

**PROPOSED NEW DEVELOPMENT OF UP TO 475 RESIDENTIAL DWELLINGS
AND ASSOCIATED OPEN SPACE, ON LAND NORTH WEST OF GORING
RAILWAY STATION, GORING BY SEA WORTHING, WEST SUSSEX**

THE EMERGING WORTHING LOCAL PLAN

PROOF OF EVIDENCE OF

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**Worthing Borough Council ref: AWDM/1264/20).
Planning Inspectorate ref: Appeal Reference: APP/M3835/W/21/3281813**

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1st Draft Proof

1 INTRODUCTION

1.1 Qualifications and experience

1.1.1 I am Planning Policy Manager for Worthing Borough Council. I have a BA honours degree in Geography and a post graduate Masters degree in Town Planning. I am a chartered member of the Royal Town Planning Institute and have been employed as a local authority planner for over 21 years (20 years in a Planning Policy Team).

1.1.2 Whilst my current role covers the full spectrum of Planning Policy matters the primary function is to manage the progression of Development Plan Documents, principally the Worthing Local Plan.

1.1.3 I have lead a team of Planning Officer as the emerging Local Plan has progressed through all statutory stages. As set out below, the Plan is now very well advanced.

1.1.4 The evidence which I have prepared and provide for this appeal, reference APP/M3835/W/21/3281813, is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

1.2 Scope of evidence

1.2.1 My evidence relates emerging Worthing Local Plan. It provides details of each stage of preparation: summarises some of the key issues and explains how the requirements of the Duty to Co-operate have been met.

1.2.2 This proof of evidence provides a high level summary. It does not seek to provide significant details relating to Housing Land Supply, landscape & biodiversity, the weight that should be given to emerging policy or the 'planning balance' – these are the subject of other proofs and Statements of Common Ground.

2 EMERGING LOCAL PLAN CONTEXT

2.1 Background

2.1.1 The existing Development Plan for Worthing is the Worthing Core Strategy which was adopted in 2011. To respond to the requirements of the NPPF, the Council has been working hard to prepare a new development plan, called the Worthing Local Plan. Once adopted, the new Plan will replace the Borough's existing local planning policies.

2.1.2 The new Local Plan covers most of Worthing Borough. However, unlike the existing Core Strategy, it will not cover the land in the north of the Borough that lies within the South Downs National Park. The National Park Authority is a planning authority in their own right and they have their own Local Plan which sets planning policy for all areas within the South Downs National Park boundary.

2.1.3 In simple terms the new Local Plan must balance the benefits of growth against the potential impact of future development and the need to protect the environment. To inform this balance, the emerging Local Plan is based on a comprehensive evidence base, the relevant documents of which are included in the Core Documents list. Furthermore, to ensure the social, environmental and economic impacts of policies are assessed a sustainability appraisal has been progressed as part of the plan preparation process.

2.2 Progress to Date

2.2.1 Issues and Option Stage (2016) - The first of stage of consultation on the emerging Plan was undertaken in 2016. The 'Issues and Options' document, titled 'Your Town - Your Future', identified the challenges facing the borough and sought views and suggestions on how Worthing should grow and develop in the future.

2.2.2 Draft Worthing Local Plan (2018) - Comments received at the Issues and options stage, along with additional evidence, helped to inform the drafting of the Regulation 18 version of the Local Plan which sets out the Council's preferred options. The Draft Worthing Local Plan was published for consultation at the end of 2018.

- 2.2.3 Submission Draft Worthing Local Plan Consultation (January 2021) - The comments submitted at the previous consultation stages, alongside a comprehensive evidence base, helped to shape the Submission Draft Local Plan. Comments on the tests of soundness and legal compliance were invited during an eight-week period (26th January to 23rd March 2021).
- 2.2.4 Submission - The Worthing Local Plan was formally submitted for independent examination on Friday 11th June 2021. Steven Lee BA (Hons) MA MRTPI was appointed on behalf of the Secretary of State to hold the examination to consider the soundness of the submitted plan and whether it is legally compliant.
- 2.2.5 Hearing Sessions – The Hearing Sessions, that were held over 3 weeks, concluded on Wednesday 17th November.
- 2.2.6 Post Hearing Advice Letter (Ref - IL07) - On the 9th December the Council received the Inspector’s Post Hearing Advice Letter. This letter sets out the additional work and modifications that the Inspector feels are required to make the Worthing Local Plan sound and legally compliant. Some of the implications of this letter are summarised in section 4 below.

2.3 Next Steps

- 2.3.1 The Council is currently considering the Inspector’s Post Hearing Advice letter and work is being progressed to address the issues that have been highlighted. This includes the preparation of a Schedule of Modifications. The expectation is that this Schedule will be considered by elected Members in February before a 6-week period of consultation.
- 2.3.2 Following the close of the forthcoming focussed consultation the Council expects to receive the inspector’s final report. Provided the Inspector is satisfied that the issues that have been raised have been suitably addressed, the Council anticipates that the Plan will be found sound. The expectation is that the Plan will be formally adopted by Worthing Borough Council in late spring / early summer 2022.

