



WORTHING LOCAL PLAN 2020- 2036

WBC-E-04

Matter 2 – Broad Spatial Strategy & Strategic Policies



WORTHING BOROUGH
COUNCIL

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Matter 2 - Broad Spatial Strategy and Strategic Policies

Issue 1: Whether the spatial strategy of the WLP has been positively prepared, is justified, effective and will enable the delivery of sustainable development in accordance with national policy?

The Overall Spatial Strategy

Q12. Paragraph 22 of the NPPF states that strategic policies should look ahead over a minimum period of 15 years from adoption. Is the WLP consistent with national policy in this regard?

Council's Response:

The end date of the Local Plan (and related policies) is 2036 and, where relevant, this date was factored into the Council's evidence base.

When this end date was proposed it was expected that the WLP would be adopted in 2021 which would have provided a Plan that covered a 16 year period. However, as explained within the Council's response to MIQ5, the Covid-19 pandemic resulted in a significant delay to the WLP, particularly at a time when most of the Planning Policy team were deployed to other departments.

As a consequence, it is now hoped that the WLP will be formally adopted in 2022 (potentially spring 2022). Whilst there is no specific guidance as to what constitutes a 'year' in the context of plan-making the Council is of the view that a Plan adopted in 2022 which looks ahead to 2036 meets the NPPF requirements for strategic policies to look ahead over a minimum period of 15 years.

When considering the end date of Local Plans it is also important to note that, unlike previous iterations, there is now a formal requirement for the WLP to be reviewed within 5 years of adoption - at which point the end date of the plan will be extended by 5+ years.

Q13. Is the spatial strategy for the broad location of development in Worthing, set out in Policy SS1, justified and appropriate for the sustainable development of the area when considered against reasonable alternatives? What alternatives were considered by the Council in terms of options for spatial distribution and why were these rejected?

Council's Response:

The Local Plan seeks to strike the right balance between planning positively to meet the town's development needs with the continuing need to protect and enhance the borough's high quality environments and open spaces. The limited amount of land available means it is not possible to meet all the towns development needs. Therefore there are relatively few options for growth.

The Local Plan is supported and informed by a Sustainability Appraisal (SA). The Planning

Practice Guidance explains the role of SA 'is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives' ([Reference ID: 11-001-20190722](#))

The 'Sustainability Appraisal Report of the Submission Draft Worthing Local Plan' ([CD/G/4](#)) paragraph 5.2.2 highlights that the policy options identified as likely to have significant effects, including those for spatial distribution, were included in the Draft Integrated Impact Assessment (2018) ([CD/G/8](#)), along with the reasons why they were rejected. These are outlined below.

Options considered

Initially the option of allocating brownfield sites only was considered alongside allocating both brownfield sites and sustainable urban extensions, i.e. land currently outside of the existing Built Up Area Boundary.

The option of allocating brownfield sites only was rejected as it would limit the number of potential sites and therefore opportunities to meet the widest range of needs.

Ultimately, it should be acknowledged that this would not have met the NPPF requirements for plans to be positively prepared in that it should seek to meet the area's objectively assessed needs (paragraphs 16b, 35a), or the requirements of paragraph 20 which requires strategic policies to set an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for housing (alongside other uses).

However, the SA recommended that in considering sustainable urban extensions, environmental evidence should be considered when selecting appropriate sites for development to mitigate potential effects.

The options to protect employment sites and valued open spaces and landscapes outside of the Built Up Area Boundary were considered as options under the more specific policies.

The 'Sustainability Appraisal Report of the Submission Draft Worthing Local Plan' ([CD/G/4](#)) also considered the key changes made to the Local Plan since the 2018 draft version had been prepared and whether there were any implications for the SA, in so far as whether any of the proposed changes had the potential to have significant effects and therefore should be tested as a reasonable alternative. The screening found that the proposed changes to Policy SS1 Spatial Strategy were not likely to have any significant effects and therefore these were screened out of the SA. This can be found in Table 6 (paragraph 5.2.4).

Therefore, in conclusion, the spatial strategy as set out in Policy SS1 is justified and appropriate when considered against reasonable alternatives.

