

Representations – Worthing Submission Draft Local Plan

On behalf of St William Homes LLP.

March 2021



ECE Planning

Project Name:

Representations – Worthing Submission Draft
Local Plan

Location

Worthing

Client:

St William Homes LLP

File Reference:

P1702ii

Issue	Date	Author	Checked	Notes
PL1	03.02.2021	S Sykes	C Barker	Initial Draft
PL2	02.03.2021	S Sykes	C Barker	Second Draft
PL3	03.03.2021	S Sykes	C Barker	Client Issue
PL4	19.03.2021	S Sykes	C Barker	Planning Issue

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1. Introduction

- 1.1. These representations have been produced by ECE Planning on behalf of **St William Homes LLP** in response to Worthing Borough Council's consultation on 'Worthing Borough Council - Submission Draft Local Plan 2020 - 2036' (referred to hereon in as the 'Draft Local Plan').
- 1.2. St William, a joint venture between National Grid and the Berkeley Group, is the site owner and developer for **the Former Gasworks Site on Lyndhurst Road, Worthing** (allocation A9 within the Draft Local Plan).
- 1.3. St William is currently engaged in pre-application discussions with the Council on its proposals for a residential development on the site and is expected to submit a planning application in early summer 2021.
- 1.4. These representations consider relevant policies within the Local Plan organised around the following themes:
 - Meeting Housing Need and Site Capacity**
 - Brownfield Land, Density and Height**
 - Affordable Housing**
 - Infrastructure and Viability**
 - Open Space and Ecology**
 - Energy and Sustainable Construction**
- 1.5. The representations set out where policies are considered to be unsound (and the reasons for being unsound) within each chapter before setting out constructive suggestions on how policy wording can be amended to ensure the test of soundness are passed. The conclusion summarises the suggested amendments to policy and sets out the required amendments to allocation A9 Lyndhurst Road.
- 1.6. In providing these representations, St William wants to work proactively with the Council to help it deliver on the Local Plan objectives and to address the pressing development needs of the area in the most sustainable manner possible.
- 1.7. Previous representations have been made on this site through the CIL Examination. These are appended for reference at Appendix A.

2. Overview

- 2.1. St William supports the strategic thrust of policy to direct development on brownfield sites and to maximise development opportunities but recognises the wider challenges the Council faces in meeting housing need. It is also fully aware of the importance the Council is placing on sites like Lyndhurst Road to deliver much needed new homes as well as supporting the growth of the town centre to protect its long term future. In this context, St William is pleased that the Council has confirmed that the Draft Local Plan needs to be flexible and adaptable to facilitate development, creating certainty to bring forward delivery.
- 2.2. As mentioned, the Lyndhurst Road site is currently the subject of pre-application discussions with the Council. The draft allocation A9 suggests an indicative site capacity of 150 homes. However, the emerging proposals are for a residential (flatted) development comprising circa 200 homes. Even with the quantum of development it is proposing, St William is concerned with viability. This stems from the costs of remediating the site alongside other policy requirements and CIL/S106 contributions. If an allocated site such as this cannot be delivered then it will seriously undermine the Council's ability to meet its strategic objectives. Therefore, St William is suggesting policy amendments which will assist the Council in making the Draft Local Plan sufficiently flexible to support and not restrict development.
- 2.3. The National Planning Policy Framework ('the Framework') makes it clear that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence and take into account relevant market signals (paragraph 31). It also confirms that Plans should set out the contributions expected from development (including levels and types of affordable housing provision required, along with other infrastructure) but that these policies should not undermine the deliverability of the plan (paragraph 34). St William is seeking to work positively with the Council to ensure that the capacity of the sites to deliver housing and wider placemaking requirements can be achieved whilst ensuring that the sites are viable and deliverable.

3. Meeting Housing Need and Site Capacity

- 3.1. The Framework has at its heart the presumption in favour of sustainable development as set out under Paragraph 11:

11. Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 3.2. Fundamentally, the emphasis on Local Planning Authorities (LPAs) when preparing Local Plans is about meeting development needs and particularly housing needs. It is clear from paragraph 11 that LPAs must be positively seeking to meet objectively assessed needs as a minimum. In respect of this Draft Local Plan, b) ii is relevant with the onus on the Council to demonstrate that the impacts of not providing for objectively assessed needs would outweigh the benefits.
- 3.3. St William agree with the Issues and Challenges section of the Local Plan with regards to the constraints faced with meeting housing needs. Clearly with the South Downs National Park to the north of the Borough, the coast to the south and highly valued areas of open spaces (gaps) to the east and west there is limited room for expansion within the town.
- 3.4. Subsequently, making the best use of sustainably located brownfield land (such as Lyndhurst Road) is absolutely fundamental to maximising delivery of new homes locally. St William consider that the Council has proposed the correct strategy to protect strategic gaps from development and focus development predominantly within the Built-up Area Boundary of the town.
- 3.5. Whilst this strategic approach to housing delivery is supported, the Council must ensure it facilitates the opportunity to maximise delivery on available brownfield sites.
- 3.6. Policy SS2 (Site Allocations) of the Draft Local Plan sets the housing target for the Plan period and explains how this will be delivered as follows:

During the period 2020-2036

a) a minimum of 3,672 dwellings (net) will be delivered in Worthing. The following allocations will make a significant contribution to this figure.

- 3.7. The Draft Local Plan furthermore sets out the existing position with regards to Housing Needs as follows:

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The most up-to-date assessment of objectively assessed housing need (based on the standard method as set out in national planning guidance and the 2014 household projections published in September 2016) is 14,160 dwellings over the Plan period (2020 to 2036) which currently equates to 885 dwellings per annum.

- 3.8. The housing target figure of 3,672 (230dpa) will only account for 26% of local housing need. When considered against the backdrop of other LPAs who are also unable to meet needs locally (Brighton & Hove and Adur for instance), it is clear that greater emphasis on maximising identified sites for housing delivery is required.
- 3.9. The following table is included within policy SS2 which sets housing target figures for allocated sites as set out within Figure 1 below.

WLP Ref	SITE	DWELLINGS	MAIN OTHER USES (APPROXIMATE FLOORSPACE)
A1	Beeches Avenue	90	N/A
A2	Caravan Club, Titnore Way	100	N/A
A3	Centenary House	250	10,000 sqm - Office space (part re-provided)
A4	Civic Centre, Stoke Abbott Rd	0	7,000 sqm - Integrated health hub
A5	Decoy Farm	0	18,000 sqm - Industrial / Warehousing
A6	Fulbeck Avenue	120	N/A
A7	Grafton	150	2,500 sqm - Commercial / Leisure / Retail
A8	HMRC Offices, Barrington Rd	250	Care home / Sheltered accommodation
A9	Lyndhurst Rd	150	N/A
A10	Martlets Way	0	10,000 sqm Industrial / Warehousing
A11	Stagecoach, Marine Parade	60	2,000 sqm Commercial / Leisure
A12	Teville Gate	250	4,000 sqm - Commercial / Leisure / Retail and 80 bed hotel
A13	Titnore Lane	60	N/A
A14	Union Place	150	700 sqm - commercial / 90 room hotel / cinema extension
A15	Upper Brighton Rd	123	N/A
TOTAL		1,753	

Figure 1: Policy SS1 Housing Allocation Figures

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- 3.10. The housing delivery target figure of 3,672 dwellings is broken down further as per Figure 2 (taken from the background text which supports Policy SS2). Figure 2 demonstrates the clear reliance on housing allocations for the delivery of housing (47% of total supply). This proportion rises higher still when commitments are removed from the total with allocations accounting for 63% of delivery.

