

## **Worthing Planning Policy Review – Housing**

### **Report by the Director for the Economy**

#### **1.0 Summary**

- 1.1 Changes to the planning system at the national level have had a significant impact on how local authorities need to plan for housing. This Paper explains these changes and the implications for Worthing. It provides a brief summary of the previous system, the requirements of the new system and how this is likely to influence future Plan making in Worthing.
- 1.2 The report concludes by setting out the next steps proposed and recommends to Members that work commences on a full review of the existing Worthing Core Strategy and the development of a new Local Plan.

#### **2.0 Background**

- 2.1 When coming to power, the Coalition Government aimed to reform the planning system to make it less complex and more accessible whilst at the same time seeking to protect the environment and promote sustainable growth. A key issue for the incoming Government was to remove the ‘top down’ approach to housing numbers and to enable decisions to be taken at local level. The National Planning Policy Framework (NPPF), which was published in March 2012, was designed to play a key role in this change as it consolidated a set of national priorities and objectives that must be considered when planning for and deciding on new development. Whilst it establishes a presumption in favour of sustainable development it also aims to strengthen local decision making and reinforce the importance of up-to-date plans.
- 2.2 The current adopted Development Plan for Worthing is the Worthing Core Strategy and this was intended to cover the period to 2026. However, whilst this was adopted relatively recently in 2011, this was prior to the publication of the NPPF which is now a material consideration at the local level. The new requirements of the NPPF have had a significant impact on planning at the local level, in particular how local planning authorities need to plan for housing. This has, in effect, meant that all local authorities that have an adopted Plan in place now need to reassess their planning policy framework to consider whether a review is required so that local policies remain in broad conformity with high level plans and guidance.
- 2.3 The review for Worthing, which is summarised in this report, is currently being undertaken. Prior to any consideration of the next steps there is a need to explain the current context and the likely implications for Worthing. As such, the next two sections of the report summarise the Pre-NPPF position (which was the position

when the Council adopted its Core Strategy) and the situation now that the new planning system is in place.

### **3.0 Pre-National Planning Policy Framework**

3.1 Prior to the adoption of the NPPF a hierarchy of Plans and Guidance was in place. This was made up by the following:

- Statements of the Government's national policy and principles towards certain aspects of planning were set out in Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs). These were a material consideration in the determination of planning applications and the preparation of regional and local plans.
- At the regional level the planning framework was established within Regional Spatial Strategies (RSS). For Worthing, the relevant RSS was the South East Plan which established a spatial vision for the region which included the setting of housing figures for districts / boroughs to take forward in their Local Development Frameworks (LDF). The RSS was designed to help to bridge the gap between planning issues determined by local policy or concern, and those subject to policy goals defined at a national level as well as address cross boundary Issues.
- As part of the LDF, local authorities such as Worthing then had to prepare Local Development Documents which were to be consistent with the South East Plan. The key document in this process was the Core Strategy (another name for a Local Plan) which identified specific locations for development to meet the needs identified by the regional plan.

3.2 After a number of years of preparation and an independent Examination, Worthing Borough Council adopted its Core Strategy in April 2011. Many local authorities around the country were unable to progress a Plan to adoption at that time and Worthing Borough Council was the only authority along the Sussex coast to successfully adopt its Core Strategy. The intention was that this adopted Plan would help guide planning and development in the Borough up to 2026 and that it would provide the context for all subsequent Local Development Documents.

3.3 With regards to housing, the Core Strategy sought to deliver a total of 4,000 dwellings to 2026 (200 dwellings/year) which was the requirement set for the Borough within the South East Plan. This was a figure that took into account the lack of opportunities for any more significant growth in and around Worthing and, as such, the key focus of the local strategy was regeneration. There was never any suggestion that this was a level of development would meet all of Worthing's housing needs and other authorities, such as Mid Sussex, were identified in the South East Plan as areas that could deliver higher levels of growth to help meet the needs of the wider region.

3.4 Without any significant change to the planning system the Council would have continued to deliver the aims of the Core Strategy. This objective would have been aided by the preparation of Development Briefs and Supplementary Planning Documents (SPDs) – some of which have now been adopted. Key objectives would be monitored and in the short to medium term a full review of the Core Strategy

would have only been required if there was any consistent under delivery of housing and/or there were any significant changes made to the planning system at the regional or national level.

