

WORTHING LOCAL PLAN 2020- 2036

WBC-E-05

Matter 3 – Housing Provision

October 2021

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Matter 3 - Housing Provision

Issue 1: Has the WLP been positively prepared and is it justified, effective and consistent with national policy in relation to its provision for housing?

Housing Need

Q35. The Housing Implementation Strategy Topic Paper (HIS) concludes that the Council's Objectively Assessed Housing Need (OAHN), based on the standard method calculation of local housing need, is 14,160 between 2020 and 2036. This equates to 885 dwellings per annum (dpa). Is there any evidence to suggest that this is not a robust assessment of OAHN?

Council's Response:

With regards to housing need the NPPF at paragraph 61 states: *'To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.'*

The Planning Practice Guidance on Housing & Economic Development Needs Assessments sets out how local planning authorities should assess local housing needs using the standard method. This uses a three stage formula:

1. Projected Household Growth;
2. Adjustment based on Affordability; and
3. Local Housing Need.

This provides an unconstrained assessment of minimum housing need.

Using government guidance, the Council undertook its own assessment of OAHN which established an annual housing requirement. To review, challenge and / or endorse these conclusions the Council commissioned consultants to undertake a Strategic Housing Market Assessment 2020 (SHMA) ([CD/I/1](#)) to provide the Council with a clear understanding of housing needs. Chapter 4 of the study addresses overall housing needs and clearly sets out what steps were taken to assess the need taking into account national guidance. Chapter 10 of the report sets out its conclusions and paragraphs 10.2 - 10.6 address the specific matter of local housing need. In summary, it concludes that the demographic projections feeding into the minimum local housing need for Worthing based on projected household growth over the plan are reasonable based on the evidence. It goes on to state at para 10.4 that *'Iceni notes that the standard method does not capture factors which would lead to a divergence from past demographic trends, however we have not found evidence in either authority area which points to factors which would lead to a higher housing need than indicated by the current standard method figures.'* Paragraph 10.5 acknowledges the heavily constrained nature of the borough and that it is 'highly likely' that Worthing will not be able to meet its housing need in full.

Part 3 of the Housing Implementation Strategy ([CD/H/16](#)) sets out the historic housing need

against delivery and Part 4 sets out the Council's approach to calculating current housing need. Historical targets for Worthing have always acknowledged the significant level of constraints faced by the borough.

It is also worthy of note that no challenge was made to the Council's OAHN figures (and associated calculations) at the Regulation 19 stage.

In conclusion, whilst the local housing need figure takes no account of the significant local constraints the Council evidence, as set out in the SHMA and WLP, set out a robust and compliant assessment of OAHN.

Housing Requirement and Overall Supply

Paragraph 11b of the NPPF states that strategic policies should, as a minimum, provide for objectively assessed needs for housing unless the requirements of criteria i. and ii. are met. Policy SS2 identifies a minimum housing requirement of 3,672 dwellings over the plan period (230 dpa). This equates to around 26% of the OAHN.

Q36. Is the Council's housing requirement justified having regard to recognised constraints, including but not limited to land availability, viability and infrastructure? In particular:

i. Does the evidence base support the restrictions on development outside the defined built-up area, including Local Green Gaps? Are they a justified constraint on development?

ii. Has the potential for redevelopment of brownfield sites in the plan period been appropriately taken into account? Does the plan provide appropriate guidance for new housing on previously developed land?

iii. Does the evidence base demonstrate there are no other developable sustainable sites within the plan area during the plan period, including sites allocated for other uses?

Council's Response:

The delivery of all forms of housing is a crucial issue when preparing any Local Plan, but is arguably even more so in a constrained area like Worthing when meeting housing needs is going to be extremely challenging. To help explain the approach taken, the Council has published the Housing Implementation Strategy (HIS) ([CD/H/16](#)). The HIS sets how the Council has considered this key issue and the positive steps that have been taken to maximise the delivery of housing. This includes justification of the approach set out in the Worthing Local Plan and the steps needed to ensure the effective implementation of policy.

Within the context of key constraints faced by the borough, the most significant of which is land availability, the Council acknowledges the significant level of shortfall against the Standard Methodology target. As such, no stone has been left unturned and the Council has looked robustly and positively at all sources of potential supply.

Individually and collectively, all policies within the WLP have been tested through the Whole Plan Viability Assessment ([CD/G/14](#)) which concluded 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

One key consideration when preparing a Local Plan is the ability for infrastructure to meet the needs of development. The NPPF requires Local Planning Authorities to work with other authorities and providers to assess the quality and capacity of infrastructure and its ability to meet forecast demands. Informed by an Infrastructure Delivery Plan ([CD/F/10](#)) the WLP plans positively for the development and infrastructure required in the borough. (See also the Council's responses to Matter 8).

i) It was clear at an early stage of the local plan process that despite the Council taking a positive approach to its review of potential opportunities within the built up area boundary, there was no prospect of all of Worthing's identified housing needs being met. Therefore, the Council undertook a positive assessment of the potential for all edge of town sites. The conclusion of this comprehensive and positive assessment has resulted in the allocation in the WLP of five residential sites and one employment site. These sites will make an important contribution towards meeting some of the boroughs development needs. Robust evidence has also demonstrated that there are areas on the edge of town that are not suitable for development and this has helped to justify the Spatial Strategy and associated policies, including the Local Green Gap (see Topic Paper 2 – 'Land outside the Built Up Area' ([CD/H/17](#))).

ii) Given the limited options for growth around the town it is vital that the redevelopment potential of brownfield sites is maximised. The WLP explains that 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. The starting point in this process was the assessment of previously developed sites within the urban area (brownfield sites). This has resulted in nine allocations which present the best opportunity to deliver positive change and renewal within the existing built-up area boundary as they are already well served by sustainable transport and infrastructure.

Each site allocation sets out the indicative capacity of development to be achieved as well as setting out 'Development Requirements' which lists what development proposals should include / address which also identifies any necessary supporting infrastructure.

To support the allocations, the WLP seeks to maximise the supply of land within the borough for new housing opportunities, including increasing densities across the borough and particularly in locations where these are served by accessible public transport and other facilities. Part 6 summarises 15 of the actions that the Council has taken to maximise the delivery of suitable housing opportunities - many of these relate to development on previously developed sites.

iii) The Council is of the view that the evidence base clearly demonstrates that there are no other sustainable developable sites that should be allocated within the Plan period. All potential sites have been positively tested and clear justification is given as to why some of these have not been allocated for housing development. It is telling that during a number of stages of consultation, other than a couple of notable exceptions, there have been very few respondents telling the Council that we have got it wrong or that alternative sites should be allocated. This also includes a 'call for sites' for the SHLAA which is 'always open'.

Whilst the high levels of housing needs have to be taken into consideration, this should not override the need to ensure that the town also provides the right balance of other uses (particularly for jobs, homes and community facilities). In order to understand the wider

needs of the borough a significant amount of evidence has been gathered which includes: an Employment Land Review and Economic Study ([CD/J/1](#) & [CD/J/2](#)); Retail Study ([CD/K/1](#)); and Sport, Leisure and Open Space Study ([CD/S/2](#)). Evidence findings are clear in that the Plan needs to ensure that, where appropriate, existing uses are protected, this will include the safeguarding of most employment sites and the protection of valued open spaces and community facilities. In addition, this evidence has justified the need to allocate some land for non-housing (particularly land to meet employment needs).

The spatial strategy set out in Policy SS1 of the WLP, seeks to achieve the right balance between planning positively to meet the town's development needs (particularly for jobs, homes and community facilities) 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 therefore to maximise appropriate development on brownfield land and add sustainable urban extensions adjacent to the existing urban area. The core principles set out in the Plan take account of the characteristics of the borough, the needs of all uses and provides a clear direction for development in and around the town. The spatial strategy will help to steer new development to the right locations whilst at the same time helping to protect those areas of greatest value / sensitivity.

The Council considers that the housing requirement as set out in the Plan is justified having regard to recognised constraints including but not limited to land availability, viability and infrastructure.

Q37. The HIS concludes that there is little to no headroom between the housing supply and housing requirement. In coming to this conclusion, has the Council taken into account the possibility that some sites may not come forward due to unforeseen circumstances? Has a lapse rate or allowance for non-deliverability been applied? In this regard, is the WLP sufficiently flexible to take account of changing circumstances?

