



WORTHING BOROUGH COUNCIL

18 March 2019

Worthing Planning Committee

Date: 27 March 2019

Time: 6:30pm

Venue: Gordon Room, Stoke Abbott Road, Worthing

Committee Membership: Councillors Paul Yallop (Chairman), Alex Harman (Vice-Chair), Noel Atkins, Jim Deen, Hazel Thorpe, Nicola Waight, Paul Westover and Steve Wills.

NOTE:

Anyone wishing to speak at this meeting on a planning application before the Committee should register by telephone (01903 221006) or e-mail

democratic.services@adur-worthing.gov.uk before noon on Tuesday 26 March 2019.

Agenda

Part A

1. Substitute Members

Any substitute members should declare their substitution.

2. Declarations of Interest

Members and Officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

Members and Officers may seek advice upon any relevant interest from the Monitoring Officer prior to the meeting.

3. Confirmation of Minutes

To approve the minutes of the Planning Committee meetings of the Committee held on Wednesday 27 February 2019, which have been emailed to Members.

4. Items Raised Under Urgency Provisions

To consider any items the Chair of the meeting considers urgent.

5. Planning Applications

To consider the reports by the Director for the Economy, attached as Item 5.

6. Public Question Time

So as to provide the best opportunity for the Committee to provide the public with the fullest answer, questions from the public should be submitted by midday on Monday 25 March 2019.

Where relevant notice of a question has not been given, the person presiding may either choose to give a response at the meeting or respond by undertaking to provide a written response within three working days.

Questions should be submitted to Democratic Services - democratic.services@adur-worthing.gov.uk

(**Note:** Public Question Time will last for a maximum of 30 minutes)

7. Draft Worthing Local Plan - Reporting Consultation Responses and Next Steps

To consider the report by the Director for the Economy, attached as Item 7.

Part B - Not for publication - Exempt Information Reports

None

Recording of this meeting

The Council will be voice recording the meeting, including public question time. The recording will be available on the Council's website as soon as practicable after the meeting. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Heather Kingston Democratic Services Officer 01903 221006 heather.kingston@adur-worthing.gov.uk	Edwina Adefehinti Locum, Legal Services 01903-221358 edwina.adefehinti@adur-worthing.gov.uk

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

Planning Committee
27 March 2019

Agenda Item 5

Ward: ALL

Key Decision: Yes / No



WORTHING BOROUGH
COUNCIL

Report by the Director for Economy

Planning Applications

1

Application Number: AWDM/0089/19

Recommendation – Approve

Site: Foreshore East Of Beach Inspectors Office, The Promenade, Worthing

Proposal: Erection of 46 metre high observation wheel with 36 gondolas each holding 6 persons and associated structural base, wheel platform, access ramps, payment booth, photo booth and welfare facilities to operate from March to November (and at the same time each year until 2021) between 1000 and 2200 hours.

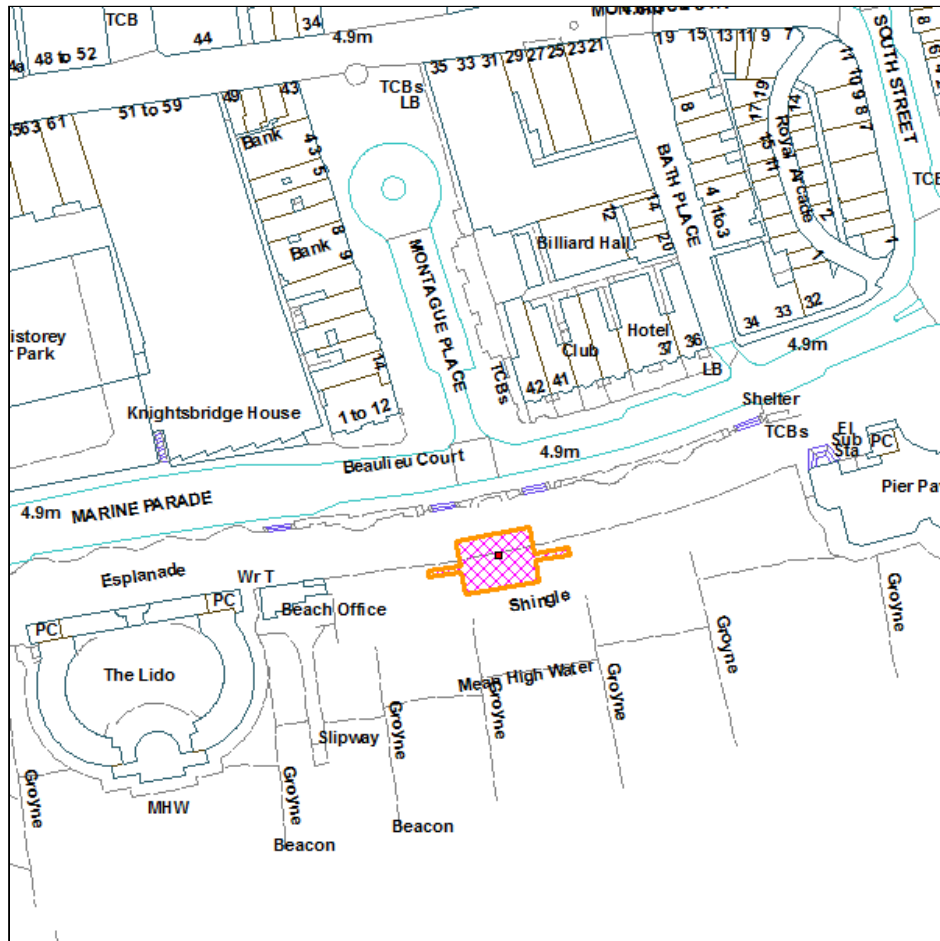
Application Number: AWDM/0089/19 Recommendation – APPROVE