- 3.5 Through the Annual Monitoring Report (AMR) the Council has been able to demonstrate that against the requirements of the Core Strategy the Borough has met (and often surpassed) the 200 dwelling a year requirement. Furthermore, in line with this local policy position the Council is able to demonstrate a very strong housing land supply position over the next ten years. Therefore, under the previous planning system there would be no current need to review the Council's adopted Core Strategy or review the housing delivery strategy as a result of under delivery. However, as outlined below, the significant changes made to the planning system, in particular, how each authority must now assess its housing needs, means that a full review of the local policy position is now required.

#### **4.0 The NPPF and the New Planning System**

- 4.1 On coming to power the Coalition Government announced a full review of the planning system. It was argued that the previous system was too inflexible and difficult to change in a timely manner and a streamlined, more user-friendly planning system was proposed. The Government was also critical of the regional planning process in that it was viewed as being part of a 'top-down' planning system that imposed housing numbers on local communities.
- 4.2 As a result, in 2010 the Government announced the abolition of Regional Strategies and as a consequence the South East Plan was formally revoked in March 2013. Strategic planning now became the responsibility of unitary, district or borough councils who are now expected to address strategic issues in Local Plans and demonstrate how this has been managed through the 'Duty to Co-operate' requirement. Local planning authorities are expected to demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination.
- 4.3 In a radical step to simplify the planning system the National Planning Policy Framework (NPPF) was published by the Department of Communities and Local Government in March 2012. This consolidated the majority of policy statements, circulars and guidance documents into a single 65 page document. More recently the Government has also published on-line National Planning Practice Guidance (NPPG) which replaced circulars and guidance documents. The NPPG supports the principles established in the NPPF. As explained below, the NPPF and the NPPG now provide the relevant national policy context and guidance in respect of assessing future housing needs.

#### **5.0 Current Policy Context to Assessing Housing Development Needs**

##### National Planning Policy Framework (NPPF)

- 5.1 The NPPF sets a presumption in favour of sustainable development whereby Local Plans should now seek to meet objectively assessed development needs, with sufficient flexibility to respond to rapid change, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits or policies within the Framework indicate that development should be restricted.

- 5.2 In terms of housing, paragraph 47 states that local planning authorities should use their evidence base to ensure that their Local Plan meets full Objectively Assessed Needs (OAN) for market and affordable housing in the housing market area, as far as is consistent with the Framework to do so.
- 5.3 Paragraph 159 of the Framework highlights the need for local planning authorities to have a clear understanding of housing needs in their area, with the Strategic Housing Market Assessment (SHMA) being a key part of the evidence base in determining housing needs. The Framework outlines that this should identify the scale and mix of housing and the range of tenures which the local population is likely to need over the plan period which:
- Meets household and population projections, taking account of migration and demographic change;
  - Addresses the need for all types of housing, including affordable housing and the needs of different groups in the community; and
  - Caters for housing demand and the scale of housing supply necessary to meet this demand.

#### National Planning Practice Guidance (NPPG)

- 5.4 Planning Practice Guidance, issued by Government in March 2014, includes a section on '*Housing and Economic Development Needs Assessments*.' This provides clarity on how key elements of the NPPF should be interpreted, including the approach to deriving an objective assessment of the need for housing.
- 5.5 The Guidance reiterates that the assessment of need should be objective and based on unbiased evidence. In particular, it sets out that assessments should be based on future scenarios that could be reasonably expected to occur but should not take account of supply-side factors or development constraints.
- 5.6 In terms of housing, the guidance identifies "need" as "the scale and mix of housing and the range of tenures that are likely to be needed in the housing market area over the plan period. This should cater for the housing demand of the area and identify the scale of housing supply necessary to meet this "need."
- 5.7 It is accepted that estimating future need is not an exact science and that there is no one methodological approach or dataset which will provide a definitive assessment. However, guidance does now set out a relatively clear pathway and process for assessing need. Further detail on this process can be found within the 'Assessment of Housing Development Needs Study April 2014' which is published by consultants GL Hearn, and is available to view on the Council's website. This work was commissioned jointly by authorities that make up Coastal West Sussex, Brighton & Hove CC and the South Downs National Park Authority.

