



**WORTHING LOCAL PLAN 2020- 2036**

# **DUTY TO CO-OPERATE ADDENDUM – APPENDIX A**

**SUBMISSION**

**June 2021**



**WORTHING BOROUGH  
COUNCIL**



# WORTHING BOROUGH COUNCIL

## Planning and Development

BY EMAIL

29<sup>th</sup> January 2021

Dear XX,

Re: Submission Draft Worthing Local Plan – Duty to Co-operate

As you are aware, after several years of preparation and two rounds of consultation you will have been notified that the Submission Draft Worthing Local Plan (WLP) Regulation 19 version has been published. The eight week consultation period runs between 26<sup>th</sup> January and 23<sup>rd</sup> March. The Plan and all associated evidence can be viewed here:

<https://www.adur-worthing.gov.uk/worthing-local-plan/>

As with most local planning authorities in the South East, one of our biggest challenges is meeting our housing need (as set by the Government's standard methodology) against a back drop of environmental constraints and a severe lack of available land. Graphics incorporated within the WLP (page 45) clearly illustrate the highly constrained nature of the borough and the lack of land for expansion. In fact, of the nine remaining potential development sites around the edge of the existing built up area boundary 6 are allocated for development within the Plan.

In addition to the allocation of edge of town sites, the Plan allocates 9 key regeneration sites within the town and seeks to deliver a significant uplift in residential densities across the borough. Further measures to increase the supply of housing include: Council intervention to unlock some key town centre sites; the approval for the significant intensification of a number of town centre schemes; the granting of planning permission of two edge of town greenfield sites in advance of the adoption of the WLP; and the establishment of a Major Projects Team to drive and facilitate delivery. These and other actions are explained in more detail within the WLP and the Council's evidence base (particularly the Housing Implementation Strategy).

The WLP concludes that a realistic housing capacity figure for the borough from 2020 to 2036 is a minimum of 3,672 dwellings (230 dw pa). This housing target is a 'policy-on' figure based on the level of housing that can be delivered within the Plan period, having regard to the identified constraints and development capacity. This delivery rate is significantly higher than the requirement that was previously set for the borough in the South East Plan (200 dw pa) when actual housing needs were not dissimilar to the current figures.



Despite taking a very positive approach to development, the delivery rate for housing will fall significantly below the levels of housing need identified (14,160 dwellings). Approximately 26% of the overall housing need will be met and this would result in a shortfall in housing delivery over the Plan period of 10,488 dwellings. Whilst acknowledging that this is a very high level of unmet need the Council has robust evidence to demonstrate how all options to reduce this figure and increase the rate of development have been exhausted. Put simply, the tightly drawn boundary around the borough and lack of available land means that there is simply no way that a higher proportion of development needs can be delivered in a sustainable manner.

We appreciate that Districts and Boroughs within the sub-region are at different plan-making stages. We also understand the very real pressure you have in meeting your own needs, as has been accepted by various Planning Inspectors when Local Plans within the sub-region have been examined in recent years. This is the key reason why there is collective understanding within the West Sussex and Greater Brighton Strategic Planning Board of the importance of making real progress on Local Strategic Statement 3 (LSS3) in the coming months.

The work to progress LSS3 will be crucial in demonstrating a robust and agreed approach across the sub-region when the next round of Local Plan are examined. However, under the 2011 Localism Act and the provisions of the National Planning Policy Framework (NPPF) I am writing to you now to formally ask whether your authority would be able to meet any of Worthing's unmet housing need? I look forward to hearing from you on this important issue and would be grateful for a response by Tuesday 23<sup>rd</sup> March.

You will be aware of the work that has been undertaken between respective authorities to address the Duty to Co-operate in recent years. As part of this process, officers from our Planning Policy Team have been liaising with officers from your authority throughout the preparation of the WLP and in the lead up to the Regulation 19 stage consultation. Another round of meetings will be set up between those officers at the start of March. This will provide an opportunity to discuss this request or any other queries you may have before the end of the consultation period. It will also allow for a discussion about the Statement of Common Ground that we would like to have in place between our respective authorities before the end of April when we formally submit the WLP for Examination.

If you have any queries please do not hesitate to contact me or Ian Moody (Planning Policy Manager – Worthing) on 01273 263009 / [ian.moody@adur-worthing.gov.uk](mailto:ian.moody@adur-worthing.gov.uk)

Yours sincerely

James Appleton  
Head of Planning and Development  
Tel: 01903 221333  
e-mail: [james.appleton@adur-worthing.gov.uk](mailto:james.appleton@adur-worthing.gov.uk)



# ADUR DISTRICT COUNCIL

## Planning and Development

Ian Moody  
Worthing Planning Policy Manager

Portland House  
Worthing  
West Sussex

Our Ref: MH/DtC Worthing LP

22<sup>nd</sup> March 2021

Dear Ian,

Re: Submission Draft Worthing Local Plan – Duty to Co-operate

Thank you for your letter of 29 January 2021 regarding the Worthing Local Plan (Submission Draft) and the Duty to Cooperate requirement. I note in particular the Council's formal request for assistance in meeting Worthing's unmet housing needs.

As you are aware, Adur District is similarly constrained with the South Downs to the north and the sea to the south and is predominantly an urban area with the limited greenfield sites. The Planning Inspectorate in 2017 accepted that Adur could not meet its own objectively assessed housing needs in view of the significant environmental and physical constraints, notwithstanding the allocation of two large greenfield sites at West Sompting and New Monks Farm and a broad location of 1,000 dwellings at the Western Harbour Arm, Shoreham Harbour.

Whilst, a review of the Adur Local Plan is due to be undertaken during 2021 this will be assessing the opportunities to meet Adur's own shortfall in housing and therefore is very unlikely to meet any of Worthing's shortfall.

Adur District has no objection to the Submission Draft Local Plan and accepts that Worthing has undertaken a thorough assessment of all opportunities to meet its future housing needs by maximising densities within the urban area and allocating 6 of its 9 greenfield sites. In particular, Adur supports the protection of Green Gaps particularly on the eastern side of the town providing a narrow but important gap between settlements to avoid coalescence and ensure the separate identity of Worthing and Sompting/Lancing within Adur District.



## Duty to Cooperate

Adur District is committed to engaging positively with its neighbours to address strategic planning matters through the Duty to Cooperate requirement and to ensure that any 'larger than local' issues are highlighted and addressed. Adur District is a member of the West Sussex and Greater Brighton Strategic Planning Board (established in 2013) which also includes Worthing Council. The purpose of the Board is to identify and manage the spatial planning issues that impact on more than one local planning authority area and support better integration and alignment of strategic spatial and investment priorities.

The Board has committed to the preparation of a third revision of the Local Strategic Statement (LSS3), which is intended to explore growth options for meeting the area's unmet needs for housing and employment, and identify the strategic infrastructure required to support planned growth.

The intention is that LSS3 will provide a longer-term strategy for the sub-region over the period to 2050 which will help guide the future location and delivery of development to be identified and allocated within the constituent Local Plans. This demonstrates the level of commitment on behalf of the constituent local planning authorities to working collaboratively in line with the requirements of the NPPF. A Statement of Common Ground is being prepared and will set out the current position for all the authorities represented by the Board with a work programme for taking forward LSS3.

Given the above I am afraid that Adur District is unable to assist by meeting any of Worthing's housing shortfall but we will continue to work proactively with neighbouring authorities to see whether there are opportunities to address the housing shortfall across the wider Strategic Planning Board area.

