



WORTHING LOCAL PLAN 2020- 2036

WBC-E-02

**Response to IL01 -
Initial Letter from the Inspector**

August 2021



**WORTHING BOROUGH
COUNCIL**

Contents

For ease of reference, the Council has used the paragraph referencing contained in the Initial Letter from the Inspector ([IL01](#)) to act as a numerical reference for the questions set by the Inspector. For example, paragraph 3 is Q3.

1) National Policy	
Q3)	p.1
2) Main Modifications	
Q4	p.15
Q5	p.15
Q6	p.16
3) Duty to Co-operate	
Q7	p.17
Q8	p.24
4) Sustainability Appraisal	
Q9	p.32
Q10	p.32
Q11	p.34
Q12	p.41
5) Habitats Regulations Assessment	
Q13	p.44
Q14	p.45
6) Strategic Policies	
Q15	p.46
7) Allocations	
Q16	p.48
Q17	p.48
8) Housing for Older People	
Q18	p.50
9) Entry-level and Rural Exception Housing	
Q19	p.56
10) Housing Supply	
Q20	p.59
Q21 a)	p.61
Q21 b)	p.64
Q21 c)	p.65

	Q22	p.67
11)	Local Green Spaces	
	Q23	p.74
	Q24	p.78
	Q25	p.82
12)	Highways England	
	Q26	p.83
13)	Parking Standards	
	Q27	p.85
	Q28	p.85
14)	Monitoring	
	Q29	p.87
15)	Policies Map	
	Q31	p.89

1) National Policy

Q 3. In the first instance, I therefore invite the Council to consider the new Framework and identify what, if any, modifications to the WLP might be necessary to ensure consistency with national policy.

Response:

- 1.1 The Council has given careful consideration to the revisions made to National Planning Policy Framework (NPPF) in July 2021 to understand what implications there are for the emerging Worthing Local Plan (WLP). The table below sets out the changes to the NPPF and links these to the relevant sections of the WLP. The final column provides some commentary and provides a conclusion as to whether the Council considers that a modification is required or not. The approach taken sees modifications being proposed if there is a significant change within the NPPF (e.g. Design Codes) or if existing policies would benefit from being strengthened (e.g. tree planting/ flood risk). No changes are proposed to the WLP where it is considered that the revisions to the NPPF are already adequately addressed within the WLP (e.g. UN Sustainable Development Goals).

REVISED NPPF - JULY 2021
IMPLICATIONS FOR SUBMISSION DRAFT WORTHING LOCAL PLAN (SDWLP)

NPPF Section	REVISED NPPF (JULY 2021) Key Changes	Relevant policy / para in SDWLP	Comment Is change / modification required?
Chapter 2 - Achieving Sustainable Development			
2. Achieving SD	<ul style="list-style-type: none"> Para 7 - new text added recognising the UN SDGs <u>At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.</u>	Para 1.25	<p>As explained within paragraphs 1.24 - 1.26 the UN SDGs are already embedded within the SDWLP. The intention is that this approach will help to enhance the sustainability credentials of the Plan and the robustness of the associated Monitoring Framework.</p> <p>No amendment to WLP required.</p>
2. Achieving SD	<ul style="list-style-type: none"> a social objective (amended) <p>and by fostering well-designed, <u>beautiful</u> and safe places, with accessible services...</p> <ul style="list-style-type: none"> an environmental objective (amended) <p><u>to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity,...</u></p>	<p>Vision and Strategic Objectives</p> <p>Various policies in Part 5</p>	<p>It is considered that the revised wording of the NPPF is already captured within a variety of policies and sections of the SDWLP. The principles of high quality design and the protection & enhancement of the natural, built and historic environment are embedded throughout the document. Furthermore, the need to make efficient use of land is a repeated objective which is particularly important in Worthing where there are so few options for significant levels of growth.</p> <p>No amendment to WLP required.</p>
2. Presumption in favour of SD	<ul style="list-style-type: none"> Presumption in favour of SD - Plan-Making (amended) <p><u>For plan-making this means that:</u></p>	SP1 Presumption in favour of sustainable	<p>Modification Proposed</p> <p>Policy SP1 already embeds the 'Presumption' within the SDWLP and the Council is of the view that the strategy</p>

	<u>a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;</u>	development	<p>and policies that follow clearly seek to deliver the aims set within this new wording within the NPPF. However, to highlight this at the outset it is considered that it would be appropriate to add the following wording to the end of paragraph 2.7:</p> <p>The Plan should promote a sustainable pattern of development that seeks to: meet the development needs of Worthing; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects.</p>
Chapter 3 - Plan-making			
Strategic Policies	<ul style="list-style-type: none"> Paragraph 20 (amended) <p>Strategic policies should set out an overall strategy for the pattern, scale and <u>design</u> quality of places, and make sufficient provision for...</p>	Policy SS1 - Spatial Strategy	<p>Modification Proposed</p> <p>A key aim of the Local Plan is to ensure that new development is of high quality. It is made clear that new development should integrate well into Worthing's townscape and landscape, contribute positively to its varied character and distinctiveness and where possible improve connections between places. This is particularly highlighted within Policy DM5 - The Quality of the Built Environment'. However, to respond to the renewed emphasis on design now contained within the NPPF it is suggested that the following minor revision is made to policy SS1 - Spatial Strategy:</p> <p>a) will seek to deliver high quality development and provide for the needs of.....</p>
Strategic	<ul style="list-style-type: none"> Paragraph 22 - new text inserted 	Whole Plan	It is relevant that this change does not affect plans

Policies	<p><u>Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.</u></p>		<p>already published or submitted for examination prior to 21 July. As the Worthing Local Plan was submitted in June this is something that doesn't need to be addressed. Despite this, it is acknowledged that it would be helpful to provide an understanding as to what the implications of this change would be for Worthing.</p> <p>As clearly explained within the Worthing Local Plan (and associated supporting evidence) the tightly drawn borough boundary and the limited availability of land for development means that there are no opportunities for new settlements or significant urban extensions within the borough. As such, there would be no need for the Plan to look further ahead (30+ years) and the current Plan period 2020-2036 is considered to be appropriate and in line with the requirements of the NPPF. In this regard, it should also be acknowledged that paragraph 33 of the NPPF requires policies in local plans to be reviewed at least once every five years. Whilst a future review of the Worthing Local Plan can consider the appropriate Plan period it should be noted that, for the reasons given above, the review will not be in a position to identify strategic urban extensions or new settlements.</p> <p>No amendment to WLP required.</p>
Chapter 4 - Decision-making			
Tailoring planning controls to local circumstances	<ul style="list-style-type: none"> Paragraph 53 - amended <p>The use of Article 4 directions to remove national permitted development rights should:</p>	DM13 - Retail	<p>Para 5.198 of Policy DM13 - Retail and Town Centre Uses, specifically refers to the potential consideration of the removal of permitted development rights through the use of Article 4 Directions. It is acknowledged that they should only be used where there is robust evidence to justify their application. The updated NPPF now</p>

	<ul style="list-style-type: none"> • <u>where they relate to change from non-residential use to residential use, be limited to situations where an Article 4 direction is necessary to avoid wholly unacceptable adverse impacts (this could include the loss of the essential core of a primary shopping area which would seriously undermine its vitality and viability, but would be very unlikely to extend to the whole of a town centre)</u> • <u>in other cases, be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities)</u> • <u>in all cases, be based on robust evidence, and apply to the smallest geographical area possible.</u> 		<p>specifically refers to the use of Article 4 <i>‘where they relate to change from non-residential to residential use’ but only where it is necessary to ‘avoid wholly unacceptable adverse impacts’ and uses the specific example of ‘loss of essential core of a primary shopping area, which would seriously undermine its vitality and viability’.</i> There are a number of permitted development rights that allow for this change of use with the most recent introduction being the new Class MA. These changes without any control of the local authority or input from the local community have the potential to undermine corporate and SDWLP aspirations by introducing residential units at ground floor within the ‘core’ or Primary Shopping Frontage of Worthing town centres Primary Shopping Area. The application of an Article 4 would not prevent the council from allowing non retail uses into the ‘core’ but it would allow a robust assessment of the appropriateness of such uses in terms of the wider vitality and viability and whether it meets wider aspirations/vision for the town centre. It is considered that whilst the updated NPPF helps add clarity as to when and where an Article 4 may be used within a Town Centre, it is not considered that any amendment to the SDWLP is required.</p> <p>No amendment to WLP required.</p>
	Chapter 8 - Promoting Healthy & Safe Communities		
Promoting healthy & safe communities	<ul style="list-style-type: none"> • Para 92 - amendment made <p>Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:</p>	SP3 - Healthy Communities DM5 - Quality of the Built Environment	It is considered that the relevant policies of the SDWLP clearly seek to deliver the objectives of this part of the NPPF. The aim to to deliver high quality new and improved facilities for sustainable modes of transport (particularly walking and cycling) is highlighted within all

	<p>b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of <u>attractive, well-designed</u>, clear and legible pedestrian <u>and cycle</u> routes, and high quality public space, which encourage the active and continual use of public areas; and</p>	<p>DM6 - Public Realm DM15 - Sustainable Transport & Active Travel</p>	<p>relevant sections of the SDWLP.</p> <p>No amendment to WLP required.</p>
Promoting healthy & safe communities	<ul style="list-style-type: none"> New para added (96) <p><u>To ensure faster delivery of other public service infrastructure such as further education colleges, hospitals and criminal justice accommodation, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted.</u></p>	<p>SP3 - Healthy Communities</p> <p>DM9 - Delivering Infrastructure</p>	<p>Throughout the preparation of the Local Plan the Council has engaged actively with all relevant infrastructure providers to understand their current and future needs. The Infrastructure Delivery Plan (IDP) captures this work and identifies the infrastructure requirements across the borough, setting out what is needed, where, and when. It includes projects relevant to other public service infrastructure such as transport, education and health. The IDP is a live document and liaison with these bodies will continue so that the Council is aware of any new or changing requirements. This, along with comprehensive pre-application advice, will help to ensure that any issues that might prevent or delay the delivery of required facilities is avoided.</p> <p>No amendment to WLP required.</p>
Open space and recreation	<ul style="list-style-type: none"> Para 98 - amendment made <p>Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, <u>and can deliver wider benefits for nature and support efforts to address climate change.</u></p>	<p>SP2 - Climate Change</p> <p>DM7 - Open space, recreation & leisure</p>	<p>The SDWLP places strong emphasis on the protection and enhancement of open spaces. Policy SP2 provides a clear link between this provision and how this can help to mitigate the impacts of climate change. In addition, the supporting text for policy DM7 states that high quality open spaces and opportunities for informal and formal sport and recreation make a valuable contribution to the health and well-being of communities and are also important for climate change resilience, wildlife and biodiversity.</p>

			No amendment to WLP required.
Chapter 9 - Promoting Sustainable Transport			
Promoting sustainable transport	<ul style="list-style-type: none"> Para 108 d) - amendment made provide for <u>attractive and well-designed</u> walking and cycling networks <u>with</u> supporting facilities such as <u>secure</u> cycle parking (drawing on Local Cycling and Walking Infrastructure Plans); 	DM15 - Sustainable transport & active travel	<p>It is considered that the SDWLP clearly seeks to deliver the objectives of this part of the NPPF. The aim to to deliver high quality new and improved facilities for sustainable modes of transport (particularly walking and cycling) is highlighted within all relevant sections of the SDWLP - particularly DM15 which also references the Local Cycling and Walking Infrastructure Plan.</p> <p>No amendment to WLP required.</p>
Considering development proposals	<ul style="list-style-type: none"> Para 110 - new criterion added <p><u>c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and</u></p>	DM15 - Sustainable transport & active travel	<p>Modification Proposed</p> <p>Add new criterion:</p> <p>b) viii) ensure the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code.</p>
Chapter 11 - Making effective use of land			
Achieving appropriate densities	<ul style="list-style-type: none"> Para 125 - amendment made <p><u>Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places.</u> Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies...</p>	DM2 - Density	<p>As emphasised with Policy DM2 and supporting evidence, whilst the Council is very keen to ensure that the most efficient use is made of available land, it is made clear that this should not be at the expense of 'good design' and that development should not impact negatively on the character of the surrounding area. This assessment of local character is further explained within the Council's Housing Implementation Strategy -</p>

			<p>particularly within Appendix 8. As explained below, a modification to the WLP will be made to commit the Council to progress a Supplementary Planning Document that sets out a local design code / guide for Worthing.</p> <p>No amendment to WLP required (but see below)</p>
Chapter 12 - Achieving well-designed places			
Achieving well-designed places	<ul style="list-style-type: none"> Para 125 - amendment made <p>The creation of high quality, <u>beautiful and sustainable</u> buildings and places is fundamental to what the planning and development process should achieve</p>	DM5 - Quality of the Built Environment	<p>The supporting text of policy DM5, particularly paragraph 5.60, highlights the importance of good design and the wide range of benefits that this will bring. It is not considered that a specific modification is required to reflect these amendments made to the NPPF and these are already covered.</p> <p>No amendment to WLP required (but see below)</p>
Achieving well-designed places	<ul style="list-style-type: none"> Para 127 - amendment made <p>Neighbourhood <u>planning groups</u> can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, <u>both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.</u></p>	DM5 - Quality of the Built Environment	<p>Modifications Proposed</p> <p>Ensuring that new development is designed to a high standard is a key aim that is embedded throughout all relevant sections of the SDWLP, particularly policy DM5. However, to reflect the greater prominence given to 'design' within the NPPF and the need for local authorities to progress (in collaboration) local Design Codes and Guides the following modifications are recommended to policy DM5 and supporting text:</p>
Achieving well-designed places	<ul style="list-style-type: none"> Para 128 - amendment made <p>To provide maximum clarity about design expectations at an early stage, <u>all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design</u></p>	DM5 - Quality of the Built Environment	<p>Add new sentence to the end of paragraph 5.59 as follows:</p> <ul style="list-style-type: none"> To provide maximum clarity about design

	<p><u>Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place, and should allow a suitable degree of variety.</u></p>		<p>expectations at an early stage the Council must prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences.</p>
Achieving well-designed places	<ul style="list-style-type: none"> • Para 129 - new paragraph added <p><u>Design guides and codes can be prepared at an area-wide, neighbourhood or site specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises, but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.</u></p>	DM5 - Quality of the Built Environment	<p>Paragraph 5.72 - add the following text to the end of the paragraph:</p> <p>Furthermore, the Council will progress a Supplementary Planning Document that establishes a design guide and code for Worthing that takes into account the guidance contained in the National Design Guide and the National Model Design Code. This will help to provide a local framework for creating beautiful and distinctive places that deliver a consistent and high quality standard of design. The codes that will reflect local aspirations will be informed by effective community engagement.</p> <p>Para 5.73 - Add the following to the list of documents:</p> <ul style="list-style-type: none"> • National Model Design Code (June 2021)
Achieving well-designed places	<p>Para 134 - amendment made</p> <p><u>Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:</u></p>	DM5 - Quality of the Built Environment	<p>Add new subheading and criterion at the end of Policy DM5:</p> <p>Ensuring Good Design</p> <p>d) Development must reflect government guidance on design and take into account any local design guidance and supplementary planning documents such as design guides and codes. Weight will be</p>

	<p><u>a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or</u></p> <p><u>b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.</u></p>		<p>given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally, so long as they fit in with the overall form and layout of their surroundings.</p>
Achieving well-designed places	<ul style="list-style-type: none"> • Para 131 - new paragraph added <p><u>Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.</u></p>	DM19 - Green Infrastructure	<p>Modification Proposed</p> <p>The wording added to the NPPF relating to trees is already reflected within paragraph 5.271 and DM19 c) of the SDWLP. These highlight the important role that trees can play in contributing to climate change adaptation and mitigation and helping to enhance the quality of life. However, to reflect the June 2021 publication of the National Model Design Code it is proposed that the following modification is made to the second sentence of paragraph 5.271:</p> <p>The National Design Guide and National Model Design Code recognises the importance of trees and landscaping in new development; and sets out how landscaping, including streets should be being tree-lined wherever possible., will be considered as part of the forthcoming National Model Design Code.</p>
Chapter 14 - Meeting the challenge of climate change, flooding and coastal change			
Planning &	<ul style="list-style-type: none"> • Para 161 and criterion c) - amendments made 	DM20 - Flood	The Flood Risk Sequential and Exception Test (CD/G/13)

flood risk	<p>All plans should apply a sequential, risk-based approach to the <u>location of development – taking into account all sources of flood risk and the current and future impacts of climate change</u> – so as to avoid, where possible, flood risk to people and property.</p> <p>c) using opportunities provided by new development <u>and improvements in green and other infrastructure</u> to reduce the causes and impacts of flooding, <u>(making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management)</u>; and</p>	Risk	<p>that was published alongside the Submission Draft Worthing Local Plan used a methodology for the sequential test that enabled all sources of flood risk to be considered equally.</p> <p>The Strategic Flood Risk Assessment (CD/N/2) that supports the Local Plan provides recommendations for the sites considered as part of the Level 2 assessment. This includes the use of green infrastructure to reduce the causes and impacts of flooding as part of an integrated approach to flood risk management. These have been incorporated into the Development Requirements for relevant sites within the Local Plan.</p> <p>No amendment to WLP required</p>
Planning & flood risk	<p>Para 162 amendment made</p> <p>The aim of the sequential test is to steer new development to areas with the lowest risk of flooding <u>from any source</u>.</p>	DM20 - Flood Risk and Sustainable Drainage	<p>Modification Proposed</p> <p>This amendment significantly changes how the sequential test is undertaken. Therefore modifications are proposed to sections a) and c) i) of DM20 as follows:</p> <p>a) ...Development should be directed away from areas of highest risk of flooding <u>from any source</u> and opportunities...</p> <p>c) i) the site has passed the sequential test <u>(considering all sources of flood risk)</u> and within the site the most vulnerable development is located in areas of at lowest flood risk <u>from any source</u> unless there are overriding...</p>

Planning & flood risk	<p>Para 167 criterion b) - amendment made</p> <p>b) the development is appropriately flood resistant and resilient <u>such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;</u></p>	DM20 - Flood Risk and Sustainable Drainage	<p>Modification Proposed</p> <p>Add new criterion as follows:</p> <p>c) v) development should be appropriately flood resistant and resilient so in the event of a flood it can be quickly brought back into use without significant refurbishment.</p>
Planning & flood risk	<ul style="list-style-type: none"> New footnote - 55 <p><u>A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.</u></p>	DM20 - Flood Risk and Sustainable Drainage	<p>Modification Required</p> <p>This was already addressed within section b) of Policy DM20. However, the following modification is required to incorporate land at increased flood risk in the future.</p> <p>b)iii) all new development (including change of use to that would introduce a more vulnerable class) on land at increased flood risk in future or subject to other sources of flooding identified by the Strategic Flood Risk Assessment</p>
Chapter 15 - Conserving and enhancing the natural environment			
Conserving and enhancing the natural environment	<p>Para 176 - amendment made</p> <p>....The scale and extent of development within <u>all</u> these designated areas should be limited, <u>while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.</u></p>	SS4 - Countryside and Coast	<p>This wording was included in the draft NPPF that had previously been published for consultation. In preparation of this change and to strengthen the policy position the Council has already proposed an amendment to SDWLP SS4 f) (see reference M7)</p> <p>No amendment to WLP required.</p>
Habitats & biodiversity	<p>Para 180, criterion a) and criterion d) - amendments made</p> <p><u>When determining planning applications, local planning authorities should apply the following principles:</u></p>	DM18 - Biodiversity	<p>This is already adequately covered by Policy DM18 through requirements to deliver Biodiversity Net Gain</p> <p>No amendment to WLP required.</p>

	<p>a) <u>if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts)</u>, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;</p> <p>d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to <u>improve biodiversity</u> in and around developments should be <u>integrated as part of their design</u>, especially where this can secure measurable net gains for biodiversity <u>or enhance public access to nature where this is appropriate</u>.</p>		
Chapter 16 - Conserving and enhancing the historic environment			
Proposals affecting heritage assets	<ul style="list-style-type: none"> New Para 198 <p><u>In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.</u></p>	DM24 - The Historic Environment	<p>This is a very specific point and it is considered that there is no need to replicate this wording within the Local Plan. The NPPF will be used by the Council on any rare occasion when considering a proposal of this nature.</p> <p>No amendment to WLP required.</p>
Glossary			
Green Infrastructure	A network of multi-functional green <u>and blue spaces and other natural features</u> , urban and rural, which is capable of delivering a wide range of environmental, <u>economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity</u> .	Glossary - P.185	<p>Modification Proposed</p> <p>Replace existing definition with revised NPPF wording.</p>
Housing Delivery Test	Measures net <u>homes delivered</u> in a local authority area against the homes required, using national statistics and local authority	Glossary - P.185	It is considered that the existing wording set out in the SDWLP glossary accurately reflects the NPPF definition.

	data. The Secretary of State will publish the Housing Delivery Test results for each local authority in England every November.		No amendment to WLP required.
Annex			
Annex 3	New Annex 3 - Flood risk vulnerability classification	DM20 - Flood risk	<p>This is a new Annex but was previously included within the PPG.</p> <p>No amendment to WLP required.</p>

2) Main Modifications

Q 4. Section 20(7C) of the Planning and Compulsory Purchase Act 2004 requires Inspectors to recommend main modifications to make the plan sound or legally compliant if asked to do so by the local planning authority. As far as I can tell, no such request has been made. If the Council wishes to make any request under section 20(7C), I would be grateful if you could confirm this in writing.