<p>Q14. Is the strategic balance between development and the protection of the natural environment, including areas identified by policies SS4, SS5 and SS6, leisure and recreation uses and/or heritage assets appropriate and justified?</p>
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Council's Response:

The strategy seeks to achieve the right balance between planning positively to meet the town's needs with the continuing need to protect and enhance the borough's high quality

environments and open spaces within and around the town. The overarching objective is to maximise appropriate development on brownfield land and add sustainable urban extensions adjacent to the existing urban area. The core principles, take account of the characteristics of the borough and provide a clear direction for development which will steer development to the right locations whilst at the same time helping to protect those areas of greatest environmental value. The policies set out within the Local Plan provide the tools through which the appropriate balance between 'growth' and 'protection' can be struck.

Where development is not planned for, strong evidence has been collated and presented to justify the protection of three areas (Brooklands, Chatsmore Farm and Goring-Ferring Gap) as Local Green Gap and Local Green Space as set out in Topic Paper 2 - Land Outside the Built Up Area Boundary ([CD/H/17](#)).

Q15. Is the strategic balance between housing and other land uses appropriate and justified?

Council's Response:

Preparing a Local Plan that delivers an appropriate balance between homes and other land uses such as employment and retail is always a challenge. This is even more so now with huge pressure to meet housing needs and the further flexibilities that have been provided through changes to the use class order which means there is a greater ability for existing employment uses to change to residential or other uses. Despite this, the Council has sought to ensure that the Plan does deliver an appropriate balance between all uses as it is vital that housing delivery doesn't become the sole focus as this would not result in sustainable outcomes. The Sustainability Appraisal has been a key tool in preparation of the Local Plan and the associated spatial strategy.

The policies that seek to protect some existing uses along with site allocations will go some way to meet the overall development needs identified in evidence studies. To meet these aims, the Council is working hard to support delivery of these key sites, particularly the main opportunity for employment growth at Decoy Farm (Allocation A5). The Council will continue to monitor the provision of, and demand for, employment land and will update evidence as required. This is particularly important at a time of economic uncertainty and changes being made to the planning system at the national level. This on-going work will help to inform any future review of policy.

Q16. Does the spatial strategy comply with national policy on flood risk? In particular, has it been informed by a Strategic Flood Risk Assessment (SFRA), based on the most up-to-date flood risk data and climate change allowances and taking advice from the Environment Agency?

Council's Response:

The spatial strategy does comply with national policy on flood risk.

The Local Plan has been informed by a Level 1 and Level 2 Strategic Flood Risk

Assessment ([CD/N/1](#) and [CD/N/2](#)). The SFRA was based on the most up-to-date flood risk data and climate change allowances available at the time of its production. These were agreed with the Environment Agency and other key stakeholders including West Sussex County Council as the Lead Local Flood Authority. Where data was not yet available appropriate alternative data sources were agreed with the Environment Agency.

Q17. Is the spatial strategy and location of growth in the WLP justified and consistent with national policy, in respect of the modelling of its effects on the operation of the highway network, its potential to minimise the need to travel and maximise journeys by more sustainable modes of transport? In particular, what are the cumulative impacts of the Plan on the A27 and are these able to be viably mitigated?

Council's Response:

The Local Plan Transport Study ([CD/L/1](#)) has been undertaken in accordance with the national guidance on transport evidence bases in plan-making and decision-taking. The transport modelling has been undertaken in compliance with relevant Department for Transport guidance on transport modelling. A package of transport improvements including sustainable measures, highway capacity improvements and road safety improvements has been identified which is deliverable and flexible.

Additional technical information has been produced to further evidence impacts and required mitigation on the A27. The impacts on the A27 corridor and mitigation options are set out in the Worthing Local Plan Transport Study Addendum ([CD/L/2](#)) produced in January this year. The addendum demonstrates that impacts are relatively minor and that only a modest change to travel habits is required for effective mitigation achievable through deliverable sustainable transport initiatives. As explained further below, this evidence has been assessed by Highways England (now National Highways).

The WLP and related evidence was prepared with the active involvement of West Sussex County Council (the local highway authority) and National Highways. This has culminated in the preparation and signing of a Statement of Common Ground ([CD/H/24](#)) which summarises the basis on which the three parties have actively and positively worked together to meet the requirements of NPPF and the Duty to Co-operate. It sets out areas of agreement and, importantly, also highlights the agreed actions that will allow parties to plan for improvements, particularly to help mitigate impacts on the A27 along with support for sustainable modes of transport. Wider societal changes including more flexible working patterns and home-based access to services and shopping will also contribute towards this, but are not relied on in the study work.