Yours sincerely



Moira Hayes  
Adur Planning Policy Manager

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Civic Centre  
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Tel: (01903) 737500

FAO:-

Ian Moody  
Adur & Worthing Councils  
Planning Policy,  
Worthing Town Hall, Chapel Road Worthing, West  
Sussex,  
BN11 1HA

web: [www.arun.gov.uk](http://www.arun.gov.uk)  
email: [localplan@arun.gov.uk](mailto:localplan@arun.gov.uk)

23 March 2021  
Please ask for: Neil Crowther  
Group Head of Planning  
Directorate of Place  
Direct Line: (01903) 737839

Dear Ian Moody,

### **Submission Draft Worthing Local Plan Consultation - Regulation 19**

Worthing has written (James Appleton's letter 29 January 2021) to Arun District Council seeking help towards accommodating Worthing's unmet housing need. You explained the reasons why Worthing is unable to accommodate all of its housing requirements, and that Worthing Borough has set this out in its evidence base, in support of its local plan consultation, which closes on 23 March 2021.

I am therefore, writing to you to advise of Arun District Council's response to Worthing Borough Council's Regulation 19 Publication Local Plan consultation, which also forms the basis for Arun's response to your letter. Arun wishes to cooperate constructively with Worthing and other adjacent authorities, on exploring how the significant level of unmet need might be tackled.

Arun's Planning Policy Sub-Committee has considered the matter and has agreed that it's outstanding objection to Worthing's Local Plan has been resolved, as we are satisfied that you have sought to maximise the level of housing that Worthing can accommodate.

However, the Sub-Committee is keen to ensure that a Statement of Common Ground is signed before Submission of the Plan, clarifying the mechanism, resources, process and timescales on how it is intended to resolve unmet need and how it is being addressed by Worthing Borough Council in cooperation with the relevant authorities (including Arun). The Planning Policy Sub-Committee agreed the following recommendation on 23 February 2021: -

1. *"That its outstanding objection to the Worthing Local Plan is resolved, however, Worthing Borough Council is urged to pause its plan timetable in order to progress Statement of Common Ground and joint working with neighbouring authorities within its Housing Market Area, in order to address the significant level of unmet housing need; and"*

At our subsequent meeting on the 17th March we agreed that, in addition to the Statement of Common Ground which is to be signed between all Authorities in the Strategic Planning Board (West Sussex, National Park, Brighton and Hove City Council and Lewis DC), we would enter into a Statement of Common Ground between Arun and Worthing and other authorities in the Housing Market area, before Submission.

On signing of such a statement of Common Ground, Arun District Council would be reassured that the subsequent submission of Worthing's Local Plan for examination, will demonstrate the 'Duty to

Cooperate' through committing to, and setting out positive steps to working jointly and constructively, on an ongoing basis.

If you need to come back on any of the content of this letter, please don't hesitate to contact me via the Planning Policy & Conservation team at [localplan@arun.gov.uk](mailto:localplan@arun.gov.uk) or tel:01903 737853.

Yours sincerely,



Neil Crowther (Group Head of Planning)

**Arun District Council**

CC:-

Karl Roberts (Director of Place), Arun District Council;

Kevin Owen (Team Leader Planning Policy & conservation), Arun District Council;

James Appleton (Head of Planning & Development), Worthing Borough Council

[planning.policy@adur-worthing.gov.uk](mailto:planning.policy@adur-worthing.gov.uk)

City Planning  
Brighton & Hove City Council

James Appleton  
Head of Planning and Development  
Adur and Worthing Councils

12 February 2021

Dear James,

**Submission Draft Worthing Local Plan – Duty to Co-operate**

Thank you for your letter of 29 January 2021 regarding the Worthing Local Plan (Submission Draft) and the Duty to Cooperate. I note in particular the Council's formal request for assistance in meeting Worthing's unmet housing needs.

As you are aware, Brighton & Hove shares similarities with Worthing in being subject to significant physical and environmental constraints with the sea to the south and the South Downs National Park to the north, east and west of the city's built-up area. Other constraints include an already densely built up urban area and significant heritage assets including 33 conservation areas and 3400 listed buildings. This has led to a shortage of potential development sites and a substantial unmet housing need. The adopted City Plan Part One (adopted March 2016) sets out the strategic policy framework for the city to 2030 and includes citywide strategic planning policies and strategic site allocations. The plan sets a minimum housing provision of target of 13,200 new dwellings to 2030 which reflects the constraints facing the city. This represents just 44% of the objectively assessed housing need (OAN) figure (30,120) which informed the preparation of the plan.

There is also a significant need for affordable housing across the city. The 2015 Housing Assessment also identified a net need across the city for 810 affordable homes per year (representing 61% of the total OAN). Taking account of land availability and viability considerations, the affordable housing policy in City Plan Part One seeks 40% affordable housing on sites of 15 or more dwellings, with lower percentages sought for smaller housing developments. Reflecting this, the Implementation and Monitoring Plan sets a



target to achieve approximately 30% of all housing delivery as affordable housing. Again, this falls well short of the city's assessed requirement.

The City Council has also fallen well short of meeting the demand for self- or custom-build homes identified on the council's housebuilding register. As in Worthing, there is limited scope for meeting the demand within the city, as there are very few greenfield housing opportunities with the vast majority of housing development comprising high density development on brownfield urban sites.

The Council is currently progressing work on the preparation of City Plan Part Two (CPP2) which includes additional site allocations and detailed development management policies. Consultation on the Proposed Submission Plan took place September – end October 2020 and work is progressing to submit CPP2 for examination in April 2021.

### Worthing Submission Local Plan

Brighton and Hove City Council (BHCC) does not wish to make any detailed comments on the draft Submission Worthing Local Plan. However, we support the commitment to maximise capacity within the existing urban boundaries and the allocation of several edge of centre sites. We recognise the constraints faced by Worthing faces and the significant difficulties posed by limited land availability.

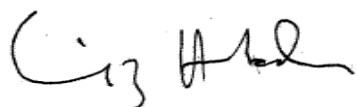
### Duty to Cooperate

Brighton and Hove City Council (BHCC) is committed to engaging positively with its neighbours to address strategic planning matters through the Duty to Cooperate and to ensure that any 'larger than local' issues are highlighted and addressed. The City Council is a member of the West Sussex and Greater Brighton Strategic Planning Board (established in 2013) which also includes Adur and Worthing Councils. The purpose of the Board is to identify and manage the spatial planning issues that impact on more than one local planning authority area and support better integration and alignment of strategic spatial and investment priorities.

The Board has committed to the preparation of a third revision of the Local Strategic Statement (LSS3), which is intended to explore growth options for meeting the area's unmet needs for housing and employment, and identify the strategic infrastructure required to support planned growth. The intention is that LSS3 will provide a longer-term strategy for the sub-region over the period to 2050 which will help guide the future location and delivery of development to be identified and allocated within the constituent Local Plans. This demonstrates the level of commitment on behalf of the constituent local planning authorities to working collaboratively in line with the requirements of the NPPF. A Statement of Common Ground is being prepared and will set out the current position for all the authorities represented by the Board with a work programme for taking forward LSS3.

For the reasons set out above, regrettably, the City Council is not in a position to help meet any of Worthing's unmet housing development needs.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Liz Hobden', written in a cursive style.