Response:

- 2.1 The Council considers the Worthing Local Plan, its supporting evidence base and the process under which it has been prepared to be legally compliant and sound. However, the Council takes this opportunity to formally request that the Inspector recommend any such modifications considered necessary to make the Worthing Local Plan sound under Section 20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended), including consideration of, and amendment to, the proposed modifications put forward by the Council as part of its submission.

Q 5. Whilst I note that Examination Document CD/H/6 sets out a number of proposed changes, it is my understanding that these have not been consulted on. Therefore, I cannot regard them as being part of the Plan for the purposes of the examination. Instead, the starting point will be the submission version WLP dated January 2021. Whether or not the modifications you have suggested are necessary to make the Plan sound will form part of my considerations.

Q 6. If, as a result of your response to this letter, there are any additional main modifications you wish to put forward, these should be highlighted in your response and added to the schedule. The schedule will become a live document, to be added throughout the examination process.

Response:

- 2.2 The Council can confirm that the proposed Modifications have not been consulted on and, as such, there is agreement that the Submission version of the WLP (January 2021) should be the starting point for the Examination.

2.3 For clarity, the Modifications are made up of three schedules. As set out below, CD/H/6 is the Schedule of Proposed Changes (Modifications) and CD/H/7 is the Schedule of Minor Modifications. The Minor modifications are textual and grammar corrections, rephrasing or limited new text to add clarity, or updates to figures or references which are necessary due to alterations which have been made elsewhere. The final schedule (CD/H/25) picks up some additional minor amendments proposed for the Proposals Map.

- CD/H/6 - Schedule of Proposed Changes (Modifications)
<https://www.adur-worthing.gov.uk/media/Media,160502.smxx.pdf>
- CD/H/7 - Schedule of Proposed Minor Modifications
<https://www.adur-worthing.gov.uk/media/Media,160630.smxx.pdf>
- CD/H/25- Mapping Extracts Document (Modifications)
<https://www.adur-worthing.gov.uk/media/Media,165083.smxx.pdf>

2.4 In responding to this letter, the Council has indicated clearly within specific responses as to where any additional main modifications are proposed. These have then been added to the Schedule of Proposed Changes (CD/H/6). To ensure that the proposed modifications remain listed in Plan order any new additions to the table will be given an alphabetical reference. As an example, if a modification falls between current references 'M9' and 'M10' it would be given the reference 'M9a'.

2.5 The schedule will be a live document and any necessary new modifications will be added throughout the examination process. To ensure that interested parties can keep track of which modifications have been added at each stage, the Council will provide a list of the new references at the start of the document each time a new version of the schedule is published.

3) Duty to Co-operate

Q 7. The Duty to Co-operate (DtC) Statement dated January 2021 (CD/H/10) and Addendum dated June 2021 (CD/H/11) include details of how the Council has engaged with nearby local planning authorities, including those who have signed up to various Statements of Common Ground (SoCG). It would be helpful if the Council could highlight, or provide further, specific evidence relating to, when and how the Council engaged constructively, actively, and on an on-going basis on the matter of unmet housing need.

Response:

- 3.1 The Duty to Cooperate is a requirement of the Localism Act 2011 and the National Planning Policy Framework (NPPF). It places a legal duty on Local Planning Authorities and other prescribed bodies to engage constructively and actively and on an ongoing basis to maximise the effectiveness of local plan preparation in the context of strategic cross boundary matters. Local Planning authorities must demonstrate how they have complied with the Duty at the examination stage of their Local Plan.
- 3.2 Meeting the requirements of the 'Duty' is an important step for all local planning authorities but, arguably, it takes on an even more crucial role for those authorities (like Worthing) that are unable to meet their development needs in full. It is inevitable that, in these instances, scrutiny will be placed on the specific evidence relating to when and how the Council engaged constructively, actively, and on an on-going basis on the matter of unmet housing need. In acknowledgement of this, since the very start of Local Plan preparation and throughout every stage of the process to date, the Council has paid very close attention to the 'Duty', particularly when engaging positively with nearby local planning authorities.
- 3.3 The Duty to Co-operate Statement 2021 ([CD/H/10](#)) is a detailed record of the work that Worthing Borough Council has undertaken so far in respect of the 'Duty' in developing the emerging Local Plan. However, it is highlighted that this work doesn't stop when the Plan is submitted and the Council continues to work with other local authorities and organisations in the sub-region on an ongoing basis.
- 3.4 The more recent Duty to Co-operate Addendum ([CD/H/11](#)) highlights the work that has been undertaken with other authorities between January 2021 and the Submission of the SDWLP in June. This was a particularly important stage in the process as it was a time during which other local authorities and key

stakeholders were able to view and consider the Council's Submission Draft version of the WLP.

- 3.5 In some respects, the Addendum and associated appendices represent the culmination of many years of discussion relating to strategic planning issues (particularly housing needs). Appendix A collates the responses from other authorities to the formal request made by Worthing Borough Council in January 2021 to meet some of Worthing's unmet housing needs. Appendix B then sets out the bilateral Statements of Common Ground (SoCG) signed by Worthing and the individual local authorities within the sub-region. In summary, each SoCG concludes that the respective parties agree that they have worked jointly constructively and on an on-going basis (and will continue to do so) on relevant cross-boundary matters (with particular regards to housing) relevant to the plan-making process. All Statements go on to agree that there are no key areas of disagreement between the parties relating to the emerging Worthing Local Plan.
- 3.6 A huge amount of cross boundary work had been undertaken to allow the Council to reach this position. It is not the intention of this response to summarise every element in great detail or to unnecessarily duplicate sections of the related evidence that has already been published. Instead, the intention is to highlight how and when the issue of unmet housing needs has been considered.

Strategic Issues

- 3.7 The Duty to Co-operate requires local planning authorities to engage with relevant local authorities and specified bodies on strategic matters that cross administrative boundaries. As explained within part 4 of the Duty to Co-operate Statement (CD/H/10), in addition to 'housing' the relevant / key strategic issues for Worthing are:
- Employment Needs and Provision
 - Transport
 - Flood risk and defences
 - Green infrastructure
 - Gypsy, Traveller and Showpeople's accommodation
- 3.8 The Local Plan and supporting evidence demonstrates that the Council has worked positively and constructively with all relevant partners to consider and respond to these issues. Whilst these 'other' issues / themes have been adequately addressed, it is relevant to this question that the primary focus for Duty to Co-operate discussions over a number of years has been related to the meeting of housing needs. The ability, or otherwise, of the constituent

authorities to meet their housing needs has been a fundamental component of all relevant meetings and discussions. This includes the meetings held between Worthing and individual local authorities and also the meetings held across the wider sub region when the housing supply / demand of each District / Borough has been a consistent and recurring agenda item.

Wider Context

- 3.9 Whilst this response will go on to highlight some of the discussions that Worthing Borough Council has had with nearby authorities it is vital to firstly consider the wider context. For the Duty to Co-operate to work effectively, authorities shouldn't just work in isolation with one or two of their immediate neighbours as strategic issues tend to affect much wider areas. To address this, all nearby local authorities work under an effective wider 'umbrella' - principally as part of the West Sussex and Greater Brighton Strategic Planning Board. Part 5 of the Duty to Co-operate Statement provides a summary of the long history of joint working within the sub-region and then provides an overview of current working practices.
- 3.10 Unlike some authority areas across the country, the 'geography' of the sub-region and the role that Worthing plays within it has always been fairly clear. However, to challenge and / or endorse this perception, the Planning Board commissioned work to consider the geography of the Housing Market Areas (HMAs) and Functional Economic Market Areas (FEMAs) affecting the Coastal West Sussex and Greater Brighton area ([CD/D/9](#)). This analysis of the functional geography of the area provided a clearer definition of the boundaries of the area to be covered by future work on the Local Strategic Statement. The report confirmed that Worthing sits with the Coastal Urban HMA and Coastal Urban FEMA (an area of 'overlap' with economic influences and relationships in two directions).
- 3.11 It has long been understood that meeting housing needs within the sub-region (particularly the authorities located along the coastal strip) would continue to be a significant challenge. Shortly after the introduction of the 'Duty' consultants were commissioned to help better understand this issue. The 'Housing Study (Duty to Co-operate)' ([CD/I/4](#)) that was published by the Coastal West Sussex and Greater Brighton Strategic Planning Board in 2013 demonstrated that the combined housing need across the HMA could not be met, predominantly due to environmental and infrastructure constraints and the lack of deliverable and developable development sites. As a consequence, the Local Strategic Statement 1 and 2 ([CD/D/1](#)) give great prominence to the issue of housing of shortfalls (as evidenced by predicted / projected shortfalls statistics etc).

- 3.12 The sub-regional studies study clearly showed that it was not just Worthing Borough that would be unable to meet its housing need in full and that this is a particular issue in the central and eastern parts of the Housing Market Area. It is evident from the work undertaken, due to similar geographical, environmental and infrastructure constraints, that a number of the partner authorities would not be in a position to assist in meeting the projected shortfall of housing supply likely to arise in Worthing Borough. The constrained nature of much of the sub-region has been reflected within recently adopted Local Plans when Inspectors have accepted that Lewes (2016), Brighton & Hove (2016), Adur (2017) and the South Downs National Park (2019) were unable to deliver a level of development to meet their own housing needs. As a consequence, although constructive engagement with these authorities has continued, it was apparent at an early stage they would not have any ability to deliver any of Worthing's unmet needs. Therefore, as explained further below, the focus has been on whether other authorities within the sub-region (and overlapping Housing Market Areas) might have the ability to help meet the under supply of housing in the borough.

Specific Engagement

- 3.13 As explained above and in supporting evidence, most Duty to Co-operate discussions relevant to Worthing are undertaken across the Sub-Region. However, to ensure that specific issues are explored in full, individual meetings have also been held with nearby authorities. As set out in the DTC Statement Activity Log (Appendix 3) this has involved a large number of meetings. In addition to those meetings already listed it should be noted that Worthing BC offered to meet and discuss the SDWLP before and any related Duty to Co-operate issues before, during and after the Regulation 19 consultation stage. In response to this offer the following meeting were held:
- 8th March - Mid Sussex DC
 - 10th March - Horsham DC
 - 17th March - Arun DC
- 3.14 It is noteworthy that meetings with Horsham DC and Arun DC have been more frequent than with some other local authorities as they are the two authority areas within the Housing Market Areas that could have some potential to help meet some of Worthing's shortfall (albeit that Worthing BC acknowledge the challenges faced by those two authority areas when seeking to deliver very high levels housing to deliver their ever increasing housing requirements).

- 3.15 **Horsham DC** - The Statement of Common Ground Appendix B ([CD/H/11](#)) agreed with Horsham DC explains that they are in the process of preparing a Regulation 19 Horsham District Local Plan. Horsham District Council has confirmed that as part of the preparation of its own local plan that it will seek to explore the extent to which the unmet need from across the sub-region can be met whilst being consistent with achieving sustainable development. The Statement further clarifies they will seek to meet an element of the unmet housing need arising from the Coastal West Sussex (potentially including a proportion of Worthing's unmet need), to be confirmed through the local plan process. Whilst this is a potentially positive outcome it should be noted that the level of provision is likely to be fairly limited. This is because Horsham District has a well established geographical relationship with the town of Crawley which directly adjoins the north east boundary of Horsham District. Their existing local plan is currently making a significant contribution to unmet housing needs, providing 150 homes a year in the Northern West Sussex Housing Market Area, which is the dominant HMA in which the District lies. The relationship between Horsham and the Coastal West Sussex HMA is less strong and the impacts of any additional housing provision in the southern part of Horsham will have to give careful consideration to the impact it might have on relatively small settlements and transport movements through the South Downs National Park.
- 3.16 **Arun DC** - Lying to the west of Worthing and largely within the same Housing Market Area there has always been an important working relationship between Worthing BC and Arun DC. Given the shortfall in housing provision in Worthing careful consideration has previously been given as to whether a proportion of this could be delivered in Arun. At one point during the preparation of the existing Arun Local Plan it looked possible that a relatively small number of dwellings above their prevailing housing requirements could be delivered in Arun to help meet some of the unmet needs of Chister and / or Worthing. However, any ability to 'oversupply' in Arun was subsumed within further increases to the already challenging housing requirements for Arun. More recently, under-delivery over two successive years against the housing trajectory has triggered a review of the Arun Local Plan and work on a new Plan has commenced. Housing delivery in Arun remains a significant challenge because of the strategic infrastructure requirements (A27 and A259 capacity, flooding and landscape) and Arun DC has been unable to demonstrate a five-year housing land supply of 'deliverable sites' since spring 2020. The published AMR 2020 demonstrates 3.3 year land supply. It is therefore clear that, currently Arun DC is not in a position to provide for any additional housing to meet any of Worthing's shortfall. However, the on-going review of their Local Plan gives Arun the opportunity to review whether this can be achieved (although it should be noted that there are also likely to be

unmet housing pressures in Arun to the north and west - Chichester DC and the PUSH authorities).

- 3.17 Whilst it is clear that there are limited options for accommodating significant levels of Worthing's unmet needs there may be scope for some limited provision as plans in Horsham and Arun are progressed. In all cases, the respective authorities are aware of the issue of under-supply in Worthing Borough and the Council will continue to highlight the need to consider this shortfall at all appropriate stages. It is also recognised that there are some possible longer-term options for meeting housing need, within the Sussex Coast housing market area, that will need to be explored collectively (i.e. they are options that straddle and/or are likely to significantly impact upon more than one authority area).

Summary

- 3.18 In line with the requirements of the Localism Act and the NPPF, the Council is of the view that this response (read in conjunction with other Duty to Co-operate evidence) demonstrates the extent of positive and diligent on-going cooperation and engagement that has taken place (and continues to take place) with relevant authorities on those spatial issues which impact on areas outside of Worthing and/or involve joint working and support.
- 3.19 As explained above, the primary focus of these discussions has been related to housing needs and, informed by robust evidence produced across the sub-region, it has been widely accepted for a number of years that, due to significant land constraints, Worthing would be unable to meet its housing needs in full.
- 3.20 Although the Council acknowledges that it must continue to work positively to meet as much of this need as is possible within the borough (leaving no stone unturned) it is telling that not one respondent to the Regulation 19 consultation has suggested that Worthing could deliver all its development needs. Inevitably, and as appreciated since the start of Local Plan preparation, this means that the Council would need to look beyond its boundaries to consider whether neighbouring authorities might have any opportunity to accommodate some of this significant shortfall.
- 3.21 Although the Council continued to engage constructively with all nearby authorities, as explained above, a greater emphasis was placed on engagement with the nearby authorities (most notably, Horsham DC and Arun DC) that may have had some ability to consider whether additional provision could be made to accommodate some of Worthing's needs. Whilst these opportunities have been, and will continue to be explored, those local

authorities are working hard to accommodate their own, very significant, housing needs. At this stage no opportunities to provide for some of Worthing's needs have been explicitly identified in those areas but the extent of Worthing's housing shortfall is well known and further consideration will be given to this by those authorities as their respective Local Plans are reviewed and advanced.

- 3.22 Looking across the sub-region, it is clear that there are no easy solutions for meeting all housing needs. Levels of housing needs are very significant as are the development constraints. However, it is accepted by all parties that to meet the requirements of the 'Duty' future work is required to address unmet needs. Whilst a number of joint measures to help housing and employment delivery are on-going via the West Sussex and Greater Brighton Strategic Planning Board and the Economic Board, longer term housing and employment needs can only be addressed via a full review of the Local Strategic Statement (LSS3) and through Local Plan reviews.
- 3.23 LLS3 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 (although there will be little or no ability for Worthing to significantly increase the rate of housing delivery in the borough). A Statement of Common Ground has been prepared that sets out the current position for all the authorities represented by the Board with a work programme for taking forward LSS3 - it is expected that this will soon be signed by all relevant parties.
- 3.24 The constructive and on-going co-operation and engagement across the sub-region has helped other authorities in their understanding of the challenges faced by Worthing BC in its efforts to meet housing needs and the positive work that has been undertaken to try to address this. This has allowed for agreement to be reached on some key conclusions as set out in the bilateral Statements of Common Ground.

Q 8. In addition, where does the evidence set out how the Council has met the requirements of the DtC with regard to prescribed bodies other than local authorities?