Council's Response:

The Council has been unable to identify contingency sites and build in flexibility to help address the shortfall in meeting its objectively assessed need for housing. Put simply, every available, viable and sustainable development site in and around the borough has been allocated in the Plan. The lack of land available and the sensitive character of Worthing, means that there simply are no reasonable and sustainable alternatives for development.

To enable the Council to react to changing circumstances there would be some benefit in having a more flexible approach. However, this needs to be considered against the local context and the very significant levels of unmet housing need. Whilst some form of 'non-delivery' buffer would provide some 'wriggle-room' it would also further increase the level of unmet need. This approach also needs to be considered against the delivery risks.

In this regard, the Council considers that risks to delivery are low. A raft of background evidence, together with continuous engagement, the encouragement for pre-application discussions with developers and landowners gives the Council confidence that the strategy is able to deliver sufficient housing to meet the target of a minimum of 230 dwellings per annum in the Local Plan to 2036 and ensure a continuous supply of housing throughout the Plan period.

This target is based on a maximum supply provision position and as such it does not build in any significant degree of headroom. However, given the very significant levels of housing

need in the borough the Council has taken the view that this is the appropriate positive approach and (as explained further in the Council's Housing Implementation Strategy - pages 38-39 ([CD/H/16](#)) that suitable measures to manage this are in place and that these will provide some flexibility / contingency.

Q38. On what basis does Policy SS2 and the table on page 51 of the WLP include a windfall allowance of 67 dpa between 2023 and 2036. Is there compelling evidence that they will provide a reliable source of supply in accordance with paragraph 71 of the NPPF?

Council's Response:

The Council believes that the calculation of the windfall allowance of 67 dwpa as included in the delivery target of the Plan is robust and justified and accords with paragraph 71 of the NPPF which states: *'Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.'*

The evidence as set out in the Housing Implementation Strategy (Page 21 and Appendix 4) ([CD/H/16](#)) clearly sets out the methodology used, based on the historic delivery rate of small sites over a 14 year period (from the base date of the Core Strategy). It is considered that this is a sufficient period of time over which to calculate a windfall allowance as it takes account of a range of market conditions.

The built up nature of Worthing is such that small infill sites, change of use and conversion of buildings make a significant contribution to the overall delivery of dwellings. As paragraph 5.16 of the HIS states; the additional permitted development rights and change of use is expected to lead to even greater opportunities of this type of ad hoc development. Given these greater flexibilities the rate might be expected to increase and as such the Council will undertake to review the forecast delivery rate to ensure it remains robust and justified. However, at this stage the allowance included within the WLP is considered to be justified, informed by robust evidence and is in line with national policy.

Q39. Policy SS1 criterion c. states the Council will seek to increase the rate of delivery from small sites. How will this be achieved and how has this policy been assessed in the Council's assumptions on housing delivery?

Council's Response:

The built up urban nature of Worthing together with significant land supply constraints mean there are few large development opportunities in Worthing. The suitable larger sites have already been identified, assessed and proposed for allocation in the Plan. That leaves the future focus for any development primarily in the urban area through redevelopment opportunities, conversions, change of use and infills. Future development opportunities are more than likely therefore to come from smaller sites and there is no evidence to suggest

that the type of 'unidentified' small site development that has come forward previously will not continue to come forward in the future.

The role of small sites and their contribution to housing supply is acknowledged locally and nationally as is their ability to deliver even more if the right conditions and support is in place. In Part 6 of the Housing Implementation Strategy (Page 27 ([CD/H/16](#))) the Council has set out its positive approach to development and sets out what steps it has committed to undertake to ensure that additional sites and opportunities are identified and also that potential barriers to development are reduced or removed. This includes having an open 'call for sites' to identify and consider the suitability of sites at an early stage, resourcing the development management teams and more specifically the introduction of a Major Projects and Investment Team together with pre application discussion service that helps to 'iron out' any potential barriers upfront. The Council has a good record on determining applications within the prescribed period and the Annual Monitoring Report reports the number of applications determined and the percentage of applications determined within the prescribed period. In the monitoring year 2017/18 71% of Major (10+ dwellings) applications and 84% of Minor applications were determined within the prescribed period and in 2019/20 the figure was 89% for Majors and 84% for Minor developments demonstrating an improvement in performance over that time period.

In addition, the Council considers having clear policies within the Plan together with any additional detailed guidance as set out in the Supplementary Planning Documents makes it easier for developers to navigate the planning process. The policies in the Plan all have certain degrees of flexibility and many will be the subject of negotiation to take into account the specific site characteristics. The Council is keen and committed to increasing the delivery of much needed new homes but not at the expense of good quality design for both the future occupiers and local environment.

Therefore, the Council is confident that there are sufficient measures in place to support and improve the delivery of small sites.

<p>Q40. What lead-in times and build-out rates have been applied to sites, both with and without planning permission? Have different approaches been adopted for sites with or without full planning permission? Are the assumptions used appropriate and justified?</p>

Council's Response:

The Council considers that the well established approach to build out rates for sites both with and without planning permission is appropriate and justified.

The Council sets out its delivery strategy in the Housing Implementation Strategy (Part 5) ([CD/H/16](#)) and further detail is provided in the Councils response to the Inspector's initial questions (Q.21) of [WBC-E-02 Response to IL01](#) (p.61 to 64).

The Council is aware that delivery and build out rates are subject to variation depending on the size of site, whether greenfield or brownfield and issues such as local market 'absorption rates'.

West Sussex County Council (WSCC) collect and analyse the Council's housing data annually. They use agreed general rules so for example on small sites they apply a different projected distribution of completions per year based on if a site has full or outline permissions. In terms of larger sites they start with a general projection as a starting point,

then sites with permission will get visited every year. This ensures that any projection amendments made to these sites will be based upon site observations when the site visit is undertaken.

Sites with outline permission do not get visited, but when the initial projections are applied consideration would be given to, for example, the time taken to deal with Reserved Matters and as such they would not project completions in year 1 or 2. The data is then sent to the respective local authorities for the data checking process to ensure the projections are as robust as possible by adding any site specific information, updates with case officers and any contact with developers and then amending projections where appropriate.

The Council sets out in the Annual Monitoring Report the trajectory of development with updates reflecting any changes to site delivery, any lapses of permissions and any new sites identified.

Q41. Will the plan be effective in helping to ensure that at least 10% of the housing requirement is met on sites no larger than one hectare, as required by paragraph 69 of the NPPF? If this is not possible, are there strong reasons why the 10% cannot be achieved?

Council's Response:

The context for this calculation and the WLP's compliance with the NPPF in this regard is set out in more detail with the Council's Housing Implementation Strategy - pages 22-23 ([CD/H/16](#)).

The NPPF is clear that this 10% allowance can include a combination of the development plan (i.e. site allocations, completions, extant permissions and windfall allowance) and any other sites in brownfield land registers. A significant proportion of housing supply will come forward on small sites over the Plan period. In part, this reflects the character of the borough and the very limited number of sites that could provide large scale growth (over 1 hectare). In this regard, 4 of the 15 site allocations included in the Plan are less than 1 hectare in size (9 of the 15 sites are under 3 hectares). These 4 allocations are expected to deliver 330 dwellings which represents 9% of the proposed total local plan target on sites of 1 hectare or less. When you then add on the existing commitments, smaller SHLAA sites, small windfall sites (less than 5 dwellings) it is clear that the proportion of supply on small sites will be significantly higher than the 10% requirement. Furthermore, changes in planning policy at the national level (new Permitted Development Rights etc.) are likely to further increase the delivery of housing on small sites.

Q42. Should the Plan specify the level of unmet housing need and set out how the issue is expected to be addressed?

Council's Response:

The Council has taken a positive approach to development and left 'no stone unturned' when assessing development opportunities. Despite this, from the start of Local Plan preparation the Council has been 'up front' about the challenges that would be faced in trying to meet the objectively assessed housing needs in full. There has never been any attempt made to 'hide' the fact that full needs would not be met and the related expected levels of housing

shortfall. In this regard, the prevailing figure of unmet need has been made very clear at every stage of Plan preparation. Paragraph 3.27 addresses this clearly when it states that only approximately 26% of overall housing need will be met and that this would result in a shortfall of 10,488 dwellings.