3 SPATIAL STRATEGY

3.1 Overview

- 3.1.1 The most significant constraining factor when considering future development in Worthing is land availability. The Borough is tightly constrained and there is little scope to grow beyond the current Built Up Area Boundary without merging with the urban areas of Ferring (to the west) and Sompting/Lancing (to the east) and without damaging the borough's character and environment. Furthermore, the town is relatively compact and there are very few vacant sites or opportunity areas within the existing Built Up Area that could deliver significant levels of growth.
- 3.1.2 Therefore, the reality is, that when compared to many other local authority areas, there are relatively few options for growth. As a result, a strong emphasis is placed on regeneration and transforming key previously developed sites within the urban area. This approach reflects the NPPF which encourages local authorities to make as much use as possible of brownfield sites to meet development needs. However, in response to the need to meet as much as possible of the housing need for Worthing, one key change has been the need to now look more positively at potential development options located around the edge of the borough.
- 3.1.3 The spatial strategy 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 take account of the characteristics of the borough and provide 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 environmental value / sensitivity

3.2 Developing a Target for Housing Delivery

- 3.2.1 Historically there has not been a strong relationship between housing targets set for Worthing within regional Plans and the need / demand for new dwellings in the borough. This is because previous targets took account of the physical and environmental constraints faced by Worthing and were therefore strongly influenced by the capacity of the borough to accommodate new development.
- 3.2.2 However, the NPPF now requires that local planning authorities meet their full need for both market and affordable housing as far as is consistent with other policies in the Framework. The most up-to-date assessment of objectively assessed housing need (based on the standard method as set out in national planning guidance and the 2014 household projections published in September 2016) is 14,160 dwellings over the Plan period (2020 to 2036) which currently equates to 885 dwellings per annum. Further information as to how this figure has been calculated (and capped) is set out in the Housing Implementation Strategy.
- 3.2.3 Worthing's current housing need for the plan period (885 dwellings per annum) is a much higher level of housing delivery than the borough has previously planned for or delivered. To put this into context, the Core Strategy (2011) set a housing requirement of 200 dwellings per annum and the average annual delivery rate since 2006 has been 306 dwellings (which includes a significant level of housing delivered on a large greenfield site at West Durrington).
- 3.2.4 In line with the NPPF, the Council has sought to plan positively to establish whether housing delivery could be increased significantly to help close the gap between the level of identified need and recent delivery levels. The Council's Strategic Housing Land Availability Assessment (SHLAA) has provided the mechanism through which the quantity and suitability of land potentially available for housing development has been determined.

3.3 Development Strategy

- 3.3.1 Broadly, the Local Plan allocates two forms for development. The first are previously developed sites within the urban area (brownfield sites). These nine allocations 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. The redevelopment of the majority of

these sites, particularly those in the town centre, has been embedded with a range of documents and strategies over a number of years. Work to deliver these opportunities has gathered pace in recent times and their regeneration continues to be a corporate priority that also helps to meet some sub-regional objectives set out in the Local Strategic Statement.

3.3.2 Given the levels of development needed and the requirement to plan positively to meet housing needs, brownfield sites alone are not sufficient. Therefore, the other type of site allocated for development are those located on the edge of the town. The Sustainability Appraisal together with associated evidence studies (including biodiversity, flood risk, accessibility, landscape and infrastructure capacity) were used to assess all potential sources including edge of town sites (most of which are greenfield). The conclusion of this comprehensive assessment has resulted in the allocation of six (*to be reduced to five – see section 4 below*) sites on the edge of Worthing which will contribute towards meeting some of the borough's development needs. The proximity of these development sites adjacent to existing urban areas will allow for integration with existing communities and will provide access to nearby facilities, services, and public transport. The built up area boundary will be amended to incorporate these sites.

3.3.3 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 inform the Spatial Strategy and associated Policies SS4 (Countryside and Undeveloped Coast), SS5 (Local Green Gaps) and SS6 (Local Green Space). Justification for this approach is set out a Topic Paper 2 – Land Outside the Built Up Area Boundary.

3.4 Meeting Housing Needs

3.4.1 The delivery rates set out in the Submission Draft Worthing Local Plan indicate that a realistic housing capacity figure for the borough from 2020 to 2036 is a minimum of 3,672 dwellings. This housing target is a 'capacity-based' / 'policy-on' figure based on the level of housing that can be delivered within the Plan period, having regard to the identified constraints and development capacity.