SOURCES OF HOUSING SUPPLY (2020-2036)	NUMBER OF DWELLINGS
Commitments	909
Windfalls	871
SHLAA Sites (not including those incorporated as allocations)	139
Local Plan Allocations	1753
HOUSING SUPPLY (From all sources 2020 - 2036)	3672
ANNUAL TARGET (2020 - 2036)	230

Figure 2: Sources of Housing Supply

- 3.11. Again, this underlines the importance of these sites coming forward and it is imperative that the Draft Local Plan creates the conditions to maximise the potential of site allocations.
- 3.12. In order to meet its strategic objectives, the Council cannot allow sites to under deliver and the Draft Local Plan should be encouraging higher densities for sustainable brownfield sites. As such, the Council must be sure the suggested housing targets for the allocations contributing to housing supply are not underplaying the true potential for sites to acceptably deliver new homes. This is particularly relevant for key regeneration sites allocated within the Draft Plan, which are critical to meeting the Boroughs housing needs.
- 3.13. Paragraph 3.16 of the Draft Local Plan states:
- The Council's Strategic Housing Land Availability Assessment (SHLAA) has provided the mechanism through which the quantity and suitability of land potentially available for housing development has been determined.*
- 3.14. Housing capacity figures are written into the Draft Local Plan under Site Allocation Policies A1 – A15. Each allocation provides an 'indicative capacity' figure which when totalled equates to 1,753 which is then fed into the overall housing target figure. The housing delivery figure of 3,672 is presented as a 'minimum' figure.
- 3.15. The National Planning Policy Guidance (NPPG) sets out clear guidance on instances when Housing Assessments (SHLAAs) indicate that there are insufficient sites / broad locations to meet needs. In such instances, the NPPG states:

When preparing strategic policies, it may be concluded that insufficient sites / broad locations have been identified to meet objectively assessed needs, including the identified local housing need.

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*In the first instance, strategic policy-making authorities will need to revisit their assessment, for example to carry out a further call for sites, **or changing assumptions about the development potential of particular sites to ensure these make the most efficient use of land. This may include applying a range of densities that reflect the accessibility and potential of different areas, especially for sites in town and city centres, and other locations that are well served by public transport.***

Paragraph: 025 Reference ID: 3-025-20190722

Revision date: 22 07 2019

- 3.16. Whilst the Council did extend its call for sites it has sought not to make any significant changes in its assumptions regarding the development potential of allocated sites. As a result, the indicative capacity figures put forward are underplaying development potential.
- 3.17. One of the purposes of the Draft Local Plan is to give *“local communities, developers and investors greater certainty about the types of proposals for development that are likely to be approved”*. In addition, the Worthing Vision by 2036 - V3 confirms that *“Limited land resources will have been developed in the most efficient way to meet the widest range of identified needs”*. Finally, Strategic Objective SO17 states *“Make efficient use of previously developed land to maximise housing delivery on sustainable sites in recognition of the environmental and physical constraints to development posed by the sea and the South Downs”*.
- 3.18. Reading the above in isolation suggests that the Draft Local Plan has every intention of meeting the requirements of the Framework (and NPPG) in terms of meeting needs and maximising development potential on brownfield land. However, these very clear statements of intent are not reflective in the approach taken to the proposed capacity figures. It is unclear as to how these figures have been derived as there is no specific evidence base supporting policy.
- 3.19. Previous versions of the Council's SHLAA and/or Core Strategy 2011 assumed certain capacity figures for sites. When comparing these assumed capacity figures against approval/delivery rates it is clear that the minimum housing targets (and the 'capacity figures' identified within policy) are not representative of the housing delivery potential of these sites.
- 3.20. The figures below provide the Council's assumed capacity figures against the approved planning position (both approved and resolution to grant subject to S106) for a range of key allocations / Areas of Change sites.

Former Aquarena: This site was identified as an Area of Change within the Core Strategy 2011. The last SHLAA from 2016 suggested a capacity of 100 dwellings. Planning permission (Ref: AWDM/1633/16) was granted for 141 dwellings representing a 41% increase on Council assumed capacity.

Union Place: This site was last assessed within the SHLAA from 2019 suggesting a capacity of 128 dwellings. Subsequently, a resolution to grant outline planning permission (Ref: AWDM/0461/20) has been given for 169 dwellings (albeit on a slightly larger site). Notwithstanding its current planning status, the Draft Local Plan still only suggests a capacity of 150 dwellings for this larger site

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Teville Gate: This site was included within the Core Strategy 2011 with a suggested capacity of 260 dwellings. A resolution to grant planning permission (Ref: AWDM/0325/19) was recently given for 378 dwellings. This represents a 45% increase on Council assumed capacity. Again, notwithstanding its current planning status, the Draft Local Plan suggests a capacity of only 250 dwellings for this site

Fulbeck Avenue: Whilst not a brownfield site it has been assessed by the Council. The Regulation 18 Draft Local Plan (2018) suggested a capacity of 50 dwellings. This has been increased to 120 dwellings in this Draft Local Plan. Resolution to grant planning permission (Ref: AWDM/0166/20) has recently been given for 152 dwellings. This represents a 204% increase on the Regulation 18 Local Plan capacity figure and a 26.7% increase on this Draft Local Plan capacity figure.

- 3.21. The Council's position may well be that the allocation capacity figures are approximate only (enabling flexibility for upward delivery as sites come forward through the planning process). Furthermore, the wording of policy SS2 is such that housing targets are presented as 'minimum' figures. However, in the context of the wider purposes/objectives of the Local Plan referred to earlier, the lack of clarity on the status of capacity figures creates uncertainty and ambiguity for developers and local communities.
- 3.22. It is clear that there is a pressing need for allocated sites to maximise delivery and this approach is supported by the Council, underlined by its determination of the planning applications for the sites set out above where densities have significantly exceeded previously suggested capacity targets. Therefore, the Council should be putting forward capacity figures that align with the strategic ambitions of the Draft Local Plan and reflect its recent track record in dealing with planning applications.
- 3.23. Lyndhurst Road was originally allocated as an 'Area of change' in the Core Strategy (2011). Subsequently, the Regulation 18 Draft Local Plan (2018) allocated the site for mixed use development to include residential and commercial (retail and offices) uses. The allocation included an indicative capacity of 85 residential units reflecting the mix of uses anticipated on the site. This Draft Local Plan (2021) retains the allocation (A9) proposing a solely residential use for the site with an indicative capacity of 150 residential units.
- 3.24. As mentioned, earlier St William is currently engaging with the Council on its development proposals which would accommodate circa 200+ new homes. The proposals have been the subject of a review by Design South East in November 2020 who were supportive of the scale and massing and suggested capacity put forward. Pre-application discussions have also taken place with West Sussex County Council. The proposals were positively received and likely to be acceptable from a highways perspective.
- 3.25. Taking the above into account, it is considered that the Draft Local Plan fails to meet the following tests of soundness:

positively prepared since it has failed to assess sites accordingly in the interests of better meeting housing needs and the housing figure proposed is artificially low;

justified since reasonable alternatives have not been fully explored or justified by proportionate evidence including density analysis and Visual Impact / Heritage Assessments;

consistent with national policy since housing capacities do make the most efficient use of land.