Whilst the figure of unmet need has fluctuated throughout the Plan preparation it has always been very significant. This need has helped to inform the discussion held with other local planning authorities across the sub-region under the Duty to Cooperate (see the Council's response to MIQ1 for further information).

The extensive work undertaken across the sub-region (housing studies, constraints mapping, infrastructure capacity assessments etc.) have helped to inform the Local Strategic Statements and related Statements of Common Ground that have been prepared to support the respective Local Plans. 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 and the work undertaken clearly shows that there are no easy solutions to meeting.

The Council's response to the Inspector's initial questions Section 3 (Q.7) of [WBC-E-02 Response to IL01](#) (p.17 to 23) provides a summary of the work undertaken across the sub-region and the focus that has been placed on the authorities that may have some (very limited) capacity to meet some of Worthing's shortfall. 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.

The significant shortfall in Worthing (and other districts / boroughs in the sub-region) will also be fully considered as Local Strategic Statement 3 is prepared and this will help guide the future location and delivery of development to be identified and allocated within the constituent Local Plans.

Therefore, in summary, given that there are no current solutions for meeting Worthing's unmet need within the sub-region this is not something that can be set out within the WLP. However, the WLP does highlight the levels of unmet need and the work being under-taken across the sub-region under the Duty to Cooperate which will continue in the coming months / years.

Q43. Paragraph 74 of the NPPF 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. The Council's response to my Initial Letter concludes that a separate trajectory set out in regular Annual Monitoring Reports would be preferable. How does this conclusion sit with paragraph 74? In responding to this question, could the Council set out how it would modify the Plan as suggested in paragraph 10.8 of its response?

Council's Response:

A trajectory is included within the Annual Monitoring Report which is the document in which the effectiveness of housing policies and targets will be monitored and will consider whether

any changes are required if such targets are not being met. Given its annual publication, this can be kept up to date more easily than if the trajectory is located in the Local Plan itself. The Council considers that it is more effective to include a housing trajectory in Annual Monitoring Report rather than within the Local Plan itself.

However, in response to this question, if it is considered necessary to make the Local Plan sound, the Council would not object to including the housing trajectory as an Appendix to the Local Plan. The following modifications is therefore suggested:

Add the following text to the end of the third sentence in paragraph 3.21

‘.....but not yet completed). **The housing trajectory in Appendix 1 sets out how each of these sources make up the housing supply position over the Plan period and when delivery is expected.**’ These are also summarised.....

On the Contents Page of the Plan add a new section ‘**Appendices**’ after Glossary and Acronyms and then add ‘**Appendix 1 - Housing Trajectory**’ at the end of the document.

5-year housing land supply

Q44. What is the most up to date 5-year housing land requirement?

Council’s Response:

The Council's latest 5 Year Housing Land Supply is set out in Appendix 2 to this document. It is based on data sets that cover the latest monitoring period covering 01/04/2020 to 31/03/2021.

Q45. Appendix 7 of the HIS suggests the supply of deliverable housing land stands at 2068 dwellings. Are assumptions on deliverability appropriate, justified and consistent with national policy?

Council’s Response:

The NPPF (Annexe 2) sets out the following definition for a ‘Deliverable’ 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.

The Council has used these 'tests' to inform the housing land supply / delivery assumptions and that the conclusions reached are appropriate, justified and consistent with national policy. The Housing Implementation Strategy in Part 5 (Page 19) ([CD/H/16](#)) sets out the delivery strategy. In addition, the Council's response to the Inspectors initial question 21 ([WBC-E-02 Response to IL01](#)) sets out the process that the Council went through in assessing the various elements that make up the housing supply.

Q46. Would the Council be able to demonstrate a 5-year supply of deliverable housing land on adoption of the Plan and a rolling 5-year supply throughout the Plan period? In responding, could the Council ensure the most up-to-date trajectory of the supply is provided?

Council's Response:

In line with guidance, for each allocation (Chapter 4) the Local Plan indicates whether the site is expected to be delivered within 0-5 years or 6+ years. The sites within the 0-5 year category are generally those which are well advanced (e.g. plans have been prepared / pre application discussions have taken place / funding is available).

The Council is confident that 6+ year sites will be delivered within the life of the Plan but there is less delivery certainty at this time. Given the nature of the sites in Worthing and the difficulty in forecasting delivery timeframes (particularly in the current climate) it was not felt appropriate to split the longer term sites into 6-10 year and 11-15 year periods. In reality, the longer term sites will be reassessed within 5 years during the review of the adopted Plan. The assessment of deliverability and timeframes has informed the Council's Housing Land Supply assumptions and related housing trajectory.

The most up to date 5 Year Housing Land Supply (HLS) is set out in Appendix 1 to this paper in response to Q44. This demonstrates that the Council can demonstrate a 5 year supply of deliverable housing land on adoption of the Plan (all-be-it this is the 'constrained' housing supply figure). In fact, due to the number of sites due to come forward in the first five years, the 5YR HLS position indicates a surplus in the first 5 years of the Plan. Annual delivery rates drop off in the latter periods of the Plan as, in simple terms, there are no additional available, deliverable and suitable sites that could help to meet unmet housing needs. It is hoped and expected that 'new' opportunities for development will come forward within the built up area in the coming years and that these will be identified and included during a formal review of the Local Plan. This will help to increase delivery rates in the latter periods of this WLP.

The housing trajectory and the 5 Year HLS will be monitored and updated at least annually in the Councils Annual Monitoring report to ensure that the most up to date situation is reflected.

The most up to date trajectory based on data sets from the latest monitoring period from 01/04/2020 to 31/03/2021 is attached as Appendix 2 to this document.

Housing Mix & Policy DM1

Q47. Paragraph 62 of the NPPF expects planning policies to reflect the assessed housing needs for different groups in the community. Is the WLP positively prepared, justified and effective in reflecting the needs of different groups in terms of size, type and tenure of housing?

Council's Response:

Paragraph 62 of the NPPF requires '*the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies*'.

The Strategic Housing Market Assessment 2020 (SHMA) ([CD/1/1](#)) provides the Councils with a clear understanding of housing needs. Specifically Section 6 of the SHMA provides evidence on the needs of older people & those with disabilities and Section 7 provides evidence on the needs of different groups within the population specifically family households, younger people and student housing. This evidence has informed the indicated mix in terms of size and tenure for affordable and market housing within the Local Plan. The Plan (as a whole) seeks to deliver a range of housing types to best meet the identified needs.

The mix of housing sizes for both market housing and affordable housing (split by tenure) is also in accordance with the recommendations in the SHMA. It is set out in the Local Plan in the supporting text paragraphs 5.7, 5.49 and 5.50. However, it is not necessarily the case that each development site will deliver housing types to meet all needs. Therefore the Council does not consider it appropriate to prescribe this within the policy wording. How the mix is applied to individual development sites should take account of the nature and location of the site, and for affordable housing also be informed by details of the Council's Housing Register and stock of existing properties. This is expanded on in the supporting text paragraph 5.8 and 5.49.

However to ensure the policies WLP is positively prepared and effective in reflecting these needs the Council suggested modification M26 (published June 2021) to Policy DM1 criteria a) to ensure the housing mix is based on the character and location of the individual site.

The mix of tenure for affordable housing is set out in criteria c) of Policy DM3 - Affordable Housing. Criteria c) of Policy DM3 - Affordable Housing requires that the exact tenure split and size of units on each site should take account of up-to-date assessments and the characteristics of the area.

For these reasons the Council considers the WLP is positively prepared, justified and effective in reflecting the needs of different groups in terms of size, type and tenure of housing.

Q48. In particular, paragraph 5.15 of the WLP states that Worthing has a need for 1,601 additional market and affordable homes to provide housing with support or housing with care and a maximum of 435 additional care bed spaces. Is the Plan effective in meeting these needs?

Council's Response:

Paragraph 62 of the NPPF requires '*the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies*'.

The Strategic Housing Market Assessment (SHMA) ([CD/I/1](#)) has assessed the size, type and tenure of housing needed for different groups in the community. It bases the need for 1,601 housing with support or housing with care and a maximum of 435 additional care bed spaces on the provision of 246 dwellings per annum. However, the SHMA fails to recognise that as the housing target in the Local Plan is the maximum that the Council feels that can be accommodated sustainably due to the constrained supply of land. To meet the 435 care bed spaces and 1,601 housing with support/care the Council would have to reduce the overall number of homes being delivered which would in turn further reduce these requirements. Furthermore, given the significant shortfall in housing delivery over the Plan period, the Plan has to ensure that this low level of housing supply delivers the best mix of housing to support the needs of the whole community.