**Liz Hobden**  
**Head of Planning**  
**Brighton & Hove City Council**

Ian Moody  
Planning Policy Team  
Worthing Borough Council  
Portland House  
44 Richmond Road  
Worthing  
BN11 1HS

If calling please ask for: Toby Ayling

23 March 2021

Our ref:

Your ref:

Dear Ian

## **Worthing Local Plan Consultation (Regulation 19)**

Thank you for consulting Chichester District Council (CDC) on the Regulation 19 Worthing Draft Local Plan, published 26 January 2021.

Chichester District Council provided comments on the Regulation 18 Worthing Draft Local Plan in December 2018. As a partner authority in the West Sussex and Greater Brighton Strategic Planning Board, we welcome the continued recognition given to the ongoing work of the Board in addressing cross-boundary and sub-regional matters to ensure that the strategic development and infrastructure needs of the overall area are met as far as possible within the context of the provision of the National Planning Policy Framework (NPPF).

We note that our previous comment regarding the plan period has been addressed and that the plan period has been extended to 2036, in accordance with NPPF requirements.

The Submission Draft Local Plan states at paragraph 1.45 that,

*“Although the Council will work positively to deliver growth, there is no expectation that all needs (particularly housing) can be met within the borough. Therefore, it will be imperative that the Council continues to work with neighbouring authorities and partners through the Duty to Cooperate to explore all options on whether there is any ability for other areas to deliver some of Worthing development needs, and how this might be achieved”.*

The Local Plan identifies a housing need is identified as 885 dwellings per annum. Taking into account housing supply from all sources, the Local Plan sets an annual minimum target of 230 dwellings per annum. This is significantly below the housing need figure and means that there will be a shortfall of 10,488 dwellings over the plan period.

Chichester District Council raised concerns about the significant shortfall in their response to the Regulation 18 consultation and asked that,

*“Given the potential effect of this strategy, we would encourage Worthing Borough Council to further investigate all potential opportunities to increase housing provision within its plan area. This includes ensuring that no stone is left unturned by the Council in maximising the potential of the existing urban areas to regenerate and be intensified, where appropriate to do so.”*

The Regulation 19 Worthing Draft Local Plan does not identify sufficient sites to meet housing need, with the annualised target now being slightly lower than that proposed in the Regulation 18 Draft Local Plan. The extent to which this is the maximum which can be sustainably delivered will be tested through the forthcoming Examination into the Worthing Local Plan, though in general terms the constraints, and in particular the scarcity of land, are recognised and understood.

CDC will continue to engage constructively, actively and on an ongoing basis with other local authorities and organisations to address sub-regional issues. We look forward to a continued working relationship with you and the other members of the West Sussex and Greater Brighton Strategic Planning Board in addressing cross-boundary and sub-regional matters.

Yours sincerely

A handwritten signature in black ink, appearing to read 'T Ayling', with a stylized, cursive script.

Toby Ayling  
Divisional Manager Planning Policy

James Appleton  
Head of Planning and Development  
Worthing Borough Council

21 May 2021

Dear James

**Re: Submission Draft Worthing Local Plan – Duty to Co-operate**

I refer to your letter of 29 January 2021, and apologise for the delay in getting back to you.

As a fellow member of the Coastal West Sussex and Greater Brighton Strategic Planning Board we are keen to work with you to address cross boundary strategic planning issues.

The Council has already signed a Statement of Common Ground with the South Downs National Park Authority and the Council has resolved that, subject to the completion of ongoing evidence-based work and the assessment of sites to meet the identified housing needs associated with the Local Plan Review, Chichester District Council will assess its ability to meet some or all of the unmet housing needs from the part of the South Downs National Park within Chichester District. The Preferred Approach draft plan published for consultation in December 2018 included proposals to meet an additional 779 dwellings arising from the National Park area.

In total the CDC *Preferred Approach* draft plan consultation set out proposals to deliver a 50% uplift in housing delivery from the adopted plan position. The consultation responses raised significant issues, including the capacity of the key A27 strategic highway, the capacity of waste water treatment works, nitrates in the sensitive environment associated with the Solent, and a range of other delivery issues. Full details are available on the Council's website at <https://chichester.moderngov.co.uk/ieListDocuments.aspx?CId=135&MIId=1169&Ver=4>.

Since then we have progressed work on the Plan but there are significant issues regarding the delivery of this level of development, and the Council is currently preparing evidence and receiving advice from the Planning Advisory Service about how to proceed with the Plan. At this point it is not certain that the emerging Chichester Local Plan will be able to meet the identified needs for the area.

We do consider that the best way of addressing strategic planning issues is through the Coastal West Sussex and Greater Brighton Strategic Planning Board, and

despite delays with this work we are encouraged by the recent positive signs of progress. However we do appreciate the issue with regards to your own local plan timetable.

Therefore while the review of the Plan is still ongoing, the Council is aware of significant issues with delivering the levels of development to meet our own needs derived from the standard methodology, and we are aware of unmet needs in authority areas more directly related to the Chichester Plan area. Therefore we are unable to agree to meet any unmet needs arising from Worthing Borough at this time.

Yours sincerely

A handwritten signature in black ink, appearing to read 'T Ayling', with a stylized, looped flourish at the end.

Toby Ayling  
Planning Policy Manager  
Chichester District Council

## Economy and Planning

Contact name: Elizabeth Brigden

Email: [Elizabeth.brigden@crawley.gov.uk](mailto:Elizabeth.brigden@crawley.gov.uk)

Date: 30 March 2021

Direct line: 01293 438624



Ian Moody  
Adur and Worthing Councils  
By Email Only

Dear Ian,

### RE: SUBMISSION DRAFT WORTHING LOCAL PLAN – DUTY TO COOPERATE

Many thanks for your email, dated 8 February 2021, and formal letter regarding the publication of the Submission Draft Worthing Local Plan.

In addition, thank you for your offer of a meeting to discuss our respective Local Plans in the strategic context of West Sussex and Greater Brighton, which we held on 18 March 2021. It was extremely helpful to understand our current positions and discuss opportunities going forward.

This letter also responds to the letter received from James Appleton to Diana Maughan dated 29 January 2021 regarding the Duty to Cooperate, highlighting the level of unmet housing needs arising within Worthing borough and formally asking whether Crawley Borough Council would be able to meet any of Worthing's unmet housing need.

The shortfall of housing delivery anticipated to arise from Worthing, as referred to in your email and the Duty to Cooperate letter, of over 10,000 dwellings is noted.

As you are aware, Crawley borough has similarly tight administrative boundaries and its constraints, including aircraft noise arising from Gatwick Airport, mean it also has limited opportunities to deliver the housing need arising from within the borough as projected by the Standard Method. The draft Submission Crawley Local Plan is currently published for Regulation 19 consultation. This confirms Crawley has an overall housing need over the Plan period (2021 – 2037) of 12,000 dwellings and is able to accommodate 5,320 dwellings within the borough's administrative boundaries over that time, primarily through the completion of the last full neighbourhood in Crawley and intensification of residential development in the Town Centre, 44% of Crawley's housing needs can be met within the borough, taking forward the land constrained housing requirement as established in the current adopted Crawley Borough Local Plan 2015 – 2030.

On this basis, Crawley Borough Council is unable to meet any unmet housing needs arising from Worthing borough within Crawley borough's boundaries through the draft Crawley Local Plan review process.

The recent ONS Affordability Ratio (released 25 March 2021) has slightly reduced Crawley's Standard Method housing need, from 750 dwellings per annum (dpa) to 718dpa. Therefore, this has reduced slightly the overall unmet housing need arising from within the borough to 6,168 dwellings over the Plan period 2021 – 2037.