## **6.0 Housing Need in Worthing and the Implications for Plan Making**

- 6.1 In many respects, Worthing Borough Council now finds itself firmly between the 'old' and 'new' planning systems. A recently adopted Core Strategy is in place but as this was adopted before the emergence of the new planning system there is a need to assess its broad conformity.
- 6.2 A conformity assessment was undertaken by Council Officers in 2012 and this concluded that in many respects the policies in the Core Strategy were in general conformity with the NPPF. However, it was also acknowledged that the housing requirements for the Borough were likely to be subject to significant change under the new system and that, as evidence emerged, this ultimately may necessitate a review of the Plan.
- 6.3 In simple terms the housing review work can be broken down into two key elements:
- i) Demand (Strategic Housing Market Assessment - SHMA)
  - ii) Supply (Strategic Housing Land Availability Assessment – SHLAA)

### Strategic Housing Market Assessment (SHMA) and associated studies

- 6.4 A Strategic Housing Market Assessment (SHMA) provides an assessment of both housing need and demand. It considers the scale and mix of housing needed over the longer-term, both market and affordable, taking account of population and demographic dynamics and the housing needs of different groups within the local community.
- 6.5 The latest Coastal West Sussex SHMA (2012) was prepared by consultants on behalf of the local authorities of Adur, Arun, Chichester and Worthing together with the South Downs National Park Authority. It followed the Government's Practice Guidance and responded to the requirements of the NPPF.
- 6.6 Linked to the SHMA update, a Housing Duty to Co-operate Study 2013 was progressed to examine the housing requirements of authorities within the housing sub-market area (Adur, Arun, Brighton & Hove, Chichester, Lewes, Worthing and the South Downs National Park Authority). This considered land supply and constraints to development in order to assess the appropriate balance between potential supply and demand for market and affordable housing at a district, and Housing Market Area level. This study concluded that, due to constraints, housing delivery was likely to fall at least 20% below objectively assessed needs in the sub region.
- 6.7 Informed by an updated set of demographic projections and new Government guidance a further 'Assessment of Housing Development Needs Study (April 2014) for the Sussex Coast Housing Market Area has been published. The study concludes that a range from 500 to 600 homes per annum would represent a robust objective housing need (OAN) for Worthing. This range of housing need is clearly significantly higher than the 200 dwelling per annum requirement currently being planned for within the adopted Core Strategy.

- 6.8 Collectively, the work referred to above is starting to build an understanding as to what the objectively assessed housing needs for Worthing are. However, to better aid this understanding of 'need' Officers are of the view that a more bespoke study for Worthing is required. This will address in more detail how this 'need' is derived and how this relates to demographic change, migration and economic growth etc.
- 6.9 As such, a further piece of work is to be commissioned that will also be able to take into account the latest release of population data and projections which were published in June. The Council will therefore have an even clearer understanding of 'need' by early autumn.

#### Strategic Housing Land Availability Assessment (SHLAA)

- 6.10 The second side of the 'housing coin' is the capacity of the Borough to meet the identified need. The key tool in achieving this understanding is the Strategic Housing Land Availability Assessment (SHLAA) which all Councils are required to publish.
- 6.11 The primary role of the SHLAA is to identify sites with the potential for housing and consider if and when they are likely to be developed. The completed study forms part of the evidence base for Local Plan preparation and is also the starting point for the annual monitoring of housing land availability.
- 6.12 It is important to note that the SHLAA is a technical study and not a policy document. Decisions on which sites should be brought forward for development will be determined through Local Development Framework and Development Management processes.
- 6.13 The first Worthing SHLAA was published in 2009 following a comprehensive review of all development opportunities in the Borough. That assessment was scrutinised during the Core Strategy Examination and it has since been reviewed and updated regularly through the Annual Monitoring Report.
- 6.14 Although the document has been kept up-to-date it was considered appropriate to undertake a more thorough review following the changes to the planning guidance at the national level and the publication of other updated housing studies at the local level. As such, a full review of the SHLAA is currently being progressed and this involves a re-assessment of all existing sites and the identification of new opportunities. This process has partly been informed by a further 'call for sites'.
- 6.15 The first stage of the SHLAA review has been the assessment of all sites located within the current built up area boundary. These sites, which are predominantly previously developed, generally represent the more sustainable development opportunities. Following an assessment of all existing and newly identified opportunities the Council published an initial review of these sites for consultation between April and May 2014.
- 6.16 Officers are currently considering the responses received during the recent consultation and taking into account other policy considerations. A report on the conclusions reached on each site will be prepared in the summer. The report will also incorporate an allowance for windfall developments on smaller sites which are not identified within the SHLAA. As such, the Council will soon have a good