To ensure the size, type and tenure of housing needed for different groups (specifically older people) has been reflected, the following measures have been included in the Local Plan:

- Policy DM1 - Housing Mix criteria d) refers to the needs of older people and sets the priority for housing with support and housing with care over care bed spaces, given the needs indicated in the SHMA and evidence provided by West Sussex County Council as outlined in the the Council's Q18 response to the initial letter from the Inspector ([WBC-E-02](#)).
- In addition, Criteria c) requires homes to meet the optional technical standard M4(2) for Accessible and Adaptable dwellings to further help meet the needs of older people by following the SHMA Recommendation 7: *Many older households will continue to live in mainstream housing but given the substantial growth in the population of older persons and associated increases in those with a disability, it is appropriate for new housing to be delivered to meet Part M4(2) accessible and adaptable home standards, subject to viability testing and site suitability.* (paragraph 10.18)
- Furthermore Allocation A8 HMRC offices, Barrington Road includes provision of a care home / sheltered accommodation. This is in line with SHMA Recommendation 8: *R8: The Councils should consider making specific allocations of land for older persons housing, given that developers of specialist housing can in some instances struggle to secure sites against mainstream market housing developers; and reflecting the notable growth in the older population.* (paragraph 10.21). 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).

The Council's Q18 response to the initial letter from the Inspector ([WBC-E-02](#)) highlighted

that historically windfall developments have delivered some housing with support / care and care bed spaces. Examples include MGM house, Heene Road ([AWDM/0124/15](#)) which has provided 33 retirement flats (C3) and 59 unit assisted living extra care development (C2) 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.

The Worthing Local Plan is therefore supported by robust evidence and is effective in meeting a reasonable proportion of this need given the heavily constrained nature of the borough.

Q49. Is it clear to decision makers, developers and local communities what is expected in relation to criterion a) of Policy DM1 and how considering the most up-to-date evidence of housing need and demands would affect proposals? Is suggested modification M26 necessary to ensure effectiveness?

Council's Response:

The Council considers criterion a) of Policy DM1 is clear to decision makers, developers and local communities what is expected, and how considering the most up-to-date evidence of housing need and demands would affect proposals (see also the Council's response to MIQ-47 above).

Modification M26 is necessary to ensure effectiveness of the policy by clarifying that criterion a) relates to determining appropriate housing mix for a site and that this should be based on the balance between meeting the needs of different groups (as informed by the most up to date evidence) whilst considering the character and location of the site. This is in accordance with NPPF paragraph 26.

Q50. Paragraph 5.8 suggests that priority should be given to family homes with 3 or more bedrooms. Is this justified and, if so, will the Plan be effective in achieving this requirement?

Council's Response:

The WLP is supported by a Strategic Housing Market Assessment 2020 (SHMA) ([CD/1/1](#)) which provides evidence on housing need.

Paragraph 7.4 notes the household projections for Worthing Borough linked to the dwelling-led scenario show a fall in the number of family households of around 1,264 households equal to -9.7%. However it makes clear that this does not translate into an equivalent need or lack of need for family-sized accommodation. This is because many older households will continue to live in family-sized properties; and the projections are reflective of a constrained supply scenario where the movement of family households into the areas are constrained.

Paragraph 7.6 explains the existing housing stock in Adur and Worthing is principally focussed more towards smaller properties than the South East as a whole. The proportion of 1 and 2 bedroom properties accounts for 50% of stock in Worthing (as at the 2011

Census) and Worthing has a lower proportion of larger family sized housing including 4 or more bedroom properties than that seen regionally and nationally.

The area plays an important role in providing family housing for other authority areas such as Brighton & Hove where the profile is focussed more towards smaller properties and flats. Recommendation 11 of the SHMA states: *Where sites are suitable for family sized houses, the delivery of these should be prioritised.*

Therefore the SHMA contains robust evidence to justify that priority should be given to family homes with 3 or more bedrooms.

In terms of achieving this it is recognised that not all sites will be able to accommodate larger dwellings or units and that the same mix of dwellings would not be appropriate on every site. Supporting text paragraph 5.8 clarifies and highlights the need for family housing. Policy DM1 addresses this through criterion a) which expects all applications to meet the needs of different groups whilst considering the character and location of the site.

Therefore, the Council considers the Plan is effective in ensuring an appropriate housing mix is determined for each site that best meets local needs.

Q51. Is the policy flexible enough to allow for circumstances where it may not be possible to provide a certain size or type of dwelling, due to site constraints for example?

Council's Response:

The Council considers the policy is flexible enough to allow for circumstances where it may not be possible to provide a certain size or type of dwelling.

The Council recognises in paragraph 5.3 of the WLP that whilst it is important to manage the mix of housing provided on new developments. This should not be a formulaic exercise and a practical balance must be struck.

Criterion a) with modification M26 has been proposed to ensure the policy is sufficiently flexible to enable the appropriate mix of dwellings to be determined on a site-by-site basis, informed by the SHMA recommendations.

Q52. Has the Council identified a need for self-build and custom housebuilding? If so, is the Plan positively prepared in meeting this need?

Council's Response:

Given the limited opportunities to meet housing needs in and around Worthing the Council needs to ensure that every effort is made to optimise the delivery of all housing types. To meet this objective the Council has outlined 15 separate actions within the Housing Implementation Strategy (Part 6) ([CD/H/16](#)). This includes Action 15 relating to self-build and custom housebuilding (pages 34-35). It is explained that since April 2016 the Council has maintained a register for people wishing to build their own homes in accordance with its statutory duty under the Self Build and Custom Housebuilding Act 2015.

In line with guidance, the Council has had regard to the register when carrying out its planning, housing, regeneration and disposal of land functions. Where appropriate, the Council has asked the promoters of potential housing sites to positively consider providing for an element of self-build and custom build housing within their scheme. Whilst the Council will continue to encourage this, as yet, no significant opportunities to meet this need have been forthcoming. The Council is of the view that the key reason for this is the complexity this adds in terms of design codes, infrastructure provision, the timing of delivery and viability certainty.

It is perhaps more realistic in Worthing for this type of housing provision to come forward on smaller plots. The Housing Implementation Strategy demonstrates that since 2015 there has been a relatively small supply of self-build housing delivered in the borough and there is no evidence to suggest that this trend won't continue in the future.

The Plan is positively prepared as it is supportive of suitable proposals and policy DM1 (Housing Mix) specifically commits the Council to support proposals for high quality self-build and custom build projects that are sensitive to the characteristics of the local area. In addition, the Council will continue to explore any opportunities that may arise to help meet this need.

Q53. Is the requirement in Policy DM1 for all new homes to meet Building Regulation standard M4(2) justified by adequate, proportionate and up to date evidence about need, viability and site-specific factors such as vulnerability to flooding, site topography, and other circumstances?

Council's Response:

M4(2): Accessible and adaptable dwellings is one of the optional technical housing standards to help bring forward an adequate supply of accessible housing where an identified need exists and where the viability of development is not compromised in accordance with paragraph 62 of the NPPF (Reference ID: 63-009-20190626).

'Raising accessibility standards in new homes: a consultation paper' (MHCLG, 2020) which included 5 options, 3 of which involved making M4(2) a mandatory minimum requirement to help meet the needs of older and disabled people:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/930274/200813_con_doc_-_final__1_.pdf

Evidence about need is set out in the Strategic Housing Market Assessment 2020 (SHMA) ([CD/I/1](#)). 22.4% of the population in 2018 in Worthing was estimated to be aged 65 and over, compared with 18.2% nationally (Paragraph 6.3). This is projected to increase by 42.5% in the period to 2036 (Table 6.3). The number of older people with dementia is likely to increase by 54% and those with mobility problems by 49% (paragraph 6.5).

Therefore, in line with R7 of the SHMA (paragraph 10.18), the substantial growth in the population of older persons and associated increases in those with a disability combined with many older households continuing to live in mainstream housing provides clear local justification for the requirement for new housing to meet M4(2) accessible and adaptable home standards where viable and the development site is suitable.

The costs of meeting the requirement for all new build dwellings to meet M4(2) has been

incorporated into the testing within the Whole Plan Viability Assessment ([CD/G/14](#)). Appendix 1 details the cost allowances used. Paragraph 3.2.26 confirms that schemes were found likely to have reasonable prospects of viability based on these parameters.