Response:

3.25 In addition to other Councils, the 'Duty to Co-operate' also covers a number of other public bodies who are required to co-operate with Councils on issues of common concern to develop sound local plans. The bodies are set out in Part 2 of the Town & Country Planning (Local Planning) (England) Regulations 2012 and those that are relevant to Worthing are:

- Environment Agency
- Historic England
- Natural England
- Homes England
- Clinical Commissioning Groups
- National Health Service Commissioning Board
- Office of the Rail Regulator
- Highways England
- Integrated Transport Authorities
- Highway Authorities
- Marine Management Organisation

Additional Bodies

- Local Enterprise Partnerships (LEPs) - As LEPs are not defined by statute, they are not covered by the 'duty to cooperate'. However, LEPs are identified in the regulations as bodies that those covered by duty 'should have regard to' when preparing local plans and other related activities. Their role in supporting local authorities in plan preparation, particularly in developing the evidence base, is also highlighted in NPPF.
- Local Nature Partnerships (LNPs) are also prescribed in the regulations as bodies which local authorities 'should have regard to' given their role in the management of natural environmental assets, supporting biodiversity and, in particular, identifying Nature Improvement Areas. The NPPF encourages local planning authorities to work with LNPs, recognising the valuable input they can make to, for example, assessments of ecological networks and Sustainable Environmental Assessments (SEA) of the local plan.

Engagement

- 3.26 When preparing the Worthing Local Plan and associated strategic policies the Council has engaged constructively, actively and on an ongoing basis with the prescribed bodies. As summarised within the table below engagement with these bodies has been proportional to the relevance to Worthing and the policies being developed. The table provides a summary of the engagement with each body and other stages of correspondence / consultation. Where appropriate, the table also provides a brief summary of how this engagement has positively informed the preparation of the Worthing Local Plan (further detail is provided within the relevant Topic Papers, Statements of Common Ground and within the Regulation 18 and 19 'Representation Tables').

Body / Partnership	Engagement
Environment Agency (Rep Ref -SDWLP-59)	<p>It is clear that the on-going engagement with the EA set out below has helped to influence the preparation of key evidence and then the drafting of policies and site allocations. Ultimately this has culminated in the signing of a Statement of Common Ground. Engagement with the EA will continue as sites come forward for development and the effectiveness of the Local Plan is monitored.</p> <p>Engagement has included:</p> <ul style="list-style-type: none"> • Input into key evidence base documents particularly Strategic Flood Risk Assessment and Sequential Test. This included a specific meeting in March 2017 with officers from the EA to seek their advice on the commissioning of the SFRA. • Consulted at each stage of WLP preparation including during the preparation of Sustainability Appraisal Scoping Report to influence development of the sustainability framework objectives to assess the social, economic and environmental effects of the Plan. • Input into Planning Strategy flood risk policies, and helped determine our approach to coastal change. • Input into Infrastructure Delivery Plan to underpin and support policies, particularly in terms of infrastructure needed to support level of new development. • Influenced Planning Strategy policy: Overall Strategy for Managing Change in terms of water efficiency, and helped in developing strategic objectives relating to climate and change and improvement to biodiversity.

	<ul style="list-style-type: none"> • Input to, and feedback on, the Flood Risk Sequential and Exceptions Test of potential site allocations to avoid flood risk • Consulted at each stage of WLP preparation. • At Reg 18 stage, commented on many proposed site allocations regarding contamination and flood risk issues, which influenced decisions taken regarding these sites. • Regulation 19 comments on the WLP helped to inform a number of proposed modifications and the preparation of a Statement of Common Ground (signed June 2021). https://www.adur-worthing.gov.uk/media/Media,160614,smxx.pdf • In addition to the specific engagement outlined above, it should also be noted that a representative of the EA is invited to every meeting of the West Sussex Planning Policy Group. This meeting, which is held quarterly, allows all LPAs to provide an update on their respective Local Plans and also allows the EA to disseminate guidance and best practice.
Historic England (Rep Ref - SDWLP- 46)	<p>Historic England (HE) is the Government's statutory advisor on the historic environment. HE has an important role as a consultee given the wealth of built and historic environment designations in Worthing. The responses made by HE at earlier stages of Plan preparation have clearly influenced the approach now taken in the SDWLP. Where appropriate, the Council will continue to liaise with HE as the strategy for the historic environment is progressed and proposals for some of the key town centre sites are considered. Engagement has included:</p> <ul style="list-style-type: none"> • Consulted at each stage of WLP preparation. • Issues and Options - detailed response received suggesting the approach to the historic environment that should be taken within the WLP. • Reg 18 response - detailed comments made on draft policies and proposed allocations. These helped to inform the drafting of the SDWLP. • Reg 19 response - Welcome the inclusion of policies for the historic environment in the local plan that meet the obligation for preparing the positive strategy required by the NPPF. • HE have been (and will continue to be) key consultees as proposals for sites that lie in close proximity to historic assets are considered.
Natural England (Rep Ref - SDWLP-103)	<p>Natural England (NE) is a non-departmental public body. Their statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. The Council has engaged positively with NE throughout all stages of</p>

	<p>WLP preparation and can clearly demonstrate how their involvement has influenced relevant policies and site allocations within the Plan. This has included:</p> <ul style="list-style-type: none"> • Consulted at each stage of WLP preparation including the Sustainability Appraisal Scoping Report to influence development of the sustainability framework to assess the social, economic and environmental effects of the Plan. • Consulted on and Cooperation in undertaking and preparing the HRA Screening and Appropriate Assessment. • Invited to input into the Infrastructure Delivery Plan. • At Reg 19 stage NE made a number of comments and this has resulted in modifications being proposed - (DM18 - Biodiversity). • NE commented on the WLP and several proposed site allocations regarding nature conservation and ecological issues - this influenced the development requirements for these sites. • NE is a key member of the Sussex Wildlife Partnership (see below).
Homes England	<ul style="list-style-type: none"> • Consulted at each stage of WLP preparation. • Detailed and on-going engagement with HE on a number of sites (e.g. Teville Gate / Union Place) with particular emphasis placed on the funding and delivery of affordable housing.
Clinical Commissioning Groups and NHS Commissioning Board	<ul style="list-style-type: none"> • Consulted at each stage of WLP preparation. • Input into Infrastructure Delivery Plan – coordinated approach to health care provision. • Engagement has helped to influence the policy approach for infrastructure delivery and will also help to inform the future review of the Developer Contributions SPD.
Office of the Rail Regulator	<ul style="list-style-type: none"> • Consulted at each stage of WLP preparation. • Invited to input into Infrastructure Delivery Plan.
Highways England (Rep Ref - SDWLP-72)	<p>Highways England (HE) is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. In the case of the Worthing Local Plan the key focus of HE is any potential impact to the A27 Trunk Road. The engagement with HE summarised below demonstrates positive</p>

	<p>engagement between WBC and HE during the preparation of the Local Plan and this dialogue will continue over the life of the Plan as it will be important to monitor and manage the impacts of development on the SRN.</p> <ul style="list-style-type: none"> • HE formed part of the project team for the Worthing Local Plan transport Study - this involved agreeing methodology, liaising with the Council's transport consultants and considering and agreeing study outputs. • Responded to each key consultation stage of WLP preparation. • Comments and dialogue from HE has influenced the progression of the Transport Study and, in particular, this has informed further work undertaken by the consultants to demonstrate the safe and efficient operation of the A27 and indicative costs related to the Offington Roundabout Mitigation Scheme and other sustainable transport measures. • Comments received have helped to inform the wording of transport related text within the SDWLP, particularly policy DM15 - 'Sustainable Transport & Active Travel'. • Engagement has resulted in the preparation of a Statement of Common Ground (signatories are WBC, WSCC and HE). • Invited to input into the Infrastructure Delivery Plan.
Integrated Transport Authorities	<p>Local transport bodies are partnerships of local authorities in England outside Greater London. They cover similar areas to local enterprise partnerships, but are not permitted to overlap each other. Decision making for major transport infrastructure spending is devolved to these bodies from the Department for Transport. The relevant partner for Worthing is the Coast to Capital Local Transport Body and engagement has largely been through the Greater Brighton Economic Board (see response to the Local Economic Partnership below).</p> <p>Transport for the South East - The Council has also been part of the study forum considering the published Transport Strategy and the focus now placed on the Outer Orbital corridor which will contribute to the Strategic Investment Plan (SIP).</p>
Highway Authority	<p>There has been continuous engagement and consultation with West Sussex County Council's Highways and Transportation team to inform the development of the Local Plan, and to identify infrastructure requirements and constraints, including the following:</p> <ul style="list-style-type: none"> • Worthing Local Plan Transport Study - preparing methodology / assessing tenders / liaising with the appointed consultants and Highways England / key partner in project team / interpreting findings. • Helped to inform the drafting of 'Transport' elements of the SDWLP, particularly policy DM15 - 'Sustainable Transport & Active Travel'. • Invited to input into the Infrastructure Delivery Plan. • Preparation of West Sussex Transport Plan (2011-2026) has provided the

	<p>strategic direction for transport planning within Worthing focusing on the objectives of promoting economic growth, tackling climate change, providing access to services and improving safety, security and health.</p> <ul style="list-style-type: none"> • WSCC was a key partner in the preparation of the Adur & Worthing Local Cycling & Walking Infrastructure Plan (2020) and will continue to be actively involved as it is progressed / implemented. • The WLP steers applicants towards the WSCC parking standards. • In addition to the specific engagement outlined above, it should also be noted that officers from WSCC attend meetings of the West Sussex Planning Policy Group. This meeting, which is held quarterly, allows all LPAs to provide an update on their respective Local Plans and also allows WSCC to disseminate guidance and best practice (this is often relate to transport matters).
<p>Marine Management Organisation (Rep Ref - SDWLP-48)</p>	<p>The Marine Management Organisation (MMO) was created in 2009 by the Marine and Coastal Access Act. Driven by the government's aim for clean, healthy, safe, productive and biologically diverse oceans and seas, MMO's purpose is to protect and enhance our precious marine environment, and support UK economic growth by enabling sustainable marine activities and development. The adopted East and South Marine Plans are already statutory instruments. All public authorities (including Worthing BC) taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the appropriate marine policy documents. It is clear from the engagement summarised below that the Council has a good working relationship with the MMO. Furthermore, the Regulation 19 representation from the MMO is supportive of the approach taken in the Worthing Local Plan.</p> <ul style="list-style-type: none"> • MMO consulted at each stage of WLP preparation. • Reg 18 - Standard response received with no specific reference made to Worthing on the emerging WLP. • Reg 19 response - <i>There is a clear understanding of the South Marine Plan, the subsequent policies (in a whole plan approach), the mitigation hierarchy and how the terrestrial and marine environments overlap within the intertidal area.</i> • Officers from the Council attended workshops and training events run by the MMO in 2019 and 2021. Officers were also involved in early discussions relating to a Coastal Concordat - setting up a single application process for development that needs LPA, EA and MMO approval. The Council has also been actively working with the MMO on the Sussex Kelp Restoration Project.

Local Enterprise Partnership (LEP)	<p>The Coast to Capital LEP extends from London to the South East Coast - it extends as far north as Croydon and includes Chichester at its western end and Brighton & Hove and Lewes at its eastern end. It is a local business-led partnership between local authorities and businesses and plays a central role in determining local economic priorities and undertaking activities to drive economic growth and the creation of local jobs. It has produced the Strategic Economic Plan 2018-2030 (SEP). The LEP vision is to create an outward facing, high performing international business economy, with a reputation for being a good place to do business. It has a critical role in the delivery of local infrastructure to support growth in the local economy and helps unlock development. In turn, this helps to support the housing delivery priorities of the Borough. Engagement is summarised below:</p> <ul style="list-style-type: none"> • Worthing BC plays an active role in Greater Brighton Economic Board (GBEB). GBEB represents the public and private sector to drive economic performance of the City Region, in partnership with the Coast to Capital LEP. The strategic aims of GBEB mirror the LEP's Strategy "Build Back Stronger, Smarter and Greener". • Worthing BC is part of a number of sub-regional conversations and meetings that connect into regional policy. This includes the Strategic Housing Groups, Asset Decarbonisation and Regeneration Plans. • Coast to Capital LEP have an active dialogue with the Council in reference to strategic site delivery, which in turn supports the Local Plan. This includes continual relationships, including financial contributions, for sites such as Decoy Farm (A5), Teville Gate (A12) and Union Place (A14). The LEP have recently expressed an interest in partnering with the Council to support further projects around green technology, creative industries and inward investment.
Local Nature Partnership	<p>Local Nature Partnerships (LNPs) bring together local organisations, businesses and people who want to protect and enhance their local natural environment. For Worthing, the relevant body is the Sussex Local Nature Partnership and engagement has included:</p> <ul style="list-style-type: none"> • Sussex Nature Partnership consulted at each stage of WLP preparation. No specific response was received from the Partnership but some of the bodies that make up the partnership (e.g. Natural England, the Sussex Wildlife Trust and the South Downs National Park Authority) did respond individually. Comments from these bodies have resulted in a number of Modifications to the SDWLP being proposed. • Worthing BC and the Sussex Nature Partnership have developed a good working relationship and the importance of this will no doubt increase

during the Local Plan period. Recent work relevant to Worthing has included:

- Liaison with the LEP on Clean Growth Principles that will embed a zero carbon nature-based approach in Economic Recovery.
 - Re-visioning publicly owned greenspaces - evolving from initial thinking by Adur and Worthing Councils, this project is intended to expand the way in which park managers and local authorities understand and think about the parks and greenspaces in their care. It will use eight case study greenspaces (four in Adur / Worthing and four in Wealden) to develop methodologies for assessing the wide range of benefits delivered by greenspaces for nature and people. It will include natural capital assessment.
 - Two events were held recently aimed at raising awareness of nature-based solutions for carbon storage and sequestration - these were in the context of climate emergency planning, carbon offsetting and new finance streams for habitat creation.
 - Training events to help understand how the net gain approach might be implemented in practice and to provide training and knowledge sharing on this topic for local authorities.
 - The Sussex Local Wildlife Sites Initiative was established in 2018 and aims to establish and maintain a functioning Local Wildlife Sites system for Sussex. Local Wildlife Sites are non-statutory sites that contain features of substantive nature conservation value. In Sussex these sites were formerly known as Sites of Nature Conservation Importance (SNCIs). The LWS sites in and around Worthing were reviewed as part of this initiative and a new site (the Goring-Ferring Gap) was identified.
- To further enhance this working relationship, Worthing BC has recently subscribed to the Sussex Nature Partnership's Local Authority Network. The network provides a mechanism for LPAs to engage with the work of the Sussex Nature Partnership, particularly in relation to readiness for the Environment Bill and on nature-based solutions to our climate and biodiversity emergencies. An inception meeting has been held and further meetings are planned.

4) Sustainability Appraisal

Q 9. Planning Practice Guide (PPG) paragraph 11-019-20140306 states that the Sustainability Appraisal (SA) Report accompanying the publication of the Draft Plan should describe and evaluate the likely significant effects on the environment of implementing the plan policies and of the reasonable alternatives, taking into account the objectives and geographical scope of the plan. It goes on to state that the SA Report will need to show how these requirements have been met as well as recording the wider assessment of social and economic effects. This reflects Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004.

Response:

- 4.1 The Submission SA Report ([CD/H/14](#)) accompanied the publication of the Submission Draft Worthing Local Plan ([CD/H/1](#)). Table 1 on page 12 sets out where the requirements of Schedule 2 referred to in Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 have been met.

Q 10. My initial reading of the evidence suggests that the appraisal of 'reasonable alternatives' took place in the Draft Integrated Impact Assessment (DIIA) (CD/F/8). This analysis does not appear to have been carried forward into the Submission SA Report (CD/H/14). Is my understanding of this correct? If so, is the Council satisfied that the Submission SA Report meets the requirements of the PPG and the relevant regulations? Where necessary, does the SA Report adequately signpost earlier documents and have regard to any changes to the Plan, or context, that have been made since the publication of the DIIA?

Response:

- 4.2 The appraisal of 'reasonable alternatives' that were identified prior to and through preparation of the Draft Worthing Local Plan (2018) ([CD/F/1](#)) are set out in Section 4.5 and Table 10 of the Draft Integrated Impact Assessment (DIIA) ([CD/F/8](#)). Whilst analysis is not carried forward into the Submission SA Report ([CD/H/14](#)) cross reference is made to the earlier report in paragraph 5.2.2 of the Submission SA Report. The DIIA describes and evaluates the likely significant effects on the environment as well as social and economic effects of each option. It also highlights which was the preferred option for the Local Plan.

- 4.3 The Submission SA Report updates the sustainability baseline and context to have regard to any changes since publication of the DIIA and this is included in Appendix B of the Technical Appendices ([CD/G/5](#)). It also considers the changes made to the Local Plan in preparing the Submission Draft version and whether any reasonable alternatives can be identified. This is set out in Table 6 of the Submission SA Report.
- 4.4 As explained in paragraph 5.2.3 of the Submission SA Report in determining 'reasonable', consideration was given as to whether the proposed changes were required to comply with national planning policy, in particular the need to plan positively to meet local housing needs. In addition, many of the proposed changes related to detailed policy requirements, and whilst these needed to be informed by evidence and considered in terms of impacts on viability, they were considered not to significantly alter the overall intention of the policy or be sufficiently distinct to enable meaningful comparisons to be drawn as required by Paragraph 11-018-20140306 of the PPG .
- 4.5 Therefore whilst every effort was made to identify and appraise reasonable alternatives, the requirement to meet the housing need figure, combined with a lack of available land meant there are no reasonable alternatives except to meet the local needs as far as possible. Given the high local need for housing and lack of available land all potential sites have been assessed positively and as a result all sites where the evidence suggests development is suitable have been allocated.
- 4.6 The Council is satisfied that the Submission SA Report adequately signposts to earlier documents to meet the requirements of the PPG and the relevant regulations. However, if the Inspector is of the view that the analysis of reasonable alternatives should have been carried through to the SA Report, the Council will be happy to prepare an addendum to the SA.

Q 11. In this regard, have any new sites been identified through updates to the Strategic Housing Land Availability Assessment (CD/I/10-13) since the publication of the DIIA and have they been subject to appraisal? In response to this letter, it would be helpful if the Council could provide me with a map identifying the location of all sites that have been subject to SA, denoting those that have been allocated and those that have not.

Response:

4.7 The Council's Strategic Housing Land Availability Assessment (SHLAA) has provided the main mechanism through which the quantity and suitability of land potentially available for housing development has been determined.

4.8 The Draft Integrated Impact Assessment (DIIA) ([CD/F/8](#)) accompanied publication of the Draft Worthing Local Plan (2018) ([CD/F/1](#)). The published SHLAA at that point in time was the Worthing Strategic Housing Land Availability Assessment (SHLAA) Update - December 2017. Since that time the following sites detailed in the table below have been identified through updates to the SHLAA. Appendix 2 of the Housing Implementation Strategy ([CD/H/16](#)) also includes Strategic Housing Land Availability Assessment Review sites at 1st April 2020 and identifies those which are allocated or not included within the Local Plan.