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- 3.26. To address this position, capacity figures for permissions should be updated and a further review of housing capacity for other allocated sites undertaken with a view to increasing capacity. It is suggested that Allocation A9 - Lyndhurst Road listed under SS2 be amended to read **200** in the dwellings column.
- 3.27. Site Allocation policies should be updated and we would suggest that the Allocation A9 is amended to refer to an approximate capacity of **200 dwellings** (please refer to the conclusion for the suggested wording to policy A9).

4. Brownfield Land, Density, Height and Mix

Brownfield Land

- 4.1. The Council has adopted a strategic approach to housing delivery to focus much of the delivery on urban brownfield land. In this respect, using the figures set out within Figure 1, it is clear that 1,100 of the 1,753 allocations are proposed on such sites. This equates to 63% of all housing allocations on brownfield land.
- 4.2. Policy SS1 (Spatial Strategy) is set out below in Figure 4.

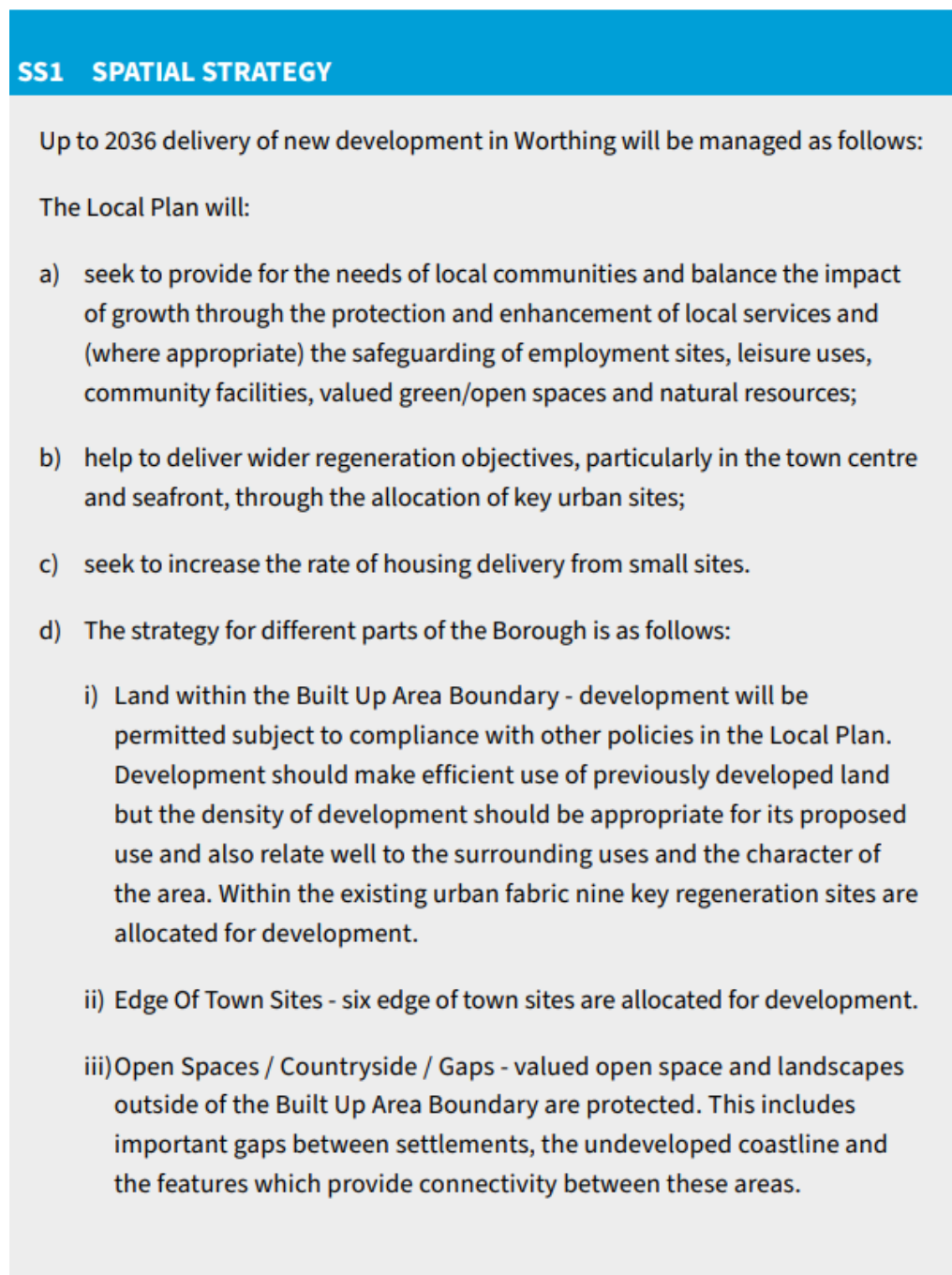


Figure 3: Policy SS1 Spatial Strategy

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- 4.3. Strategic Objective SO17 is about making efficient use of land and states:

Make efficient use of previously developed land to maximise housing delivery on sustainable sites in recognition of the environmental and physical constraints to development posed by the sea and the South Downs.

- 4.4. This Strategic Objective is supported because maximising housing delivery on sustainable sites represents the necessary approach in a Borough where available land is limited.

- 4.5. Elements of Policy SS1 appears to be at odds with the strategic objective of maximising housing delivery on sustainable sites and could place a limit on the potential for identified development sites. The suggested wording that density should relate well to surrounding uses and character of the area is not consistent with the wider strategic objective of maximising the development potential of sites. Given the significant unmet housing need facing the Borough maximising delivery must be made the priority.

- 4.6. As drafted Policy SS1 is not **consistent with national policy** nor is it **justified** for the same reasons set out within Section 3 of this Statement. In order to address this, reference to density within criterion d) i) should be removed as this is more appropriate to be dealt with in the site allocations or Development Management policies. Such an approach would be consistent with national policy. Paragraph 117 of the Framework states:

Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

- 4.7. Policy SS1 would therefore read as follows (highlighted bold and red):

d) The strategy for different parts of the Borough is as follows:

i) Land within the Built Up Area Boundary - development will be permitted subject to compliance with other policies in the Local Plan. Development should make efficient use of previously developed land ~~but the density of development should be appropriate for its proposed use and also relate well to the surrounding uses and the character of the area.~~ Within the existing urban fabric nine key regeneration sites are allocated for development.