Crawley Borough Council has agreed a Statement of Common Ground with the other authorities within the Northern West Sussex (NWS) Housing Market Area (HMA): Mid Sussex and Horsham District



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Councils<sup>1</sup>. This confirms that the NWS authorities agree to continue to work positively together to seek to address the future housing needs of the HMA as far as possible, taking into account local constraints, and the need for sustainable development.

As discussed and agreed at our meeting on 18 March, the need to progress the West Sussex and Greater Brighton Statement of Common Ground for preparing the update to the Local Strategic Statement (LSS3) is also crucial and CBC will strongly support this process to ensure it is signed off in a timely manner, in addition to supporting the necessary technical evidence base to feed into LSS3.

Whilst the above concludes that Crawley Borough Council is unable to assist Worthing in meeting its unmet housing needs given its own shortfalls, we wish you every success with your Local Plan.

I have welcomed the mutually helpful engagement between our two authorities as we have been progressing our respective plans and look forward to continuing this positive cooperation. Please do let me know if there is anything I can expand upon to clarify further.

Yours Sincerely,



Elizabeth Brigden  
Planning Policy Manager

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<sup>1</sup> Northern West Sussex Statement of Common Ground (May 2020) Crawley Borough, Mid Sussex District, Horsham District and West Sussex County Councils: <https://crawley.gov.uk/sites/default/files/2020-06/NWS%20SoCG%20May%202020%20final%20signed.pdf>

Mr Ian Moody  
Planning Policy Manager  
Worthing Borough Council  
Portland House  
44 Richmond Road  
Worthing BN11 1HS

Our ref:  
Your ref:

Date: 22 March 2021

Dear Ian Moody,

**Worthing Draft Local Plan 2020-2036 – Submission Draft Local Plan (Regulation 19) and Duty to Co-operate**

Horsham District Council (HDC) welcomes the opportunity to comment on the Regulation 19 Submission Draft Worthing Local Plan. We also acknowledge the letter from James Appleton dated 29 January 2021, regarding the Duty to Co-operate and, specifically, the formal written request within that letter for Horsham District to consider meeting some of Worthing's unmet housing need. Our comments as set out below are submitted as both our formal representations on the Worthing Local Plan (Regulation 19) and as a response to James Appleton's letter. The specific comments that constitute our formal representations on the Local Plan are clearly identified and it is those that we would expect to be recorded in your record of representations to your Regulation 19 Local Plan.

HDC recognises that your authority faces considerable challenges in ensuring it can meet the future needs of Worthing within what is a tightly constrained and predominantly built-up administrative area. Overall we consider that the plan has positively sought to balance the provision of those future needs with other wider objectives in a manner that contributes to achieving sustainable development. Whilst some comments below are technically required to be recorded as not achieving the NPPF test of soundness 'justified', we consider that these may be resolvable through further work on the evidence base and any updated position can be recorded in a bilateral Statement of Common Ground (SoCG) to be produced and signed ahead of your Plan's submission.

I would also take the opportunity to reaffirm Horsham District Council's commitment to continued close cooperation and joint working between our councils, both on a bilateral basis and as part of the preparation of the West Sussex and Greater Brighton Local Strategic Statement 3 (LSS3).

<b>Paragraph 1.20: The Duty to Cooperate</b>		
<b>Paragraph 3.28: Duty to Cooperate</b>		
<b>Legally compliant - Yes</b>	<b>Sound – (position reserved)</b>	<b>Complies with DtC - Yes</b>

**The following representation also constitutes the formal response of Horsham District Council to the letter from James Appleton to Barbara Childs dated 29 January 2021, concerning the Duty to Co-operate.**

*Details:*

HDC is committed to working with Worthing Borough Council (WBC) on strategic cross-boundary matters, and has met regularly with WBC officers to consider the challenges that we share and the means of addressing those challenges. We confirm engagement with WBC with

regards the preparation of a bilateral Statement of Common Ground (SoCG). We also confirm support for the joint preparation of a Local Strategic Statement 3 (LSS3). We consider that the legal test of Duty to Co-operate compliance has been met.

In WBC's letter of 29 Jan 2021, it is explained that WBC is working hard to maximise the supply of housing within its own boundary. Our formal views on this matter, insofar as they relate to the draft policies in your Regulation 19 Local Plan, are set out in our responses to specific policies below. In summary, it is recognised that WBC is taking a positive approach to development, and acknowledged that, despite this, there will be a significant shortfall of housing supply (proposed to be 230 dwellings per annum) compared with the identified local housing need of 885 dwellings per annum. However at the current time, HDC considers that the precise level of shortfall is still open to question, given the unresolved concerns over evidence that we have set out in our responses to your policies. In addition, it is unclear from your letter what proportion, if any, you are requesting from this authority. We would therefore welcome further discussions with you so that we may have both clarification on the level of provision being requested and an explanation of any such request.

Whilst we note WBC's formal request for HDC to consider its ability to meet any of Worthing's unmet housing need, HDC's primary responsibility is to meet its own assessed local housing need which is currently 920 dpa. Secondly, as the whole of Horsham District falls within the Northern West Sussex Housing Market Area (NWS HMA), our approach to Duty to Cooperate requests is to consider how and whether we may address the unmet needs from within the NWS HMA as our next priority. As with Worthing, Crawley, which falls within the NWS HMA, is a constrained built-up borough that is unable to meet its full local housing need – the Draft Crawley Local Plan indicates a residual unmet need of 6,680 dwellings over its 16-year Plan period. Whilst the precise contribution necessary within Horsham towards this is not yet fully determined, it is likely to be greater than the current provision of 150dpa which Horsham is providing through our current adopted Local Plan, in order to help meet Crawley's unmet needs.

The third point to draw attention to is the constraint posed on housing delivery in Horsham by the housing market. We have previously shared with you and other partners that HDC commissioned Icen Projects Ltd to undertake a Housing Delivery Study (which will be published alongside the Regulation 19 Horsham District Local Plan in a few weeks' time). This will provide a steer on the limits housing market geographies and developer practices are likely to have on overall levels of development that can practicably be accommodated in the district. A related further constraint is the finite capacity of our District's infrastructure (we face particular challenges regarding transport network capacities, schools capacity and sewerage). You will appreciate that the Horsham housing need, when added to a share of the Crawley unmet need, already results in an annual supply number that is well in excess of historic levels of delivery within our District.

The fourth consideration is the functional relationship between our respective areas, when compared with other areas that are fully within the Sussex Coast HMA. We are particularly mindful that Worthing directly neighbours Arun District, where there is a direct functional and geographical relationship between the two authority areas. We are also aware that Arun District is also less constrained than many other authorities within the Sussex Coast HMA. It is however recognised that there are likely to be significant challenges for any authority in meeting unmet needs of other areas, given the high housing targets for each individual authority. Given the local geographies set out above, HDC is nevertheless of the view that in the context of sustainable development, it would be logical for Worthing Borough to establish whether there is any potential for Arun District Council to accommodate a portion of your unmet needs.