It should be noted that the evidence work has identified mitigation and improvement plans which are necessary to address future traffic growth impacts associated with the WLP. Whilst it is hoped that they will provide wider benefits they will not, in isolation, solve existing congestion issues. In this regard it should be noted that National Highways have been working closely with key stakeholders to identify a package of potential improvements to meet the revised objectives in the government's Road Investment Strategy 2 (RIS2): 2020 to 2025, to improve the capacity and flow of traffic on the A27 from Worthing to Lancing. In the coming months, National Highways aim to identify options for the A27 Worthing and Lancing improvements scheme, before holding a public consultation in spring/summer 2022. The Council will continue to support National Highways as they seek to deliver improvements to this strategically (and locally) important route.

Further detail to justify and support the approach taken and how this is compliant with national policy is set out in the Council's response to question 149 (Matter 7) which relates to WLP Policy DM15 (Sustainable Transport & Active Travel).

Q18. Is the spatial strategy and location of growth justified and consistent with national policy in respect of its consideration of the impact of development proposals on air quality in Worthing?

Council's Response:

During the site selection process and related Sustainability Appraisal, the issue of air quality and the Air Quality Management Area were taken fully into account. There is an Air Quality Action Plan ([CD/O/2](#)) in place and a local partnership has been established to coordinate actions to improve air quality, on a wider scale vehicle emissions are also expected to reduce.

The Sustainability Appraisal identified that the scale of development proposed in the Local Plan may have the potential to negatively impact on these efforts. It is not possible to determine the extent of this in terms of whether the impact will be sufficient to reduce the level of improvement that may have otherwise been achieved, or prevent an improvement altogether. However, it should be acknowledged that without the Local Plan development is still likely to come forward through windfall sites but without the mitigation provided through the policies in the Plan.

Therefore, the Local Plan includes Policy DM22: Pollution which considers pollution from all sources including the impact on air quality. It includes specific requirements for air quality assessments. Development sites (A1 & A15), located close to the Worthing AQMA, include specific wording that will help to ensure that the impacts from new development on air quality are mitigated. Furthermore, Policy DM15: Sustainable Transport & Active Travel seeks to promote development that prioritises active travel and public transport to reduce the proportion of journeys made by car.

On this basis, it is considered that the spatial strategy and location of growth justified is consistent with national policy with regards to air quality.

Q19. Is the WLP effective in the provision of infrastructure and local services to meet future development needs, in particular, those relating to education, transport, health and green infrastructure?

Council's Response:

Yes - the WLP is effective in the provision of infrastructure and local services to meet future needs.

Refer to section 9 & 10 of Route Mapper Part 4 (May 2021) ([CD/H/22](#)) (See pages 10 - 12).

Section 3 (Q.8) of [WBC-E-02 Response to IL01](#) (p.24-31) sets out the engagement process

with public bodies, some of which are infrastructure providers. A number of these bodies had an input into the Infrastructure Delivery Plan to underpin and support policies, particularly in terms of infrastructure needed to support the level of new development.

The infrastructure providers and statutory consultees did not raise any objections. A Statement of Common Ground has been signed with Highways England (now called National Highways).

A Joint Green Infrastructure Strategy is being prepared between Adur District Council and Worthing Borough Council.

<p>Q20. Does the evidence on whole plan viability and infrastructure demonstrate that the spatial strategy can viably deliver the housing, commercial floorspace and infrastructure required to support the growth proposed?</p>
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Council's Response:

The Whole Plan Viability Assessment (WPVA) ([CD/G/14](#)) provided a robust review of all the development requirements proposed within the WLP to support the growth proposed. A number of development sites and scenarios were tested in detail. This concluded that when considered cumulatively, the requirements from development set within the Local Plan and their relationship with overall scheme viability would not put the overall strategy at risk. The Assessment took into account the affordable housing requirements (Policy DM3) which is the element that has the most impact on development Viability. The Assessment also took the implications of the Community Infrastructure Levy (CIL) into account.

In line with the conclusions of the WPVA that, viewed as a whole, the emerging Local Plan proposals have a reasonable prospect of viability and will therefore meet the criteria of the NPPF and be consistent with the national guidance within the PPG in viability terms.

It is acknowledged that the research undertaken to inform the WPVA was assembled at a time when there remain economic uncertainties associated with Brexit and the global Covid-19 pandemic. As such, the Council will continue to consider how this picture may change and monitor it as best possible. Consideration will be given to any necessary updating of the evidence and local response in due course.