understanding of what capacity the existing built up area of the town has to meet the housing needs of the Borough.

- 6.17 The sites identified as having good potential to deliver housing within the existing built up area of the town could in theory come forward without there being a need to update or review the Core Strategy/Local Plan. However, whilst further work to assess the objectively assessed housing needs for Worthing is being progressed, initial projections have shown that housing need for Worthing is very significant. In fact, it is already very apparent that it would not be possible to meet this level of demand within the existing built up area. As such, consideration will need to be given as to what potential there is for greenfield opportunities around the town to help meet housing needs and these should be properly assessed through the Local Plan process, allowing for consultation and community input.
- 6.18 Given the tightly drawn Borough boundary, sensitive gaps between settlements and the considerable constraints of the sea to the south and the South Downs National Park to the north there are very few development opportunities outside the current built up area. All of the realistic options have been promoted by landowners/developers during the 'call for sites' (as they were during the equivalent stage in 2008/09). This amounts to 7 or 8 sites ranging from a single field to significant areas of land to the west of the town.
- 6.19 Whilst these sites were assessed previously they were not scrutinised in any great detail as the Council was able to demonstrate to the Core Strategy Inspector that the Borough's needs (as identified in South East Plan) could be met within the existing boundary of the town and with one strategic greenfield allocation at West Durrington. In this regard, the key difference now is that the higher levels of 'need' (South East Plan vs Objectively Assessed Need) means that all opportunities that lie outside the current built-up area boundary need to be assessed more rigorously. This process is explained in more detail in Section 8 below.
- 6.20 The planned delivery of additional greenfield housing sites would require their allocation within a Development Plan Document. This process would also need to address the need for subsequent amendments that might be required to the current built-up area boundary. Options available to the Council are discussed in the following section.

## **7.0 Summary of Current Position and the need for a Plan review**

- 7.1 This report has provided an overview of changes made to the planning system at the national level and how this is impacting on the way Worthing needs to assess and plan for housing need at the local level. The previous hierarchy of plans has gone and the NPPF has now bedded in. As such, the housing delivery strategies set out in Development Plans, such as Worthing's, that were adopted pre-NPPF, are in many respects now out of date. More recent evidence of housing need will, in many cases, increase the development pressure on potential development sites in and around the town.
- 7.2 The key change is the need now for local planning authorities to ensure that their Local Plan seeks to meet Objectively Assessed Need (OAN). This process, in many respects, supersedes the housing targets that were established in the South

East Plan which was then the housing level planned for within the Worthing Core Strategy.