The fifth and final point is to also highlight the environmental and amenity constraints in Horsham District. Whilst 'hard' environmental constraints in the District not as extensive as in

some neighbouring areas, there is a need to consider wider landscape integrity, the character of our countryside and settlements, and ecosystem services. In the context of meeting unmet needs from Worthing, the southern portion of our District, would in geographic terms be the most logical location to accommodate additional growth. However this is the part of our District with the most environmental constraints. The southernmost section of HDC is within the South Downs National Park, and we are not the planning authority for this area. The settlements which adjoin or are located close to the National Park have a number of other constraints including areas which are located in flood zones 2 and 3 of the Arun and Adur rivers. This places a physical limitation on the land that is available for development in a location that could potentially be argued to serve the needs of Worthing's residents.

We attach an Appendix to this letter which further summarises the key constraints faced in Horsham District.

To conclude on these matters, HDC confirms that it will consider the considerable unmet housing needs identified in the wider Sussex Coast HMA, including Worthing, in taking forward its Local Plan. However its ability to assist in this respect is dependent on the final position on meeting our own housing needs, addressing unmet housing needs from Crawley, and concluding our evidence base on the capacity of Horsham District to accommodate further development over its Plan period, together with any further information from you about the level of growth that we may be expected to accommodate to meet your needs.

We look forward to preparing and agreeing a Statement of Common Ground with WBC to further address these matters.

*Changes required:*

Preparation of a Statement of Common Ground to evidence the Duty to Cooperate work between our authorities and establish (and ideally agree) respective positions. See also *changes required* for Policy SS2 and Policy DM2.

<b>Policy SS2: Site Allocations</b>		
<b>Legally compliant - Yes</b>	<b>Sound – No (not justified)</b>	<b>Complies with DtC - Yes</b>

*Details:*

HDC recognises that Worthing Borough is not in a position to meet its entire identified local housing need of 885 dwellings per annum, given the clearly evidenced constraints. HDC also recognises that since preparation of the Regulation 18 Local Plan, work on assessing sites with potential for allocation has progressed, allowing the proposed allocation of two further sites previously categorised as 'omission sites' and a positive approach in principle to achieving higher site densities. HDC acknowledges and welcomes that significant effort has been put into identifying development capacity in a way that reflects the principle of positive planning. Nevertheless, the NPPF and PPG set a high bar for 'leaving no stone unturned' in respect of meeting development needs. In our response to the Regulation 18 document, we expressed our significant concern that the new housing target being proposed by Worthing is substantially below the standard methodology housing target, given the likelihood that Worthing Borough Council would look to neighbouring local authorities to help meet residual unmet development needs.

HDC has considered evidence supporting site allocations and has identified a need for further justification with respect to assessed site capacities for residential uses. For example, certain

sites proposed for allocation have planning permission for a quantum of residential units that is higher than the number proposed in the relevant allocation policy. An example is the large site at Teville Gate (SHLAA ref. WB08039) which is noted in the SHLAA as having planning permission for 378 units, whereas the proposed number to be allocated is 250 (Policy A12). It is not as yet clear from the SHLAA or Topic Papers why there is a difference on some permitted sites being proposed. There are further sites, for example Upper Brighton Road (SHLAA ref. WB08163) where the assessed capacity appears low compared with the size of the site (in this case 123 units on a 7.5 ha. site). In addition, it is questioned whether the allocation of 10,000 sqm of space for employment uses on the Centenary House site (5,000 sqm of which appears to be of a speculative nature) is justified given the alternative of providing a greater number of residential units instead.

*Changes required:*

We would ask that full and transparent justification is given as to the number of residential units on certain sites being below the number that is theoretically achievable. Alternatively, consideration should be given to revising the assessed capacities. Any review of capacities should also be informed by the as-yet incomplete work to evidence density policies, as referred to in paragraphs 6.21 and 6.22 of the Draft Housing Implementation Strategy (Topic Paper 1).

<b>Policy DM2: Density</b>		
<b>Legally compliant - Yes</b>	<b>Sound – No (not justified)</b>	<b>Complies with DtC - Yes</b>

*Details:*

HDC in principle welcomes the commitment in this policy and its supporting text to maximising densities as appropriate to context. It is helpful that the policy indicates minimum densities of 35 dwellings per hectare (dph) and 100 dph, for family housing and mixed-use/flatted/town centre housing respectively. It is also welcomed that paragraphs 5.28 to 5.30 in particular highlight the positive aspects of higher density development.

That said, we consider there remains a significant gap in the evidence, without which there is reason to question whether this policy has gone as far as it can in respect of setting parameters for densities appropriate to an urban area with good sustainable travel opportunities. In our representations at Regulation 18 stage, HDC noted that we were unable to find evidence of a detailed urban capacity study having been carried out to test the densities that could be delivered in Worthing Borough. Given the need to ‘leave no stone unturned’, and the implications of unmet development needs in Worthing on other nearby authorities, we maintain our challenge that there still appears to be no report of this nature in the published evidence base.

The draft Housing Implementation Housing Strategy (Topic Paper 1) outlines in paragraphs 6.21 and 6.22 that work is currently progressing to further inform refinements to density policies, with a view to further increasing residential densities whilst ensuring high standards of place and amenity. This is welcomed, but at the same time it is of concern that the evidence is not available at the time of the Regulation 19 consultation.

*Changes required:*

We would ask that evidence is provided to support Policy DM2: Density. We would expect this in turn to feed into a reassessment of the overall capacity of Worthing Borough to accommodate a higher level of residential development. Given the evidence referred to is in preparation but won't be available until after the Regulation 19 consultation closes, we would expect a

forthcoming Statement of Common Ground (SoCG) between WBC and HDC to address these points and provide HDC with the opportunity for further formal input in light of the evidence.

I do hope these comments are helpful. I would again emphasise that they are made in anticipation of further constructive dialogue between our authorities, and with an expectation that areas of disagreement can be readily addressed, and quite possibly eliminated.

My officers and I look forward to further discussions around this point and in respect of the Statement of Common Ground.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Claire Vickers', with a long, sweeping horizontal line extending from the end of the signature.

Councillor Claire Vickers  
Cabinet Member for Planning and Development

Cc Barbara Childs – Director of Place  
Catherine Howe – Head of Strategic Planning



**Appendix:**  
**Summary of constraints affecting capacity for development in Horsham District**

<b>Constraint</b>	<b>Details</b>	<b>Action / evidence</b>
Landscape capacity	Horsham district has two areas of nationally designated landscape protection: the South Downs National Park to the south (14.3% of the District – HDC is not the planning authority), and the High Weald AONB to the north-east (7% of the District). Much of the rest of the district enjoys very good quality landscape, which is highly valued by local communities, and provides many opportunities for informal recreation for surrounding areas, including Crawley.	HDC is currently reviewing its Landscape Capacity Study. Final site assessments relating to prospective new site allocations will take account of this evidence, and seek to avoid areas of low/no capacity for development.
Environmental constraints	Much of the landscape of the District is still heavily wooded of which over 6% is classified as ancient woodland. Approximately 8% of the land is designated for its importance in nature conservation terms, including the Arun Valley Special Protection Area and the Mens Woodland SAC, which are of international importance. The Mens Woodland SAC has a secondary area of constraint relating to the protection of bats which forage beyond the Internationally-designated site. 6% of the district is located within functional floodplain, with large expanses of floodplain in the south of the District. Much of the district whilst not subject to any environmental constraint is very rural in character with its natural fluvial and surface water management role. The Knepp Estate in the centre of the District is a nationally recognised area of importance for rewilding and is now of significant importance for a range of biodiversity.	These environmental constraints are inherent constraints. Opportunities for mitigation will be tested through the Local Plan review, by way of the Habitats Regulation Assessment process and the Sustainability Appraisal.
Pressure on infrastructure	There is justifiable concern within HDC and across communities that the scale and pace of development in Horsham district will lead to failure of infrastructure to cope. There are particular concerns for the combined impact that large scale new development will have on the transport networks. Education provision is also at capacity in some areas of the district. Significant new development will require new infrastructure to be provided potentially including new sewage works.	HDC is preparing a new Infrastructure Delivery Plan (IDP) to identify where the significant gaps are likely to occur, and how these might be addressed.  HDC is also preparing a comprehensive Horsham District Transport Study, focusing on the road network, which includes a strategic model to assess likely impacts