New sites identified through 2018 SHLAA

SHLAA ref	Site	2018 Status	Site total (net)	Comments
WB18002	The Wheatsheaf, 24 Richmond Road	Potential Site	6	Planning application refused but suitable for 6 units subject to design.
WB18004	The Downview, Downview Road	Potential Site	13	Under construction to deliver 8 units. The site is now classed as Committed in the SHLAA
WB18007	Church House, Church Road	Potential Site	13	Planning application approved and development complete. The site is now classed as Committed in the SHLAA
WB18008	Jubilee Hall and 10 Greenland Rd	Potential Site	14	Planning application approved for 14 units but legal agreement pending.
WB18009	Durrington New Life Church, 113 Salvington Road	Potential Site	7	Planning permission granted for 7 units. The site is now classed as Committed in the SHLAA.
WB18005	EDF, Southdownview Road	Rejected Site - Monitor	30	Site is located within a protected employment area. However, the site has been the subject of an application for permitted development for prior approval for change of use from offices residential dwelling units. The application has

				since been approved and development is under construction for 30 residential units. It is now classed as a Committed site in the SHLAA
WB18011	Land east of Titnore Lane	Rejected Site - Monitor	60	New Allocation for Emerging Local Plan it is now classed as a potential SHLAA site. This site was appraised through the SA
WB18003	47-49 Chapel Road	Rejected site	5	This site now has a planning permission for 5 units and falls below the threshold for the SHLAA
WB18006	30 Poulters Lane	Rejected Site	2	This site now has planning permission for 2 units and falls below the threshold for the SHLAA

New sites identified through 2019 SHLAA

SHLAA ref	Site	2019 Status	Site total (net)	Comments
WB19002	105 - 109 Montague Street	Potential	26	Planning permission granted for 26 units. The site is now classed as Committed in the SHLAA.
WB19001	Charmandean Centre, Forest Road	Rejected Site		This is a multi-purpose venue. There is no indication that this site is available and it is currently occupied and used for community purposes.
WB19005	17 Salisbury Road	Rejected Site		Site is currently a House of Multiple Occupation and has recently increased its capacity from 4 to 8 rooms. The site is not available and falls below the threshold for the SHLAA
WB19006	5 Shetland Court	Rejected Site		The site has planning permission for a House of Multiple Occupation as such it falls outside the SHLAA.
WB19007	106 Warren Road	Rejected Site		An application to erect a 60 bed care home was refused. Officers consider that a smaller care home or a smaller residential development may be permissible. However, any development is likely to be below the threshold of the SHLAA. Outside of the SHLAA monitoring period an application has now been approved for an 82 bed care home.

New sites identified through 2020 SHLAA

SHLAA ref	Site	Status	Site total (net)	Comments
WB20001	Jupps Garage, Queens Road	Potential	5	Planning application approved for 5 units outside of the SHLAA monitoring period.
WB20002	19 Reigate Road	Potential	5	Planning application approved for 6 units.
WB20008	NHS The Causeway	Potential	48	A permitted development application for prior approval for change of use from offices to 48 residential units has been approved.
WB20009	Former canteen, Northbrook College, 1 Carnegie Road	Potential	20	Planning application refused but the site is considered suitable for residential use of approximately 20 units.
WB20004	Horton Buildings, Goring Street	Rejected Site		There is currently no evidence that the site is available and no evidence that the site is genuinely redundant and unlikely to be re-used for employment purposes.
WB20006	Courtlands	Rejected Site		The buildings have been used as offices for a significant period of time but are now vacant. The premises are currently being marketed for employment uses and as such there is no indication that the site is currently available for residential development.

4.9 All potential Local Plan sites were initially appraised as part of the SA using the site criteria regardless of the stage at which they were identified. The results of this were included in the DIIA. The Submission Draft Worthing Local Plan allocates 2 sites that were previously omission sites. These were appraised and the results included in the DIIA. No new potential site allocations were identified following the DIIA, but if they were these would have also been initially appraised using the site criteria and this would have been included in the Submission SA Report ([CD/H/14](#)).

4.10 It should be noted that the site criteria deals with the merits of the existing site, rather than with specific proposals for or different uses of the site. The high level (mostly GIS based) appraisal it provides does not allow more detailed or subjective consideration of sites. For this reason it was not used to determine suitability of sites, but rather it provides a useful starting point to compare sites and ensure each site is appraised against the framework in a consistent way.

4.11 It should be noted that at the Issues and Options Stage 'Land north of West Durrington' was included and identified as suitable for early release in

advance of the new Local Plan. It had previously been highlighted in the Core Strategy as a potential future development area (PFDA), with a capacity to accommodate a further 375 dwellings. A planning application for the site was approved in 2017 and planning permission granted in December 2019 along with a signed s106 agreement. The site has been included within the Submission Draft Worthing Local Plan (2021) ([CD/H/1](#)) housing figure as a commitment. For this reason it was not included within the SA sites appraisal.

- 4.12 As requested, a map is provided identifying the location of all sites that have been subject to SA, denoting those that have been allocated and those that have not. This is attached at the end of this document.
- 4.13 Worthing Leisure Centre (AOC4) was a potential site within the Draft Worthing Local Plan (2018). Whilst the DIIA did consider the impact of the allocation as part of the total effects of the Plan it was not included within the sites appraisal. For completeness this is now completed and is included below. The site was not taken forward to the Submission Draft Worthing Local Plan (2021) as whilst further work continues to look at the possible opportunities for this site there is a significant level of uncertainty regarding the scope of development and timescales for delivery which make it unsuitable for allocation at this time.

SA Objective	Indicator	Criteria	Site: Worthing Leisure Centre
Environmental Quality	Worthing Air Quality Management Area (AQMA)	R = Within or in close proximity to the AQMA.	The location of this site in Durrington means that although development has the potential to generally increase congestion on the A27. Traffic accessing this site is less likely to travel through the Worthing AQMA than those sites in the town centre or sites to the East of Worthing.
		Y = Sites in Worthing town centre with the potential to increase congestion in and around the AQMA	
		G = Not or less likely to affect congestion in the AQMA	
	Water Quality (WFD waterbodies and Groundwater Source Protection Zones)	R = Within a Source Protection Zone	Not located in a Source Protection Zone or likely to affect a WFD waterbody
		Y = Has the potential to affect a WFD Waterbody.	
		G = Not located in a Source Protection Zone or likely to affect a WFD Waterbody.	
Biodiversity	Sites, Habitats and Species	R = Within or likely to impact internationally (SAC, SPA, Ramsar) or	Whilst the site does contain a significant

		nationally (SSSI, National Nature Reserves, National Parks) designated sites.	amount of open space this typically consists of outdoor sport provision as well as some park and recreation space. However it is not identified as including Priority Habitats or Species.
		Y = Sites containing or likely to impact locally (designated sites, UK BAP Priority habitats and legally protected species.	
		G = Sites that do not meet the above criteria	
Land and Soils	Contaminated Land	R = significant levels of contamination expected due to previous or historic uses on the site.	Greenfield site - contamination not likely, although it should be noted there is a depot to the north east of the site which may have potential for contaminated land.
		Y = brownfield site - potentially contaminated land	
		G = greenfield site - contamination not likely	
	Agricultural Land	R = Grade 1 agricultural land	Classed as urban land
		Y = Grade 2-3 agricultural land	
		G = Grade 3-5 and non agricultural or urban land	
Energy	Energy use and waste	Not possible to assess this against sites until options are being appraised. Therefore this objective will not be assessed as part of the initial appraisal of sites	
Water Management	Flood Risk	R = site is within Flood Zone 3	The site is within Flood Zone 1 but a small part of the site (5%) is at a medium risk of flooding from surface water - 100 yr which is expected to increase in the future with climate change. The site is identified as being at a medium risk of groundwater flooding (0.025 - 0.05m)
		Y = partly Flood Zone 2/3 but development could be located outside of Flood Zone 3, historic flooding or at risk of flooding from other sources.	
		G = Flood Zone 1, no risk posed by other sources of flooding and no records of historic flooding on the site.	
	Water resources	As the whole area is located in an area of serious water stress this would not show any distinction between sites.	
Landscape and character	setting of SDNP	R = Adjacent to or considered to form part of the setting of the National Park	Site is within the urban area of Durrington some distance from the National Park and is therefore unlikely to impact on its setting
		Y = Considered to make only a limited contribution to the setting of the National Park	
		G = Site is within core urban area and is unlikely to impact on the setting of the National Park	
	coalescence	R = development of the site would	The site does not form

		impact on the visual or physical separation between settlements.	visual or physical separation between settlements
		Y = forms part of the gap but development would not impact on the overall separation between settlements.	
		G = forms no visual or physical separation between settlements.	
	undeveloped coastline and countryside	R = Located outside of the Built Up Area Boundary	The site is within the Built Up Area Boundary
		Y = Located adjacent to the Built Up Area Boundary	
		G = Located within the Built Up Area Boundary	
Built environment	derelict sites	R = Greenfield or currently undeveloped site	The site consists of a mixture of greenfield (sport pitches and playing fields) and brownfield (onsite leisure centre currently in use)
		Y = Brownfield site currently in use	
		G = Derelict or vacant site	
Historic Environment	Designated Heritage Assets	R = the site contains or is immediately adjacent to a designated heritage asset.	The site does not contain any designated or locally listed heritage assets. However it is located near to both the Robson Road and Shaftesbury Avenue Conservation Areas.
		Y = the site is located close to designated or locally listed heritage assets.	
		G = the site is not adjacent to and does not contain any designated or locally listed heritage assets.	
	Archaeology	R = within an Archaeological Notification Area	The site is not within or adjacent to an Archaeological Notification Area
		Y = Adjacent to an Archaeological Notification Area	
		G = Not within or adjacent to an Archaeological Notification Area	
Healthy Lifestyles	Accessible open space	R = The site contains accessible open space. Development could potentially result in the loss of open space.	The site contains accessible open space in the form of outdoor sport (private), park and recreation grounds, play (child) and play (youth) spaces.
		Y = There is no accessible open space within the acceptable walking distance of the site.	
		G = there is accessible open space within the accessibility standard for walking	

		R = would result in the loss of playing pitches or indoor sport facilities.	Development would result in the loss of current sport facilities. Although the expectation would be that any development would be to provide replacement facilities.
		Y = would result in the loss of playing pitches or indoor sport facilities but an alternative has already been provided.	
	sport and recreation	G = new playing pitches or indoor sport facilities would be provided.	
Crime and public safety	Indices of Multiple Deprivation	Sites within 10 most deprived LSOA in West Sussex	The most recent data is the 2019 English Indices of Deprivation. The site is within LSOA Worthing 012E which is within the IMD decile: 9 so among the least deprived in West Sussex.
		Sites within 10 most deprived LSOA in Worthing (other than above)	
		Outside of the above	
Housing	Delivering new homes of the right mix and tenure	It is not possible at this stage to make this kind of assessment on what a site could provide. However this will be assessed fully when policies relating to the sites are assessed.	
Communities	Proximity to Doctors Surgeries	The site currently includes a doctors surgery which as a result of development could potentially be lost.	The site is within 800m of Cornerways Surgery.
		The site is not within 800m of a doctor surgery	
		The site is within 800m of a doctors surgery	
Communities	Proximity to Libraries	The site currently includes a library which as a result of development could potentially be lost.	The site is not within 800m of a library
		The site is not within 800m of a library	
		The site is within 800m of a library	
Education	Proximity to primary schools (infant, junior)	The site currently includes, or land associated with, a primary school which as a result of development could potentially be lost	The site is within 1km of a primary school
		The site is further than 1km from a primary, infant or junior school	
		The site is within 1km of a primary, infant or junior school.	
	Proximity to secondary schools	The site currently includes, or land associated with, a secondary school which as a result of development could potentially be lost	The site is within 1.5km of a secondary school
		The site is further than 1.5km from a secondary school	
		The site is within 1.5km of a secondary	

		school.	
Economy	key office location or industrial estate	Within a key office location/industrial estate/business park or currently providing employment space	The site is not within or adjacent to a protected employment area.
		Adjoining a key office location/industrial estate/business park	
		None of the above	
Town centres	Within 800m of a town centre defined by the NPPF as including town centres, district centres and local centres	Within a District or Local Centre	The site is within 800m of Goring Road District Centre and The Strand Local Centre.
		Sites not within 800m of the Town Centre or a District or Local Centre	
		Sites within the Town Centre or within 800m of a District or Local Centre	
Travel and Access	Proximity to train station	N/A	The site is within 800m of Durrington-on-Sea station
		Over 800m from the nearest train station	
		Within 800m from the nearest train station	

Q 12. Table 10 of the DIIA states that due to the highly constrained nature of the borough, no options have been identified for setting the employment floorspace target. Given the range of scenarios considered in both the Economic Research and Employment Land Review (2016)(CD/J/1), the Employment Land Review Focused Update (2020)(CD/J/2) and the constrained housing land supply, is this approach justified?

Response:

- 4.14 The Council considers its approach is justified in not identifying options for setting the employment floorspace target. Although the background evidence studies considered a range of scenarios it is the Council's assertion that only one of these is compliant with the NPPF and is therefore reasonable.
- 4.15 Worthing faces a particularly difficult challenge of how to plan for the identified needs of the local community in a sustainable way against the backdrop of a significant lack of available land. The Council recognises that the identified need for new homes is exceptionally high but nurturing and growing the local economy is also important for the town's economic wellbeing and to offer opportunities for the younger population to be able to study and work within their own community rather than having to move out of the locality.

4.16 The Economic Research and Employment Land Review (2016) ([CD/J/1](#)) and the Employment Land Review Focused Update (2020) ([CD/J/2](#)) considered four different scenarios of future employment space requirements in Worthing based on a number of approaches that reflect economic growth, past development patterns, and potential housing supply factors:

- 1) Baseline Labour Demand: 32,560 sqm / 6.8 ha
- 2) Past Development Rates: 61,560 sqm / 14.7 ha
- 3) Labour Supply (based on 885 dpa): 49,295 sqm / 10.5 ha
- 4) Labour Supply (based on 246 dpa): -49,540 sqm / -11.3 ha

4.17 The study recommended that the Council should consider planning to accommodate at least the labour demand (32,560 sqm) based requirement to ensure that business growth potential is not constrained by lack of spatial capacity in future. It concluded that the labour supply (based on 246 dpa) scenario which resulted in a lower floorspace requirement would not meet the NPPF requirement to plan positively for growth, and should therefore be discounted.

4.18 The delivery of sites not suitable for housing (along with the protection of other employment sites) provides close to the level of land needed to meet the labour demand scenario. Given the constrained land supply in Worthing, the only means to deliver above this level to meet the labour supply (based on 885 dpa) scenario would result in sites being allocated for employment space at the expense of housing, further increasing the significant levels of unmet housing needs. The Council considered that this would also be contrary to the NPPF requirement to meet local housing needs and was therefore not a reasonable or realistic option. As such, it is considered that the approach taken in the Submission Draft Worthing Local Plan to setting the employment floorspace target was, given the limited land available, the only option available which provides an appropriate and sensible balance between housing and employment growth in line with NPPF requirements.



Allocation Sites

- Allocated
- Not Allocated



- 1. Union Place South
- 2. British Gas Site Lyndhurst Road
- 3. Martlets Way
- 4. Worthing United Football Club, Beeches Avenue
- 5. Land north of Beeches Avenue
- 6. Goring Ferring Gap
- 7. Chatsmore Farm
- 8. Land at Dale Road (undeveloped part of Brooklands Park)
- 9. Caravan Club, Titnore Lane
- 10. Land west of Fulbeck Avenue
- 11. Land east of Titnore Lane
- 12. HMRC offices Barrington Road
- 13. Centenary House
- 14. Civic Centre Site (Stoke Abbott Road)
- 15. Land south of Upper Brighton Road
- 16. Stagecoach site, Marine Parade
- 17. Grafton Site
- 18. Teville Gate
- 19. Decoy Farm
- 20. Worthing Leisure Centre



5) Habitat Regulations Assessment

Q 13. Paragraph 1.1.3 of the Submission SA Report states that it includes a Habitats Regulations Assessment (HRA) screening. However, this does not appear to have been included in this document. Rather, the screening is presented in the DIIA and only signposted in the SA Report. Again, is my understanding of this correct? If so, is the Council satisfied that this meets the requirements of the Conservation of Habitats and Species Regulations 2007 (as amended)? Have there been any substantive changes to the Plan, or other changes in context, since the publication of the DIIA which suggest the HRA screening should have been updated?

Response:

- 5.1 A Habitats Regulations Assessment (HRA) screening report was included within the technical appendices of the Draft Integrated Impact Assessment Report (October 2018) ([CD/F/9](#)) which accompanied the Draft Local Plan. Section 2.5 of the Submission SA Report ([CD/H/14](#)) sets out the work undertaken in relation to HRA Screening and signposts that it is found within the DIIA.
- 5.2 The Council has considered whether the HRA screening should have been updated and are satisfied that this is not the case. For completeness a HRA Screening 2021 Addendum has been prepared and this is now published as Core Document ([CD/H/26](#)). The addendum seeks to update, clarify and confirm that the previous screening assessment remains relevant by considering the implications of the Submission Draft Local Plan on European Sites.
- 5.3 The addendum concludes that there have been no changes since the 2018 screening assessment that would alter the conclusions found. Therefore, it is still the case that there would be no significant adverse effects on any of the identified Habitats sites, either alone or in combination, arising from the Worthing Local Plan. Therefore, as concluded in the 2018 screening assessment, the Local Plan does not require progression to the next stage of the HRA.

Q 14. Could the Council also point to the evidence which demonstrates that Natural England have been consulted on the HRA and any feedback they have provided on the results of the screening exercise?

Response:

- 5.4 A Habitats Regulations Assessment (HRA) screening report was included within the technical appendices of the Draft Integrated Impact Assessment Report (October 2018) ([CD/F/9](#)) which accompanied the Draft Local Plan.
- 5.5 Whilst Natural England did respond to the Draft Local Plan consultation, their response did not include any comments relating to the HRA Screening. Furthermore no other responses were received in relation to the HRA Screening from other respondents.
- 5.6 In preparation of the Submission Draft Local Plan, Natural England were contacted on 16 December 2020 to request confirmation that they concur with the findings of the HRA Screening, or alternatively to provide any comments they may wish to make to help inform whether the HRA Screening needed to be updated. A response was received from Natural England on 19th January 2021 and this is appended to the HRA Screening Addendum ([CD/H/26](#)). Their response confirmed that 'Natural England concurs with the finding of your authority insofar that the proposed Worthing Local Plan is unlikely to have any likely significant effects on the identified European sites alone or in-combination with other plans or projects.'
- 5.7 No comments were received from Natural England relating to HRA in response to the Submission Draft Worthing Local Plan consultation.

6) Strategic Policies

Q 15. Does the WLP clearly identify which policies are strategic, as required by paragraph 21 of the Framework?