- 7.3 Guidance is clear in that a full plan review is required if the existing Development Plan (Core Strategy) is not in general conformity with the NPPF, and in particular, if it does not seek to meet objectively assessed housing needs. The Planning Advisory Service (PAS) recommends that a local planning authority should start to review its Core Strategy if, as a result of an updated SHMA, there is an increase in the housing number. This will be particularly the case for authorities such as Worthing where the Core Strategy was adopted pre-NPPF and where emerging evidence is showing that the Council's objectively assessed housing needs are much greater than that being planned for in the Core Strategy.
- 7.4 An effective way of illustrating the current position in Worthing is that the Annual Monitoring Report (AMR) for 2012/13 reports housing delivery in Worthing against the 200 dwelling per year requirement established in the Core Strategy. However, the expectation is that the next AMR for 2013/14 will report against both this figure and the emerging OAN figure. The OAN figure will be significantly higher than the 200 dwelling per year currently planned for. It is this 'shortfall' (between the OAN figure and the current housing land supply position) which will influence the future timetable for Plan making in Worthing.
- 7.5 'Doing nothing' is not a practical option as this could potentially result in speculative applications for development and without an 'up-to-date' Plan in place and a 5 year supply of housing land the Council could lose a level of control as to how these are determined. Although there was a formal period of transition after the adoption of the NPPF this has now ended. As a result, Inspectors are giving policies in the NPPF full weight at appeal hearings and in many instances these override the local policy position if this is not in full conformity with the NPPF. This is due to the fact that the Worthing Core Strategy may be afforded only limited weight based on paragraphs 14 and 215 of the NPPF. In this regard, a recent appeal decision in Sevenoaks is very relevant to Worthing.
- 7.6 The Sevenoaks Core Strategy was adopted prior to the NPPF, at a similar time to Worthing's. Applications for an edge of settlement greenfield development were submitted to the Council which refused planning permission as it was argued that this was contrary to its adopted Core Strategy. The applicants then appealed this decision. At the appeal, neither party disputed that the Council had identified a five-year supply of housing as set out in their strategy (this would also be the case in Worthing). However, the Inspector found that there was a clear difference between the approaches to forming housing targets in the Core Strategy and that now required in the NPPF. As such, the approaches that informed the Core Strategy were not considered to be up-to-date. As a consequence, the applications for a total of 140 dwellings on a greenfield site were granted.
- 7.7 This is the first recorded decision where a Plan that had been adopted relatively recently has been 'trumped' by the requirements of the NPPF and, as such, this has implications for all plans that were adopted pre-NPPF, even if they are only a few years old. A planning commentator stated that *this decision would be of particular concern for many councils in the south east where housing targets enshrined in Core Strategies are often significantly below objectively assessed need due to the*



*fact that the now abolished regional strategic plans concentrated growth on a handful of key areas'.*

- 7.8 Whilst the message above is clear, it should be noted that the National Planning Policy Guidance, (which was published after the Sevenoaks decision) indicates that for, five-year land supply purposes, targets in adopted plans should be given considerable weight unless significant new evidence comes to light. For Worthing, the emerging work to assess the Borough's objectively assessed housing needs would be considered to be 'significant new evidence'. It is therefore increasingly clear that a full review of the current Development Plan (Core Strategy) is required.
- 7.9 Although there have been significant changes to planning legislation the Local Plan (Core Strategy) remains at the heart of the planning system which is still plan-led. An adopted and up-to-date Local Plan will continue to be the main consideration in decision making, along with the NPPF and the presumption in favour of sustainable development. This presumption means that the default response to a proposal is 'yes' unless the adverse impacts would significantly and demonstrably outweigh the benefits. The presumption applies in all cases where the current Local Plan is absent, silent, indeterminate or out of date. This emphasises the importance of having an up-to-date plan in place to enable the Council to influence and direct where development should be located.
- 7.10 As illustrated by the example at Sevenoaks, the lack of an up-to-date Development Plan and the significant housing shortfall could therefore, in effect, make sites more vulnerable to speculative applications from developers/landowners. The 'presumption' explained above means that any development proposal that conforms to national policy is likely to be acceptable, regardless of any previous position of the Council. The Council may therefore find it difficult to justify and defend decisions to refuse planning permission in some instances when there is a strong chance of decisions being overturned at appeal.
- 7.11 Furthermore, not having an up-to-date Plan in place would send the wrong message to the community, businesses and potential investment opportunities. Not only is there a statutory duty on the Council to produce a Local Plan but failure to do so could impact on a number of this Council's priorities including economic and social regeneration as well as the delivery of affordable housing. The Council needs to ensure that it has a clear strategy to manage and co-ordinate development, attract inward investment and secure improvements to infrastructure.
- 7.12 In addition, it should be noted that the existing Core Strategy was drafted at a time when a hierarchy of Plans was in place. In line with prevailing guidance, the Core Strategy did not duplicate policies that were included in higher level Plans (e.g. the South East Plan). Whilst this was a sensible approach to follow at the time, the loss of many policies at a higher level now leaves a partial policy vacuum. The drafting of a new Local Plan for Worthing would help to address this concern by providing a comprehensive suite of local policies within one document. Unlike the previous system, the NPPF expects that in most cases one overall local plan will be produced that takes into account the three pillars of sustainable development – economic, environmental and social.