The Council accepts that due to site constraints such as topography, size of site and location for some sites it may not be achievable to meet M4(2), in particular the requirement for step free access including for example where this conflicts with flood risk mitigation or a new flat over a garage. The 2020 government consultation 'Raising accessibility standards in new homes' also recognised and reflected this in Option 2 which included an exemption with M4(1) applying by exception only where M4(2) is impractical and unachievable.

Therefore the following modification is proposed to criterion c) of Policy DM1 - Housing Mix:

c)... The Council will expect all new build dwellings to meet the optional higher Building Regulations Standard M4(2) for Accessible and Adaptable dwellings **unless it can be demonstrated it is impractical and unachievable.**

Q54. Paragraphs 5.24 and 5.25 raise the issue of live/work units, including highlighting preferences for how these would be delivered and stipulating that they would be subject to the requirements of other policies. However, Policy DM1 makes no specific mention of live/work units. To be effective, should Policy DM1 include provisions relating to live/work units? In addition, is it justified to expect live/work units to meet the requirements of policies DM2 and DM3?

Council's Response:

The Council proposes a modification to make it explicit how the Council will consider proposals for live/work units to strengthen the effectiveness of the policy. Insert new criterion g):

g) When considering proposals for individual live/work units, the workspace should be designed to be functionally separate from the dwelling(s) to which it relates. The proposal will need to comply with criterion d) of Policy DM2 and affordable housing provision under Policy DM3: Affordable Housing.

It is considered appropriate to remove paragraph 5.25 to avoid repetition as this is now included in criterion g) of the policy.

~~Para 5.25 Live/work units will be required to comply with the space standard requirement under Policy DM2: Density and affordable housing provision under Policy DM3: Affordable Housing.~~

The Council can see no justification in not treating the living areas of live / work units in the same way as other forms of housing for the operation of development policies (including DM3). Furthermore, no robust evidence has been put forward to demonstrate why a different approach should be taken. The Whole Plan Viability Assessment (WPVA) ([CD/G/14](#)) has assessed the policy requirements and related financial contributions set out in the WLP - this has concluded that, viewed as a whole, the emerging Local Plan proposals are considered to have reasonable prospects of viability and should therefore be able to meet the criteria of the NPPF and be consistent with the national guidance within the PPG in viability terms. As live / work units are not a particularly prevalent form of development in Worthing these were not specifically tested within the WPVA as it is not realistic to test every

potential development scenario. However, the WPVA did assess a wide range of housing developments (in scale and type) and this concluded that, in general, the policy requirements would not impact on development to a degree that would make developments unviable (that otherwise would have been viable). Furthermore, the WPVA builds in some contingency within each test to provide some flexibility for unforeseen eventualities.

With this in mind, the Council considers that it is justified to expect live / work units to meet the requirements of policies DM2 and DM3.

Q55. On what basis is modification M25 necessary for soundness?

Council's Response:

The Modifications proposed within the supporting text (paragraphs 5.4 / 5.14 / 5.15) have been made in relation to the description and definitions used for accessible housing. By adding clarity and correcting a previous error the modifications will ensure that the policy is effective and consistent with national guidance.

Gypsies, Travellers and Travelling Showpeople (Policy DM4)

Q56. The Coastal West Sussex Gypsy and Traveller Accommodation Assessment (GTAA) [CD//14] concludes that there is no identified current or future need for pitch or plot provision. Is there any substantive evidence to suggest this is not a robust assessment of need?

Council's Response:

The Council considers that there is no substantive evidence to suggest that the Coastal West Sussex (CWS) Gypsy and Traveller Accommodation Assessment ([GTAA](#)) work undertaken by the consultants to assess need, is anything but robust. The Coastal West Sussex Authorities of Adur, Arun, Chichester and Worthing commissioned consultants Opinion Research Services (ORS) to undertake the 2019 update and the same consultants undertook the first CWS authorities GTAA in 2013.

The main objective of the GTAA is to assist the respective authorities in determining an appropriate level of pitch and plot provision for the area to inform the policies and proposals of their respective Local Plans and related Development Plan Documents. It provides the Councils with robust, defensible and up-to-date evidence about the accommodation needs of Gypsies and Travellers and Travelling Showpeople during the period up to 2036. The study identified that there were no existing sites within Worthing and no identified current or future need. As a consequence, no new sites are required to be allocated.

The full methodology for the GTAA 2019 is set out in Chapter 3 Paragraphs 3.1 - 3.48. To summarise, the study sought to provide a robust evidence base to enable the commissioning authorities to comply with their requirements towards Gypsies and Travellers and Travelling Showpeople. This included a desk based review using a wide range of secondary data, stakeholder engagement including two workshops, collaborative work with neighbouring planning authorities, survey of the travelling community with visits attempted to all identified

pitches and engagement with those in bricks and mortar housing.

It is considered that the work undertaken and related the policy position meets the requirements of the Housing Act (1985), the Housing and Planning Act (2016), the NPPF (2021) and Planning Policy Guidance (2014) as amended by [Planning Policy for Traveller Sites \(2015\)](#) which included a change to the definition of Traveller for planning purposes and sets out how travellers' housing needs should be assessed for those covered by the definition in Annex 1 of that document.

It is worthy of note that there were no representations made to this policy at Regulation 19 stage consultation and in this regard it should be noted that Friends Family and Travellers(FFT) and National Gypsy and Traveller Federation and National Federation of Gypsy Liaison Groups were consulted at each appropriate stage. At [Regulation 18](#) stage consultation there were two representations received. The Environment Agency supported the Policy, whilst the other representation asked for clarification on whether Gypsies, Travellers and Travelling Showpeople were consulted on the Policy. The officers response noted that at that stage the GTAA update 2019 work was underway and that as part of that assessment relevant organisations representing the Gypsy, Traveller and Travelling Showpeople were contacted as part of the field work survey.

<p>Q57. Is Policy DM4 positively prepared, justified, effective and consistent with national planning policy? In particular, is it consistent with Policy H of national Planning Policy for Traveller Sites (PPTS)(2015)?</p>

Council's Response:

It is considered that Policy DM4 is positively prepared, justified and consistent with national planning policy as set out in Paragraph 62 of the Framework. The intention of Policy DM4 is to provide the criteria against which any planning application for Gypsy and Traveller provision will be assessed.

Policy DM4 is based on a model policy set out in Coastal West Sussex Authorities and South Downs National Park Authority Gypsy, Traveller and Travelling Showpeople Sites Study [Phase 2](#) of the GTAA (September 2013) (paragraph 7.4). This includes criteria against which planning applications for Gypsy, Traveller and Travelling Showpeople sites can be assessed. In addition, full account has also been taken of the advice in paragraph 13 of 'Planning Policy for Travellers Sites' (DCLG August 2015).

It is considered that all of the requirements of Policy DM4 are reasonable and justified and provide criteria against which to assess planning applications for new sites which will ensure that any proposed site is sustainable economically, socially and environmentally.

<p>Q58. Is it clear what best guidance from other relevant bodies is being referred to in criterion b.?</p>

Council's Response:

The Council considers that the intention of criterion b of Policy DM4 is clear in its intent. It

states that 'in assessing applications for Gypsy and Traveller or Travelling Showpeople sites, best practice guidance published by the Government and other relevant bodies will be used'. It is considered that this allows for flexibility to use guidance produced by bodies that work with and represent these communities to ensure that sites meet the needs of those groups that will live on them and ensure that they are well designed, well connected to local services and well managed. This will include any publications produced by, or recommended by, organisations such as: Friends, Families and Travellers (FFT) and The National Policy Advisory Panel on Gypsy and Traveller Housing, amongst others.

Q59. Is it clear what is meant by 'safeguarding' in criterion c.? If the intention is to resist other forms of development on permitted sites, then would the policy be effective in this regard?