	Larger pieces of infrastructure provision may delay the level of development that can be supported until they are in place.	of growth scenarios and identify appropriate mitigation. A Water Cycle Study is also being prepared jointly with other authorities including Crawley BC and Mid Sussex DC.
Market absorption of scale of growth	The level of growth necessary to go above and beyond the minimum Local Housing Need is unprecedented. We are aware that delivery rates are an area of scrutiny at Local Plan Examinations and have to be clearly demonstrable. The ability of the market to deliver enough homes annually may stymie the growth levels required for meeting additional need from neighbouring areas.	HDC has commissioned Icen Projects Ltd to undertake a Housing Delivery Study. This will provide a steer on the limits housing market geographies and developer practices will have on overall levels of development in the district.

James Appleton  
Head of Planning  
Adur and Worthing Councils

By email only

date: 02/02/21

Dear James

**RE: Submission Draft Worthing Local Plan – Duty to Co-operate**

Thank you for your letter dated 29th January 2021. I write on behalf of Lewes District Council in response to your formal request regarding whether Lewes District is able to meet any of Worthing's unmet housing need.

Lewes District Council adopted a Local Plan Part 1 (Joint Core Strategy with the South Downs National Park) in 2016. This identified a requirement for 6,900 net additional dwellings between 2010 and 2030 across the whole District, which was subsequently disaggregated to a minimum of 5,494 net additional dwellings for the District outside the South Downs National Park (equivalent to 275 homes per year).

A significant amount of Lewes District (approximately 56%) is within the South Downs National Park, and large parts of remaining area of the District experience significant environmental and landscape constraints that limit the level of housing growth that can be accommodated. There are also significant issues relating to the capacity of existing and planned infrastructure that is necessary to serve growth. These reasons were accepted by the Inspector at the Local Plan Part 1 examination for not being able to meet the objectively assessed need in full at that time.

In May 2021, the Lewes Local Plan Part 1 will be five years old and the District's Local Housing Need (as calculated by the standard method) will increase to 782 homes per year. This will be the starting point for the new Lewes Local Plan for the part of the District outside of the National Park, which has recently commenced preparation. A Regulation 18 consultation anticipated for summer 2021, with eventual adoption expected by the end of 2023.

Contd...

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Southover House  
Southover Road  
Lewes  
East Sussex  
BN7 1AB

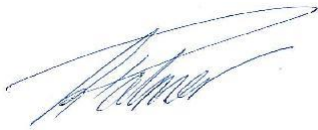
**Eastbourne Borough Council**  
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BN21 4TW

Although the new local plan has not yet progressed sufficiently to enable a 'policy-on' housing figure to be identified, it is considered highly unlikely that Lewes District will be able to meet its own local housing need, nor have capacity to assist other authorities to meet their own shortfall, due to the environmental, landscape and infrastructure constraints identified in the examination of the Local Plan Part 1.

As you know, Lewes District Council is part of the West Sussex and Greater Brighton Strategic Planning Board and we look forward to working with Worthing and other partners to understand issues of unmet housing need across this part of the region and assessing the options for provision of housing and infrastructure at the sub regional strategic scale.

However, at the current time, we do not believe that Lewes District will be in a position to be able to assist in meeting any of Worthing's unmet housing need.

Yours Sincerely

A handwritten signature in blue ink, appearing to read 'Leigh Palmer', with a stylized flourish at the end.

**Leigh Palmer**

Head of Planning for Eastbourne and Lewes Councils

Phone: 07939 57 82 35

Email: [leigh.palmer@lewes-eastbourne.gov.uk](mailto:leigh.palmer@lewes-eastbourne.gov.uk)

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**Contact:**

Planning Policy, Telephone: 01444 – 477053  
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**Your Ref:**

**Date:** 23 March 2021

**Our Ref:** Worthing Reg 19 Local Plan

[worthinglocalplan@adur-worthing.gov.uk](mailto:worthinglocalplan@adur-worthing.gov.uk)

By e-mail only

Dear Sir/Madam,

**Worthing Submission Draft Local Plan 2020 – 2036 Regulation 19 Consultation**

Mid Sussex District Council welcomes the opportunity to comment on the Regulation 19 consultation on the Worthing Submission Draft Local Plan 2020 - 2036.

**Housing Need**

The identified housing need for the plan period is 14,160 dwellings or 885 dwellings per annum. However, the Plan makes provision for a minimum of 3,672 dwellings over the Plan period, which includes 1,753 dwellings from Local Plan Allocations. The Plan provision therefore represents approximately a quarter of the Council's identified need.

MSDC recognises the challenge that Worthing Borough Council (WBC) has in meeting its Housing Need, due to the constrained nature of the Borough, with the South Downs National Park to the north, and the sea to the south, as well as the fact that 24% of the Borough lies in the South Downs National Park. MSDC supports WBC's need to balance the efficient use of land while 'ensuring that the borough's historic and natural environment...its coastal and countryside setting have been protected and enhanced' set out in the Plan's Vision.

However, despite the constraints set out above it is noted that, since 2006, WBC has delivered 308 dwellings per year compared to the Core Strategy requirement of 200 dwellings. This demonstrates that the Borough can consistently deliver more than the 230 dwellings per annum identified in the Local Plan.

While it is recognised that brownfield land is a finite resource, changes in other land uses such as retail closures, employment restructuring or changes in technology do provide a continuing source of previously developed land. Therefore, MSDC is pleased to see the further work that has been carried out since the Regulation 18 consultation to enable further sites to be allocated, rather than reliance on the 'Areas of Change' policy to facilitate housing delivery.

MSDC still has a number of comments to make to ensure delivery potential within Worthing is maximised.

**1. Small Sites**

Policy SS1 '*seeks to increase the rate of housing delivery from small sites.*' However, it is still not clear what mechanisms WBC will use to encourage small sites to come forward. In addition it is

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noted in the draft Housing Implementation Paper (para 5.9) that historically only 45% of the permissions on small sites are implemented. It would be useful to explore why the implementation rate is so low and what could be done to improve the delivery rate. MSDC are aware that WBC have prepared an Action Plan (as per the requirements of the Housing Delivery Test) and encourages WBC to provide more information in the Plan about how proposals for development of small sites will be encouraged and implemented

## **2. Density**

Paragraph 123 of the NPPF states that:

*'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. Plans should contain policies to optimise the use of land in their area and meet as much of the identified housing need 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 serviced by public transport.'*

Paragraph 123 goes on to note that:

*'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 is inappropriate.'*

The NPPF text provides a clear signal that densities should be optimised where at all possible. However, Policy SP2 – Spatial Strategy only states that, in the Built Up Area, *'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.'*

Policy DM2 – Density sets out a requirement that family housing should achieve a minimum density of 35 dwellings per hectare, and that flats, mixed residential development, developments in the town centre and sites near public transport provision should achieve densities in excess of 100 dph.

