

STATEMENT OF COMMON GROUND ON HOUSING NEED

SECTION 78 APPEAL BY PERSIMMON HOMES

LAND NORTH WEST OF GORING STATION, GORING BY SEA, NEAR WORTHING

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

LPA REF: AWDM/1264/20
APPELLANT REF: P.1173
PINS REF: APP/M3835/W/21/3281813
Date: 23rd December 2021

Signed: 	
Name: James Appleton	Name: Neil Tiley
On behalf of: Worthing Borough Council (the Local Planning Authority)	On behalf of: Pegasus Group (acting on behalf of the Appellant)
Date: 23/12/21	Date: 23/12/21

Signed: 	
Name: James Appleton	Name: Neil Tiley
On behalf of: Worthing Borough Council (the Local Planning Authority)	On behalf of: Pegasus Group (acting on behalf of the Appellant)
Date: 23/12/21	Date: 23/12/21

Signed: 	
Name: James Appleton	Name: Neil Tiley
On behalf of: Worthing Borough Council (the Local Planning Authority)	On behalf of: Pegasus Group (acting on behalf of the Appellant)
Date: 23/12/21	Date: 23/12/21

CONTENTS:

Page No:

1.	INTRODUCTION	1
2.	MATTERS NOT IN DISPUTE	2
3.	MATTERS IN DISPUTE	7

1. INTRODUCTION

- 1.1 This Statement of Common Ground (SoCG) on the need for housing has been prepared by Pegasus Group and on behalf of Persimmon Homes (“the Appellant”).
- 1.2 It has been prepared with Worthing Borough Council (“the LPA”). It relates to a planning appeal made pursuant to Section 78 of the Town and Country Planning Act 1990, in respect of a proposed residential development of up to 475 dwellings along with associated access, internal roads and footpaths, car parking, public open space, landscaping, local centre (uses E, F and Sui Generis) with associated car parking, car parking for the adjacent railway station, undergrounding of overhead HV cables and other supporting infrastructure and utilities at Land North West of Goring Station (“the Appeal Site”).
- 1.3 The purpose of the SoCG is to identify the areas where the principal parties (the Appellant and the LPA) are in agreement and to narrow down the issues that remain in dispute. This will allow the Hearing to focus on the most pertinent issues.

2. MATTERS NOT IN DISPUTE

2.1 This section sets out the matters that are not in dispute between the Appellant and the LPA.

National policy

2.2 It is agreed that the purpose of the planning system is to contribute to the achievement of sustainable development. It is agreed that the objective of sustainable development is to meet the needs of the present without compromising the ability of future generations to meet their own needs.

2.3 It is agreed that to determine the minimum number of homes needed, the strategic policies of a Local Plan 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. It is agreed that no such exceptional circumstances exist in Worthing Borough.

2.4 It is agreed that in addition, 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.

2.5 It is agreed that in accordance with paragraph 11b of the NPPF, the strategic policies of a Local Plan should as a minimum provide for the objectively assessed need for housing as well as any needs that cannot be met within neighbouring areas unless either:

- The application of the policies identified in footnote 7 of the NPPF provide a strong reason for restricting the overall scale of housing; or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

2.6 It is agreed that significant weight should be placed on the need to support economic growth.

2.7 It is agreed that the planning system should actively manage patterns of growth including through limiting the need to travel and offering a genuine choice of transport modes, which consequent benefits on congestion, emissions, air quality and health.

- 2.8 It is agreed that the objective to protect and enhance the natural, built and historic environment including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy should be pursued in mutually supportive ways.
- 2.9 It is agreed that LPAs are under a legal duty to co-operate on strategic matters that cross administrative boundaries. It is agreed that in accordance with paragraph 35c of the NPPF, in order for a Local Plan to be found sound, it will need to be based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred.

The minimum local housing need

- 2.10 It is agreed that the standard method of the planning practice guidance (PPG) identifies the minimum housing need. It is agreed that the actual housing need may be greater than this minimum, including for example in response to the housing needs of different groups such as those in need of affordable housing, or to support the economy, or to address unmet needs arising from other LPAs.
- 2.11 It is agreed that the standard method identified a minimum housing need for 885 homes per annum from 2020 onwards, which would equate to a minimum housing need for 14,160 homes over a 16-year period.
- 2.12 It is agreed that the concepts of housing needs and housing requirements are distinct. It is agreed that housing need represents the need for housing leaving aside policy considerations whereas housing requirements are informed by the need for housing and policy considerations.

The emerging Local Plan

- 2.13 It is agreed that the LPA has submitted the Worthing Local Plan (WLP) for examination, that hearing sessions sat in November 2021 and the Inspector published Initial Advice on 9th December 2021. This sets out that the Inspectors final conclusions regarding soundness and legal compliance will be provided in a subsequent report following consultation on the main modifications. Nevertheless, the Inspector has provided advice that whilst the WLP, as submitted, is not sound or legally compliant, with additional work and further modifications these soundness and legal compliance issues may be addressed.