Council's Response:

The Council considers that the term 'safeguarded' used in criterion c of Policy DM4 is considered to be clear and effective in its intent to 'safeguard' any new sites from loss to other uses. This terminology is used in the evidence base (Coastal West Sussex Authorities and South Downs National Park Authority Gypsy, Traveller and Travelling Showpeople Sites Study Phase 2 of the GTAA (September 2013) (paragraph 7.4)) that supports this policy and aligns with Adur Local Plan 2017 Policy 24. The Phase 2 part of the GTAA in Chapters 8 / 9 / 10 / 11 & 12 sets out recommendations for each of the authorities and more specifically recommends the 'safeguarding' of sites. Whilst Worthing does not have any existing sites to protect it is considered appropriate to safeguard any new sites that may be permitted during the Plan period. This closely aligns with the approach taken in Policy 24 of the Adur Local Plan 2017 which states that 'The existing Gypsy and Traveller site at Withy Patch in Lancing, and any new site/s that may come forward during the Local Plan period, will be safeguarded'.

Density and Policy DM2

Q60. Is the minimum density of 35 dwellings per hectare for family housing justified and consistent with the considerations set out in criterion a.?

Council's Response:

In line with the NPPF, the WLP seeks to make the most efficient use of land and to achieve this Policy DM2 establishes a key principle that development proposals will deliver an 'uplift' as, usually, it will be expected to deliver densities above those in the surrounding area.

Again, in line with the NPPF (paragraph 125) the policy requires minimum density standards to be met – this varies depending on the area of the town in question. In reality, the character of Worthing and the type of development planned for means that for the vast majority of sites the density of development delivered will exceed these figures significantly.

For family housing, the policy sets a minimum target of 35 dwellings per hectare but then goes on to explain the exceptional circumstances when a lower density might be deemed to be appropriate. This consideration takes into account the provisions set out in criterion a) and the Council is of the view that this approach is consistent and in line with the NPPF.

Appendix 8 of the Council's Housing Implementation Strategy (Pages 57-67) ([CD/H/16](#)) provides a detailed review of recent development densities delivered in Worthing and density rates for proposed developments - this work has helped to establish and justify the minimum density levels set out in policy DM2. The evidence shows clearly that the density of development that has been delivered in Worthing in recent years is, on average, significantly higher than previous minimum density standards (and related guidance). Furthermore, the evidence shows how, in general, the density rates have been increasing significantly and this is particularly so in the town centre and in areas well served by local facilities and public transport - this is very much in line with the Government's objectives set out in the NPPF. Policy DM2 will help to ensure that efficient use is made of available land and that the delivery of relatively high density rates continues - with the highest rates being directed to the most sustainable locations.

Q61. Is the minimum density of 100 dwellings per hectare for mixed-use and flatted development justified and consistent with the considerations set out in criterion a.?

Council's Response:

For the reasons given in the response above, and justified by evidence included within the Council's Housing Implementation Strategy (Appendix 8) ([CD/H/16](#)) the Council is of the view that the minimum density set for mixed use and flatted development is sound and consistent with the considerations set out in criterion a).

Whilst it is appropriate to set clear policy to ensure that the development potential of available land is optimised the wording included in criteria a) and c) (including the proposed modification set out below) provides a reasonable and appropriate degree of flexibility.

Q62. Criterion c. states that this density should be achieved in 'most' mixed-use, flatted and town centre development. Is it clear to decision makers, developers and local communities in what circumstances a lower density might be considered acceptable? To be effective, should the policy identify exceptions in the same way as criterion b.?

Council's Response:

For consistency, and to ensure that the policy is effective the following Modification is proposed to add wording to the end of criterion c):

.....and local services. **Lower densities will only be acceptable if it is demonstrated that development viability would be compromised or this is necessary to ensure the development is compatible with its surroundings and / or proposed mix of uses.**

Q63. Is Policy DM2 sufficiently flexible to take account of individual site circumstances?

Council's Response:

Yes - the Council is of the view that the Policy DM2 is sufficiently flexible to take account of specific site circumstances.

The aim to deliver a general uplift in density is a key aim of the WLP and this is very much in line with the Government's objective to maximise densities. Furthermore, given the lack of development land in and around Worthing it is absolutely vital that policies within the Plan set clear and robust policy expectations that will ensure that the most efficient use is made of sites that are available. Whilst policy DM2 does do this, it accepted that not all sites lend themselves to high or even medium density development and for this reason an appropriate balance must be struck that supports an uplift in density whilst at the same time allowing for potential constraints to be taken into account. This is particularly the case when located in close proximity to heritage assets or other valued settings. For this reason the Council has worded the policy carefully to establish clear expectations whilst also ensuring that there is a suitable degree of flexibility (see criteria a to c - including the proposed modification set out above (Q62)).

Q64. Footnote 49 of the NPPF states that policies may make use of the nationally described space standards (NDSS) where the need for an internal space standard can be justified? The HIS sets out the justification for adopting the NDSS. Does this meet the requirements of footnote 49?

Council's Response:

The Government introduced the optional Nationally Described Space Standards (NDSS) in 2015. More recently, the Government included a strong reference to NDSS within the National Design Model Code Part 2 (See H.1.i. Space Standards). Although the NDSS has been published for a number of years, national planning policy and guidance does not offer detailed criteria on what would constitute evidence of need to support the adoption and use of the Nationally Described Space Standards (NDSS). However, the starting point for justifying the need for space standards (in line with footnote 49 of the NPPF) is to demonstrate that there is a need.

Justified by local evidence and concern about the size of some proposals in the borough, the Council introduced a Space Standards SPD in 2015. As explained in more detail within Appendix 9 of the Council's Housing Implementation Strategy ([CD/H/16](#)), and consistent with NPPF footnote 49, the local justification for the continued use of Space Standards is still relevant today. In fact, given the greater intensification of development required to make a more sustainable use of land to provide the level of much needed housing they are arguably of even greater importance. Furthermore, the Covid pandemic has brought to the fore the need for good quality internal and external space that meets the needs of current and future occupiers.

Additionally, it is relevant to note that the Government has signaled its intention that homes created under permitted development rights should be required to comply with the NDSS. It would be inconsistent and illogical to have this requirement for homes permitted under PD but not those that require planning applications, particularly where there is local justification. It is therefore sensible in the Council's view for the same standards to be required for homes

delivered through a planning application.

The requirement to meet the NDSS was factored into the Whole Plan Viability Assessment which concluded that and this concluded that, in general, the policy requirements would not impact on development to a degree that would make developments unviable (that otherwise would have been viable).

It is of relevance to note that the intention to adopt the NDSS was included in the Reg 18 and Reg 19 versions of the WLP and this generated very little comment / objection. At Regulation 18 stage respondents suggested the inclusion of wording that would allow for some flexibility subject to certain conditions being met (as now set out in criterion e). At Regulation 19 stage the House Builders Federation questioned the evidence put forward by the Council to justify the policy approach. In response to this, the Council is firmly of the view that appropriate evidence has been put forward that demonstrates local justification to continue applying space standards to all new development.

Affordable Housing and Policy DM3

Criterion a. of Policy DM3 establishes a variable rate of affordable housing provision for flatted development on previously developed land (PDL), other types of housing on PDL and housing on greenfield sites.

Q65. Are these requirements justified by proportionate and up-to-date evidence about need and viability?

Council Response:

The supporting text to Policy DM3 clearly explains that the Council had due regard to the evidence in regard to the viability of different development types and whether a development involves greenfield or previously developed land (PDL). Evidence suggests that there are significant viability challenges with flatted schemes on previously developed land which is why the Council considers it appropriate that a 20% affordable housing threshold is applied to such schemes. The supporting evidence also supports the application of a 30% threshold for housing development on PDL with a mixed scheme on PDL expected to apply the appropriate threshold according to whether it is flatted or housing. In terms of greenfield land the evidence suggests that land value and construction costs are lower and, as such, a higher threshold of 40% is required.

The Whole Plan Viability Assessment (Main Report) - January 2021 ([CD/G/14](#)) at Para 3.4.8 concludes that the typology approach set out in the Plan to address the significant affordable housing need *'Those, therefore, are the policy positions that can be supported having carried out this comprehensive assessment over a number of stages;*' It goes on to state (Para 3.4.9) that there may well be at site and specific scheme level as yet unidentified abnormal/exception costs or circumstances that will require a site specific review and this is acknowledged in the supporting text to the policy. To reflect this, criterion f) allows for these exceptional circumstances to be considered where there is robust evidence to support them.

In summary, as evidenced above, the Council considers that the policy requirements are justified by proportionate and up to date evidence about need and viability.

Q66. Approximately how many affordable homes is the WLP expected to deliver across the plan period? How does this compare to the identified need for affordable housing?