Response:

- 6.1 Whilst there is no strict definition of strategic planning, it is recognised that every Local Planning Authority needs to set out strategic policies to address local priorities for development.
- 6.2 The fundamental aim of the planning system is to achieve sustainable development. Within the context of achieving sustainable development, the Submission Draft Worthing Local Plan contains three overarching Strategic Policies which are considered to be the key strategic priorities of the area in light of the Council's corporate commitments. The Council has declared a climate emergency (has pledged to be carbon neutral by 2030) along with the need to 'Bounce Back' and support communities to thrive, prosper, be healthy and resilient in response to the Covid-19 Pandemic. The Submission Draft Worthing Local Plan proposes three strategic policies which are designed to anchor the vision and strategic objectives of the Plan and thus drive action on the identified strategic priorities for Worthing:
- Policy SP1 Presumption in Favour of Sustainable Development
 - Policy SP2 Climate Change
 - Policy SP3 Healthy Communities
- 6.3 The overarching strategic objectives established in chapter 2 then provide for the direction for the spatial strategy (chapter 3) which the Council considers to be of a 'strategic' nature as they are necessary to respond to the strategic objectives of the area over the plan period. It guides development within and adjacent to Worthing in order to manage the pattern of development. It describes how new development will be distributed in Worthing. The spatial strategy provides the focus on identified spatial issues and thus responds to the sub-regional planning context which is the Local Strategic Statement (LSS2). The Statement sets out the long term strategic objectives and spatial priorities for the coastal authorities to be addressed through a coordinated approach across the area in terms of planning and investment. This has therefore informed the following strategic policies:
- SS1 - Spatial strategy
 - SS2 - Development sites
 - SS3 - Town centre
 - SS4 - Countryside and undeveloped coast
 - SS5 - Local green gaps
 - SS6 - Local green spaces

- 6.4 Paragraph 23 of the NPPF (2021) states that strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. With this in mind, it is considered that Chapter 3 Spatial Strategy meets this requirement.
- 6.5 It is acknowledged that there are two separate chapters that comprise strategic policies. The Council recognises that there is no standard template endorsed by national policy with regards to plan-making. However, best practice demonstrates the importance of clearly communicating the 'story' and how the vision and strategic objectives cascade into the spatial strategy. It was considered logical to separate out this step-by-step process across chapters 2 and 3.
- 6.6 The Council has undertaken a review of the Core Strategy (the current Plan for Worthing Borough) and the saved policies in the Worthing Local Plan 2003 with regards to the new policies proposed in the Submission Draft Worthing Local Plan ([CD/H/27](#)). The review provides a summary of this process and explains how existing Core Strategy policies are, where appropriate, being taken forward in the new Local Plan as well as indicating which 'saved' policies from the Worthing Local Plan 2003 are no longer required or have been taken forward or incorporated as 'new' policies within the WLP. A key difference between the Core Strategy and emerging Local Plan is the introduction of strategic level policies (set out in Chapters 2 and 3) that set the strategy for the key issues and this is clearly defined in the review.
- 6.7 In conclusion, it is considered that both chapter 2 and 3 are clearly defined and explicit in that the policies are of a strategic nature and by virtue of their location in the Plan, are given high and immediate prominence. The policies contained in chapter 2 and 3 are kept discrete from the non-strategic policies in the Submission Draft Worthing Local Plan. It is concluded that this approach is in accordance with paragraph 21 (footnote 14) of the NPPF (2021).
- 6.8 However, if the Inspector is of the view that additional clarification is required within the WLP, the Council would not object to this. It is suggested that additional wording could be provided under the sub-heading 'How to use this Document' as set out in paragraphs 1.27-1.30 of the Submission Draft Worthing Local Plan.

7) Allocations

Q 16. With regards to allocations, is it intended that the ‘development requirements’ be read as formal policy or as supporting text? If the latter, would this provide a clear and effective means of determining planning applications on those sites?

Response:

- 7.1 The intention is that the development requirements for each allocation are read as formal policy and the Council considers that the layout and format of each allocation (and the use of the shaded boxes) helps to illustrate this clearly. However, if it was felt that the Plan would benefit from greater clarity in this regard then the Council would be happy to provide further explanation within the introduction to chapter 4 (pages 68 and 69).

Q 17. In addition, the land uses set out in Policy SS2 are not always consistent with the ‘indicative capacity’ text. For example, Policy SS2 identifies an 80-bed hotel as part of the mix for site A12 - Teville Gate. However, this is not reflected in the ‘indicative capacity’ or ‘development requirements’ for the site. While the justification for land uses will be discussed at the hearing sessions, as a matter of principle, to be effective does the Plan need to be modified to ensure consistency between these two elements?

Response:

- 7.2 Although the indicative figures for floorspace do correspond throughout the Plan, it is acknowledged that for some sites there is some disparity in the description provided. To avoid any potential confusion it is agreed that the land use descriptions within Policy SS2 should reflect the wording used within the individual policies (‘indicative capacity’ and ‘development requirements’). To address this, the modifications set out overleaf have been added to the Schedule of Changes (CD/H/6):
- 7.3 The approach now taken for mixed-use and employment sites is that, where appropriate, the supporting text for each allocation will continue to provide a commentary on the most suitable mix of uses. In some cases this is then highlighted within the ‘Development Requirements’ to clarify the Council’s objectives for the site. However, for some sites the Council wants to avoid being overly prescriptive given the uncertain economic times and the resulting

need for a reasonable degree of flexibility. As such, for all relevant sites the 'indicative capacity' and 'development requirements' are now consistent in that they refer to a floorspace figure for 'commercial' / 'employment' uses.

Proposed Modifications

Policy SS2 - Site Allocations (Amend 'Main other Uses' column as follows):

- A3 - Centenary House: 10,000 sqm **Employment** ~~office space~~ (part re-provided)
- A5 - Decoy Farm: 14,000 sqm ~~industrial / warehousing~~ **Employment**
(Note - the floorspace figure for this site has previously been amended through proposed modification M4).
- A7 - Grafton: 2,500 sqm Commercial ~~/Leisure /Retail~~
- A10 - Martlets Way: 10,000 sqm **Employment** ~~Industrial / Warehousing~~
- A12 - Teville Gate: 4,000 sqm Commercial ~~/Leisure /Retail and 80 bed hotel~~
- A14 - Union Place: 700 sqm Commercial ~~/90 room hotel / cinema extension~~

Allocations (Amend 'Indicative Capacity' as follows):

- A3 - Centenary House: 250 residential units & 10,000 sqm employment floorspace **(part re-provided)**
- A4 - Civic Centre: **7,000sqm** Integrated Health Hub
- A11 - Stagecoach: 60 residential units & 2,000sqm Commercial ~~/Leisure~~
- A14 - Union Place: 150 residential units ~~and~~ **&** 700 sqm ~~leisure / commercial~~

8) Housing for Older People

Q 18. Given the findings of the Strategic Housing Market Assessment (CD/I/1), how has the Council considered the size, type, and tenure of housing needed for older people over the plan period, and how is this reflected in the Plan as required by paragraph 61 of the Framework? What is the requirement for the number of specialist homes needed for older people over the plan period and how does the Plan ensure that these needs will be met?

Response:

- 8.1 Paragraph 61 of the NPPF (2019 version now para 62 in update 2021 NPPF) states:

Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).

- 8.2 The overarching challenge for the Local Plan is to strike a balance between taking a positive approach to sustainable development & regeneration against the limited physical capacity of Worthing to accommodate it and the need to maintain a good quality of life for residents. The spatial strategy seeks to achieve the right balance to meet the town's development needs (particularly jobs, homes and community facilities) whilst continuing to protect and enhance the town's valued high quality environments and open spaces.
- 8.3 The Plan clearly explains that, despite taking a 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.
- 8.4 The Plan then has to ensure that this low level of housing supply delivers the best mix of housing to support the needs of the community. Policy DM1 - Housing Mix seeks to achieve the right balance to deliver sustainable, mixed and balanced communities. Policy DM2 - Density then seeks to ensure the most efficient use of the scarce land available and ensure that new dwellings meet minimum size standards. Policy DM3 - Affordable Housing seeks to ensure that the plan goes some way in meeting the identified substantial need for additional affordable homes.

Meeting the needs of older people

The NPPF defines older people as:

‘People over or approaching retirement age, including the active, newly retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.’

- 8.5 Two key sources of information (summarised below) have been used to help understand the needs of older people in Worthing. The first is the Strategic Housing Market Assessment (SHMA) ([CD/I/1](#)) and the second is evidence from West Sussex County Council (WSCC).
- 8.6 **Strategic Housing Market Assessment** - In relation to older people, the SHMA found that the Adur-Worthing area has a slightly higher proportion of older people than is seen regionally and nationally, and it projects a 41.9% increase to 2036 in the number of people aged 65 and over. When looking at tenure type, the assessment found that older person households are more likely to live in outright owned accommodation (72%) and also slightly more likely than other households to be in the social rented sector.
- 8.7 It found that 33% of households contain someone with a long term health problem or disability (LTHPD) (20% of the Worthing population). Large increases in the cases of older people with dementia (around 54% between 2019 to 2036) and mobility problems (49% over the same period) are predicted.
- 8.8 In terms of meeting the identified need, the assessment found this equated to a need up to 2036 for 1,601 additional market and affordable dwellings to provide housing with support or housing with care and a maximum of 435 additional care bed spaces.
- 8.9 The assessment concluded with the following recommendations for housing for older people:
- subject to viability testing, the evidence indicated that Worthing should follow the same policy line as the Adur Local Plan (under Policy 20) that all new build dwellings should be delivered to Part M4(2) ‘accessible and adaptable’ standards;
 - the Council should consider making specific allocations of land for older persons housing;
 - the Council should carefully consider the economics of delivery of different types of older persons housing through the preparation of viability evidence and consider whether a differential affordable housing policy should be applied to different types of specialist housing schemes. In particular, for schemes with higher levels of care provision, consideration should also be given to whether it is practical to manage

market and affordable provision within a single development. This may be influenced by the nature of the site and scheme.

- planning policies should require a % of dwellings in Worthing to be delivered to wheelchair adaptable standards in both authority areas. This should be reviewed on a site-by-site basis.

- 8.10 **Evidence from West Sussex County Council** - WSCC is responsible for paying for the care of those individuals they have been assessed as not being able to afford their own care, provided additional evidence and comments in response to the consultation on the Infrastructure Delivery Plan (January 2021) (CD/G/10 - CD/G/12). They stated that existing provision included day centres, care homes, housing schemes and shared community facilities. There are a number of day care centres in Worthing catering for a range of customer groups, 64 care homes plus an additional 21 care homes with nursing but noted that this should not imply that West Sussex has access to and requires the places in the 64 residential care homes and the 21 nursing homes, as that is not the case.
- 8.11 The analysis that WSCC undertook on demand and future needs seeks to alter the balance from C2 provision (residential and nursing homes) towards C3 (housing provision) which they argue can deliver better outcomes for longer and keeps people in their own home for as long as possible. This designation would cover sheltered and extra care housing, and it is the latter that WSCC is seeking to promote and expand, in preference to care homes. The analysis notes that care homes and extra care housing and sheltered housing should not be conflated.
- 8.12 For information, WSCC assessment of need and demand shows that there is an undersupply of extra care housing (ECH) in Adur and Worthing. WSCC is favouring the development of ECH, as purpose built residential accommodation that means those with a care need can remain as independent for as long as possible. WSCC favours ECH being an all age offer, not restricted to the over 55's as evidence suggests that for some young people with a lifelong disability it can work well.
- 8.13 WSCC position is that there is overprovision of care and nursing homes, and more residential provision C3 is required that is fit for the future, confers rights (through tenancy or leasehold) and offers choice and self-determination for those that need it. It is important to remember that those in care homes have much fewer rights. WSCC would want policy to focus on this, which is important for Worthing as the borough has one of the highest concentrations of care homes in WSCC.
- 8.14 In conclusion, WSCC stated that the housing mix needs to ensure that it does not inadvertently open the door for C2 with no affordable housing. New extra care housing needs to be well located and close to services and other communities, not least because that is where the staffing can be found. New development should be 50/60 units and up to three storeys, with a mix of one and two bedroom flats, and designed to [HAPPI](#) principles. The site required is

1.5 to 2 acres depending on the density and massing. Communal dining areas, gardens, and ancillary facilities are also required.

- 8.15 In response to the findings and the recommendations the Council has included the following to ensure the needs of older people are met:

M4(2) Accessible and adaptable standards

- 8.16 Given that the number of elderly households (and other sectors of the community) are likely to have a need for homes designed to meet their changing needs, and to enable them to live independently for longer, paragraph 5.12 of the Submission Draft Worthing Local Plan explains why all new homes should be built to Part M4(2) 'Accessible and Adaptable standards and part (c) of Policy DM1 clearly states that the Council expect all new build dwellings to be built to the optional higher Building Regulations Standard M(42).

Allocations for older persons housing

- 8.17 There is one specific site allocation within the Plan that includes specific provision for a care home / sheltered accommodation that is allocation A8 HMRC Offices, Barrington Road. The current outline permission on this site indicates a development of a maximum of 287 dwellings (use class C3), of which up to 140 would be houses and up to 158 would be apartments/retirement apartments, together with the provision of a 68-bedroom care home (use class C2). Although this provision will go some way to meet identified needs it does not mean that further provision will not be sought on other allocations or other opportunities as yet unidentified.
- 8.18 The approach, as set out in part (a) of Policy DM1, is that all new applications will be expected to consider the most up to date evidence of housing needs and demands. Each site will be considered on its individual merit in terms of site characteristics, site location and for its appropriateness to deliver certain dwelling types. It should also be noted that there have been a number of windfall developments that have delivered housing with support / care and care bed spaces for example the ex-office building at MGM house Heene Road which has recently been redeveloped for 33 retirement flats (C3) and 59 unit assisted living extra care development (C2) communal and support facilities together with 10 affordable apartments (C3). Given the character of Worthing it is likely that this type of windfall development will come forward over the Plan period and that this will continue to help meet the identified needs for older persons housing.

Affordable housing

- 8.19 Point d) of Policy DM1-Housing Mix sets the expectation that to meet the needs of older people, housing with support and housing with care should be prioritised over care bed spaces. The Council considers it is important to distinguish between C2 and C3 uses to alter the balance from C2 provision, residential and nursing homes, towards C3, housing provision, which can

deliver better outcomes for longer and keeps people in their own home for as long as possible. This is following comments made by WSCC in response to the Infrastructure Delivery Plan (as summarised above) and based on the level of need for these different types of housing.

- 8.20 There is a need for affordable housing with support and housing with care. Whilst the SHMA highlights the difficulty of accommodating onsite affordable housing as part of schemes with higher provisions of care such as extra care, the Council consider it is appropriate for those sites providing C3 uses to provide affordable housing to meet this identified need.

Wheelchair adaptable standards

- 8.21 National planning guidance states that local plans policies for wheelchair accessible homes M4(3) should be applied only to those dwellings where the local authority is responsible for allocation or nomination of a person to live in that dwelling. In response the Council has included part (d) of Policy DM3 - Affordable Housing. This states that :

'd) Where there is an identified need for 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.'

Viability testing of Local Plan approach to older persons housing

- 8.22 Enhanced accessibility 'Access to and use of Buildings' (Policy DM1) - following the Housing Standards Review, accessibility is now incorporated into Part M of the Building Regulations with all buildings now being built to a minimum of M4(1) 'visitable dwellings' with further enhanced requirements to M4(2) 'Accessible and adaptable dwellings' and M4(3) 'Wheelchair user dwellings' optional with implementation via policy but subject to evidence of need as well as viability.

- 8.23 The Council's Whole Plan Viability Assessment January 2021 (CD/G-/14 - CD/G/19) assessed and took account of the costs of the following as part of the testing:

- Residential development must ensure that all new build dwellings meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. Additionally, the Submission Draft Local Plan (Policy DM3 Affordable Housing) indicates that a requirement to provide affordable dwellings constructed to Building Regulation Standard M4(3) Category 3: Wheelchair Accessible Standards, will be dependent on identified need at the time a planning application is submitted and the suitability of the site).
- For specialist housing for older persons (retirement/sheltered and extra care) it was assumed that the general building specification and costs

for that category include provision that would meet the necessary standards.

- 8.24 The findings of the WPVA concluded that the proposed policy approach to older persons housing was a viable one.

Overall Conclusion

- 8.25__ Given the levels of housing need and the limited opportunities to meet them, there will inevitably be high demand for all housing types. Key for the new Plan will be to ensure that each opportunity delivers housing best suited to the particular site whilst taking the prevailing housing needs into account.
- 8.26 The Council considers that all the requirements of Policy DM1-Housing Mix are reasonable and justified. It provides support for an appropriate mix of housing which will provide opportunities for older households to downsize, and for new residential development for older people, including specialist retirement accommodation. It promotes the delivery of housing which meets Building Regulations Standard M4 (2) for accessible and adaptable dwellings for all new dwellings and where justified the provision of dwellings that meet Building Regulations Standard M(3) Category 3: Wheelchair Accessible Standards (under Policy DM3).
- 8.27 The policy requirements have been based on up to date evidence of the need and demand for a range of dwelling types and sizes for market housing. The Plan sets out the principles upon which the housing mix for new residential development should be based without being overly prescriptive.

9) Entry-level and Rural Exception Housing

Q 19. Is the WLP consistent with paragraphs 72 and 78 of the Framework which state that local authorities should support development for entry-level and rural exception sites respectively? Would policies for development in the countryside be supportive of such proposals?

Response:

- 9.1 Rural exception site policy allows local planning authorities to grant planning permission for affordable housing in rural locations where market housing would not normally be acceptable because of planning policy constraints and are therefore an exception to policy. Hence an exception is made to normal planning policy to address proven local housing needs. However, other planning issues such as site suitability, scale, design, etc. must still be addressed.
- 9.2 The 'entry-level exception sites' policy is a tool set out in the NPPF to deliver housing schemes on non-allocated land on the edge of cities, towns and villages which is aimed at first-time buyers or first-time renters.
- 9.3 For the following reasons it is not considered to be appropriate for the Submission Draft Worthing Local Plan to support development for entry-level or rural housing.

'Rural' Development?

- 9.4 Paragraph 78 of the NPPF falls within a section of the document titled 'Rural Housing'. A key test is therefore whether this is applicable to a borough such as Worthing. In this regard, the definition of what is 'rural' for settlements is not clear. PAS guidance indicates that this can vary between locations and could be settlements of less than 3,000 populations for some, to towns of well over 10,000 populations for others. Conversely, paragraph 2.2 of the Urban and Rural Area Definitions for Policy Purposes (ONS) states that physical settlements with a population of 10,000 or more should be treated as 'urban'.
- 9.5 The paragraphs that follow in the NPPF are also of relevance as they help to clarify the Government's objectives for rural housing. Paragraph 79 states that: *to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive,*

especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

(Note - the underlining has been made by WBC to emphasise key words relevant to this question).

- 9.6 Worthing is not home to a rural community, it does not contain villages and there are no groups of smaller settlements within the borough. Furthermore, the Council has never received an application for rural exception housing. Using any definition it can not be argued that Worthing Borough is 'rural' and therefore the relevance of rural housing exception policies for Worthing is questioned.