Issue 2: Whether Policies SP1, SP2 and SP3 are justified, positively prepared, effective and consistent with national policy?

Q21. Is Policy SP1 necessary and does it serve a clear purpose, or does it duplicate the policies in the NPPF on sustainable development and decision-making? What is the justification for suggested modifications M1 and M1(a) and are they necessary for soundness?

Council's Response:

The Council accepts that, in most instances, the role of the Local Plan is not to duplicate national policy. However, since the publication of the NPPF in 2012 there has been an encouragement, and arguably an expectation, from the Government and the Planning Inspectorate that the 'Presumption' is embedded as policy in Local Plans. In fact, the Council understands that a number of local planning authorities have been guided or instructed to include / add the 'Presumption' as a policy during the preparation of their Plans.

Whilst this was previously the case, the Council accepts that, more recently, there has been a relevant change to guidance. NPPG 'Plan Making' Paragraph: 036 (which was updated in July 2019) states the following:

How should a local plan reflect the presumption in favour of sustainable development?

Paragraph 11 of the National Planning Policy Framework indicates that Local Plans should reflect the presumption in favour of sustainable development. This should be done by identifying and providing for objectively assessed needs and by indicating how the presumption will be applied locally. However, there is no need for a plan to directly replicate the wording in paragraph 11 in a policy.

Whilst there is clearly a need to embed the principles of the 'presumption' in the Local Plan it is accepted that there is no longer a need to duplicate the wording of the NPPF relating to the 'presumption'. Despite this, the Council is of the view that the inclusion up-front of Policy SP1 is important as it provides an overarching strategic policy that sets the tone for the rest of the Plan. It also helps the user to understand the context of the WLP in relation to the NPPF and the central role sustainable development plays especially within the context of the United Nations Sustainable Development Goals. This in turn helps to ensure the WLP is justified, effective and positively prepared in that it seeks to meet development needs whilst being balanced against the need to ensure that development is sustainable. It should also be noted that the Council consulted on the Draft Local Plan (Reg 18) at the end of 2018 (prior to the revisions being made to the NPPG) and that included Policy SP1 - 'Presumption in Favour of Sustainable Development'. There was general support for the approach taken at that stage and, as a consequence, the Council saw value in the retention of this policy as the bedrock for the WLP. It should also be noted that the NPPF does not advise local planning authorities to not include this text.

Proposed revisions to this policy set out as modifications M1 and M1(a) help to better align the wording to the revised NPPF. This ensures that the policy is consistent with national policy.

Q22. Is Policy SP2 justified, effective and consistent with national policy? What is the justification for suggested modifications M2 and M3 and are they necessary for soundness?

Council's Response:

In recognition of the Climate Change agenda, Policy SP2 has been designed to elucidate the importance of driving action on climate adaptation and mitigation as well as transitioning towards net zero carbon by 2050. The Council recognises that there is no standard template endorsed by national policy with regards to plan-making and therefore has taken the proactive approach to formulate a strategic policy that provides the international, national and local policy narrative and brings together the evidence base. Supporting text 2.21 is clear in that the policy acts as an overarching policy to ensure that the impacts of climate change are fully considered at an early stage. The policy encapsulates the key policy requirements that are relevant to achieving carbon reduction, maximising carbon sequestration and climate change adaptation and mitigation. The finer policy requirements are cascaded in the relevant development management policies contained in the WLP.

This approach has received strong corporate backing as the Council has declared a Climate Emergency and has pledged to become carbon neutral by 2030. There was also strong support submitted during the Regulation 19 Pre-Submission Consultation. There were no objections received to these overarching aims.

The Council is of the view that Policy SP2 is justified, effective and consistent with national policy especially within the context of enabling sustainable development.

Modification M2 has been proposed in order to ensure that Sustainability Statements appropriately addresses natural capital and biodiversity assets both of which are heralded as being key components for climate change adaptation and mitigation as well as enabling communities to be resilient to the effects of climate change.

Modification M3 has been proposed to strengthen Policy SP2 to ensure that nature recovery networks are not compromised to enable the SDWLP to be in compliance with the requirements of 179 a) & b) of the NPPF.

The Council is of the view that both modifications are necessary for soundness as it will help to ensure that the policy is effective.