MSDC welcomes the increase from 50dph to 100dph in mixed use and flatted schemes since the Regulation 18 Draft Plan. It is noted that there is further work being carried out to explore mechanisms to further increase density and this is welcomed.

### **Joint Working**

Mid Sussex District Council and Worthing Borough Council form part of the Coastal West Sussex and Greater Brighton group of authorities. MSDC welcomes the positive work in relation to the progression of Local Strategic Statement 3 (LSS3) which will identify and manage spatial planning issues that impact across the authorities within the group, particularly assessing potential solutions to contribute towards the significant unmet need within the Coastal West Sussex and Greater Brighton area in the medium-long term. This work enables all authorities within the sub-region to understand the issues and to assess potential solutions.

MSDC would be happy to work with WBC on a revised Memorandum of Understanding (MoU), to update the MoU which was signed by both authorities in 2016, to ensure that the MoU is robust, and reflects the current issues which are the subject of discussion.

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INVESTOR IN PEOPLE

**Planning Policy  
Business Unit**



Yours sincerely,



Cllr. Andrew MacNaughton  
Cabinet Member for Housing and Planning

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*Working together for a better Mid Sussex*

**Contact:**

Planning Policy, Telephone: 01444 – 477053  
E-mail: [planningpolicy@midsussex.gov.uk](mailto:planningpolicy@midsussex.gov.uk)

**Your Ref:**

**Our Ref:** Submission Draft Worthing  
Local Plan

**Date:** 23rd March 2021

[james.appleton@adur-worthing.gov.uk](mailto:james.appleton@adur-worthing.gov.uk)

By e-mail only

Dear James,

**Submission Draft Worthing Local Plan – Duty to Cooperate**

Thank you for your letter of 29th January 2021, in which Worthing Borough Council has asked for this council's view on several matters, including the role Mid Sussex may have in assisting Worthing Borough Council in addressing identified unmet development needs under the Duty to Cooperate provisions. Please note that I will be responding to your Local Plan Regulation 19 Consultation (which started on 26th January) in a separate letter.

Mid Sussex District Council is committed to working jointly and proactively with neighbouring authorities to address identified development needs. This commitment is set out in Policy DP5: Planning to Meet Future Housing Need of the Mid Sussex District Plan.

In your letter you asked for confirmation of the role Mid Sussex can play in meeting unmet housing needs.

I have addressed each of these matters in turn below.

**The Role of Mid Sussex In Meeting Unmet Housing Needs**

The Mid Sussex District Plan (2014 - 2031) was adopted in 2018. The District Plan has a housing requirement of 16,390. This is made up of the Mid Sussex Objectively Assessed Housing Need of 14,892 dwellings and 1,498 dwellings primarily to address Crawley's unmet need. Horsham District Council also commits in its adopted Local Plan towards making an annual contribution towards the current unmet need for Crawley. Therefore, in the current set of adopted plans, the three authorities within the Northern West Sussex Housing Market Area can demonstrate that housing need is met.

Notwithstanding this principle, there are a number of significant constraints to development in Mid Sussex. In particular, and as you will be aware, Mid Sussex needs to ensure that there is no harm from development on the integrity of the European Habitat sites in the Ashdown Forest.

The Inspector for the Mid Sussex District Plan agreed to an average requirement of 876 dwellings per annum (dpa) up to 2023/24 with a step to 1,090 dpa in the latter part of the Plan period subject to there being no harm to the integrity of the Ashdown Forest. Indeed, the Inspector made clear that the delivery of the amount of housing above 876 dpa must be subject to the findings of further Habitats Regulations Assessment. In order to ensure delivery of the housing requirement, Mid Sussex is preparing a Site Allocations Development Plan Document (DPD) to identify additional housing and employment sites to ensure the need established in

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the adopted District Plan (including provision for the unmet need in Crawley) is met in full over the Plan period. Work on the Site Allocations is progressing and has been submitted for Examination with Examination hearings anticipated to take place in spring 2021. This work must be completed to provide certainty over the allocation of sufficient deliverable sites to meet both this authority's need and help meet Crawley's unmet need to 2031.

Mid Sussex District Council has just commenced early work on reviewing its adopted District Plan. This is scheduled for adoption in 2023.

Whilst the review of the Mid Sussex District Plan will seek to address any further unmet development needs arising within the sub-region this must be secured through the proper plan making process i.e. through the review of the District Plan. Such a process will establish the revised local housing needs and the preparation of a robust evidence base to ascertain if and how development needs can be met, including an HRA to test the impact on the Ashdown Forest.

As the work is at a very early stage, options and capacity for development beyond 2031 in Mid Sussex have not been tested. Therefore, it is not possible to confirm whether Mid Sussex could assist in contributing towards the unmet housing need in Worthing.

However, it is important to note the primary housing market area for Mid Sussex is the Northern West Sussex HMA which includes Crawley and Horsham. The Regulation 19 version of Crawley's Local Plan Review shows an unmet need of 6,680 dwellings. If the preparation of the District Plan Review indicates that Mid Sussex is able to assist with meeting unmet housing need from within the sub-region its priority will be assisting the Northern West Sussex authorities in the first instance.

As you are aware, Mid Sussex District Council and Worthing Borough Council form part of the Coastal West Sussex and Greater Brighton group of authorities. MSDC welcome the positive work in relation to the progression of Local Strategic Statement 3 (LSS3) which will identify and manage spatial planning issues that impact across the authorities within the group, particularly assessing potential solutions to contribute towards the significant unmet need within the Coastal West Sussex and Greater Brighton area in the medium-long term. This work enables all authorities within the sub-region to understand the issues and to assess potential solutions and it is through this forum that the issue of unmet housing need should be considered more fully.

#### Next Steps

Mid Sussex welcomes the opportunity for further discussion with Worthing on these matters. My officers will continue to work with you in a positive manner over the review of the District Plan.

Yours sincerely,



Cllr. Andrew MacNaughton  
Cabinet Member for Housing and Planning

23 March 2021

Worthing Borough Council  
Planning Policy  
Portland House  
44 Richmond Rd  
Worthing  
BN11 1HS

*By email only*

Dear Ian,

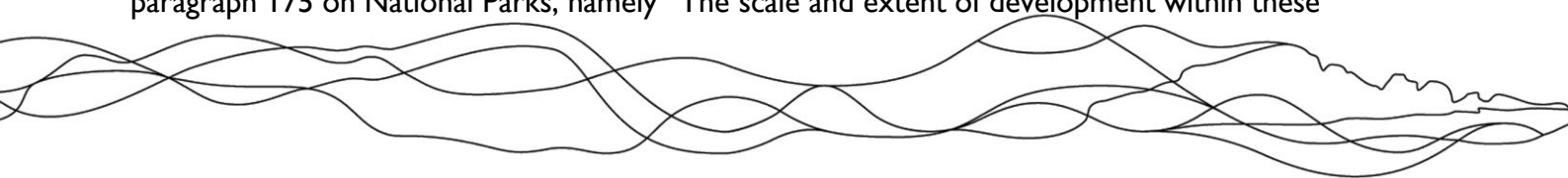
**SDNPA representation to the Submission Draft Worthing Local Plan 2016-2033 Regulation 19 consultation and response to the Duty to Co-operate letter from James Appleton, Head of Planning and Development, Worthing Borough Council to Tim Slaney, Head of Planning, SDNPA dated 29 January 2021**

Thank you for consulting the South Downs National Park Authority (SDNPA) on the Submission Draft Worthing Local Plan. This letter also responds to the Duty to Co-operate letter sent on 29 January 2021 to Tim Slaney, Head of Planning, SDNPA from James Appleton, Head of Planning & Development for Worthing Borough Council.