Suitability for Housing?

- 9.7 Although the Council questions the relevance of 'rural housing' policies, it is accepted that the level of housing need is so great that all opportunities to meet some of that need must be explored. This includes the need to consider the entry-level exception sites (NPPF Paragraph 72) - these would be developed on land which is adjacent to the current built up area boundary and is not already allocated for housing. Although the Council has never received an application for entry-level exception housing this is not justification in itself for not considering this potential source of housing supply.
- 9.8 As highlighted throughout the Submission Draft Worthing Local Plan and related evidence a positive assessment of **all** land around the edge of the built up area boundary of Worthing was undertaken. The conclusion of this comprehensive assessment has resulted in the allocation of six sites on the edge of the town. As reported in detail within the SDWLP and supporting evidence (particularly Topic Paper 2), this work also provided very robust evidence to demonstrate that other areas on the edge of town are not suitable for development. This helped to inform the Spatial Strategy and associated policies SS4 (Countryside and Undeveloped Coast), SS5 (Local Green Gaps) and SS6 (Local Green Spaces).
- 9.9 As illustrated on maps within the Local Plan (pages 24, 25, 61 and 63) there are simply no other areas within the borough that are outside the existing built up area that are not either:
- within the South Downs National Park
 - allocated for development within the WLP
 - protected through policy SS5 and/or SS6

- 9.10 The evidence that supports the policies that protect the key gaps / spaces to the east and west of the town demonstrate how housing development on all or part of the sites in question would be unsuitable. Despite significant housing needs these same reasons would preclude the development of entry-level housing. In addition, the NPPF (footnote 7 page 6 and footnote 35 page 19) identifies specific restrictions for entry-level housing and (with relevance to the land around Worthing) it is made clear that development should not compromise the protection given to Local Green Space.

10) Housing Supply

Q 20. I note that the Housing Implementation Strategy Topic Paper (CD/H/16) includes a Housing Trajectory at Appendix 6. Paragraph 74 of the Framework expects strategic policies to include a trajectory illustrating the expected rate of housing delivery over the plan period and for plans to set out the expected rate of delivery for specific sites. To address this, should there be a main modification to Policy SS2 and inclusion of a detailed trajectory in the appendices to the Plan?

Response:

10.1 In response to this question, it is noted that Paragraph 74 of the NPPF states:

'Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.'

10.2 The Housing Implementation Strategy (HIS) ([CD/H/16](#)) was published when the Plan was formally submitted. It contains a trajectory for the Local Plan period 2020-2036 (See Appendix 6 of HIS). This trajectory has a base date of 1st April 2020. Once the Plan is adopted the housing trajectory will be monitored and updated on an annual basis through the Council's Annual Monitoring Report (AMR). The annual update of the Worthing Strategic Housing Land Availability Assessment (SHLAA) will also continue to be reported through the AMR.

10.3 The trajectory included in the Housing Implementation Strategy is based on the housing monitoring position at 1st April 2020 and the SHLAA Update 2019/20, published in December 2020 and sets out the expected rate of delivery over the Plan period. It is based on current commitments on both large and small sites (as at 1 April 2020), proposed strategic allocations as set out in the Plan and an allowance for small windfall sites.

10.4 The trajectory indicates that the Council can meet this overall housing target set out within the Submission Draft Worthing Local Plan (SDWLP) with a continuous supply of land coming forward for development. There is a peak in delivery in the first five years of the Plan. Delivery rates will reduce during the latter part of the Plan period. This is in part due to the reduced certainty of identifying sites that far into the future and there may be an issue in maintaining a continuous supply of available land for housing towards the latter part of the Plan period.

- 10.5 Annual monitoring will highlight any delivery issues and appropriate intervention measures may be required as set out in the 'Overall Risk to Housing Delivery and Contingencies' (set out in the HIS). Furthermore, a review of the Local Plan (to be undertaken within five years of adoption) will allow any 'new' opportunities to be considered and potentially allocated.
- 10.6 The Council includes a Housing Trajectory within its Annual Monitoring Reports. In addition, to support the SDWLP, the Housing Implementation Plan includes an up-to-date housing trajectory. The WLP and related supporting documents provide a clear narrative that explains how the development strategy corresponds with the annualised delivery rates / forecasts that are embedded in the trajectory.

Overall Conclusion

- 10.7 It is considered that a housing trajectory has been prepared in line with guidance and best practice. Whilst it is acknowledged that some local authorities append this to their Local Plans, the Council consider that, as it represents a point of time, it is better located within a supporting document published closely alongside the Local Plan (the Housing Implementation Strategy) and regularly updated through the Annual Monitoring Report. A trajectory embedded in the Plan would become out of date very quickly and any significant lengthening of the document would run counter to the Government's guidance that Plans should be succinct and user-friendly.
- 10.8 However, if the Inspector is of the view that a trajectory needs to be within the Plan itself then the Council would not have any objection to a main modification to Policy SS2 and the inclusion of a detailed trajectory in the appendices to the Plan.

Q 21 (a) Does the Housing Trajectory accurately reflect the likely start dates, build out rates and completions for each allocated site and existing commitments? If so, what evidence is there to support their deliverability and developability within the timescales set out in the trajectory?

(b) Has the Council agreed SoCG with site promoters or developers in relation to the delivery of each site?

(c) In responding to this question, could the Council clearly set out which sites make up the anticipated 921 dwellings from existing commitments and which sites are classed as 'Other SHLAA sites (excluding allocations)'?

Response:

Q21 (a) Does the Housing Trajectory accurately reflect the likely start dates, build out rates and completions for each allocated site and existing commitments? If so, what evidence is there to support their deliverability and developability within the timescales set out in the trajectory?

10.9 The NPPF (Annexe 2) sets out the definitions for both a 'Deliverable' and 'Developable' site:

***'Deliverable':** To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

***Developable:** To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.*

10.10 National Planning Guidance also advises what will constitute a ‘deliverable’ site for plan making and goes on to state ‘As well as sites which are considered to be deliverable in principle, this definition also sets out the sites which would require further evidence to be considered deliverable, namely those which:

- have outline planning permission for major development;
- are allocated in a development plan;
- have a grant of permission in principle; or
- are identified on a brownfield register.

Such evidence, to demonstrate deliverability, may include:

- current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;
- firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates;
- firm progress with site assessment work; or
- clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.

Plan-makers can use the [Housing and Economic Land Availability Assessment](#) in demonstrating the deliverability of sites.’

10.11 The Council has used a variety of evidence sources to ascertain whether sites should be categorised as either ‘deliverable’ or ‘developable’ in line with national guidance. The SHLAA process is obviously a key component in undertaking any assessment of a site’s suitability and also provides evidence of likely permission timescales, commencement dates, build out rates and completion dates.

Commitments

10.12 In terms of those sites that already have planning permission i.e. the ‘commitments’ element of the Housing Land Supply, these are monitored both locally by the Council and at county wide level by the housing monitoring authority West Sussex County Council (WSCC).

10.13 WSCC undertakes (sometimes undertaken solely or jointly with the Council) annual site visits to large sites (5+) with full or Reserve Matters Permission (Appendix 3 of the HIS sets out the large sites that contribute to the housing supply). WSCC typically only makes adjustments on the anticipated delivery of sites when they have visited them. An assumption is made that dwelling units that are commenced when they visit will be completed within a year and

they tend to not project more than 50 dwellings on any particular phase of a development to come forwards in a future year, unless it's clear from the commencements on site that more will come forwards. When undertaking site visits WSCC officers will, where the opportunity arises, speak to the site office or sales office to get a view on how quickly future dwellings on the development / phases are coming forwards and, where appropriate, will then amend the Estimated Year (Est Yr) fields in their database for commencement or delivery year. In terms of Allocations and to a lesser extent Outline permissions without Reserve Matters (as they don't visit those) the projections they hold in their database are entered with the agreement of the Local Planning Authority and assessed / amended on an annual basis.

- 10.14 In terms of the small sites element of the commitments, paragraphs 5.10 - 5.11 of the Housing Implementation Strategy set out how WSCC assesses the likely delivery rate of small sites that contribute to housing delivery in the first five years.
- 10.15 WSCC shares their draft data on an annual basis and the Local Planning Authority double checks this against the data held locally (planning / building control / land registry records etc) and also discusses with Development Management Officers and any other internal officers that may have an involvement with any particular application. To ensure that the most up to date information about an application site is recorded officers also make a review using any relevant information gathered from site owners / site promoters. This data once finalised forms the basis of the Council Annual Monitoring Report.

Allocations

- 10.16 In terms of the proposed allocations set out in the SDWLP the Council has had ongoing discussions with site owners during the review of the local plan and at the consultation stages of the various iterations of the plan, in terms of site availability, appropriate mix of uses, likely commencement, build out and expected completions. In addition, site owners and promoters have been provided with opportunities through the 'call for site' opportunities to update any information held on a particular site being promoted.
- 10.17 Of the 15 proposed site allocations, 7 are already within the ownership of Worthing Borough Council or West Sussex County Council (and Sussex Police - A3 Centenary House) and more recently the Council has agreed to purchase another site - Teville Gate (A12). This means that the Council has a significant amount of control over how sites in their ownership are progressed. In addition, the Council works proactively with developers and site owners of privately owned sites including the promotion of sites through for example the publication of an [Investment Prospectus](#) and [Building AW](#). These are just a few examples of the actions that the Council have taken, and will continue to take, to ensure that all potential opportunities are identified, robustly assessed and delivered expediently. The actions are set out in more detail in 'Part 6 - A Positive Approach to Development' in the Final Housing Implementation Strategy.

- 10.18 The introductory text to Chapter 4 (Site Allocations) of the SDWLP clearly explains how sites were assessed and then sets out those that are included as allocations. It acknowledges that some of the allocated sites may have planning permission but have not commenced. The decision whether to allocate a site with planning permission was very much dependent on the level of confidence the Council had that it would progress in its permitted form. Where there were indications that a site may not progress as permitted, a view was taken that the allocation would establish the key principles of future development in the Plan.
- 10.19 One key development site in the borough that has not been allocated within the SDWLP is 'Land north of West Durrington'. This greenfield site was formerly part of a wider West Durrington allocation in Core Strategy and was previously highlighted in the Core Strategy as a Potential Future Development Area (PFDA). To help support housing delivery it was then identified for early release in advance of the new Local Plan. Although this site will deliver a significant number of dwellings (240) a decision was taken not to allocate it within the emerging Plan as the site had planning permission, a legal agreement had been signed and development has recently commenced.

(b) Has the Council agreed SoCG with site promoters or developers in relation to the delivery of each site?

- 10.20 In the response to Q21 (a) the Council has set out how officers have engaged with site promoters or developers over the plan review period. Whilst no specific SoCG on each site has been published the Council has maintained detailed contact logs for each of the sites that have been proposed as allocations in SDWLP. This records key discussions with all site promoters and how this has helped to influence the SDWLP.
- 10.21 It should also be noted that of the 15 allocations 6 are owned by WBC, 1 by WSCC and the Council has recently committed to purchase another site (A12 - Teville Gate allocation). Of the remaining 7 privately owned sites Council officers from the Planning and / or Place and Investment Teams have maintained a continual dialogue to ensure sites are either deliverable or developable.
- 10.22 To ensure that there was clear agreement on the sites proposed for allocation, where appropriate, the Council shared emerging policy drafts with the site promoter / developer. This dialogue helped to inform both the capacity assumptions and / or the development requirements for each site. Ultimately, all site promoters are on the Council's consultee database and they have been given the opportunity to comment on the emerging Plan at each stage of consultation. As recorded within Core Document Ref (CD/G/22-25), some minor comments have been received with regards to a few of the sites. However, in the main, it is clear that there are very few areas of any disagreement and the lack of objection from many site promoters can be seen as an endorsement of the approach taken for the site within their interests.

- 10.23 Also as stated above, a number of sites are now Council owned or the Council have a significant level of involvement so we are confident that the timescales proposed are deliverable - those sites with less certainty are expected to deliver towards the latter years of the Plan but there are ongoing discussions to ensure delivery. The Housing Implementation Strategy and the Housing Delivery Test - Action Plan set out in detail the steps that the Council have and will continue to take to ensure the timely delivery of identified sites and the continued efforts to identify any further opportunities.
- 10.24 If required, the Council would be happy to provide further commentary (at, or before, the Hearing Sessions) that will help to further demonstrate the progress made on each side and the evidence that provides the Council with confidence that the developments will be delivered in the manner and time proposed.

(c) In responding to this question, could the Council clearly set out which sites make up the anticipated 921 dwellings from existing commitments and which sites are classed as 'Other SHLAA sites (excluding allocations)'?

- 10.25 The [Final Housing Implementation Strategy](#) (HIS) (Topic Paper 1 CD/H/16) which builds on the Annual Monitoring Report (AMR) 2019/2020 clearly sets out the sites that make up the various components of the supply of housing over the Plan period. Part 5 - Delivery Strategy of the HIS sets out the various sources of housing supply and explains how the data is derived.

Commitments

- 10.26 More specifically paragraphs 5.9 - 5.11 of the HIS explains that the 'commitments' element of housing supply comprises those larger sites of 5+ or more dwellings where planning permission has been granted and where there are no contraindications that the permission will not be implemented. In addition, the commitments also include a percentage of smaller sites, 4 or fewer dwellings that have planning permission and where the monitoring authority WSCC makes an assessment of the likely delivery of such sites (set out in paragraphs 5.10-5.11 of the HIS).
- 10.27 Appendix 3 of the HIS sets out those larger sites with extant planning permission which have been considered deliverable as at 1 April 2020. This table also gives a summary of each site as to why the site is considered to be achievable. In addition, the contribution that small sites make to the supply of commitments is set out in both paragraphs 5.10 - 5.11 of the HIS and in Table 3. Sources of Housing Supply set out in the AMR 2019/20.

Other SHLAA sites (excluding allocations)

- 10.28 Paragraphs 5.5 to 5.8 of the HIS set out how the SHLAA process has played a key part in the identification of sites that contribute to the housing supply in

the borough. The latest published SHLAA 2020 sets out those sites that are considered to have potential to deliver housing over the Plan period. The larger of the SHLAA 'Potential Sites' have been proposed as allocations within the SDWLP as set out in proposed policy 'SS2 Site Allocations' of the SDWLP with the specific site allocations policies set out in 'Part 4 Site Allocations ' A1 to A15. Those larger SHLAA sites / proposed SDWLP allocations are listed in the first part of the table in 'Appendix 2 - Strategic Housing Land Availability Assessment Review sites at 1st April 2020' in the HIS.

- 10.29 The remaining SHLAA sites that have been assessed as offering the potential deliver new homes but not of a size to be allocated in the Plan are set out in the second part of the table in 'Appendix 2 - Strategic Housing Land Availability Assessment Review sites at 1st April 2020' in the HIS. These sites are referred to as 'Other SHLAA Sites Excluding Proposed Local Plan Allocations 2020'.

Overall Conclusion

- 10.30 The Council's Housing Trajectory sets out the most realistic start dates, build out rates and completion dates for both the proposed allocations in the SDWLP and the commitments. The Council has used a variety of data sources and other evidence to arrive at this and is confident that the conclusions reached are based on the most up to date information available. It is acknowledged that circumstances can change and as such the Council is committed to ongoing reviews and updates of the trajectory through its Annual Monitoring Report to ensure that the most up to date information is reflected.
- 10.31 The trajectory set out at Appendix 6 in the Housing Implementation Strategy accompanying the Submission Draft Worthing Local Plan sets out in more detail the expected delivery timescales of each of the component parts that make up the housing supply. The Council has more detailed information of each site in terms of the expected commencement, build out and completion dates based on the most up to date information at the time of Submission that sits behind the trajectory. The Council is currently undertaking a full update of the data including the most recent data from WSCC and the SHLAA and this will be available prior to examination should the Inspector wish.

Q 22. Finally, is the evidence clear as to the process the Council went through to identify suitable sites for development and the criteria for selection or rejection?

Response:

10.32 The Council recognises the requirements in the NPPF for local planning authorities to have a clear understanding of the development land available in their area through the preparation of a Strategic Housing Land Availability Assessment (SHLAA).

10.33 In undertaking the assessments, the Council took account of the Government's National Planning Practice Guidance which sets out how land availability assessments should be undertaken and states that they should:

- Identify sites and broad locations with potential for development;
- Assess their development potential;
- Assess their suitability for development and the likelihood of development coming forward (the availability and achievability).

10.34 It is recognised that the SHLAA forms an important piece of evidence to underpin work on site identification for the Submission Draft Worthing Local Plan. The ongoing SHLAA process provides a robust and up to date assessment of land with development potential in the borough.

SHLAA Methodology

10.35 In early 2020 Adur and Worthing Councils consulted on an updated SHLAA methodology that included amendments to reflect the updated NPPF 2019 and the updated SHLAA guidance published by the Government. There were only 7 responses received to the consultation and other than some minor amendments the proposed methodology to site selection was generally supported. The updated methodology and the responses received (Appendix 1) and other changes (Appendix 2), as a result of that consultation can be viewed here:

-  [Strategic Housing Land Availability Assessment \(SHLAA\) Methodology - August 2020](#) (424KB)
-  [Strategic Housing Land Availability Assessment \(SHLAA\) Methodology - August 2020 - Appendices 1 and 2](#)

10.36 At the same time as the consultation on the updated methodology another opportunity was taken for a 'Call for Sites' exercise. The responses received in respect of the 'Call for Sites 2020' have been assessed and are included within the updated SHLAA 2020 which can be viewed below:

-  [Worthing Strategic Housing Land Availability Assessment \(SHLAA\) Update - December 2020 SHLAA](#)

10.37 It should be noted that on regular occasions the Council has published a 'Call for Sites' when landowners, developers, agents and other stakeholders with knowledge and interests in the area are asked to either put forward opportunities for assessment or provide any updated information on existing SHLAA sites.

10.38 Like most authorities, Worthing Borough Council suggest a time period within which sites should be promoted. However, as housing need is so great in Worthing and site opportunities so limited the reality is that the 'Call for Sites' never closes and interested parties are encouraged to submit potential sites for consideration at ANY time. This is highlighted within all relevant text and explained to any site promoter who contacts the Council by phone or email.

Site selection

10.39 The full detailed approach to site identification can be found in the SHLAA methodology 2020 (links above) but in summary, the following steps have been used to identify suitable sites.

10.40 The SHLAA methodology 2020 at Chapter 3 follows national guidance and sets out the steps taken to identify sites and any broad locations:

- **Stage 1 Site/Broad Location Identification;**

10.41 **Defining the assessment area** - in accordance with national guidance an assessment was undertaken as to the most appropriate area for the SHLAA to consider. In Worthing's case it was concluded that the SHLAA should consider land availability within the Worthing Local Plan area, covering the borough outside the South Downs National Park.