3.4.2 The Plan sets an average minimum housing target of 230 homes per annum to be achieved by 2036. As explained further within the Housing Implementation Strategy, this is a target that is significantly higher (15%) than the levels of growth planned for within the Worthing Core Strategy. This, in part, reflects the positive actions taken by the Council to facilitate and support development in the borough. This increase beyond previous targets represents a challenging but realistic level of housing development that takes a positive approach to the allocation of sustainable sites whilst also providing the appropriate balance between meeting development needs and protecting the environment and character of the borough.

3.4.3 It is clear however that, despite taking a positive approach to development, the delivery rate for housing will fall significantly below the levels of housing need identified (14,160 dwellings). Approximately 26% of the overall housing need will be met and this would result in a shortfall in housing delivery over the Plan period of over 10,000 dwellings. Whilst acknowledging that this is a very high level of unmet need the Council has robust evidence to demonstrate how all options to reduce this figure and increase the rate of development have been exhausted. Put simply, the tightly drawn boundary around the borough and lack of available land means that there is simply no way that a higher proportion of development needs can be delivered in a sustainable manner.

4 THE DEVELOPMENT STRATEGY AND THE INSPECTOR'S POST HEARING ADVICE LETTER

4.1 Context

4.1.1 Following the close of the Local Plan Hearing Session the Council received the Inspector's Post Hearing Advice Letter. The Inspector makes it clear that his final conclusions regarding soundness and legal compliance will be given in a report to be produced following consultation on the proposed Main Modifications. Despite this, the letter is of significance as it sets out the additional work and modifications which the Inspector considers are required to make the Worthing Local Plan sound and legally compliant. Furthermore, the Council is of the view that the letter provides strong inference as to the areas of the Plan that the Inspector is very likely to support without the need for significant modification.

4.2 Relevant Issues

4.2.1 With regards to the appeal site the Inspector is satisfied that the site meets two of the three criteria for designation as Local Green Space in that it is in reasonably close proximity to the community it serves; exhibits characteristics that makes it demonstrably special to local communities and has particular local significance. However, he has raised a compliance concern with the final criterion relating to the scale of the site. He has invited the Council to consider whether an alternative, reduced boundary would be appropriate and work to review this is currently being undertaken.

4.2.2 Notwithstanding the level of housing need, the Inspector has recommended the removal of one of the six edge of town proposed allocations. He has concluded that due to potential environmental impacts a satisfactory form of development could not be achieved on the Titnore Lane site in the north west of the Borough. In his summing up on this issue he states: *'I am clearly very conscious of the Council's housing delivery issues and the difficulties that exist in meeting needs. Nonetheless, as the Council have also argued, this does not mean that all forms of development are acceptable in principle. In this instance, I consider that the risk of adverse impacts from developing the site would significantly and demonstrably outweigh the benefits. Consequently, the allocation is not justified or consistent with national policy. It should therefore be deleted with necessary changes made to the housing requirement, housing trajectory and Policies Map'*.

4.2.3 Whilst the deletion of the Titnore Lane allocation will inevitably reduce the level of housing that the Plan will provide, it does help to demonstrate how the provisions of the NPPF help to ensure that environmental considerations are given full regard despite very significant levels of unmet housing need. Put shortly, the Inspector did not think that the need for housing was sufficient to outweigh the environmental concerns associated with the development of this site.

4.3 Other Implications

4.3.1 The Council is of the view that, in many respects, what the Inspector's letter does not say is as important as what it does say. In providing a very strong steer as to the amendments that need to be made in order to make the Plan sound, the letter's silence on other matters provides a clear indication on those areas of the emerging Local Plan with which the Inspector does not have concerns on soundness. Those parts of the emerging Plan are very likely to be found sound.

4.3.2 With this in mind it is very noteworthy that no significant issues have been raised with regards to the: over-arching development strategy; the local gap policy; and the countryside and undeveloped coast policy. Furthermore, it can be surmised that the Inspector has concluded that the Council has taken a positive / 'no stone unturned' approach to trying to meet housing needs as there is no instruction or indication that the Council needs to now do further work to bring alternative sites forward.

5 DUTY TO CO-OPERATE (DTC)

5.1 DTC Background

5.1.1 The Duty to Cooperate is a requirement of the Localism Act 2011 and the National Planning Policy Framework (NPPF). It places a legal duty on Local Planning Authorities and other prescribed bodies to engage constructively and actively and on an ongoing basis to maximise the effectiveness of local plan preparation in the context of strategic cross boundary matters. Local Planning authorities must demonstrate how they have complied with the Duty at the examination stage of their Local Plan.

5.1.2 Meeting the requirements of the 'Duty' is an important step for all local planning authorities but, arguably, it takes on an even more crucial role for those authorities (like Worthing) that are unable to meet their development needs in full. It is inevitable that, in these instances, scrutiny will be placed on the specific evidence relating to when and how the Council engaged constructively, actively, and on an on-going basis on the matter of unmet housing need. In acknowledgement of this, since the very start of Local Plan preparation and throughout every stage of the process to date, the Council has paid very close

attention to the 'Duty', particularly when engaging positively with nearby local planning authorities.