Density

- 4.8. Policy DM2 – Density is set out below

a) Development proposals must make the most efficient use of land, which will usually mean developing at densities above those of the surrounding area. The optimum density of a development should result from a design-led approach to determine the capacity of the site. Particular consideration must be given to:

i) the site context and character of the surrounding area in which it is located, and including consideration of any nearby heritage assets or important landscape;

ii) its current and future level of accessibility by walking, cycling and public transport;

iii) the need to achieve high quality design;

iv) the need to minimise environmental impacts, including detrimental impacts on the amenities of adjoining occupiers;

v) and the capacity of surrounding infrastructure.

b) Residential development of family housing should achieve a net density of a minimum of 35 dwellings per hectare. In exceptional cases, lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs;

c) Higher densities, in excess of 100 dwellings per hectare should be achieved in most mixed-use developments, flatted developments and developments located in the town centre and in areas close to public transport interchanges and local services.

Space Standards

d) New dwellings across all tenures will be expected to meet as a minimum, the nationally described space standards (or any subsequent Government update) for internal floor areas and storage space. These standards will apply to all open market dwellings and affordable housing, including those created through subdivision and conversion. The Council's local standards will continue to apply for external space.

e) The Council will only consider any variation to the requirements set out above in exceptional circumstances, for example when a social or charitable housing provider is able to demonstrate that the homes it is seeking to deliver meets an identified need for supported housing and temporary emergency accommodation and that there is a clear and robust 'move on' strategy and site management in place.

4.9. As set out within these representations, maximising density on sustainably located brownfield sites is of paramount importance to enable the Council to meet its housing needs. Indeed it is a theme that is repeated through the Draft Local Plan, within the Housing Delivery Test Action Plan and within the Housing Implementation Strategy.

4.10. The background text to policy DM2 states:

To help steer the right level of densification to the right locations the Housing Implementation Strategy identifies a range of urban density thresholds and options that reflect the accessibility and potential of different character areas in and around the borough.

4.11. The Housing Delivery Test Action Plan (2020) states:

Despite this, further work is currently being undertaken to inform density policies to be included in the emerging Local Plan. This work will assess whether there are any mechanisms that could be used to further increase residential densities whilst at the same time ensuring that the characteristics valued in the surrounding area are maintained / enhanced and that a high standard of living accommodation is provided.

4.12. The Housing Implementation Strategy suggest that this density analysis has not yet been undertaken and subsequently the background evidence to this policy is unavailable at this Regulation 19 stage of consultation. Furthermore, there is very little evidence to support Local Plan policies relating to density/capacity assumptions (such as Townscape / Heritage / Capacity Assessments).

4.13. The Framework deals with the use of density targets when plan making with paragraph 123 confirming the following:

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Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

- A) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;*
- B) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range;*

4.14. The Council has demonstrated it is willing to support planning applications which propose developments with greater densities than the indicative capacity suggested under the relevant allocations and significantly higher than the prevailing density. Examples include the Former Aquarena with a density of 204dph; Union Place with a density of 195dph and Teville Gate with a density of 259dph. It is considered that these higher densities are entirely appropriate for key regeneration sites located within close proximity to the town centre where it is absolutely critical to maximise housing delivery.

4.15. Lyndhurst Road is currently allocated with an approximate capacity of 150 dwellings on a 1.13ha site which translates to a density of 132dph. This is very low when compared to recent permissions on similar key regeneration sites. Therefore, it would be more appropriate to propose a capacity for the site of 200 dwellings (equating to a density of 176dph). This would be aligned with the form of development coming forward on similar sites and would clearly be lower than schemes already permitted as set out above.

4.16. For the reasons set out above we consider the Policy DM2 to be unsound for the following reasons:

a) positively prepared since it has failed to assess sites accordingly in the interests of better meeting housing needs and the housing figure proposed is artificially low;

b) justified since reasonable alternatives have not been fully explored or justified by proportionate evidence including density analysis and Visual Impact / Heritage Assessments;

4.17. To address this, some distinction should be made within Policy DM2 to allow for greater density on site allocations and we would suggest that part c) of the policy could be amended as follows (in bold and red):

*c) Higher densities, in excess of 100 dwellings per hectare should be achieved in most mixed-use developments, flatted developments and developments located in the town centre and in areas close to public transport interchanges and local services. **For sustainably located site allocations within the town centre densities in excess of 150 dwellings per hectare shall be considered a minimum for emerging schemes.***

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Height

- 4.18. Height is not referred to within Policy DM2 and instead is dealt with in Policy DM5 (and is only briefly covered here). Obviously the opportunity for height on sites will dictate to some degree the potential for greater density. There is capacity for greater height within the Borough to help accommodate the pressing housing requirements facing the area whilst also avoiding developing on greenfield land and important countryside gaps. This is clearly demonstrated by recent approvals such as at Teville Gate, the Former Aquarena and Union Place.
- 4.19. Unfortunately, no Tall Building Assessment, Townscape Impact Assessment or Heritage Assessment appears to have been carried out by the Council to inform policy development including site specific allocations.
- 4.20. The Local Plan refers to the Tall Buildings Supplementary Planning Document (in the background text of policy DM5). Given the recent planning decisions and changing requirements for the Borough, the Tall Buildings SPD is now considered to be out of date. It was produced in 2013 to support the level of development considered appropriate within the Core Strategy.
- 4.21. Furthermore, the change in emphasis on housing delivery has been established under the Framework with the requirement for LPAs to meet housing needs. The Council cannot rely on a document that was developed to support a Plan which had been produced to meet the Regional South East England Target figure of delivering 200 dwellings per annum.
- 4.22. The Council must be more proactive with regards to tall building opportunities. As it currently stands, the SPD seeks to limit the height of buildings without actually identifying where suitable sites for height might be appropriate. The Draft Local Plan is equally lacking in any detail with regards to height despite repeated reference to the need to make the best use of land and maximise density (on urban brownfield land).
- 4.23. Given the lack of up-to-date evidence on height, the Local Plan as currently drafted fails the tests of soundness as follows:

a) positively prepared since it has failed to assess sites accordingly in the interests of better meeting housing needs through introducing greater height within the Borough

b) justified since reasonable alternatives have not been fully explored or justified by proportionate evidence including height analysis and Visual Impact / Heritage Assessments;

- 4.24. In order to address this, Policy DM2 and DM5 should reference the potential for height and tall buildings. Both policies should be amended to include a clause which states:

The Council will support applications for tall and very tall buildings on sites that can appropriately accommodate buildings of height to maximise the use of sustainably located brownfield sites.

- 4.25. In addition, Policy A9 should be amended to reference the potential for height to reflect the comments received so far from the Design South East. The wording for policy A9 is provided within the Conclusion of these Representations.