10.42 **Site Size Threshold** - as part of the revised SHLAA methodology 2020 the site size threshold was amended from sites of 6 or more dwellings to 5 or more dwellings in line with national guidance. National guidance had allowed for alternative site size thresholds to be used where appropriate. The use of a 6 site threshold reflected the division between large and small sites threshold, used by West Sussex County Council (WSCC) for their monitoring purposes (the housing monitoring authority for Worthing). However, WSCC has now revised their threshold to 5 dwellings in line with guidance and as such the Council now uses this threshold for their assessments. This also aligns with the threshold for Brownfield Land Registers.

10.43 **Site identification** - in seeking to identify all opportunities the Council uses a wide range of sources as possible and does not just rely on sites already known to them. In addition to seeking all new potential opportunities to identify suitable sites the Council regularly reassess those sites that may have been rejected in the study to ensure that assumptions made were correct and / or

that circumstances have not changed. Table 1 in the SHLAA methodology 2020 (reproduced below for ease of reference) sets out the sources of information used to help identify potential suitable sites.

Table 1: Sources of potential sites

Type of Site	Potential Data Source
Existing housing and economic development allocations and site development briefs not yet with planning permission	<ul style="list-style-type: none"> • Local Plans • Development/Planning Briefs • Neighbourhood Plans • Planning application records
Planning permissions for housing development that are unimplemented or under construction	West Sussex County Council monitoring data (including annual Housing and Residential Land Availability Survey (RLA)) <ul style="list-style-type: none"> • Planning application records
Planning applications that have been refused/withdrawn/expired	<ul style="list-style-type: none"> • Planning application records
Land in the local authority's ownership	<ul style="list-style-type: none"> • Local Authority land ownership records/GIS layer • Estates Team - Review of Council Assets
Surplus and likely to become surplus public sector land	<ul style="list-style-type: none"> • National Register of Public Sector Land • Strategic Plans of other public sector bodies/utility providers • Engagement with other public sector bodies/utility providers
Sites with permission in principle and identified brownfield land	<ul style="list-style-type: none"> • Local authority Brownfield Land Register • National Land Use Database
Vacant and derelict land and buildings (including empty homes, redundant and disused agricultural buildings, potential permitted development changes e.g. offices to residential)	<ul style="list-style-type: none"> • Local authority Empty Property Register • English House Condition Survey • National Land Use Database • Commercial Property databases (Adur and Worthing Business Partnership) • Valuation Office database
Under-utilised facilities such as garage blocks	<ul style="list-style-type: none"> • Local Authority records • Site visits • OS maps/aerial photography • Planning applications
Large scale redevelopment and redesign of existing residential areas	<ul style="list-style-type: none"> • Local Plans/Housing Delivery Strategy • Planning applications • OS maps and aerial photography • Site surveys

Sites previously included or rejected in the SHLAA process	<ul style="list-style-type: none"> • Urban Capacity Studies • SHLAA Reports • Adur Urban Fringe Study • Worthing Appraisal of Greenfield Sites • Landscape Studies • Open Space, Leisure and Built Facilities Studies • Employment Land Review Studies • Retail Studies • Shoreham Harbour Joint Area Action Plan
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Note - the SHLAA methodology 2020 is a joint methodology for both Adur and Worthing Councils and therefore there may be specific references to studies / data sources that apply to one authority or the other.

10.44 **Call for sites** - in addition to the initial site identification process the Council also uses 'Call for Sites' to identify development sites that are not currently within the planning process and to provide updated information on sites that have previously been identified. The Council has undertaken a number of 'Call for Sites' exercises since the first SHLAA were produced in 2013. As already mentioned above, given the significant level of demand for homes and the lack of available sites in the area the 'Call for Sites' is always 'Live' i.e. that the 'door is always open' for anyone who may want to promote a site and interested parties are encouraged to submit potential sites for consideration at any time.

10.45 **Desktop Review/Exclusion Criteria** - having collated all sites identified from all the various sources outlined above the next step is to undertake an initial filtering out exercise to exclude sites that are not considered to have any reasonable development potential, having regard to national and local policies and designations. Table 2 of the SHLAA methodology 2020 clearly sets out the sites that will be excluded and the reasons why they will be excluded. It is important to note that in line with the commentary above, all sites excluded / rejected are reassessed on a regular basis to see whether the reasons for exclusion / rejection have changed.

- **Stage 2 : Site/Broad Location Assessment**

10.46 Having undertaken a sifting exercise those sites that reach Stage 2 of the SHLAA will be assessed as to their suitability, availability and achievability of sites and assessed as to their development potential and the timescale in which they may be expected to be delivered.

10.47 The assessment will categorise the sites as :

- Potential Site
- Rejected Site - Monitor
- Rejected Site

- Committed Site

- 10.48 The 'Table 3 SHLAA Status' on page 11 of the SHLAA methodology 2020 clearly sets out the definitions for each of these categories.
- 10.49 **Assessing suitability** - Page 11 of the SHLAA methodology 2020 clearly sets out how, in line with national guidance, the Council undertakes the assessment of site suitability. In 'Table 4 :Potential constraints' on page 13 sets out the constraints that will be considered when considering the suitability of a site. Development may be suitable in these locations depending on the size of the site and the extent to which the constraint covers a site and its potential impact. These constraints are likely to have an impact on the capacity of a site (e.g. affect design and layout) and also the timing of when development may take place.
- 10.50 Based on the assessment of all the factors officers then make a judgement as to a site's overall suitability for residential development.
- 10.51 It is important to note that the SHLAA cannot itself be expected to undertake the level of detailed assessment of sites that would be expected through the development management process, for example in Flood Risk Assessments, Habitats Surveys, Transport Assessments, Landscape and Visual Assessments etc. Its role is to use available evidence, highlight major constraints and make judgements using the best available information.
- 10.52 A specific example where more detailed levels of assessment were required are the greenfield/ edge of town sites that are now either proposed as allocations in SDWLP or designated as Local Green Gaps and/or Local Green Space.
- 10.53 The [SHLAA update 2016](#) clearly explains that work had at that time commenced on the Worthing Local Plan review. It acknowledges that given the lack of opportunities in the borough the only realistic option for growth (beyond those sites already tested in previous studies) are greenfield extensions and even these opportunities are limited within the context of Worthing. A total of 8 greenfield sites were identified through both the "Call for Sites" exercise and desktop research.
- 10.54 Whilst continuing to monitor opportunities on previously developed sites the Council committed to undertake a comprehensive assessment of these greenfield / edge of town opportunities. It was acknowledged in earlier iterations of the SHLAA that the level of evidence required to inform the consideration of these opportunities would need to be much more robust than that expected for the previously developed sites where, in general, there is presumption in favour of sustainable development.
- 10.55 A significant amount of evidence gathering has taken place as part of the local plan review and more specifically on the assessment of these greenfield / edge of town opportunities. These sites have since been assessed against the criteria in this SHLAA alongside the Sustainability Appraisal and various

evidence studies.

- 10.56 The SDWLP explains under the section 'Developing a Target for Housing Delivery' and more specifically at Paras 3.16 to 3.20 how the Council has assessed both brownfield (sites within urban areas/previously developed sites) and those edge of the town (mostly greenfield) sites. It states that the Sustainability Appraisal together with associated evidence studies (including biodiversity, flood risk, accessibility, landscape and infrastructure capacity) were all used to assess all potential sources. It goes on to conclude that this comprehensive assessment has resulted in the allocation of six sites on the edge of Worthing.
- 10.57 The SHLAA methodology then goes on to set out the considerations and criteria for assessing the achievability, estimating the development potential, and then estimating the timescale and rate of development. These steps all take account of national guidance. Stage 3 of the SHLAA methodology considers Windfall sites and Stage 4 Assessment Review. Finally Stage 5 sets out the Final Evidence Base and what each Final SHLAA report contains. These reports are published annually on the Councils [webpage](#).

SHLAA Database

- 10.58 The Council has designed a database which includes as much information as possible about each site subject to assessment. This includes:
- Site size, boundaries, and location;
 - Site ownership details;
 - Information about availability status of site;
 - Current land use and character;
 - Land uses and character of surrounding area;
 - Physical constraints (e.g. access, contamination and hazards, steep slopes, ground conditions flooding, natural features of significance, location of infrastructure/utilities);
 - Potential environmental constraints;
 - Consistency with the development plan's policies;
 - Proximity to services and other infrastructure such as public transport and walking/cycling routes;
 - Where relevant, development progress (e.g. ground works completed, number of units started, number of units completed);
 - Initial assessment of whether the site is suitable for a particular type of use or as part of a mixed-use development.
- 10.59 Each site is given its own record, unique reference number and then mapped. Each site assessment reaches a conclusion and then each site is given a SHLAA category as set out above and referred to in SHLAA methodology in 'Table 3 SHLAA Status'. The final SHLAA report pulls out a more detailed assessment of all sites categorised as 'Potential Sites' with all other sites categories having the key SHLAA conclusions pulled through to the final report.

Overall Conclusion

- 10.60 The Council is confident that the process it went through to identify suitable sites for development are informed by clear evidence and thus in line with national planning guidance. In addition, it considers that the criteria used for the selection or rejection of a site is transparent and robust.

11) Local Green Spaces

Q 23. The Land Outside the Built-Up Area Boundary Topic Paper (CD/H/18) sets out the Council's justification for the designation of Local Green Spaces (LGS). However, could the Council specifically explain how it has considered the requirements of paragraph 102c) of the Framework, which states that LGS should be local in character and should not be extensive tracts of land?

Response:

11.1 Policy SS6 designates three areas as Local Green Spaces:

- Goring-Ferring Gap;
- Chatsmore Farm; and
- Brookland Recreation Area.

11.2 The Council carefully considered the requirements of paragraph 102 c) of the NPPF and in doing so, reviewed national planning practice guidance as well as commissioning Local Green Space assessment evidence. The Council would like to draw attention to Topic Paper 2 - Land Outside of the Built Up Area Boundary ([CD/H/17](#)) as it may be helpful to read this response alongside the topic paper.

11.3 As a starting point, the Council was mindful of the following paragraph contained in National Planning Practice Guidance (Paragraph: 015 Reference ID: 37-015-20140306) which states that:

There are no hard and fast rules about how big a Local Green Space can be because places are different and a degree of judgment will inevitably be needed. However, paragraph 100 of the National Planning Policy Framework is clear that Local Green Space designation should only be used where the green area concerned is not an extensive tract of land. Consequently blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name.

11.4 Following an initial review of all relevant evidence, including relevant criteria and examples from other Local Planning Authorities, the Council was of the view that the areas being considered for LGS designation were likely to meet the tests set out in NPPF / PPG. However, as this was a relatively new level of designation it was considered important that an independent review was sought from a landscape consultant that would either endorse or challenge this initial view.

11.5 The Council commissioned Hankinson Duckett Associates (HDA) to undertake an appraisal of the landscape suitability of these sites (Goring /

Ferring Gap, Chatsmore Farm & Brooklands Recreation Area) for designation as LGS. The assessment has considered the suitability of each of the sites for designation as a LGS, particularly the requirement that LGS should be local in character and not an extensive tract of land.

- 11.6 For ease of reference, key extracts have been lifted from the consultant reports as enclosed below:

Goring Gaps

Refer to section 4.4 of the [Goring Gap Proposed Local Green Space Designations](#) (June 2018) (CD/M/32 & CD/M/33)

“Whilst the NPPF criteria state that a Local Green Space should not be an extensive tract of land, it does not indicate what constitutes an extensive tract. The Government’s ‘Open space, sports and recreation facilities, public rights of way and local green space’ guidance gives some further advice on the suitability of green spaces for designation as Local Green Spaces. Paragraph 015, Reference ID 37-015-20140306, comments that “There are no hard and fast rules about how big a Local Green Space can be because places are different and a degree of judgment will inevitably be needed” and that “...blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name”.

Although this relatively broad criterion is open to interpretation, the NPPF criteria and the size suitability of specific green spaces for designation as Local Green Spaces, have been tested through the local and neighbourhood plan process of other authorities. The adopted Havant Borough Council Local Plan includes a number of Local Green Spaces, including sites which are approximately 40ha (Queens Inclosure) and 62ha (Hollybank Woods). Areas within Havant which were considered too extensive for designation as Local Green Spaces include Hayling Beach, which stretches approximately 3 miles in length. Applications to the Cheltenham Borough Local Plan for Local Green Space designations include sites of approximately 46ha (Leckhampton Fields) and 48ha (Swindon Village Fields).

Both parts of the Goring Gap are locally distinctive areas of open space adjacent to the surrounding conurbation, yet with visual connectivity to the undeveloped coastline to the south and the National Park to the north. Chatsmore Farm measures approximately 30ha in area, and the Goring-Ferring Gap site is approximately 62ha, however there is precedence for larger sites being designated through the local plan processes of other areas and authorities. These include the 62ha site at Hollybank Woods in Havant, and sites identified for the Cheltenham Borough Local Plan which include sites of approximately 46ha and 48ha. The government guidance does not state a maximum size, “because places are different and a degree of judgment will inevitably be needed” and explains that “...blanket designation of open countryside adjacent to settlements will not be appropriate”. Therefore

the size of individual applications needs to be considered in their local context.

A larger area does not necessarily translate into an 'extensive tract' of land. For example, Humpty Hill which measures 5.6ha was recommended for deletion from the Faringdon Neighbourhood Plan at Examination as it was considered to be an extensive tract of land by the Examiner. However larger sites, including Fontwell Meadows which measures 9.75ha, and Tupper's Field which measures 11.2ha, were accepted by the Examiner of the Walberton Neighbourhood Plan as appropriate for Local Green Space designation and not extensive tracts of land given their context.

The Examiner of the Walberton Neighbourhood Plan states that "There does not appear to be any direct legal authority on the definition of an "extensive tract of land". The word "extensive" is defined in the Oxford Dictionary as "having a wide extent". Other attributable meanings are "uncircumscribed", "expanse", "unlimited space". In planning terms the phrase "extensive tract" is usually used in connection with land to be designated as national parks. In my judgment it is apparent from the planning perspective that the definition of an extensive tract of land means large areas of the countryside."

In rejecting the smaller Humpty Hill site, the Examiner of the Faringdon Neighbourhood plan states that "The Guidance is very clear that 'there are no hard and fast rules about how big a Local Green Space can be because places are different and a degree of judgement will inevitably be needed'. On this basis it would be inappropriate to take an examiner's judgement on proposed local green spaces elsewhere as a definitive guide on the extent to which Humpty Hill is or is not an extensive tract of land."

Given the extent of the settlement along the coastal plain which the Goring Gap serves, and the distance between Goring and Ferring required for the Gap to function as effective open space between the two settlements, the Goring Gap sites would be appropriate, meaningful sizes for a Local Green Space in this context. Both parts of the Gap are self-contained parcels of land with clearly defined edges, rather than extensive tracts of open, and undefined landscape.

As set out in this report, it is considered that both parts of the Goring Gap meet all the NPPF criteria for Local Green Spaces. Firstly, both parts of the Gap are adjacent to the community they serve. Secondly, they are demonstrably special to the local community and hold particular local significance for not just one, but all, of the examples provided in the NPPF criteria. Lastly, both sites which form the Gap are well-defined parcels of land and are not extensive tracts or simply blankets of unremarkable open countryside.

In conclusion, both parts of Goring Gap, consisting of the fields at Chatsmore Farm, and the Goring-Ferring Gap, fully meet the criteria and are suitable for designation as a Local Green Spaces, and if designated could complement other potential open space designations or local gap policies on the sites."

Brooklands

Refer to section 4.4 of the [Brooklands Recreation Area Proposed Local Green Space Designations](#) (June 2018) (CD/M/34 & CD/M/35)

Paras 4.4.1 - 4.4.3 are repeated (as for Goring Gaps)

“The Brooklands Recreation Area is approximately 30ha in area, however there is precedence for larger sites being designated through the local plan processes of other areas and authorities. These include the 62ha site at Hollybank Woods in Havant, and sites identified for the Cheltenham Borough Local Plan which include sites of approximately 46ha and 48ha. The government guidance does not state a maximum size, “because places are different and a degree of judgment will inevitably be needed” and explains that “...blanket designation of open countryside adjacent to settlements will not be appropriate”. Therefore the size of individual applications need to be considered in their local context.

Paras 4.4.5-4.47 are repeated (as for Goring Gaps)

Given the extent of the settlement along the coastal plain which the Brooklands Recreation Area serves, and the distance between East Worthing and Lancing required for the area to function as effective open space between the two settlements, the Brooklands Recreation Area would be an appropriate, meaningful size for a Local Green Space in this context. The area is a self-contained parcel of land with edges clearly defined by settlement to the east and west, the railway to the north and the A259 along the coast to the south, rather than an extensive tract of open, and undefined landscape.

As set out above, it is considered that the Brooklands Recreation Area meets all the NPPF criteria, and has local significance in relation to several of the examples included in the criteria. Brooklands Recreation Area is adjacent to the community it serves, has considerable recreational value, is valued for its beauty and wildlife, and given the adjacent conurbation, provides a sense of relief from urban influences and has areas of relative tranquillity. The area is a well-defined parcel of land and not an extensive tract or blanket of countryside.

In conclusion, the Brooklands Recreation Area fully meets the criteria and is suitable for designation as a Local Green Space, and if designated could complement other potential open space designations or local gap policies on the site.”

- 11.7 It is therefore considered by the Council that in light of the independent assessment, robust evidence has been provided. The evidence demonstrates that the Goring Gaps and Chatsmore Farm are self-contained parcels of land with clearly defined edges, rather than an extensive tract of open, and undefined landscape. In relation to Brooklands, the area is again a well

defined parcel of land and not an extensive tract or blanket of countryside. This evidence has equipped the Council with the confidence to propose Local Green Space designations in the Submission Draft Worthing Local Plan that would be in accordance with paragraph 102 c) of the NPPF.

- 11.8 Further to this, strong support from local community groups (with 136 representations opposing development in these areas and / or supporting 'protection' of both the Goring gaps and Brooklands Recreation Area - refer to [CD/F/24](#)) has substantiated this policy approach.

Q 24. Further to this, paragraph 103 of the Framework states that policies for managing development within a LGS should be consistent with those for Green Belts. Does Policy SS6 reflect national policy in this regard? In addition, where LGS and Local Green Gaps coincide, could the Council explain how policies SS5 and SS6 would interact, particularly given the requirements of paragraph 101?

Response:

- 11.9 The Council has responded to these questions in two parts:

Does Policy SS6 reflect national policy?

- 11.10 Supporting text paragraph 3.54 recognises that a Local Green Space (LGS) designation provides special protection equivalent to that afforded by the Green Belt.
- 11.11 The NPPF (2021) is clear that local policy for managing development within a Local Green Space should be consistent with Green Belt policy, meaning that the area should be kept 'permanently open' and that any development within a Local Green Space should only be permitted in very special circumstances.
- 11.12 The Council commissioned Hankinson Duckett Associates (HDA) to undertake an appraisal of the landscape suitability of these sites for designation as Local Green Spaces. The Local Green Space Assessment Study (2018) (CD/M32-CD/M/35) for both Goring Gaps and Brooklands states that (para 1.4.16):

It is likely that open space recreational uses which are consistent with the aspirations of the Local Green Space, such as maintaining openness or adding to the recreation value of the space, could be considered as acceptable development within a Local Green Space. For instance, pavilions or small cafes could provide a recreational hub in Local Green Spaces which are special to local communities for their recreational value.