Council's Response:

The Plan clearly sets out the identified need for affordable homes in the Plan which is based on the housing evidence set out in the Strategic Housing Market Assessment (SHMA) ([CD//1](#)). Paragraph 5.44 of the Plan states that some 1,164 households in Worthing are currently in affordable housing need (i.e. who are unlikely to have sufficient income to afford private rented housing). In addition, around another half of newly forming households are unable to afford market rent and another 131 households annually finding themselves in affordable housing need due to change in their circumstances.

This results in a substantial need for 490 affordable dwellings per annum. The Council's response to Q67 sets out the historic delivery of affordable homes. In terms of what the Plan could deliver an indicative figure has been calculated based solely on the proposed allocations and the application of the appropriate threshold as set out in Policy DM3. These allocations are expected to deliver a minimum of 1,753 dwellings over the Plan period with approximately 463 affordable dwellings, some 26% of the total that could be delivered for affordable homes. In addition to the delivery of affordable homes via the allocations any new /windfall application of 10 or more dwellings will also help deliver much needed affordable homes.

The delivery of more affordable homes is a Council priority with a significant amount of work being undertaken to identify opportunities within the borough that can deliver much needed affordable homes. One such example is the Downview Pub site, where the Council acquired the site in order to deliver new affordable homes. In other cases the Council has stepped in to purchase sites which were in danger of not coming forward so as to realise their delivery potential for much needed private sector and affordable homes.

The Council is also involved in innovative initiatives that sit outside of this Plan such as 'Opening doors' initiative which is the free residential letting service operating across Adur and Worthing. It offers landlords a comprehensive and free letting service including financial security, legal assistance and landlord support. This helps increase the amount of affordable market rented homes available to local people.

The Council will continue to take positive actions (which will include compliance with Policy DM3) to maximise the delivery of affordable homes. However, provision has to be seen in the wider context of the significant constraints faced by the borough and the fact that only 26% of overall housing need will be met through the Plan. It is also worth noting that the Plan seeks to deliver 230 dwellings per annum and the affordable housing need requires 490 dwellings per annum. Whilst this demonstrates clearly how it will be impossible to meet affordable needs in full the response above demonstrates how a significant proportion of affordable homes will be delivered to help meet identified needs.

Q67. In addition, how does this compare to previous performance? How many affordable homes have been provided as a percentage of total delivery in the past 5-10 years?

Council's Response:

The WLP clearly sets out that the Council is unable to meet its full objectively assessed housing need. The evidence is clear that, much like with all housing types and tenures in the borough, the Council will not be able to meet affordable needs in full. However, the Council is committed to taking all opportunities to deliver high quality affordable housing for people who are unable to access or afford market housing as well as helping people make the step from social or affordable rented housing to home ownership.

In terms of how the current approach compares to historic performance the Council's Annual Monitoring Report ([AMR](#)) sets out the number of homes completed in each monitoring year along with the number of affordable homes completed.

The figures used for total completions and affordable homes completions are derived from the monitoring data provided by West Sussex County Council (WSSCC). Any completions in the annual completions data listed as 'Builder 3' or 'HOUSING ASSOCIATION' are used to calculate the affordable housing delivered in any given monitoring year.

The following Affordable Housing delivery data is taken from the Council's AMR data from 2011/12 to 2019/20:

Year	Total Completions (net)	Completed Affordable Homes (net)	Affordable homes as a % of Total
2011/12	143	6	4.2%
2012/13	172	51	30%
2013/14	245	9	3.7%
2014/15	351	61	17%
2015/16	484	50	10%
2016/17	347	78	22%
2017/18	482	59	12%
2018/19	293	58	20%
2019/20	396	57	14%
Totals	2913	429	15%

During this 9 year time period there has been a change at national policy level which increased the threshold (to major development at 10+ dwellings) at which a local authority could seek an affordable housing contribution. In addition, the Government introduced permitted development for office to residential where affordable housing did not have to be provided.

It should be noted that this data only captures those affordable housing units delivered and built out on sites and does not take into account the financial contributions collected through legal agreements. In addition, as set in the Housing Implementation Strategy (Pages 16/17) ([CD/H/16](#)) in recognition of the level of need for affordable homes in the borough the Council has set up a cross service group with a focus on affordable housing. The Council is committed to work proactively with developers and registered providers to deliver the most appropriate homes to meet identified needs and also seek to identify opportunities on sites within its ownership or where it has the opportunity to acquire land.

In conclusion, working within a context of significant land supply constraints and significant need the Council believes that the WLP as set out in Policy DM3 together with associated guidance (Developer Contribution SPD) presents a clear approach to affordable housing provision and together with the wider corporate work seeks to identify and maintain (and where possible, increase) delivery on all viable opportunities as set out in the response to question 66 above.

<p>Q68. Is it sufficiently clear how criterion c. would be implemented and on what basis size and tenure split would be determined? Is the 75%/25% split between social/affordable rented housing and intermediate housing justified and consistent with national policy?</p>

Council's Response:

The Council considers that the way in which the size and tenure split will be determined is clearly set out in criterion c) of Policy DM3. In addition, it considers that the 75% / 25% split between social / affordable housing is justified and based on robust evidence and consistent with national policy.

The evidence, as set out in the Adur and Worthing - SHMA - Final Report - March 2020 ([CD/I/1](#)), concludes at paras 10.13 and 10.14 that the 85% of affordable housing needed in Worthing is for rented affordable homes with a focus on social rent. The approach taken in the policy is considered to be the most effective way to meet this need with a priority being placed on rented affordable homes at social rent levels. This approach was tested through the Whole Plan Viability ([CD/G/14](#)) which concludes at para 3.2.26 that this is an appropriate approach to this matter.

The Council considers that this approach establishes clear expectations as to what developments will need to deliver to meet the significant local need. However, it also contains a sufficient degree of flexibility to ensure that the character of the site and that the prevailing housing needs at the time of any application are taken into account to ensure best outcomes are delivered to meet the identified needs.

Footnote 49 of the NPPF states that policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing where this would address an identified need for such properties.

Q69. Is the potential requirement for affordable housing to meet Building Regulation M4(3) justified by adequate, proportionate and up to date evidence about need, viability and site-specific factors such as vulnerability to flooding, site topography, and other circumstances?

Council's Response:

The Local Plan does not include a requirement for affordable housing to meet Building Regulation M4(3) but instead signposts that this would only be where there is an identified need for such properties. In these cases, criterion c) of Policy DM3 - Affordable Housing is clear that this will be a matter of negotiation taking account of the suitability and viability of the site.

The Strategic Housing Market Assessment 2020 (SHMA) ([CD/I/1](#)) identifies a need for 300 wheelchair user dwellings to 2036. However, this is calculated using a standard proportion of the population. Worthing currently has 14 households in the highest priority band A on the register requiring a Mobility 1 property (fully adapted for wheelchair use). This local information will be used by the Council to help determine the most appropriate mix of housing types as schemes come forward.

Q70. Is it sufficiently clear how criterion d. would be implemented and on what basis the provision of affordable homes constructed to Building Regulation M4(3) would be determined?

Council's Response:

Criterion d) is sufficiently clear in that the requirement will be dependent on identified need at the time a planning application is submitted and the suitability and viability of the site.