Housing Mix

- 4.26. It is considered that Policy DM1 Housing Mix requires some amendment to ensure the policy is **positively prepared** and **justified** (for the same reasons as set out above). The relevant part of policy DM1 is set out below:

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a) In order to deliver sustainable, mixed and balanced communities, the Council will expect all applications for new housing to consider the most up to-date evidence of housing needs and demands.

4.27. This policy provides flexibility which is welcomed. However, it doesn't provide a clear steer as to whether applicants would be expected to broadly meet the housing mix set out within most up-to-date evidence. In addition, deviation from any assumed mix can be justified to ensure schemes maximise the use of sustainably located brownfield sites. In such instances, it would be unreasonable to expect a significant proportion of larger family sized dwellings.

4.28. Therefore, the policy should be amended slightly to allow for clarity and flexibility as follows:

*a) In order to deliver sustainable, mixed and balanced communities, the Council will expect all applications for new housing to consider the most up to-date evidence of housing needs and demands. **The Council will consider an alternative housing mix for sites where higher densities are proposed such as for sustainably located brownfield sites (particularly for flatted developments).***

5. Affordable Housing

5.1. Policy DM3 Affordable Housing is set out below as follows:

a) New residential development (including conversions and changes of use) with the capacity to provide 10 or more self-contained units will be expected to provide an appropriate mix of affordable housing according to the following site size thresholds:

i) Sites on previously developed land involving the development of flats there will be a requirement for 20% affordable housing;

ii) For all housing schemes on previously developed land there would be a requirement for 30%;

iii) For all development on greenfield sites there would be a requirement for 40%;

b) Affordable housing should be delivered on-site. In exceptional circumstances a financial contribution may be accepted by the Council in order to provide affordable housing off-site where the other sites may be more appropriate to provide affordable housing than the site of the proposed development.

c) Affordable housing should incorporate a mix of tenures and sizes prioritising rented affordable homes at social rent levels. The exact tenure split and size of units on each site will be a matter for negotiation, taking account of up-to-date assessments and the characteristics of the area. However to most effectively meet the borough's housing needs the Council will require the following mix of tenure as a minimum: 75% social / affordable rented housing and 25% intermediate housing.

d) Where there is an identified need for a wheelchair accessible dwelling, the provision of affordable homes constructed to Building Regulation Standard M4(3) Category 3: Wheelchair Accessible Standards, will be a matter for negotiation taking account of suitability and viability of the site.

e) Affordable housing should be appropriately distributed throughout a new development and should be designed to a high quality, with the same or a consistent external appearance as for market housing.

f) Where a developer states that exceptional development costs mean it is not possible to meet the full requirements for the delivery of affordable housing the onus will be on them to demonstrate this to the Council and this must be supported by robust financial viability evidence (through an open book approach).

5.2. The general approach set out within Policy DM3 part a) with regards to the reduction in the level of contribution required on brownfield sites especially for flatted developments is supported. In this context, Lyndhurst Road represents one of the most challenging allocation sites because of the associated abnormal costs required to bring forward development. These costs have not been considered within Strategic Viability Assessment (Jan 2021) prepared by Dixon Searle Partnership (DSP) which supports the Local Plan. An extract for the DSP assessment for the Lyndhurst Road site is set out within Figure 5 shown below:

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Site	Indicative Capacity (approx. no. of dwellings)	Indicative Residential Market Value (£/sq. m.)
Lyndhurst Road (WLP Ref: A9)	150	VL4 £3,500 - VL6 £4,000
	DSP Additional Assumptions / Comments / Site Specific Costs: (Main cost assumptions - Appendix I (Sheet 2))	Existing Use: Former redundant gasholder/depot/car park (PDL) Site is likely to be contaminated and remediation measures will be required - extent of contamination is unknown. Access arrangements will also need to be considered. We understand the gas holder station has been demolished and the site is now partially cleared.
	DSP High-Level Viability Indications:	There is currently limited detailed information on this site in connection to the extent of the contamination and remediation measures required. At this stage, we assume a scheme comprising flats only and therefore by reviewing the 100 Flats (6+ Storey) typology results we can see generally challenging viability prospects. However, we consider this site to have reasonable prospects of delivery at up to 20% AH.

Figure 4: DSP Worthing LP Viability Appendix IIb – Site Allocations - Table 1: Typology Review

- 5.3. It is clear that only a generic assessment of viability has been undertaken for the Lyndhurst Road site and as such the conclusion drawn by DSP that there is a reasonable prospect of delivery at up to 20% affordable housing is unfounded particularly as abnormal costs have not been considered. DSP do however, acknowledge 'challenging viability prospects' for the site. For this reason, Site Allocation A9 should make specific reference to the viability challenge of bringing this site forward for development.
- 5.4. Given the challenges facing development delivery on brownfield sites, the inclusion of criterion f) in the policy is supported. However, it is suggested that part b) of the policy is amended to include the following wording to allow for flexibility:

*b) Affordable housing should be delivered on-site. In exceptional circumstances a financial contribution may be accepted by the Council in order to provide affordable housing off-site where the other sites may be more appropriate to provide affordable housing than the site of the proposed development **or where it is demonstrated that onsite provision would make the scheme unviable.***

6. Infrastructure

6.1. Policy DM9 – Delivering Infrastructure is set out below:

a) Development will be required to take into account existing infrastructure and to provide or contribute to the provision (and where appropriate, maintenance) of facilities, infrastructure and services made necessary by development, or where it gives rise to a need for additional or improved infrastructure.

b) The Council will work with partners including infrastructure and service providers and stakeholders to ensure that the necessary physical, economic, social and environmental infrastructure is provided to support communities.

c) Infrastructure should be provided at the appropriate time, prior to the development becoming operational or being occupied. Larger developments may need to be phased to ensure that this requirement can be met.

d) Ensure that layout is planned to allow future access to existing water and / or wastewater infrastructure for maintenance and upsizing purposes.

e) Proposals by service providers for the delivery of utility infrastructure to meet the needs generated by new development and by existing communities will normally be permitted.

6.2. The Draft Local Plan provides little or no clarity on how Section 106 and the Community Infrastructure Levy will be applied to new development. As it currently stands there is very little certainty for developers as to which obligation mechanism will be used by the Council to fund infrastructure projects. The Draft Local Plan is supported by an Infrastructure Delivery Plan (IDP) which sets out a significant list of infrastructure requirements over the plan period. However, it does not specify the likely funding streams from developers – whether these would be CIL or S106. Likewise the Infrastructure Investment Plan (IIP) also lacks clarity on funding streams.

6.3. Paragraph 34 of the Framework confirms that “Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan.”

6.4. The Council needs to be clear on how it intends to fund the infrastructure needed to support the Draft Local Plan period to provide certainty for all. In light of the above, it is considered that that Policy DM9 is not consistent with national policy. However, it is not immediately clear how this could be rectified unless the IDP is updated to include the anticipated funding mechanism and Policy DM9 updated to refer to the IDP document.