- 11.13 It must be noted, as set out in paragraph 3.60 of the Submission Draft

Worthing Local Plan, that Brooklands Recreation Area has attracted significant levels of public support for the environmental improvements already made and those that are being planned. More recently, the Brooklands Park Masterplan has been prepared which has taken account of feedback from the local community and the results of an ecological study. Forthcoming enhancements, a limited amount of built development and the implementation of the Masterplan proposals for a science adventure park will increase Brooklands' recreation and wildlife value and enhance its scenic beauty.

- 11.14 With this in mind, the Council has recognised that increased quiet and informal recreation would be compatible with the LGS designation for Goring-Ferring Gap (Policy SS6 a) i) and Chatsmore Farm (Policy SS6 b) ii). However, any development proposals seeking formal recreation space or structures would have to demonstrate that it does not conflict with the qualities for which Goring-Ferring Gap and Chatsmore Farm is valued. With regards to Brooklands Recreation Area, development will not normally be permitted unless it is for recreation and / or landscape enhancement (Policy SS6 c) iii). It is considered that these policy requirements reflect criterion e) paragraph 150 of the NPPF which relates to material changes in the use of land within the Green Belt.

Where LGS and Local Green Gaps coincide, could the Council explain how policies SS5 and SS6 would interact, particularly given the requirements of paragraph 101?

- 11.15 It is accepted that there is some crossover in objectives between Policy SS5 (Local Green Gaps) and Policy SS6 (Local Green Spaces) in that they are both policy mechanisms designed in the general sense to safeguard land outside of the built up area boundary from inappropriate development.
- 11.16 However, the Council would like to clarify that there are noticeable and distinct differences between Policy SS5 and Policy SS6 regarding their specific functionality (refer to paragraph 3.41 of the Submission Draft Worthing Local Plan which highlights the fundamental purpose of both designations) and in order to demonstrate this, this response will elucidate the purpose / function of each policy designations and the criteria used to define such designations.
- 11.17 As a starting point, paragraph 9 of the NPPF (2021) makes it clear that -
- “Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.”*
- 11.18 With this in mind, the Council has taken the view that there are no limitations on the number of policy mechanisms being included in a Local Plan and thus each designation is intended to achieve a different purpose - provided that each policy mechanism is justified with regards to reflecting the character, needs and opportunities of each area.

- 11.19 In the early stages of preparing the Worthing Local Plan, the Council undertook an Issues and Options Consultation 'Your Town - Your Future' (June 2016) ([CD/E/1](#)). A significant number of representations were submitted expressing the view that all greenfield sites should be protected from development, or at least protected until such time that all brownfield options had been exhausted. In particular, the Goring / Ferring Gap and Chatsmore Farm attracted the most attention (183 respondents - see [CD/E/7](#)). In view of these responses and the Council's Local Green Space Assessment evidence, the Council explored the issues relating to these sites, their historic and current policy context, and thus possible policy approaches to take if planning for their protection.
- 11.20 Through this assessment process, it was recognised that there were a number of tools (such as Local Green Gaps and Local Green Space) at the Council's disposal for the protection of land outside the Built Up Area Boundary. The Topic Paper 2 - Land Outside of the Built Up Area Boundary ([CD/H/17](#)) documents the review of these policy mechanisms and thus sets out the rationale of the spatial approach of defining land outside the Built Up Area Boundary as set by Policy SS5: Local Green Gaps and Policy SS6: Local Green Spaces.
- 11.21 In light of increased development pressures against the need to protect valued green spaces within the context of climate emergency and health and wellbeing of local communities, it was viewed beneficial to incorporate a local policy designation (in addition to Policy SS4: Countryside and Undeveloped Coast) in the form of Local Green Gaps (Policy SS5) in the Submission Draft Worthing Local Plan. The principal purpose of Local Green Gaps is to avoid coalescence and preserve the separate character and identity of Worthing as distinct from Sompting and Lancing / Adur to the east and Ferring / Arun to the west by providing physical and visual breaks. This is particularly important given the compact nature of Worthing and its location within the south coast conurbation as there are few breaks in development between Brighton-Chichester; those at the edges of Worthing are particularly fragile due to their small size and narrowness.
- 11.22 In addition, the Council also explored the appropriateness of introducing other policy mechanisms such as Local Green Space which in its own right could be of value pertaining to land outside the built up area boundary.
- 11.23 The consideration of this tool was initiated by the receipt of a Local Green Space (LGS) designation [application](#) for Goring / Ferring Gap and Chatsmore Farm submitted by the Ilex Conservation Group and the Goring Residents' Association, with support from Cllrs Nolan and Cllr Proudfoot (of Goring and Castle Ward respectively). Letters of support were also received by the Shoreham and District Ornithological Society, the Sussex Ornithological Society, the Ferring Conservation Group, and Ferring Parish Council. The report was supported by detailed evidence of the gaps' archaeological and historical associations, biodiversity and especially ornithological value.

This information provided evidence of the value of these green spaces to the local community.

11.24 This LGS application was a request for the Gaps to be formally designated as LGS to provide special protection against development. The NPPF allows local communities to identify and protect green spaces which are of particular importance to them subject to satisfying the requirements of paragraph 102. In addition, Friends of Brooklands Park was established in 2017 to help maintain the park and have a say in its future direction. An online consultation with local residents regarding plans to create a [management plan](#) for Brooklands Park, was carried out by Adur & Worthing Councils in early 2018. Over 800 people responded to the consultation, giving their views on the Brooklands Recreation Area. This has demonstrated very significant levels of support by the local community.

11.25 In order to demonstrate compliance with the designation criteria requirements, the Council commissioned Hankinson Duckett Associates (HDA) to undertake an appraisal of the landscape suitability of these sites as well as Brooklands Recreation Area for designation as Local Green Spaces (CD/M/32-CD/M/35). The Study reports at paragraph 1.4.6 the relationship between Local Green Space to other designations. For ease of reference an extract is enclosed below:

“The PPG recognises that the Local Green Space designation is one of a number of countryside/environment designations, and notes that each is intended to achieve different purposes (paragraph 011). If an open space already has a designation, such as National Park, Site of Special Scientific Interest or conservation area, or is subject to policies such as Green Belt or Strategic Gap, Local Green Space may still be appropriate as an extra designation, provided additional local benefit would be gained from the designation. In areas already protected from development, such as those covered by Green Belt policy, paragraph 010 comments that the “addition of a Local Green Space designation could help to identify areas that are of particular importance to the local community”.

11.26 This provided the Council with the reassurance and confidence that in addition to the Local Green Gap designation, there is robust evidence to justify the approach of including a Local Green Space designation.

11.27 In conclusion, despite some similarities between Policies SS5 and SS6 in that their overarching purpose is to safeguard land from inappropriate development, this doesn't preclude the policies from interacting with each other where they coincide. It has been demonstrated that the two different types of designations are not mutually exclusive and thus are intended to achieve different purposes. Furthermore, the LGS designation would provide an additional local benefit to the local community it serves.

11.28 It is therefore considered that both policies are in compliance with paragraphs 9 and 101 of NPPF and national planning practice guidance.

Q 25.Finally, particularly in relation to the Brooklands Recreational Area, could the Council confirm that the inset maps for Local Green Gaps and LGS set out on pages 61 and 63 of the WLP are accurate and consistent with the Policies Map?

Response:

11.29 The Council has proposed a [modification](#) (M46) (in relation to the image on pages 61 and 63) to amend the boundary of the Local Green Space and Local Green Gap designations so that they do not extend onto beach / coastline / sea. This modification has been proposed to ensure consistency with the Proposals Map.

12) Highways England

Q 26. At what point should I expect an agreed Statement of Common Ground (SoCG) with Highways England to be signed? If the statement is not agreed, then what are the implications, if any, for the delivery of the spatial strategy?

Response:

- 12.1 Highways England (HE) is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. In the case of the Worthing Local Plan, the key focus of HE is any potential impact to the A27 Trunk Road.
- 12.2 As summarised below, the Council has worked closely with HE throughout the preparation of the WLP:
- HE formed part of the project team for the Worthing Local Plan Transport Study - this involved agreeing methodology, liaising with the Council's transport consultants and considering and agreeing study outputs.
 - Comments and dialogue from HE influenced the progression of the Transport Study and, in particular, this informed further work undertaken to demonstrate the safe and efficient operation of the A27 and indicative costs related to the Offington Roundabout Mitigation Scheme and other sustainable transport measures.
 - HE responded to each key consultation stage of WLP preparation.
 - HE were invited to input into the Infrastructure Delivery Plan.
 - Engagement has helped to inform the wording of transport related text within the SDWLP, particularly policy DM15 - 'Sustainable Transport & Active Travel'.
- 12.3 To demonstrate this engagement and support the Submission of the WLP a Statement of Common Ground (SoCG) has been prepared with the intended signatories being: Worthing Borough Council (WBC) West Sussex County Council (WSCC) and Highways England (HE). The purpose of the SoCG is to set out the basis on which WBC, WSCC and HE have actively and positively agreed to work together to meet the requirements of the National Planning Policy Framework (NPPF) and the Duty to Co-operate.

12.4 *Ref - CD/H/24*

<https://www.adur-worthing.gov.uk/media/Media,160645.smxx.pdf>

A draft version of the SoCG (linked above) was prepared and circulated to all proposed signatories in May 2021 and, at that time, WSCC indicated that, along with WBC, they were happy to sign the Statement.

- 12.5 In an email from HE to the Council (dated 21 May 2021) they indicated that they were content with the Statement, subject to some wording suggestions and a request for greater clarification around the use of developer contributions to mitigate the impacts from growth on the SRN. The Council revised the draft Statement accordingly and returned it to HE on 9th June to be signed.
- 12.6 In the lead up to the Submission of the WLP in June, the Council contacted HE on a number of occasions to request the return of the signed version. Unfortunately, this proved to be very difficult and a response was not forthcoming. Despite this, given the progress that had been made on the SoCG (and the clear indication that the HE were generally content with the wording) a view was taken to publish the SoCG on the Council's website but clearly indicate that it was 'draft' and 'unsigned'.
- 12.7 Since the Submission of the WLP the Council has continued to try to contact HE and these efforts have increased in recent weeks as the Council has sought to respond to the Inspector's initial questions. Unfortunately, despite numerous emails and phone calls a signed version has not been forthcoming or any indication as to why it hasn't been.
- 12.8 The Council, whilst frustrated at this inactivity, has no reason to think that the SoCG won't be signed before the commencement of the Hearing Sessions. The Council will continue to do everything it can to ensure that a signed and final version is in place and will provide an update to the Inspector as soon as one is available.

13) Parking Standards

Q 27. Local Plans should contain policies that are intended to guide the determination of applications for planning permission. A plan should not defer policy matters to other documents that do not form part of the development plan. Policy DM15 states that proposals must accord with West Sussex County Council parking standards and guidance. If the Council wish to impose parking standards, then they should form part of the WLP. This will ensure that they have been scrutinised in the context of the tests of soundness and consulted on.

Q 28. I therefore invite the Council to put forward suggested main modifications to include the parking standards as an appendix to the Plan and any consequential changes needed to Policy DM15.

Response:

- 13.1 West Sussex County Council (WSCC) provides guidance on parking provision to serve residential developments where requirements are calculated on a site-specific basis using a demand calculator. The existing County guidance, which was last published in September 2020, is used by Worthing Borough Council to help inform and determine relevant planning applications.
- 13.2 Given that the County guidance is updated periodically, the intention was that policy DM15 of the Local Plan cross-referenced this guidance rather than include standards in full as there is a strong likelihood that they will be updated at some point during the Local Plan period. Therefore, if the existing standards were embedded in the Local Plan there would be a risk that the policy position for Worthing would be either out of date or out of kilter with the guidance being applied by other local authorities in the County.
- 13.3 In this regard, it is of relevance that (like Worthing) five of the most recently adopted Local Plans within West Sussex provide a cross reference to this guidance rather than including any specific standards. However, it is also acknowledged that the County standards build in a degree of flexibility. Additionally, the standards are then applied with further flexibility at the local level and, in reality, much will depend on the nature of the development in question and particularly its location and access to local facilities and public transport links. Furthermore, the Submission Draft Worthing Local Plan seeks to ensure that residential developments on greenfield sites provide EV charging points for all dwellings - this is a higher level of provision than is included within the County guidance.

- 13.4 For these reasons, it is agreed that it would be misleading for the Local Plan policy to indicate that proposals must accord with the West Sussex County Council Standards / Guidance. It is also accepted that specific Local Plan policy requirements should not defer matters to other documents. To address this, the Council is proposing the following Modification to the plan which helps to clarify how the County guidance will be applied at the local level and what other considerations will inform the appropriate level of provision.

DM15 - Sustainable Transport & Active Travel

iv) requiring new development to provide for an appropriate level of cycle **parking**, car parking and electric vehicle space allocations that takes into consideration the impact of development upon on-street parking and ~~accords with~~ **has regard to West Sussex County Council standards / guidance, the location of development and measures to encourage more sustainable modes of transport.**

14) Monitoring

Q 29. The suggested monitoring indicators for the Plan are currently contained in the Monitoring Framework Topic Paper (CD/H/18). To ensure there is an effective monitoring mechanism, should there be a main modification to include the suggested indicators as an appendix to the Plan?

Response:

- 14.1 To deliver an effective plan-led system it is critical that there is an effective strategy in place so that the policies and proposals set out in the Submission Draft Worthing Local Plan can be successfully implemented. As part of this, monitoring is an important and necessary step in order to determine effectiveness of the overall Plan and a framework must be in place in order to measure this. Such a framework ensures that the impacts can be determined over the plan period and, when necessary, any action or intervention can be put in place. The Annual Monitoring Report (AMR) will be used to provide a regular update. The Monitoring Framework, alongside the AMR, will provide a crucial evidence base for when the Worthing Local Plan is next reviewed in terms of whether any of the policies and proposals are still fit for purpose and that they still reflect local circumstances.
- 14.2 The Council is of the view that the Framework should be seen as a 'live' document especially as it comprises new targets that underpin the 17 United Nations Sustainable Development Goals (UN SDGs) as well as including new tools such as Biodiversity Net Gain. Therefore, given that the implementation of the UN SDGs and Biodiversity Net Gain are both in their early infancy, monitoring indicators and tools are currently evolving as best practice emerges. In particular, the Office for National Statistics (ONS) commenced reporting on UN SDG indicators in 2017. ONS are now reporting UK data for 81% of the 244 indicators. This is up from 75% in 2019. [ONS report](#) that they are consistently increasing the number of reported indicators at headline level with each year, while filling those gaps is increasingly challenging.
- 14.3 It is noted that the revised NPPF (2021) states that the United Kingdom has agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030 (paragraph 7). It is expected that in time, best practice will emerge on how Local Plans should embed the UN SDGs. With this in mind, it is envisaged that additional indicators and data sources will be added to the Framework (over the lifetime of the Local Plan) as and when they become widely available as well as existing indicators being revised.

- 14.4 It is therefore the Council's preference that the Framework is published separately but that it sits closely alongside the suite of the Worthing Local Plan so that it is clear that the Framework is complementary to the Plan. This approach will also help to ensure that, in line with the National Planning Policy Framework (2021), that the Plan remains succinct and user-friendly as well as enabling the Framework to be easily revised as and when required.
- 14.5 However, if the Inspector is of the view that the Monitoring Framework should be embedded in the Submission Draft Worthing Local Plan then the Council would have no objection to including this as a modification.

15) Policies Map

Q 31. If these designations have been shown to highlight the change in geographical scope of the WLP to the Worthing Core Strategy (2011), then this is not immediately clear. There is potential therefore for the map to be misleading and confusing. Should the Policies Map therefore be amended to remove the superfluous information?

Response:

- 15.1 The Policies Map that has been prepared as part of the Local Plan submission illustrates the whole of the borough of Worthing. This includes land to the north of the borough that lies within the South Downs National Park boundary. The South Downs National Park Authority is the planning authority for that area. This is explained clearly within the Submission Draft Worthing Local Plan (paragraph 1.8 and associated map).
- 15.2 In addition to the supporting text within the Plan, the Policies Map itself includes a 'layer' that clearly identifies the 'Local Plan Area'. The legend and map also includes a 'layer' for the National Park. In this regard the Council thinks that it is clear which areas fall within remit of the Local Plan.
- 15.3 It is also important to note that, following the adoption of the Plan, the Council will prepare and make available an on-line, interactive map which will become the main way in which the map will be used. The interactive map will allow the user to click on any area they might be interested in and it will then link through to the appropriate policy(ies). When clicking on any area within the National Park the user will be clearly informed that the South Downs National Park Authority is the responsible planning authority for that area.
- 15.4 For the following reasons the Council considers that the current approach is appropriate for Worthing:
- Whilst it is acknowledged that Worthing Borough Council is not the planning authority for land within the designated South Downs the land is within the Council's administrative area and the local community would certainly consider it to be part of 'Worthing'. Therefore, the expectation of most map users / stakeholders would be that the Local Plan map shows the whole of the Borough (although it is acknowledged that it then needs to be made very clear which areas are within the remit of the Local Plan).

- The National Park is very important to the context of planning in Worthing. Paragraph 176 of the NPPF requires that development within the setting of a National Park should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. This is very relevant to Worthing as the presence of the National Park has helped to shape the Spatial Strategy. Furthermore, the proximity of the National Park boundary is very relevant to a number of the proposed allocations in the SDWLP (Sites A1 / A2 / A13 / A15). The setting of the Park is also one of the considerations which has informed the policies that seek to protect Chatsmore Farm from development. In this regard, the Council considers that the inclusion of the National Park on the Policies Map is not superfluous information.
- In addition to the National Park itself, there are other designations within the Park area, such as Local Wildlife Sites, that should be taken into consideration when applications are prepared for land within the Local Plan area. In fact, one Local Wildlife Site to the north west of the borough falls within both areas (Local Plan area and within the National Park).

15.5 For the reasons set out above, the Council is of the view that the Policies Map, as currently illustrated, provides a logical and appropriate approach. The 'Local Plan area' is clearly illustrated and the National Park area, although shown clearly as a separate 'layer' is included given its importance to the planning context of the Local Plan.

15.6 However, if the Inspector feels that this approach could be further clarified the Council would be happy to make modifications to the existing map as follows:

- thicken the dotted line that is used to illustrate the Local Plan area
- within the Legend amend the current reference to the National Park to read:
 - South Downs National Plan (***the South Downs National Park Authority is the responsible planning authority for this area***).

15.7 If the Inspector is still of the view that the inclusion of the National Park is superfluous and / or potentially misleading then the Council would be happy to prepare and publish as a modification the Policies Map with the National Park area removed.

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