Q23. In Policy SP3, what is the role of the Adur & Worthing Councils' Public Health Strategy? Does this identify specific needs that should be reflected in the Plan? Is criterion a. justified in expecting all new development to address health and well-being needs?

Council's Response:

The Public Health Strategy 2018 -2021 'Start Well, Live Well. Age Well' (2018) ([CD/T/4](#)) is an evidence based document prepared by Adur & Worthing Councils. This strategy outlines those key areas of focus where Adur & Worthing Councils have the ability to deliver, or the ability to influence, so as to make a positive difference to the health and wellbeing of our

communities. Five priorities have been identified through consultation with stakeholders and analysis of local data and intelligence. The strategy aligns with the West Sussex Needs Assessment ([CD/T/1](#)), West Sussex Joint Health and Well-being Strategy (2019-2024) ([CD/T/2](#)) and the Well-being and Resilience Framework.

The Public Health Strategy identifies specific health challenges present in Worthing which are outlined on page 11. The five priorities for action have been devised where the Councils are likely to make a significant impact creating the conditions to change lives of individuals and communities. These priorities have been reflected in the supporting text box on page 41 of the WLP and thus have cascaded into Policy SP3. For example, priority 1 is reflected in Policy SP3 criterion b) i), iii), iv) and vi). Priority 2 is captured in criterion b) v). It is considered that Policy SP3 is sufficient in that it identifies the specific needs as set out in the Public Health Strategy.

It is accepted that these objectives are most likely to be achieved through larger developments in the borough. Therefore, with regards to criterion a), the Council acknowledges that the wording regarding 'New developments' is potentially misleading in that it could infer that it applies to ALL new developments. For the avoidance of doubt, and to ensure that the policy is effective / sound it is therefore proposed to make a minor modification to amend the sentence as follows:

a) ~~New development~~ **Major residential and commercial development** must be designed....'

Q24. In Policy SP3, what is the justification for requiring applicants to undertake a screening for a Health Impact Assessments (HIA) or submission of full HIA? Is it sufficiently clear under what would be required and the circumstances in which a full HIA would be necessary? Is it clear to decision makers how the HIA would be used to react to a development proposal?

Council's Response:

Whilst undertaking a screening or a submission of a full HIA is not a legal requirement, the Planning Practice Guidance (Paragraph: 005 Reference ID:53-005-20190722) recognises that a health impact assessment is a useful tool to use to assess planning applications (including at the pre-application stage) that are likely to have a significant impact on the health and wellbeing of the local population or particular groups within it.

The WSCC Healthy & Sustainable Places - A Public Health and Sustainability Framework (2020) ([CD/T/3](#)) provides public health guidance to decision makers about creating healthy and sustainable places and communities in West Sussex. While it is not adopted by the County Council as a statutory planning policy document, it aims to provide background evidence, signposting to information and tools in order to assist users to achieve healthier places across West Sussex. The guidance endorses the use of a HIA and it includes a toolkit on how to undertake an effective HIA (refer to Appendix 3 & 5) to ensure that health is at the heart of new development and communities.

Given that inequalities in health and well-being is a key challenge (which has been exacerbated by the Covid-19 Pandemic) nationally and locally (refer to Strategic Objective 7), and that the planning system plays an influential role in addressing the wider determinants of health, the Council therefore considers that it is justified to follow best

practice as reflected in Policy SP3 d).

Public Health England has published guidance on [Health Impact Assessment in Spatial Planning \(October 2020\)](#). This sets out that the HIA process follows five stages which includes the initial 'Screening' stage which determines whether a HIA is needed and justified subject to anticipation of health impacts on population groups.

The Council will prepare a Supplementary Planning Document (SPD) which will set out guidance on criterion d) of Policy SP3, and thus identify the triggers and circumstances in which a full HIA would be required. The SPD will align with the guidance contained within the WSCC Healthy & Sustainable Places - A Public Health and Sustainability Framework (2020) and Public Health England Health Impact Assessment in Spatial Planning for consistency purposes. The Council recommends a modification to the supporting text to signpost to the WSCC Health and Sustainability Framework as follows:

Para 2.37:within a Supplementary Planning Document. **This will follow best practice guidance on how to undertake a HIA contained within WSCC Healthy & Sustainable Places - A Public Health and Sustainability Framework (2020) and Public Health England Health Impact Assessment in Spatial Planning (2020).**

Issue 3: Whether policies SS4, SS5 and SS6 are justified, positively prepared, effective and consistent with national policy?