5.2 DTC Evidence

5.2.1 The Duty to Co-operate Statement 2021 is a detailed record of the work that Worthing Borough Council has undertaken so far in respect of the 'Duty' in developing the emerging Local Plan. However, it is highlighted that this work doesn't stop when the Plan is submitted and the Council continues to work with other local authorities and organisations in the sub-region on an ongoing basis.

5.2.2 The more recent Duty to Co-operate Addendum highlights the work that has been undertaken with other authorities between January 2021 and the Submission of the SDWLP in June. This was a particularly important stage in the process as it was a time during which other local authorities and key 17 stakeholders were able to view and consider the Council's Submission Draft version of the WLP.

5.2.3 In some respects, the Addendum and associated appendices represent the culmination of many years of discussion relating to strategic planning issues (particularly housing needs). Appendix A collates the responses from other authorities to the formal request made by Worthing Borough Council in January 2021 to meet some of Worthing's unmet housing needs. Appendix B then sets out the bilateral Statements of Common Ground (SoCG) signed by Worthing and the individual local authorities within the sub-region. In summary, each SoCG concludes that the respective parties agree that they have worked jointly constructively and on an on-going basis (and will continue to do so) on relevant cross-boundary matters (with particular regards to housing) relevant to the plan-making process. All Statements go on to agree that there are no key areas of disagreement between the parties relating to the emerging Worthing Local Plan.

5.3 DTC Summary

5.3.1 In line with the requirements of the Localism Act and the NPPF, the Council has demonstrated the extent of positive and diligent on-going cooperation and engagement that has taken place (and continues to take place) with relevant

authorities on those spatial issues which impact on areas outside of Worthing and/or involve joint working and support.

- 5.3.2 The primary focus of these discussions has been related to housing needs and, informed by robust evidence produced across the sub-region, it has been widely accepted for a number of years that, due to significant land constraints, Worthing would be unable to meet its housing needs in full.
- 5.3.3 Although the Council acknowledges that it must continue to work positively to meet as much of this need as is possible within the borough (leaving no stone unturned) it is telling that not one respondent to the Regulation 19 consultation suggested that Worthing could deliver all its development needs. Inevitably, and as appreciated since the start of Local Plan preparation, this means that the Council would need to look beyond its boundaries to consider whether neighbouring authorities might have any opportunity to accommodate some of this significant shortfall.
- 5.3.4 Although the Council continued to engage constructively with all nearby authorities, as explained above, a greater emphasis was placed on engagement with the nearby authorities (most notably, Horsham DC and Arun DC) that may have had some ability to consider whether additional provision could be made to accommodate some of Worthing's needs. Whilst these opportunities have been, and will continue to be explored, those local authorities are working hard to accommodate their own, very significant, housing needs. At this stage no opportunities to provide for some of Worthing's needs have been explicitly identified in those areas but the extent of Worthing's housing shortfall is well known and further consideration will be given to this by those authorities as their respective Local Plans are reviewed and advanced.
- 5.3.5 Looking across the sub-region, it is clear that there are no easy solutions for meeting all housing needs. Levels of housing needs are very significant as are the development constraints. However, it is accepted by all parties that to meet the requirements of the 'Duty' future work is required to address unmet needs. Whilst a number of joint measures to help housing and employment delivery are on-going via the West Sussex and Greater Brighton Strategic Planning Board and the Economic Board, longer term housing and employment needs can only

be addressed via a full review of the Local Strategic Statement (LSS3) and through Local Plan reviews.

- 5.3.6 LLS3 will help guide the future location and delivery of development to be identified and allocated within the constituent Local Plans. This demonstrates the level of commitment on behalf of the constituent local planning authorities to working collaboratively in line with the requirements of the NPPF (although there will be little or no ability for Worthing to significantly increase the rate of housing delivery in the borough). A Statement of Common Ground has been prepared that sets out the current position for all the authorities represented by the Board with a work programme for taking forward LSS3 - it is expected that this will soon be signed by all relevant parties.
- 5.3.7 The constructive and on-going co-operation and engagement across the sub-region has helped other authorities in their understanding of the challenges faced by Worthing BC in its efforts to meet housing needs and the positive work that has been undertaken to try to address this. This has allowed for agreement to be reached on some key conclusions as set out in the bilateral Statements of Common Ground.
- 5.3.8 The Local Plan Inspector asked several questions relating to the Duty to Co-operate within his Matters and Issues. The Council responded robustly to these. There was not any significant level of discussion or challenge on these matters during the Hearing Sessions and the Inspector has not raised any issues in this regard within his Post Hearing Advice Letter.