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Appendix 1 Draft Housing Trajectory as at 01/04/2021

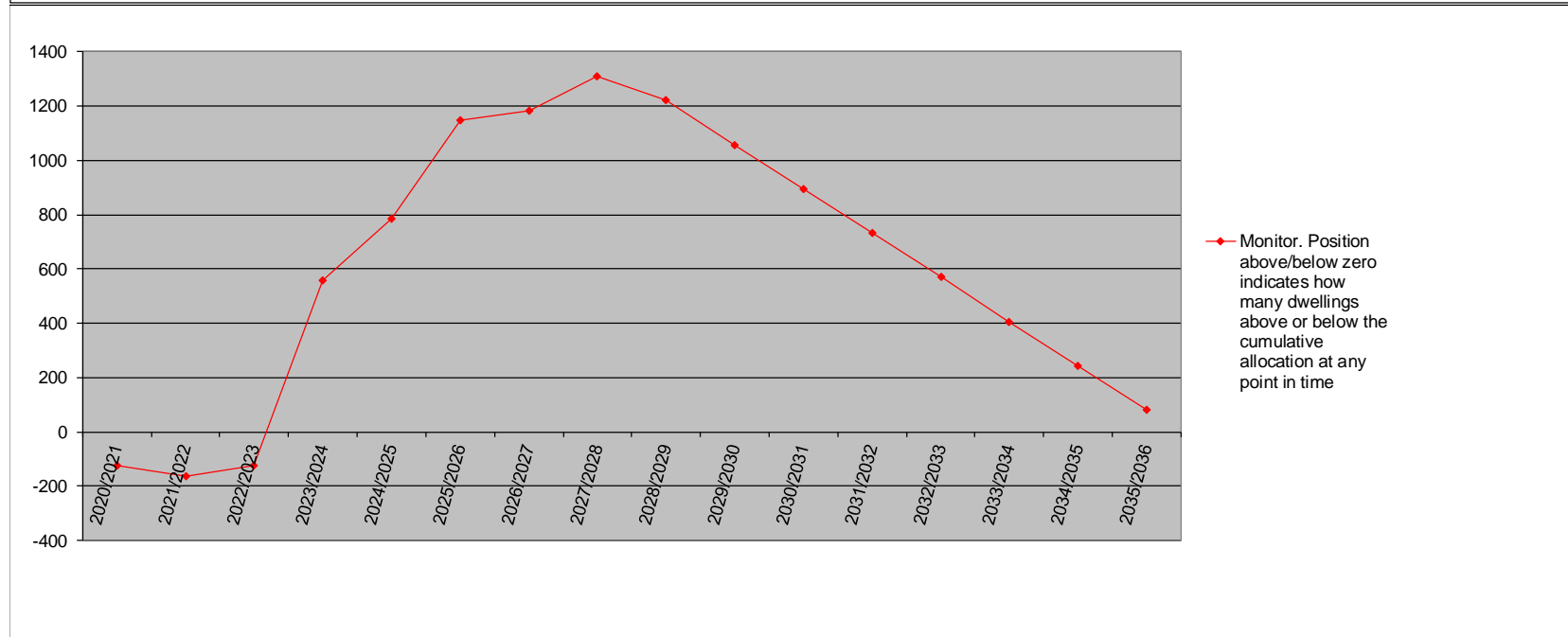
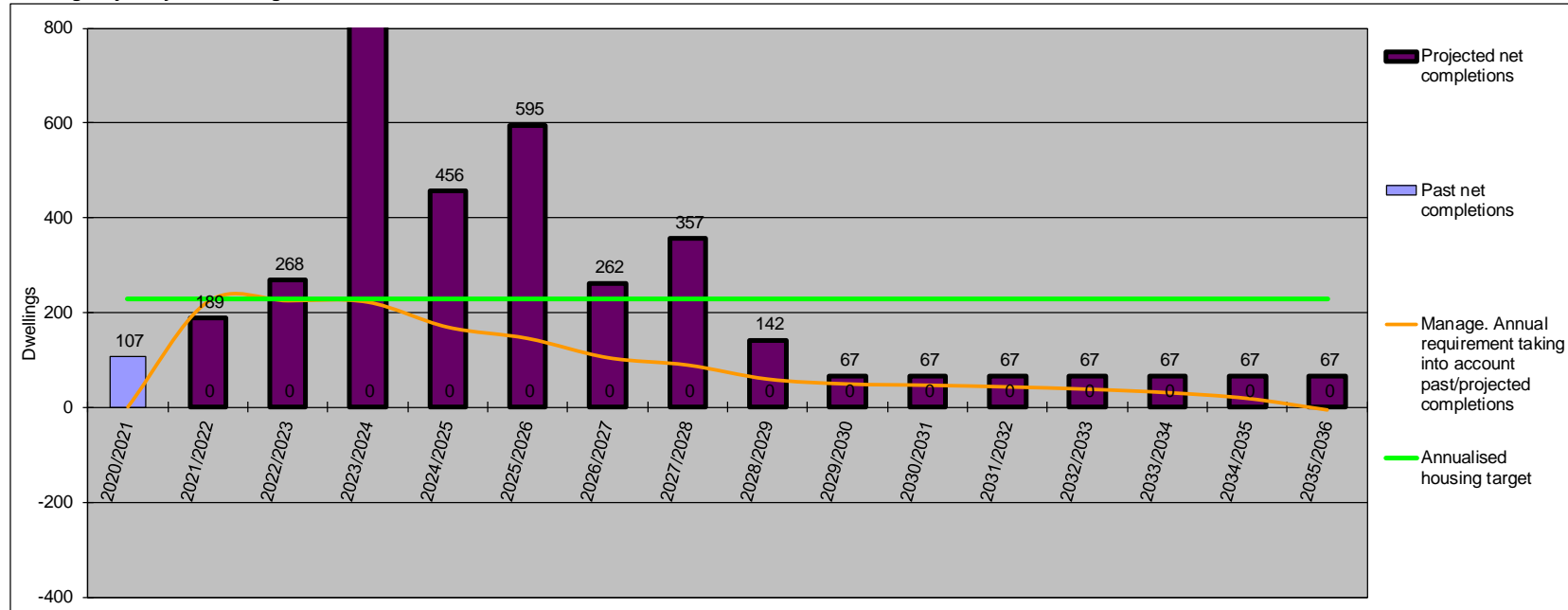
	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028	2028/2029	2029/2030	2030/2031	2031/2032	2032/2033	2033/2034	2034/2035	2035/2036	
Gross Completions at 1 April 2021 (large and small sites)	122	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	122
Commitments at 1 April 2021 (large and small sites with planning permission)	0	190	235	506	57	18	0	0	0	0	0	0	0	0	0	0	1006
Allowance for small windfall sites	0	0	0	0	67	67	67	67	67	67	67	67	67	67	67	67	804
Other SHLAA sites(excludes proposed allocations) at 1st April 2021	0	0	13	27	14	50	0	0	0	0	0	0	0	0	0	0	104
Proposed Local Plan Allocations (SHLAA)	0	0	20	395	318	460	195	290	75	0	0	0	0	0	0	0	1753
Total Projected Completions/Commitments	122	190	268	928	456	595	262	357	142	67	67	67	67	67	67	67	3667
Losses	14	1	0	13	0	0	0	0	0	0	0	0	0	0	0	0	14
Past net completions	107	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Projected net completions		189	268	915	456	595	262	357	142	67	67	67	67	67	67	67	3653
Cumulative net completions	107	296	564	1479	1935	2530	2792	3149	3291	3358	3425	3492	3559	3626	3693	3760	
Annualised housing target	230	230	230	230	230	230	230	230	230	230	230	230	230	230	230	230	3680
Monitor. Position above/below zero indicates how many dwellings above or below the cumulative allocation at any point in time	-123	-164	-126	559	785	1150	1182	1309	1221	1058	895	732	569	406	243	80	
Manage. Annual requirement taking into account past/projected completions	#REF!	223	226	223	169	145	105	89	59	49	46	43	38	30	18	-7	

Notes

Source: Residential Land Availability Survey, WSCC. To view source data search West Sussex County Council Planning Data for Housing and Residential Land in West Sussex.

Large Sites: 5 units or more. **Small sites:** under 5 units.

Housing Trajectory for Worthing



Appendix 2 Draft Five year HLS 230 dwellings pa (SDWLP) with 20% buffer as at 1/04/21

	Submission Draft Worthing Local Plan	Dwellings (net)	Annual Average
a	Submission Draft Worthing Local Plan target 2020-2036	3672	230
b	Completed	107	
c	Number of years in plan period = 15		
d	Requirement 2021-2036 (a (3672) minus b (107))	3565	238
e	Five year target with no adjustment (230 x 5)	1150	
f	20% Buffer (1150/100 x 20)	230	
g	Requirement for five years 2020-2025 with 20% buffer (e+f)	1380	276
h	Five year target with adjustment (238 x 5)	1190	
i	20% Buffer (1190/100 x 20)	238	
j	Requirement for five years 2021 – 2026 adjusted and with 20% buffer	1428	286
	Supply:		
k	Commitments (large and small) at 1 April 2021 (net)	992	
l	All SHLAA sites (includes proposed allocations) (net figure)	1297	
m	Windfall allowance (67x2 years)	134	
n	Total Commitments (k+l+m) (992+1297+134)	2423	
o	Surplus (n-j) (2423-1428)	995	

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WORTHING BOROUGH
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