- 7.13 To ensure that the Council is able to retain a level of local control over developments it is vital that the Council has an up-to-date Development Plan in place that conforms to the NPPF.
- 7.14 Given the fact that the Worthing Core Strategy has been adopted relatively recently Officers did consider whether a partial review to address housing issues and NPPF compliance could be appropriate and whether this would offer time/resource savings. Whilst this may indeed have been a sensible and pragmatic solution pre-NPPF this is no longer the case. Under the current system it is considered that there would be significant risk in attempting to do undertake only a partial review for Worthing as housing policies are very closely linked to the overall plan strategy. Changing housing policies inevitably leads to consequential impacts on other parts of the plan and as a result, authorities in a similar position to Worthing have been advised to undertake a full review.
- 7.15 In conclusion, it is therefore considered that the only option available to the Council is to undertake a full review of the Core Strategy which would be advanced as a Local Plan.

## **8.0 Next Steps**

### Local Plan

- 8.1 The timetable for the preparation of Development Plan Documents, including a Local Plan, is established within a Local Development Scheme (LDS). The LDS is a public statement which sets out a three year management plan for the Planning Policy Team. The current Worthing LDS was published in 2012 following the adoption of the Council's Core Strategy in 2011. As such, the key aims of that LDS were to support the vision, strategic objectives and policies established in the Core Strategy. This was to be largely addressed through the progression of thematic SPDs, a number of which have now been adopted.
- 8.2 For the reasons set in this report the current LDS is now largely out of date and needs revision to incorporate the changes to the planning system and the clear need for a full review of the Core Strategy. As such, a revised LDS will be prepared for Members consideration in the autumn and this will include a timetable for the progression and adoption of a new Local Plan for the Borough. Whilst the exact timetable will be assessed in the coming weeks, it should be noted that the preparation of a new Plan is not a quick process. Given the statutory requirements and the need to consult widely at each appropriate stage it is estimated that it may take between two to three years to get a new Local Plan in place.

### Review of development opportunities on greenfield sites

- 8.3 As previously explained, the preparation of a new Local Plan for Worthing must seek to meet objectively assessed housing needs unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits or policies within the Framework indicate that development should be restricted.
- 8.4 Although the first stage of the SHLAA review has yet to be finalised it is clearly apparent that there will not be the capacity within the existing built-up area to meet the very significant levels of housing need identified in recent studies. As such,

when preparing the new Local Plan, the Council will need to give careful consideration to the potential allocation of additional greenfield sites to help meet development needs.

8.5 The need to test positively all opportunities has been made very clear at recent Local Plan Examinations, none more so that at Brighton which has a number of similarities with Worthing. Following an Examination in Public the City Plan Inspector wrote to Brighton & Hove City Council to set out her initial conclusions and raise a number of significant soundness concerns, the most relevant of which are summarised below:

- On housing supply - *'I recognise that there are significant constraints to providing land for development, and that there are competing priorities for any land which may be available. However, given the shortfall in meeting housing needs, it is important that the Council rigorously assesses all opportunities to meet that need.'*
- On urban fringe sites – *'The overall impression given is that the starting point for analysis has been the desire to resist development, which is at odds with the NPPF's requirement that the plan should be positively prepared.'*
- Overall conclusions – *'The Plan falls well short of meeting the objectively assessed need for new housing.....and there is no evidence to show that any of the unmet need will be met elsewhere. I recognise the constraints faced by the Council but if I am to find the Plan sound, notwithstanding such a significant shortfall in the provision of new housing, I would need to be satisfied that the Council has left no stone unturned in seeking to meet as much of this need as possible.'*

8.6 The message above is clear in that to be found 'sound' a new Local Plan for Worthing must seek to meet as much of the identified housing need as possible. To do this, all opportunities must be assessed 'positively' and should then be promoted for development if they are considered to be suitable, available and achievable. An explanation of this process, and a list of the greenfield sites to be assessed, will be set out within the SHLAA report to be published after the summer.