Countryside and the Undeveloped Coast (Policy SS4)

Q25. Is criterion b. justified in expecting all development in the countryside to demonstrate that a countryside location is essential to the proposed use and that it cannot be located in the built-up area?

Are there no forms of development that would be considered acceptable in principle within the countryside? In this regard, is Policy SS4 internally consistent and compatible with controls set out in policies SS5 and SS6?

Council's Response:

Policy SS4 seeks to ensure that the most valued and sensitive land / seascapes are protected, and that the existing character of Worthing is maintained in accordance with b) and c) of paragraph 174 of the NPPF.

The Council considers that criterion b) has been written in a positive manner thereby recognising that there may be some circumstances where development proposals may come forward providing that it can demonstrate that a countryside location is essential to the proposed use, it cannot be located within the built up area boundary and that it maintains its character and function. While the Council is aware of paragraph 120 b) of the NPPF, the Council has taken the approach to not be prescriptive with regards to specifically identifying which types of development uses will need to be assessed against criterion b). Historically, very few proposals have come forward requiring a countryside location and agriculture is not a major land use in Worthing. The policy thus enables flexibility for all types of development

proposals to be considered and be treated on their own merits.

Supporting text 3.45 (p.59) of the WLP states the following:

'Given the limited amount of countryside in Worthing, it is important that the *few uses that may be allowed* (Council's emphasis) in the countryside genuinely require a countryside; cannot be located within the Built Up Area Boundary and maintains its rural character.'

The Council therefore considers that criterion b) is justified.

As explained above, the Council has sought to clarify that there may be some forms of development that would be acceptable in principle within the countryside. Henceforth, Policy SS4 is internally consistent and compatible with the controls set out in policies SS5 and SS6.

Q26. The Council's response to my initial letter concludes that the WLP does not need to consider Entry-Level Exception Housing, as described in paragraph 72 of the NPPF, as there is no potential for any additional housing on the edge of the built-up area. Is this conclusion justified?

Council's Response:

The Council's response set out in Section 9 (Q.19) of [WBC-E-02 Response to IL01](#) (p.56-58) clearly explains the reasons why it is not considered to be appropriate for the Local Plan to support development for entry-level or rural housing. In part this relates to the relevance of this exception policy for Worthing but also that all opportunities for additional housing on the edge of the built up area have been positively explored. All sites that could sustainably accommodate housing development have been allocated and robust evidence demonstrates why other areas should be protected.

Q27. What is the justification for suggested modification M7 and is it necessary to make the Plan sound?

Council's Response:

Revised Para 176 of the NPPF (2021) adds the following wording (in bold):

*The scale and extent of development within all these designated areas should be limited, **while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.***

In this context, 'designations' include the South Downs National Park. In response to this change, modification M7 will help to ensure that appropriate consideration is given to the setting of the National Park when proposals in close proximity are assessed. This change will ensure that the policy is sound, effective and consistent with Government policy.

Local Green Gaps (Policy SS5)

Q28. Is the designation of Local Green Gaps (LGGs) positively prepared, justified and consistent with national policy? If so, have the boundaries of the LGGs been identified based on robust, proportionate and up-to-date evidence and a consistent approach to selection?

Council's Response:

The Council would like to draw attention to Topic Paper 2 - Land Outside of the Built Up Area Boundary ([CD/H/17](#)). This topic paper provides the policy context and rationale of the spatial approach of defining land outside the Built Up Area Boundary as set by Policy SS5: Local Green Gaps.

It is acknowledged that the NPPF does not provide any direct basis for Green Gap policies, as it does, for example, for the Green Belt. However, Green Gap policy arguably contributes to the social and environmental dimensions of sustainability. The Council carefully considered the requirements of paragraph 174 of the NPPF (previously paragraph 170) which explains the importance of conserving and enhancing the natural environment in terms of place making. Although a Local Green Gap is not in itself a landscape designation, the importance of the gaps and open space in relation to the settlements cannot be separated and is integral to planning and good design. However, the Council recognised that care needs to be taken to understand the intended meaning of national guidance as the NPPF does not seek to protect all countryside from development. Instead, the focus was given to the protection of "valued" and "distinctive" landscapes. The Council thus took the approach of commissioning independent robust evidence to review and consider this form of designation. The landscape structure, landscape characterisation and visual context was assessed in relation to policy function, i.e. the prevention of coalescence and maintenance of setting and separate identity of settlements and the protection of the undeveloped coastline.