Site: Foreshore East Of Beach Inspectors Office, The Promenade Worthing (between The Lido and Worthing Pier)

Proposal: Erection of 46 metre high observation wheel with 36 gondolas each holding 6 persons and associated structural base, wheel platform, access ramps, payment booth, photo booth and welfare facilities to operate from March to November (and at the same time each year until 2021) between 1000 and 2200 hours.

Applicant: Mr Jan De-koning
Case Gary Peck
Officer:

Ward: Central



Not to Scale

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Proposal

This application seeks full permission for the erection of a 46 metre high observation wheel with 36 gondolas each holding 6 persons and associated structural base, wheel platform, access ramps, payment booth, photo booth and welfare facilities. The wheel is proposed to operate from March to November between 1000 and 2200 hours (although it is understood that these hours would be reduced at quieter times) until 2021.

The application is accompanied by the following supporting information:

i) Design and Access Statement (DAS)

The DAS states that the proposed Worthing Observation Wheel is to be located partially on the promenade on Marine Parade and opposite Montague Place, adjacent to the Millennium Basket. It is further stated that the wheel and accompanying equipment would be positioned to maintain a minimum 6m wide clear pedestrian access along the promenade. The supports will site partially on the promenade with the majority sitting on the pebble beach. The footprint of the observation wheel including the structural bases measures 24m x 20m overall. The baseplate or Wheel Platform measures 19m x 18.6m this accommodates the access and egress ramps, providing five points of entry and exit to the Gondolas. Also, on the platform is the Ticket booth, Photo booth plus other welfare facilities. The platform would be secured on three sides with a 2m high vertical open bar galvanized steel fence. At the front of the structure, a 1.1m high vertical open bar pedestrian control fencing would be installed to control and manage access and egress.

It is further outlined that the wheel is driven by electric motors which are powered by a 3-phase supply obtained from the Electricity Supply Box on the promenade. Rotational power is transferred to the observation wheel via rubber tyres running on a steel rail. The noise generated by this action is stated to be equivalent to that of an electric car running on a tarmac road.

The proposal does not include the playing of any music or the use of a PA system. The Lighting proposed for the wheel is for functional use only and will not be flashing.

The structural frame, Gondolas and all ancillary facilities on the platform are either painted using colour Ral 9010 (off white) or coloured GRP Ral 9010. The ramps and platform itself are specially design non-slip aluminium tread plate. All fencing is to be galvanized steel open vertical bar to allow unrestricted view.

The Observation Wheel completes a maximum of 4 revolutions off peak and a minimum of 2 revolutions during peak times, guaranteeing a minimum 10-minute experience.

Users will have a 360° view of the surrounding area from a height of 46m, which means on a clear day a view of up to ten miles is available which would give a clear view of the nearest large town of Brighton.

ii) Economic Impact Assessment

The applicant makes reference to the Council's Economic Strategy and Seafront Investment Plan (SIP) in this part of the supporting information. It begins by stating that Worthing saw a business growth rate of 17% between 2010 and 2016 and then goes on to say:

The town is seeking ways to reinvigorate existing and develop new opportunities for growth. As part of this, the SIP recognises the rich cultural heritage that is embodied in existing structures and the range of activities provided therein. It also recognises that these are in need of significant investment in order to enable revitalisation and strengthen the visitor economy.