8.7 Whilst there is significant pressure to release land for housing this will need to be balanced against the needs of other land uses, environmental considerations and the capacity of existing/new infrastructure to accommodate further growth. Whilst there is a strong presumption in favour of sustainable development in the NPPF this is not to the extent that sites cannot be protected if strong evidence can be provided to demonstrate why development would not be appropriate or sustainable.

8.8 Given the changes to how Worthing must plan for housing, linked to the Government's growth agenda, it is no surprise that landowners/developers are (as they have done before) actively promoting their sites for development. At this stage, the indication is that they are happy to promote their sites through the Plan-making process providing that the Council continues to be proactive in undertaking a housing/Plan review.

8.9 A review of the Local Plan will allow the Council to retain a level of local control and management of development. Any new greenfield site allocations that currently lie

outside the current built-up area boundary would need to be allocated through the Local Plan which would be subject to a number of public consultation exercises.

- 8.10 During the preparation of a new Plan the Council will need to continue to facilitate the delivery of sustainable housing developments that will go some way to help meet the identified housing needs. In doing so, consideration could be given to whether any greenfield development sites that currently lie within the built-up area boundary might be brought forward in advance of the adoption of a new Plan.

#### Duty to Co-operate

- 8.11 Whilst the development potential of every opportunity in and around Worthing will be tested there is still no realistic or sustainable prospect of ever being able to identify sufficient housing sites to completely meet objectively assessed housing need. Even if every realistic opportunity were to be developed the lack of available land and other constraints will mean that there would still be a significant shortfall.
- 8.12 As a consequence, and in line with Government requirements, neighbouring authorities and sub-regions will need to assess the potential in their areas to meet housing needs that cannot be met elsewhere. This is particularly important for very constrained authorities such as Worthing.
- 8.13 The need to work closely with neighbouring authorities and other key partners has always been embedded in Plan-making across the sub-region and was included within the South East Plan. Whilst this remains the case, the Duty to Co-operate now formalises, and places greater emphasis on, the process of Councils and other public bodies working together on cross-boundary strategic issues. This will be a difficult task given the levels of need, political sensitivities, infrastructure constraints and land availability. However, when the Plan is Examined a key test of deliverability and soundness will be whether the growth needs in a strategic cross-boundary context have been taken fully into account.
- 8.14 To help meet the on-going requirement of the Duty to Co-operate, a number of joint studies have been progressed and mechanisms have been put in place to formalise this dialogue and facilitate joint working. These processes, which include the signing of a 'Memorandum of Understanding' and an 'Agreement for Joint Working' are summarised within the Council's Annual Monitoring Report. Joint work to address the 'Duty' has been highlighted as 'best practice' and the Strategic Planning and Investment Framework for Coastal West Sussex and Greater Brighton has recently won a national planning award. It is important that this cross boundary working continues to try and address current and future housing needs across the county and housing market areas.

### **9.0 Timetable Summary**

- 9.1 As summarised, the Council will have a clear and robust understanding of housing needs by the end of the summer. At the same time, with the publication of the SHLAA review, there will also be a clear picture of what potential/capacity there is for further development within the current built-up area boundary.
- 9.2 Whilst this work is on-going, it is already clear that as there will be a significant 'shortfall' between need and capacity there is a need to assess greenfield sites

around the town. This work is continuing and a robust and ‘positive’ assessment will be undertaken for all potential sites. The future allocation or protection of land through the Local Plan review will need to be based on strong evidence.

- 9.3 Given the high levels of housing need and the lack of opportunity to meet that need within what is a very constrained Borough, the Council will need to continue to address Duty to Co-operate issues with neighbouring authorities to assess whether there is any opportunity for those authority areas to accept a level of Worthing’s needs or whether a more strategic solution might be appropriate for addressing needs across the sub-region.
- 9.4 As outlined above, the key steps for the housing review and beyond are as follows:

Sep 2014	Publication of the first stage SHLAA report. This will demonstrate the capacity of the existing built-up area to accommodate new residential development. The latter part of report will include a summary of all greenfield opportunities.
Sep 2014	Publication of detailed Objectively Assessed Housing Needs Study for Worthing.
Oct 2014	Member workshop to: <ul style="list-style-type: none"> <li>• Provide understanding of context</li> <li>• Explain local housing needs</li> <li>• Demonstrate capacity within BUA</li> <li>• Introduce greenfield site opportunities</li> <li>• Explain the timetable for a Full Plan review</li> </ul>
Oct 2014	Adopt Revised Local Development Scheme (LDS) to incorporate a full Plan Review.
2014 – 2016/17	Preparation of a new Local Plan (detailed timetable to be established within the LDS in the autumn.