The SDNPA acknowledges the challenges faced by Worthing Borough Council (WBC) in meeting housing need and the process to produce the Submission Draft Worthing Local Plan having robustly, exhaustively and positively sought to find sites suitable for development. The SDNPA appreciates and understands the constraints the Council faces in finding suitable sites. As stated in James Appleton's letter officers from the SDNPA and WBC have liaised throughout the preparation of the Worthing Local Plan (WLP) and the comments below on specific sites reflect that joint working. The Planning Inspector for the South Downs Local Plan, adopted in July 2019, acknowledged the priority given to the two purposes of the National Park and considered that the approach taken and level of development were suitable for this protected landscape. The SDNPA confirms that given the constraints of the National Park as a protected landscape and the levels of development in the adopted South Downs Local Plan, there is no scope to deliver Worthing's unmet housing need. However, the SDNPA will continue to work closely with WBC in developing the WLP both bilaterally and through the West Sussex and Greater Brighton Partnership.

The SDNPA and all relevant authorities are required to have regard to the purposes of the South Downs National Park (SDNP) as set out in Section 62 of the Environment Act 1995. The purposes are 'to conserve and enhance the natural beauty, wildlife and cultural heritage of the area' and 'to promote opportunities for the understanding and enjoyment of the special qualities of the national park by the public.'

Please also note the Government's proposed changes (underlined below) to the NPPF paragraph 175 on National Parks, namely "The scale and extent of development within these



designated areas should be limited, while any development within their settings should be sensitively located and designed to avoid adverse impacts on the designated landscape.”

## **Duty to Cooperate**

The SDNPA has a set of six strategic cross-boundary priorities. I would like to take the opportunity to again highlight these, which provide a framework for ongoing Duty to Cooperate discussions:

- Conserving and enhancing the natural beauty of the area.
- Conserving and enhancing the region’s biodiversity (including green infrastructure issues).
- The delivery of new homes, including affordable homes and pitches for Gypsies, Travellers and Travelling Showpeople.
- The promotion of sustainable tourism.
- Development of the local economy.
- Improving the efficiency of transport networks by enhancing the proportion of travel by sustainable modes and promoting policies, which reduce the need to travel.

## **SS4 (previously SP4): Countryside and Undeveloped Coast**

The SDNPA reiterates the support for, in particular part f) of this policy, on the setting of the SDNP, respecting the Designated International Dark Skies reserve and improving access to the National Park. SDNPA again reiterates its commitment to the Council in working in partnership on these issues to ensure residents benefit from the special qualities of the National Park.

The SDNPA suggests consideration be given to amending the policy wording in the light of the proposed changes to paragraph 175 of the NPPF in relation to development within the setting of a National Park.

## **SS5 (previously SP5): Local Green Gaps and SS6 (previously SP6): Local Green Space**

The SDNPA reiterates comments made at the Regulation 18 consultation (note updated Landscape Character Assessment webpage link). South Downs Landscape Character Assessment (LCA) 2020, Appendix B, Landscape Type B: Wooded Estate Downland and B4: Angmering and Clapham Wooded Estate Downland. <https://www.southdowns.gov.uk/wp-content/uploads/2020/10/South-Downs-Appendix-B-Wooded-Estate-Downland.pdf>

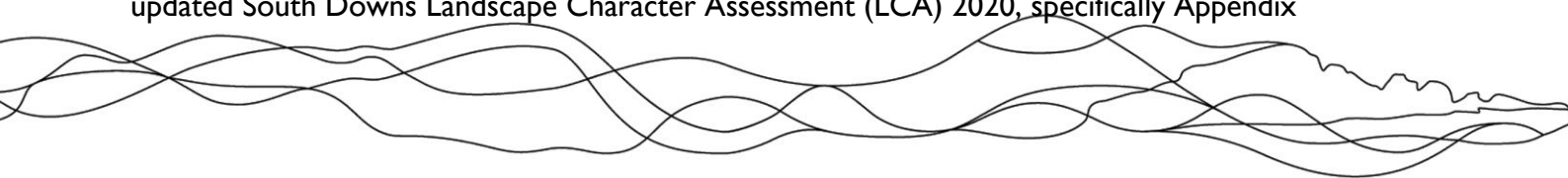
## **DM15 Sustainable Transport & Active Travel (previously CP24: Transport)**

The SDNPA reiterates the support for, in particular part b) iii), the development of improved access across the A27 and better connectivity with the South Downs National Park from the Borough in partnership with West Sussex County Council and relevant agencies including the SDNPA.

## **Site Allocations**

### **A1 Beeches Avenue (previously Omission sites, OS2: Land North of Beeches Avenue and OS3: Worthing United FC)**

Notwithstanding the comments at Regulation 18 stage, the SDNPA welcomes and supports the Development Requirements, in particular points a), b), d) and e). The comments about the design being led by landscape character are reiterated, including the reference to the updated South Downs Landscape Character Assessment (LCA) 2020, specifically Appendix



A, Landscape Character Type A: Open Downland and A3: Arun to Adur Open Downs, <https://www.southdowns.gov.uk/wp-content/uploads/2020/10/South-Downs-Appendix-A-Open-Downland.pdf>

**A2 Caravan Club, Titnore Way (previously A1: Caravan Club)**

The SDNPA's comments at Regulation 18 for this site a.

**A13 Titnore Lane (previously Omission site OSI: Land East of Titnore Lane)**

The SDNPA's comments regarding this site at Regulation 18 stage are reiterated.

However, if future development were to be brought forward at this site, the SDNPA would welcome and support the Development Requirements, in particular points b) and e).

The SDNPA suggests: in point a) reference is also made to the document Roads in the South Downs, due to the close proximity and setting of the SDNP, for any access onto Titnore Lane; in point e) additional wording is used to emphasise that any new green corridors "are of sufficient nature and scale to be effective routes for wildlife".

It is suggested any future proposals for the site use a landscape led approach with reference to the updated South Downs Landscape Character Assessment (LCA) 2020, specifically Appendix B, Landscape Character Type B: Wooded Estate Downland B4: Angmering and Clapham Wooded Estate Downland, <https://www.southdowns.gov.uk/wp-content/uploads/2020/10/South-Downs-Appendix-B-Wooded-Estate-Downland.pdf>

**A15 Upper Brighton Road (previously A3: Land at Upper Brighton Road)**

Notwithstanding comments made at Regulation 18 for this site, the SDNPA welcomes and supports, in particular, the Development Requirements point b) and d), in relation to reinforcing existing hedgerow boundaries and the integration of trees to mitigate visual impact from the SDNP respectively.

SDNPA suggests proposals for this site use a landscape led approach with reference to the updated South Downs Landscape Character Assessment (LCA) 2020, specifically Appendix A, Landscape Character Type A: Open Downland, A3: Arun to Adur Open Downs <https://www.southdowns.gov.uk/wp-content/uploads/2020/10/South-Downs-Appendix-A-Open-Downland.pdf>

Yours sincerely,



Lucy Howard  
Planning Policy Manager  
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T: 01730 819284

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**WORTHING BOROUGH**  
**COUNCIL**