to a formal sustainability appraisal. The Local Plan will aim to promote sustainable development.

4.0 Equality Issues

- 4.1 The Plan will be the subject of an Equalities Impact Assessment. It will aim to ensure that all groups have equal access to the spatial opportunities offered by the new Development Plan. For example, the provision of affordable housing and sustainable transport initiatives are key issues to be addressed through the new plan to help promote equal opportunities.

5.0 Community Safety Issues (Section 17)

- 5.1 The emerging Local Plan considers community safety issues and requires development to incorporate the principles of securing safety and reducing crime through design in order to create a safe and secure environment.

6.0 Human Rights Issues

- 6.1 Matter considered and no issues identified.

7.0 Reputation

- 7.1 The delivery of a new Local Plan will help to meet the spatial needs of the Borough and therefore have a positive impact on the reputation of the Council.

8.0 Consultations

- 8.1 As explained in this report, formal and informal stages of consultation with the public and all relevant stakeholders are integral to the development of a new Local Plan. As a minimum, consultation will be undertaken in line with the Joint Adur and Worthing Statement of Community Involvement. Council Members (particularly the Local Plan Working Group) will continue to be involved in the progression of the new Local Plan at all appropriate stages.

9.0 Risk Assessment

- 9.1 Failure to adopt a new Plan could impact on a number of this Council's priorities including economic and social regeneration. In addition, failure to get a new Development Plan in place in a timely manner may impact on local control when determining applications and increase the risk of speculative development proposals.

10.0 Health & Safety Issues

- 10.1 Matter considered and no issues identified

11.0 Procurement Strategy

- 11.1 Matter considered and no issues identified

12.0 Partnership Working

- 12.1 The Duty to Co-operate places a requirement on Local Planning Authorities to work with neighbouring authorities to address strategic issues. Work to address this need is on-going and will continue as the Plan is advanced.
- 12.2 Given that the Local Plan for Adur District Council has been recently adopted, officers will continue to use best practice to help guide the Worthing Local Plan. Where appropriate, evidence studies will be procured jointly with Adur DC and other neighbouring planning authorities.