7. Open Space and Ecology

7.1. Policy DM7 Open Space, Recreation and Leisure is set out below.

a) Schemes of 10+ dwellings will be required to provide open space on site in accordance with the Council's adopted standards. Where it is not possible to provide open space on site, contributions will be sought to provide or improve open space off-site within the ward or nearby ward to which the development is located.

b) Proposals incorporating leisure/recreation facilities should use the findings of the Sport, Leisure and Open Space Study to inform the types required.

c) The loss of existing open space, or sports and recreation buildings/ facilities will be refused unless:

i) the development is for alternative sports and recreational provision, the need for which clearly outweighs the loss; or

ii) an assessment has been undertaken which clearly shows the open space, buildings or land to be surplus to requirements and not required to meet any other shortfalls in open space types; or

iii) the loss resulting from the proposed development would be replaced by equivalent or improved provision in terms of quantity and quality in a suitable location. For open space, there should be a net gain in provision.

d) Proposals for built sports facilities and formal sports provision will be supported where they are in accordance with policies in this plan.

e) Sites which have significant nature conservation, historical or cultural value (such as Registered Town and Village Greens) should be afforded protection, even if there is an identified surplus in quality, quantity or accessibility in that local area.

7.2. The policy refers to 'adopted standards' which unfortunately are not included within policy. If standards are not provided within policy then as it currently stands the Council has the ability to update these without the need to consult. Clearly any change to standards may have significant viability impact on schemes.

7.3. As is currently the case, the Council has updated its standards as per the Open Space Strategy and has started applying them without any form of formal review or consultation. These standards can have impacts on the viability of schemes and subsequently having the detail written into policy is essential to provide certainty for developers.

7.4. As drafted, the approach set out within policy in referencing 'standards' is ambiguous on how the policy may be applied in practice. In order to ensure that 'standards' are not updated without viability testing (i.e. through the Local Plan process) and for the policy to be consistent with national policy (particularly with regards to the test for planning obligations under paragraph 56) it is suggested it is amended to include the standards or refer to the dated version of the Open Space Strategy.

7.5. Furthermore, given the lack of transparency in respect of potential viability issues and lack of clarity around the occupancy standard to use, the policy would not be **justified** and should be amended as follows:

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a) Schemes of 10+ dwellings will be required to provide open space on site in accordance with the Council's adopted standards **(as set out within The Open Space Study (2020) applying occupancy levels based on the size of dwellings proposed)**. Where it is not possible to provide open space on site, contributions will be sought to provide or improve open space off-site within the ward or nearby ward to which the development is located **unless surplus provision exists locally**.

7.6. With regards to Policy DM 18 – Biodiversity, part h) is set out below:

New developments (excluding change of use and householder) should provide a minimum of 10% net gain for biodiversity - where possible this should be onsite. Where it is achievable, a 20%+ onsite net gain is encouraged and is required for development on previously developed sites. Major developments will be expected to demonstrate this at the planning application stage using biodiversity metrics. This should be accompanied by a long term management plan.

7.7. St William is fully supportive in principle of this policy and is aligned with internal aspirations to ensure all new developments achieve a biodiversity net gain on site.

8. Surface Water Drainage

- 8.1. Policy DM 20 Flood Risk and Sustainable Drainage sets out a very specific and detailed requirement with regards to surface water drainage.
- 8.2. Having reviewed this policy, St William is of the view that as currently drafted it is unsound because it is not **consistent** with national policy having regard to the NPPG on drainage matters.
- 8.3. The relevant part of Policy DM 20 is provided below:

Surface Water Drainage

d) The surface water drainage scheme should use Sustainable Drainage Systems and be designed to:

i) limit runoff to greenfield 1 year rates for events up to and including the 100 year plus climate change event where possible, and always ensure no increase in flows as a result of development;

ii) follow natural drainage flow paths and work with existing site topography;

iii) provide adequate capacity for the 30 year plus climate change event to be contained within the drainage system, and demonstrate that the development is safe for the 100 year plus climate change event scenario and does not increase in flood risk off site;

iv) incorporate green infrastructure and maximise multi-functional benefits ensuring adequate treatment of surface water prior to discharge to ensure that the quality of local water is not adversely affected; 169 Environment Policies v) be sensitively located and designed to promote an enhanced landscape/ townscape and good quality spaces that improve public amenity;

vi) discharge run-off according to the following hierarchy: (1) into the ground (infiltration), (2) to a surface water body, (3) to a surface water sewer, (4) to a combined sewer. Surface water connections to the public sewerage network should only be made with prior agreement of the relevant sewerage undertaker and where it can be demonstrated that there are no feasible alternatives (this applies to new developments and redevelopments) and where there is no detriment to existing users.

e) Clear management arrangements and funding for their ongoing maintenance over the lifetime of the development should be proposed. Planning conditions or obligations will be used to secure these arrangements.

- 8.4. The NPPG on drainage refers to technical standards which should guide the design of drainage. The NPPG is also clear that viability must be considered as part of the design process for drainage matters as follows:

Are the Department for Environment, Food and Rural Affairs' technical standards for sustainable drainage systems mandatory?

*The technical standards provided by government relate to the design, construction, operation and maintenance of sustainable drainage systems and have been published as guidance for those designing schemes. **In terms of the overall viability of a proposed development, expecting compliance with the technical standards is unlikely to be reasonably practicable if more expensive than complying with building regulations** – provided that where there is a risk of flooding the development will be safe and flood risk is not increased elsewhere. **Similarly, a particular discharge route would not normally be reasonable practicable when an alternative would cost less to design and construct.***

Paragraph: 083 Reference ID: 7-083-20150323

Revision date: 23 03 2015

- 8.5. The technical standards referred to above and indeed the NPPG itself sets out requirements in relation to much of what is set out within Policy DM20 on drainage (runoff rates, SuDS hierarchy, storage capacity etc). However, a key difference within standards and NPPG is the provision of a 'where reasonably practicable' clause for each matter which is missing from Policy DM20 (with the exception of d) i)). This must be included to ensure consistency with national policy.
- 8.6. Furthermore, Policy DM20 makes no reference to the element within the NPPG on viability and building regulations nor does it refer to the viability elements relating to the SuDS hierarchy.
- 8.7. In our view therefore, given the virtual overlapping of this policy and national guidance we would seriously question whether the policy is required. Notwithstanding this position however, should the policy be retained then each criterion should be amended with a **where practicable and viable** clause proceeding each element to ensure that the proposal is consistent with national policy and there is sufficient flexibility for developers.