The topic paper provides coverage of Local Gap policies that have been adopted by a number of neighbouring authorities. The approach taken in the WLP is generally consistent with the approach taken in those areas (particularly Arun and Adur).

The paper also outlines that there was strong public support throughout the local plan making process with 7 representations submitted during the Regulation 19 Pre-Submission consultation (including Adur District Council, Natural England, Sussex Wildlife Trust, Goring Residents Association & Ferring Conservation Group) supporting Policy SS5. It is therefore considered that Policy SS5 has been positively prepared, justified and consistent with national policy.

With regards to robust, proportionate and up-to-date evidence, please refer to section 6 (p.8-13) of the topic paper which provides a summary of the evidence studies used to inform the LGGs boundary designations as well as delineating the criteria that was used to define the designations.

Q29. Policy SS5 indicates that development within LGGs will only be permitted in exceptional circumstances. There appear to be no exceptions to this requirement. Is this approach justified for all potential forms of development?

Council's Response:

The Council considers that Policy SS5 has been written in a positive manner thereby recognising that there may be some exceptional circumstances where development proposals may come forward within a designated Local Green Gap. The gaps have not been treated as an absolute constraint to development. While the Council is aware of paragraph 120 b) of the NPPF, the Council (in line with neighbouring authorities) has taken the approach to not be prescriptive with regards to specifically identifying which types of development uses will need to be assessed against Policy SS5. Historically, very few proposals have come forward requiring a countryside location and agriculture is not a major land use in Worthing. The policy thus enables flexibility for all types of development proposals to be considered and be treated on their own merits.

Neighbouring authorities have similarly sought to protect these gaps. The western gaps in Worthing are contiguous with gaps in Arun district which are protected through Policy SD SP3 'Gaps Between Settlements' of the [Arun Local Plan](#) (2018). Policy SD SP3 is similar to Policy SS5 in the WLP in that it sets out tests to assess circumstances in which all development may be permitted within the gaps:

Development will only be permitted within the gaps if:

- a. It would not undermine the physical and/or visual separation of settlements;*
- b. It would not compromise the integrity of the gap, either individually or cumulatively with other existing or proposed development;*
- c. It cannot be located elsewhere; and*
- d. It maintains the character of the undeveloped coast;*
- e. or, if a subsequent DPD or Neighbourhood Plan deems it appropriate through an allocation*

The Council would like to reiterate that Policy SD SP3 does not specify any exceptions to this requirement.

The Council therefore considers that Policy SS5 is justified.

Q30. Further to the above, parts of LGGs are also identified as Local Green Spaces (LGS). Paragraph 103 of the NPPF states that policies for LGS should be consistent with those for Green Belts. Where LGG and LGS coincide, is it justified for LGG policy to be more restrictive than that for the Green Belt?

Council's Response:

Section 11 (Q.24) of [WBC-E-02 Response to IL01](#) (p.78-81) sets out the reasoning as to how the Council considers that Policy SS6 is consistent with national policy.

There are no Green Belt designations in Worthing Borough. Paragraph 139 of the NPPF is

clear in that Green Belts should only be established in exceptional circumstances, for example when planning for larger scale development such as new settlements or major urban extension. For clarity, there are no opportunities for strategic large scale growth in and around Worthing due to limited suitable land being available. On this basis, there is no policy justification for the Worthing Local Plan to establish Green Belts in Worthing.

With this in mind, Local Green Gaps and Local Green Space provide 'alternative' policy mechanisms at the Council's disposal for safeguarding sensitive land outside of the built up area boundary from inappropriate development. It is accepted that there is some crossover in objectives between Local Green Gaps and Local Green Space. However, the Council would like to clarify that there are noticeable and distinct differences between Policy SS5 and Policy SS6 regarding their specific functionality and this is documented in section 11 of WBC-E-02 Response to IL01.

Policy SS5 does not preclude development from being located in a designated Local Green Gap provided that it meets the exceptional circumstances tests as set out in the policy. The Council doesn't consider that a comparison can be drawn between Local Green Gaps and Green Belt designations as the latter is not applicable in Worthing nor does the NPPF stipulate a similar requirement to that contained in paragraph 103 of the NPPF. On this basis, it is irrelevant to assess whether it is justified that Policy SS5 to be more restrictive than that for the Green Belt. The Local Green Gap policy needs to be treated on its own merits.