The visitor economy is identified as an area for growth and development by making more effective use of the 'place, identity and cultural offer' to increase its attractiveness

The seafront is identified as the town's strongest natural asset for both residents and visitors alike. However, visual markers and signposts to the seafront are identified as in need of improvement. Additionally, visitors to the town lack a 'sense of arrival'

Access to the seafront is inhibited by the domination of motor vehicle usage and parking, which serves to sever a sense of connection between the seafront and the town centre

Proposals for improvements have been identified that will facilitate a 'sense of arrival' and improved pedestrian experience in relation to moving from the rail station through the town centre and to the seafront.

The installation and erection of WOW will be undertaken by specialist contractors from within the county and further afield. The Piling & Foundation Contractor Murray Andrews is based in West Sussex who will be on site for one-two weeks at the beginning of the construction phase. The wheel structure is fabricated By Lamberink in Holland and installed and commissioned by specialists from Lamberink and De Koning Leisure Group Ltd. The Crane Operators are Southern Carnes & Access Ltd based in West Sussex.

Other local specialist consultants already appointed as a result of this application include Land Surveyors SE Surveying based in Brighton and Ecology, Heritage and Visual Impact Assessors Lizard based in Worthing.

In conclusion, whilst no new jobs will be created in the local area during the installation phase of WOW, existing businesses in the area (and further afield) will benefit from activity generated in WOW's planning and installation phases.

The number of visitors to WOW is estimated to be in the region of 100,000. This is based on the Applicant's experience of providing observation wheels in other areas.

As a result WOW will generate a council revenue of £100,000.00 with an additional commission expected to be in the region of £80,000.00, thus a total expected council revenue of £180,000.00, per annum.

Beneficial relationships

Given the geographic relationships between seafront attractions in terms of their proximity, it is envisaged that other businesses will benefit from the presence and use of WOW. This is supported by the findings of Caernarfon CYF, some of whose business traders reported an ‘upswing’ (not quantified) in trade during the operation of the Ferris wheel in the area (Cyffro Caernarfon CYF, Evaluation Report, Big Wheel, 2006). Additional information as to the economic benefits to a local economy (Dudley) suggests that businesses reported as much as 30% increase in trade during the operation of a wheel (Statement, Mr C Wilkinson, Dudley MBC).

Employment

The operation of the wheel will require 20 staff – 5 full-time and 15 part-time. Of the 5 full-time staff, 2-3 will be provided by the Applicant, thus 2-3 full-time and 15 part-time jobs will be made available to the local economy. Recruitment and training will be provided by the Applicant.

The effect of the increased footfall in the immediate area and throughout the town and the visitors staying longer to enjoy the attraction of WOW will no doubt have a positive, beneficial economic impact on local business and therefore potential for further employment opportunities in the hospitality and retail sectors.

Conclusions

WOW supports the Adur and Worthing Councils’ Economic Strategy 2018-2023:

- Provides an assured revenue stream to Worthing Council*
- Provides direct employment in Worthing*
- Will provide an increase in trade for other businesses and potential employment opportunities.*

WOW also supports the Worthing Seafront Investment Plan:

- Provides a clear line of sight to the seafront*
- Facilitates a ‘sense of arrival’ to the town*
- Enhances the attractiveness of the seafront*
- Adds to the existing visitor experience offer*

iii) Wave Forces

Following a request for further information on this point, the applicant responded that the platform is structurally supported on piles down the substrate below beach level. Extensive sensitivity testing has been carried out as part of the modelling. It is stated that the beach and shingle ridges in the area form an integral part of the defences and that the 200 year flood levels are 0.96 metres below the structure platform, while the Arun to Adur Flood Modelling estimated a 0.5% annual probability event wave crest height of 5.689 metres which is below the 6.01 metre

crest level of the defences and structure platform. As the majority of the support structure is significantly below the shingle defences, it will not be subject to wave action forces.

As has been explained in the consultation response section below, the information submitted has been sent to an independent consultant for verification.

iv) Flood Risk Assessment (FRA)

Executive Summary

Scope and Background

In considering the proposals the FRA states that the following key principles have therefore been applied:

- Identification of flood risks.
- Protection of users of the new development.
- No increased flood risk to third parties.

Consultations

The Environment Agency (EA) has been consulted to inform the preparation of this report. They have provided a series of more detailed flood maps and modelled data was supplied.