## 10.0 Legal

- 10.1 Any new Development Plan for Worthing will be prepared in accordance with the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Planning) (England) Regulations 2012, the Localism Act 2011, the National Planning Policy Framework 2012 and having regard to the National Planning Policy Guidance 2014.

## 11.0 Financial implications

- 11.1 The production of a new Local Plan, including associated consultation and the commissioning of appropriate studies, is to be funded by the existing Planning Policy budget. This may need reviewing in future years depending on workload and the emerging LDS.

## 12.0 Recommendation

- 12.1 Members are asked to note the changes to the planning system and the implications that this has had on the timetable for Plan-making in Worthing.**
- 12.2 As a consequence of these changes it is recommended to Members that work commences on a full review of the existing Worthing Core Strategy and the development of a new Local Plan for the Borough.**
- 12.3 The detailed work programme for this review will be established within a revised Local Development Scheme (LDS) to be considered by Members in the autumn.**

### **Local Government Act 1972**

#### **Background Papers:**

- Localism Act - 2011
- National Planning Policy Framework - 2012
- National Planning Policy Guidance - 2014
- Worthing Core Strategy - 2011
- Sussex Coast Objectively Assessed Housing Needs Study April - 2014

#### **Contact Officer:**

Ian Moody (Principal Planning Officer)  
01273 263009  
[ian.moody@adur-worthing.gov.uk](mailto:ian.moody@adur-worthing.gov.uk)

## **Schedule of Other Matters**

### **1.0 Council Priority**

- 1.1 A new Local Plan for Worthing would seek to:
- Support major regeneration projects to tackle deprivation;
  - Support businesses in creating jobs and regenerating neighbourhoods;
  - Seek to meet the housing needs of our communities;
  - Seek to safeguard the Borough's environmental assets.

### **2.0 Specific Action Plans**

- 2.1 Specific Action Plans will be developed as any subsequent review of the Development Plan is advanced.

### **3.0 Sustainability Issues**

- 3.1 The Government requires that the all Development Plan Documents be subject to a formal Sustainability Appraisal. This will be advance alongside any subsequent review of the Development Plan.

### **4.0 Equality Issues**

- 4.1 Any new Local Plan will aim to ensure that all groups in Worthing will have equal access to the opportunities offered by the new Development Plan. An Equalities Impact Assessment report will accompany future versions of the Plan.

### **5.0 Community Safety issues (Section 17)**

- 5.1 Matter considered and no issues identified.

### **6.0 Human Rights Issues**

- 6.1 Matters considered and no issues identified.

### **7.0 Reputation**

- 7.1 Worthing Borough Council was one of only a handful of local authorities in the region that successfully got a Core Strategy adopted. This enhanced the Council's reputation. Changes to legislation now mean that a review is required to ensure that the Local Plan conforms to the NPPF. Any significant period of time without a review being progressed would have a negative impact on the Council's reputation.

### **8.0 Consultations**

- 8.1 All stakeholders will be consulted at every appropriate stage. This will be in-line with statutory requirements and the Council's Statement of Community Involvement.

### **9.0 Risk assessment**

- 9.1 There is a statutory duty on the Council to produce a Local Plan. Failure to do so could impact on a number of this Council's priorities including economic and social

regeneration as well as the delivery of affordable housing. Without an up-to-date Local Plan the Council would lose some of its ability to control development in Worthing.

## **10.0 Health & Safety Issues**

10.1 Matter considered and no issues identified.

## **11.0 Procurement Strategy**

11.1 Any work that will need to be commissioned to inform the development of a new Local Plan will comply with the Procurement Strategy.

## **12.0 Partnership working**

12.1 To develop a new Local Plan the Council will work with all neighbouring authorities, particularly Adur DC. The Duty to Co-operate will apply not only to local authorities, but other specific bodies identified by legislation.