9. Energy and Sustainable Construction

- 9.1. The Draft Local Plan proposes two policies dealing with sustainability. Policy DM16 deals with sustainable design and DM17 is concerned with energy use.
- 9.2. St William is supportive in principle of reductions in CO2 emissions and ensuring sustainability is an integral part of the design process. In this respect, St William has set targets to reduce operational carbon emissions intensity for their developments by 20% and to implement and evolve a net zero emissions strategy leading up to 2030.
- 9.3. Whilst St William is supportive therefore in reductions to emissions resulting from new dwellings and furthermore supports the approach to implement the draft Part L (2021) approach. However, in policy terms the reference to Building Regulations Part L 2013 standard which is due to be replaced by Part L 2021 standard (and then likely in subsequent years in 2025) needs further consideration.
- 9.4. The current consultation on the Future Homes Standard sets new targets for sustainable design and will result in 75-80% lower CO2 emissions than those built to current Building Regulations (by 2025). This is an ambitious requirement which goes much further than the policy as currently drafted.
- 9.5. There are 2 options to uplift Part L that are described in the Future Homes Standard consultation; a 20% reduction in carbon emissions, achieved through better fabric only, or a 31% reduction achieved with carbon saving technology and fabric improvements. Both approaches cover the reductions suggested in the proposed policies. This is set out within the background text to Policy DM 16.
- 9.6. Whilst we appreciate the Council may wish to seek to address Climate Change through some form of CO2 reduction / sustainable design / renewable energy policy, we are of the view that such a policy will be out of date before it is even adopted. Clearly if a different route to Building Regulations is taken then the policy may be in direct conflict with such an approach. We would urge therefore for clarity and to ensure that the policies are **consistent with national policy** that Policy DM16 and DM17 should be amended to remove reference to reduction of CO2 levels and Part L of the Building Regulations.
- 9.7. Subsequently we would suggest **removal of parts b) and c) of DM16 and parts a) of DM17.**
- 9.8. We note also that Policy DM17 refers to heat network opportunity clusters and that the Worthing Heatmapping Report (2020) is referred to within the background text to policy. The Gas Works site is located within a potential phase 1 within that report. Whilst any scheme on the Gas Works site can be designed to be heat network ready, occupation of the development mustn't be unreasonably held up by development of such a network. In this regard part c) of Policy DM17 does not pass the test of being a **justified** policy. Part c) is set out below

c) Major development within areas identified as heat network opportunity clusters, will be required to connect to district heating networks where they exist, or will be expected to maximise opportunities for the development of a future district heating network.

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9.9. In order to be found sound we would suggest that this policy is amended as follows:

Major development within areas identified as heat network opportunity clusters, will be required to connect to district heating networks where:

- i) they exist **at the time of permission being granted***
- ii) **where the heat network route lies adjacent to the site***
- iii) **where otherwise it is feasible and viable to do so. ~~or will be expected to maximise opportunities for the development of a future district heating network.~~***

Alternatively, where a heat network route is planned but has not been delivered, sites adjacent to the planned heat network routes should be required to be heat network ready to enable a future connection.

9.10. We would also request that the policy is amended to set out that it is the Council which is the body delivering the heat network as this currently lacks clarity.

9.11. Details with regarding the expectations for connection should also be clarified and a plan included within the Local Plan to demonstrate the network route. It would not be reasonable for instance to expect a development to connect to a heat network where the nearest point of connection is not contiguous to the site boundary (or at least within a very close proximity since there may be more cost effective / less carbon intensive ways of meeting energy reduction requirements without the burden of connection). On this point, if the Council are expecting the developer to connect to a heat network that is some distance from a site then the Whole Plan Viability Assessment work must be amended to include such a cost since this could potentially be a significant amount (as high as £3,000 per metre of pipeline).

9.12. The background text to DM17 on p159 of the Draft Local Plan states:

all buildings must use a centralised communal low temperature wet heating system rather than individual gas boilers or electric heating.

9.13. If this is to remain within the Local Plan then we would request clarity as to what is meant by 'a low temperature wet heating system'. If the heating network is to be run at 'Ambient Loop' temperatures then significant capital expenditure will be required to install associated plant within homes. There is also a higher electrical load as part of this type of system and higher replacement costs to residents.

9.14. It is our understanding that water would be delivered at 60-65 °C via any district heating system that the Council implements. We trust that the definition of low temperature is that the system runs on low temperature emitters like more efficient radiators however the wording on this element isn't clear and needs further expansion.

10. Conclusions

- 10.1. These representations have been produced by ECE Planning on behalf of **St William Homes LLP** in response to Worthing Borough Council's consultation on 'Worthing Borough Council - Submission Draft Local Plan 2020 - 2036'. St William Homes is the site owner and developer for the **Gas Works site, Lyndhurst Road, Worthing** (allocation A9 within the Draft Local Plan).
- 10.2. As set out within these representations, there are numerous concerns with the current policy wording. In this concluding section we summarise suggested new policy wording for those policies that as currently drafted fail to meet the tests of soundness as set out within preceding chapters.
- 10.3. In providing these representations, our clients wish to be proactive seeking to aid Worthing Borough Council in addressing the pressing development needs of the area in the most sustainable manner possible. As elaborated further, we support the strategic thrust of policy to direct development on brownfield sites and to maximise development opportunities. However we feel that the current approach to housing delivery is unambitious given the severe housing shortfall facing the area.
- 10.4. The wording for Policy A9 and other policies must be reconsidered and amended to enable the Council to meet their stated aims of focusing development on brownfield land and maximising delivery of housing on such sites. In so doing, policies relating to density, height and housing mix require amendment to ensure the detail supporting the Council's strategic approach to development is sound.
- 10.5. The following paragraphs set out policies referred to within these representations alongside suggested policy wording amendment starting with Policy A9.

Policy A9 – Lyndhurst Road

- 10.6. Policy A9 – Lyndhurst Rd to be amended to read as follows with suggested amendments in red and bold.

Development Requirements - any future development proposals should:

- a) provide a high quality residential development **with a target capacity of 200 dwellings.***
- b) undertake detailed investigations of the contamination to assess the level of remediation required;*
- c) deliver a surface water drainage scheme that ensures that surface water is not discharged through contaminated soils;*
- d) undertake an assessment of the archaeological remains;*
- e) undertake an extensive phase 1 habitat survey and desktop study and provide mitigation as appropriate;*
- f) address provision for suitable access/egress on Park Road and Lyndhurst Road;*
- g) enhance permeability and provide an attractive and accessible pedestrian link from the site to the High Street and town centre – this should include consideration of an improved footway / cycleway along the northern boundary*

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h) consider opportunities for height to ensure any scheme maximises the use of this sustainably located brownfield site.

i) provide a level of affordable housing provision of between 0%-20% (subject to consideration of a viability assessment which shall be submitted alongside any future planning application).

j) provide for a mix of dwellings with a greater proportion of smaller sized one and two bedroom properties.

10.7. **Policy SS2 – Development Sites**

10.8. Site Allocations to be amended to read **2,269** which would increase the overall housing target to **4,188**.

10.9. **Policy SS1 – Spatial Strategy**

10.10. Policy SS1 to be amended as follows (highlighted bold and red):

d) The strategy for different parts of the Borough is as follows:

i) Land within the Built Up Area Boundary - development will be permitted subject to compliance with other policies in the Local Plan. Development should make efficient use of previously developed land ~~but the density of development should be appropriate for its proposed use and also relate well to the surrounding uses and the character of the area.~~ Within the existing urban fabric nine key regeneration sites are allocated for development.