The Council has set out in Topic Paper 2 Land Outside of the Built up Area Boundary ([CD/H/17](#)) the policy context and rationale for the inclusion of Policy SS5. The policy is considered to be justified and warranted regardless of the fact that there are no Green Belt designations in Worthing.

<p>Q31. Is it clear to the decision makers what might constitute 'exceptional circumstances' in this context? Is it sufficiently clear to decision makers and developers how the four criteria would be assessed?</p>

Council's Response:

The Council has taken the approach to not be prescriptive and list what types of development might constitute as exceptional circumstances. The policy allows flexibility for all types of development proposals to come forward to and to be assessed on their own merits. The four criteria have been designed to screen development proposals that would meet the exceptional circumstances.

The purpose of Local Gaps designations is to prevent coalescence between settlements therefore maintaining the visual and physical appearance between urban areas. The Council consider that the term 'coalescence' relate to physical development occurring within the gap which would result in the area being lost as a Local Gap. It also relates to those proposals within the gap which are of such scale so as to affect the physical extent of the gap and would affect the visual appearance (obtrusive) therefore reducing the visual separation (openness of the area) of settlements.

With regards to iii) and iv), Adur & Worthing Councils are progressing a Green Infrastructure Strategy which will establish a green infrastructure network. Any development proposals would need to be read in conjunction with Policy DM18: Biodiversity and Policy DM19: Green Infrastructure.

Q32. What is the justification for suggested modification M8 and is it necessary to ensure the policy is sound?

The modification proposes an amendment to Brooklands Recreation Area and abutting allotments to exclude land within Southern Water's ownership that was originally included in error. The area of land in question is fenced / enclosed and this amendment will allow for the continued use for the provision of wastewater infrastructure. The change will also ensure that the policy is justified, effective and consistent.

Local Green Spaces (Policy SS6)

Q33. Are the Local Green Spaces identified in Policy SS6 justified and consistent with paragraph 101 and 102 of the Framework, the latter of which states that such designations should only be used where the green space is:

- i.in reasonably close proximity to the community it serves;
- ii.demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- iii.local in character and is not an extensive tract of land.

Council's Response:

Please refer to sections 4.2 and 4.3 of Local Green Space Assessment - Goring Gaps ([CD/M/32](#)) (p.19-25) and also sections 4.2 and 4.3 of Local Green Space Assessment - Brooklands Recreation Area ([CD/M/34](#)) (p.14-18). These sections provide an independent assessment of the LGS designations against paragraph 102 i) and ii) of the NPPF. The Council agrees with these conclusions and Policy SS6 responds to this.

With regards to criterion iii), it is recommended that Section 11 (Q.23) of [WBC-E-02 Response to IL01](#) (p.74-78) is referred to.

It is considered that these sources of information substantiate that Policy SS6 is justified and consistent with paragraphs 101 and 102 of the NPPF.

Q34. Paragraph 103 of the NPPF states that policies for managing Local Green Space should be consistent with those for Green Belts. Further to this, and the Council's response to my Initial Letter, how does the policy address exceptions to 'inappropriate development' as set out in paragraphs 149 and 150 of the NPPF? Paragraph 11.11 of the response to my letter also recognises that inappropriate development should only be permitted in 'very special circumstances'. How is this reflected in Policy SS6? Is the policy therefore consistent with national policy?

Council's Response:

The Council has taken the approach to not explicitly list all the exceptions as referred to paragraph 149 and 150 of the NPPF as it is best practice that Local Plans do not duplicate national policy. Historically, very few proposals have come forward requiring a countryside location and agriculture is not a major land use in Worthing. Development proposals will be treated on their own merits.

Criterion a) i), b) ii) and c) iii) & iv) sets out that there are some forms of development that would be compatible with the LGS designation such as quiet and informal recreation. The policy also refers to formal recreation (particularly for Brooklands) but any proposal for such use would have to demonstrate that it does not conflict with the qualities for which the LGS designations are valued for. It is considered that criterion a) i), b) ii, c) iii) and iv) provides flexibility and thus recognises there may be some exceptions to inappropriate development without being too prescriptive.

It is considered that the policy is consistent with national policy.

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