- 2.14 It is agreed that the LPA proposed a number of main modifications to the WLP prior to submission, and additional modifications have been proposed throughout the examination all of which have yet to be consulted upon.
- 2.15 It is agreed that Policy SS2 of the WLP proposes a minimum housing requirement of 3,672 homes over the 16-year plan period (2020-36) or 230 per annum, in response to the minimum housing need for 14,160 homes or 885 per annum. It is agreed that this represents only 26% of the minimum housing need with a shortfall of 10,488 homes over the proposed plan period.
- 2.16 It is agreed that the proposed housing requirement for 230 homes per annum is significantly below the average delivery rates achieved in the previous five, ten, or fifteen years, namely:
- 325 homes per annum from 2016-21;
 - 302 homes per annum from 2011-21; and
 - 295 homes per annum from 2006-21.
- 2.17 It is agreed that the higher levels of delivery over the last five years have arisen partly as a result of the delivery of the urban extension of 700 dwellings at West Durrington.
- 2.18 It is therefore agreed that the proposed housing requirement does not significantly boost the supply of housing when compared against recent delivery rates.
- 2.19 It is agreed that the proposed housing requirement of 230 homes per annum is greater than the housing requirement for 200 homes per annum in the Worthing Core Strategy.
- 2.20 It is agreed that the need for housing in Worthing Borough is exceptionally high as set out in the LPA's Response to IL01.
- 2.21 It is agreed in addition, there are also substantial unmet housing needs in other LPAs in the housing market area and sub-region.
- 2.22 It is agreed that the Strategic Housing Market Assessment of 2020 (SHMA) identifies a need for 490 affordable homes per annum. It is agreed that this is more than twice as great as the total number of homes proposed to be delivered

under Policy SS2 of the WLP. It is therefore agreed that there will be substantial shortfall in the provision of affordable housing as set out in the LPA's Response to IL01.

- 2.23 It is agreed that the proposed shortfall of 10,488 homes and the proposed substantial shortfall of affordable housing are cross-boundary strategic matters. It is agreed that, through the duty-to-cooperate, the LPA and its partners intend to continue to undertake work to address strategic issues, but that to date no solution has been identified to meet the substantial unmet housing needs at present. It is agreed that the LPA and its partners have committed to progress Local Strategic Statement 3 to test whether any longer term solutions can be found.
- 2.24 It is agreed that even if the WLP is adopted including Policy SS2 as currently drafted, there will remain an exceptionally high need for housing and a substantial need for affordable housing which will be material to the determination of planning applications and appeals.
- 2.25 It is agreed that additional housing to that proposed in the WLP will contribute to addressing this need for housing and affordable housing.
- 2.26 It is agreed that any additional housing that can be delivered on sustainable sites will help to meet housing needs and reduce the shortfall in delivery.

Housing supply

- 2.27 It is agreed that the latest Housing Delivery Test results for Worthing Borough are 52%. It is agreed that a Housing Delivery Test result of less than 75% is recognised as representing a record of substantial under delivery by footnote 8 of the NPPF.
- 2.28 It is agreed that the Housing Delivery Test result of 52% is amongst the lowest of all LPAs nationally.
- 2.29 It is agreed that the LPA consider that it is able to demonstrate a 1.81 year land, whereas the Appellant considers that the LPA is able to demonstrate a 1.49 year land supply. It is agreed that on either basis this represents a substantial shortfall.
- 2.30 It is agreed that the LPA is unable to demonstrate a five year land supply such that:

- paragraph 11d of the NPPF is engaged;
- the most important policies for determining the appeal are to be regarded as out-of-date; and
- planning permission should be granted unless either the application of footnote 7 policies provide a clear reason for refusal, or any adverse impacts of granting planning permission significantly and demonstrably outweigh the benefits.

2.31 It is agreed that if and when the WLP is adopted, the five year land supply will then be assessed against the adopted housing requirement. It is agreed that post-adoption the LPA will be unable to meet housing needs, and this will remain material to the determination of planning applications and appeals.

3. MATTERS IN DISPUTE

3.1 This section sets out the matters that are in dispute between the Appellant and the LPA.

The emerging Local Plan

3.2 The Appellant considers that as the emerging Local Plan has been found to be unsound and not legally compliant, the weight afforded to this should be at most limited.

3.3 The LPA also considers that all of the policies of the WLP have been prepared in accordance with national policy, but acknowledges that there are unresolved objections. The LPA considers that significant weight should be afforded to the policies of the WLP.

The five year land supply position

3.4 The Appellant considers that there is a 1.49 year land supply with a shortfall of 3,594 homes.

3.5 The LPA considers that there is a 1.81 year land supply with a shortfall of 3,977 homes.