10.11. **Policy DM1 Housing Mix**

10.12. Policy DM1 to be amended as follows:

*a) In order to deliver sustainable, mixed and balanced communities, the Council will expect all applications for new housing to consider the most up to-date evidence of housing needs and demands. **The Council will consider alternative housing mix for sites where higher densities are proposed such as for sustainably located brownfield sites (particularly for flatted developments).***

10.13. **Policy DM2 Density & Policy DM5 Design**

10.14. Policy DM2 Density to be amended as follows

*c) Higher densities, in excess of 100 dwellings per hectare should be achieved in most mixed-use developments, flatted developments and developments located in the town centre and in areas close to public transport interchanges and local services. **For sustainably located site allocations within the town centre densities in excess of 150 dwellings per hectare shall be considered a minimum for emerging schemes.***

10.15. Policy DM2 and DM5 to be amended as follows to include a clause which states:

The Council will support applications for tall and very tall buildings on sites that can appropriately accommodate buildings of height to maximise the use of sustainably located brownfield sites.

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10.16. **Policy DM3 Affordable Housing**

10.17. Policy DM3 Affordable Housing to be amended as follows:

*b) Affordable housing should be delivered on-site. In exceptional circumstances a financial contribution may be accepted by the Council in order to provide affordable housing off-site where the other sites may be more appropriate to provide affordable housing than the site of the proposed development **or where it is demonstrated that onsite provision would make the scheme unviable.***

10.18. **DM7 Open Space, Recreation & Leisure**

10.19. Policy DM7 Open Space, Recreation & Leisure to be amended as follows:

*a) Schemes of 10+ dwellings will be required to provide open space on site in accordance with the Council's adopted standards **(as set out within The Open Space Study (2020) applying occupancy levels based on the size of dwellings proposed)**. Where it is not possible to provide open space on site, contributions will be sought to provide or improve open space off-site within the ward or nearby ward to which the development is located **unless surplus provision exists locally.***

10.20. **DM16 Sustainable design and DM17 Energy**

10.21. Removal of parts b) and c) of DM16 and parts a) of DM17.

10.22. In addition, Policy DM17 to be amended as follows:

Major development within areas identified as heat network opportunity clusters, will be required to connect to district heating networks where:

- iv) they exist **at the time of permission being granted***
- v) **where the heat network route lies adjacent to the site***
- vi) **where otherwise it is feasible and viable to do so.** ~~or will be expected to maximise opportunities for the development of a future district heating network.~~*

Alternatively, where a heat network route is planned but has not been delivered, sites adjacent to the planned heat network routes should be required to be heat network ready to enable a future connection.

10.23. **DM 20 Flood Risk and Sustainable Drainage**

10.24. Either removal of the drainage element of this policy or should the policy be retained then each criterion under part d should be amended with a **where practicable and viable** clause.

Summary

- 10.25. We feel that the Draft Local Plan can be made sound through minor amendments as set out within these representations and we trust that the Council will consider such amendments in the period leading to the Examination of the Local Plan.
- 10.26. We wish to be kept informed on all matters relating to the Local Plan and would equally wish to attend the Examination in public in due course. If you have any further queries or require further information please contact me on 01903 248777.

Sam Sykes MRTPI

ECE Planning

Appendix A – St William CIL Examination Representations

St William Homes LLP ('St William') is pleased to provide representations in response to the Worthing Borough Council draft Community Infrastructure Levy (CIL) Charging Schedule in accordance with the Community Infrastructure Levy Regulations (2010) (as amended).

Established in 2014, St William is a joint venture between the Berkeley Group and National Grid and was formed to transform redundant gasworks sites into new places for people to live, work and spend time. The partnership combines National Grid's extensive portfolio of surplus brownfield sites across London and the South East with the Berkeley Group's design expertise and proven track record of delivery to create high-quality residential and mixed use developments. The JV has the potential to deliver over 20,000 new homes.

Former gasworks sites are technically complex and require significant investment and time to prepare them to be released for redevelopment when compared to other brownfield sites. A key benefit of the JV is that it enables housing to be delivered earlier as St William is able to progress planning while National Grid undertake infrastructure rationalisation, remediation and pre-development works.

In addition to the challenges faced and abnormal costs associated with the development and regeneration of former gasworks sites, they can also have ongoing operational requirements requiring physical infrastructure and easements which can considerably reduce the developable site area. The further challenge for any developer on these typically complex sites is the quantum of upfront costs and amount of developer risk required to make the sites adequate for residential delivery.

St William has an interest in the former National Grid site located at Lyndhurst Road, Worthing. The site is 2.8 acres in size and is very accessible, located within the Town Centre boundary of the Worthing Core Strategy (2011) and is circa 950m to Mainline train station. The Site is allocated for residential development within the adopted Worthing Core Strategy (2011) and this allocation was taken forward in Worthing's draft Local Plan 'Preferred Options' document (2018) where the site is allocated for a residential led scheme.

Generally when considering CIL rates, site viability, policy requirements and other planning benefits, the costs and risks associated with the redevelopment of a former Gasworks need to be considered carefully and weighed into the 'planning balance'.

Where such viability challenges are faced, it is essential that developers and Local Authorities work together to ensure that these sites, often located in central locations are regenerated and used in the most efficient manner to deliver needed housing.

St William is very keen to work positively with the Council so that this site can be bought forward within the short to mid-term and contribute to Worthing Borough Council's 5 year housing supply whilst providing needed regeneration of a centrally located site. With this in mind, we would like to work in partnership with the council throughout the charge setting processes, to ensure that development in the Borough is viable, deliverable and contributes to the growth envisaged by the Council.

Given the sites unique characteristics of being a former gasworks, it will be crucial for the proposed CIL charges to strike the appropriate balance between the need for infrastructure and the viability of development as required by the CIL Guidance which states that:

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August 2020

“Charging authorities should set a rate which does not threaten the ability to develop viably the sites and scale of development identified in the relevant Plan (the Local Plan in England, Local Development Plan in Wales, and the London Plan in London).” (25-008-20140612)

In considering the viability of these sites Councils need to ensure that all development costs are taken into account in accordance with CIL Guidance:

“A charging authority should take development costs into account when setting its levy rate or rates, particularly those likely to be incurred on strategic sites or brownfield land. A realistic understanding of costs is essential to the proper assessment of viability in an area. (25-020-20140612)”

The Guidance also requires Councils to consider those sites (such as brownfield sites) where the impact of the levy is likely to be most significant when setting CIL rates.

With this in mind, whilst St William generally supports the proposed CIL fee of £25 per sqm for flatted residential development as it is a decrease from the current adopted CIL rate; however, there are remaining concerns with the sites overall viability challenges and we wish to highlight that a balance will need to be struck at the application stage between CIL, planning benefits and other policy requirements to help minimise the impact upon development viability so that the site can be brought forward. On this basis, St William welcome further discussion with the Council.

St William trust that their comments will be duly considered as the Charging Schedule is progressed and would like to work in partnership with the Council as the draft schedule is taken forward to adoption. With this in mind, we would like to be notified of further updates to the revised CIL draft charging schedule and reserve the right to be heard and attend at the Examination in Public.