Adur & Worthing Councils, West Sussex County Council and Southern Water Ltd were also consulted concerning flood risk.

All relevant consultees have confirmed that there is a Negligible to Low risk of flooding to this site from all sources except Tidal, which is designated as Low risk by the Environment Agency.

Flood Risk

The site is shown on the Environment Agency's (EA) website Flood Zone Mapping as being in Flood Zone 3 (PPG Table 1).

The observation wheel is in an undefended Tidal Flood Zone 3 but the promenade is shown within a Low risk of flooding due to the sea defences; annual probability of flooding of between 0.5% and 0.1% from the sea.

As the proposed development is raised above the shingle defences on structural supports it is above the normal tidal flood levels for the lifetime of the development. The wave height study provided by the EA shows the current 200 year event wave heights to be below the top of the current defences. The support structure may be subject to wave action.

Over the lifetime of the development it is assumed that the wave height will increase in line with the predicted sea level rise of 0.2m. It is predicted that wave action will

not overtop the sea defences and affect the exposed support structure where it is below the current defence level of 6.01m AOD.

There are no other significant flood risks to the site.

Mitigation

Design

Site falls will be arranged to allow reasonably level access for occupants and visitors and allowing the site to be free-draining in case of local ponding at times of heavy rainfall. Floor levels of the platform should be set as high as possible above the Promenade level giving regard to necessary access for the less-able.

The development will not result in a reduction in flood plain storage compared to the existing situation.

The site is considered to be at Low Risk of flooding. It is recommended that the minimum finished floor levels for the platform should be set at a minimum of 150mm above the promenade height to allow for the potential increase wave height for the lifetime of the development. Within the design, consideration should also be given to the potential for wave borne debris being thrown against the lower areas of the development.

The development will also require a mains electricity supply, which will require protection from sea spray.

Other issues include the potential for any loose outside furniture being pushed against the structure during an extreme event, and for airborne spray to create slippery surfaces.

The observation wheel will be closed during the winter season.

Access

The promenade is raised above the potential flood levels, but the adjacent roadway Marine Parade could be inundated during the lifetime of the development. Consideration should be given to developing an evacuation plan and registering for any flood warning system that is available.

A statement submitted in addition to the Flood Risk Assessment also states:

The LK Group Flood Risk Assessment indicates that the Finished Floor level of the Platform for the wheel should be a minimum of 150mm above the promenade ground level. The Promenade level is on average at a level of 5.52 and the proposed finished level for the platform is 6.15. making it 630mm above the Promenade.

The Staff operating the Wheel will be registered to receive Met Office weather data to their mobile devices. There are procedures and checks in relation to all weather

conditions which the staff are fully aware of and the necessary actions that are to be undertaken. On notification of a severe weather warning the staff will undertake a closedown procedure which is the same as that adopted at the end of each day. The wheel will remain closed until the severe weather warning is lifted.

v) Ground Investigation Report

Executive summary:

This states that the Giant Wheel Company Ltd is proposing the erection of a 46m Ferris wheel along Worthing promenade, between Worthing Pier and Worthing Lido.

Geology

The Geological Map of the area shows the site to be underlain by the Lewes Nodular Chalk Formation, which typically comprise hard to very hard nodular chalks and hardgrounds with interbedded soft to medium hard chalks and marls. Superficial Deposits of Storm Beach Deposits are shown to overlie the solid geology of the area, these typically comprise bank-like gravel, rarely sandy.

Field Investigation

In order to confirm the underlying ground conditions at the site, field investigations comprising 2No. Cable Percussive boreholes and 4No. In-situ Plate Load Tests at ground level were undertaken on the 29th and 30th of November 2018. Due to adverse weather conditions on the 29th of November a reduced scope of 1No. Cable Percussive borehole and 4No. In-situ Plate Load Tests was undertaken.

The site investigation has revealed a layer of Made Ground comprising asphalt over gravelly clay and clayey gravel of typically chalk and flint to a depth of 1.70m bgl. The Made Ground was underlain by Superficial Storm Beach Deposits comprising medium dense slightly sandy gravel of flint encountered to a depth of 5.40m bgl. The Superficial

Deposits were underlain by the chalk bedrock recovered as dense to very dense gravel of chalk and flint to the maximum investigated depth of 10.00m. Groundwater was encountered within BH01 at a depth of 2.30m.

Engineering Recommendations

Foundation and Floor Slab Solution

Due to the nature of the development and underlying exclusion zone around the Southern Water sewer, a combination of piles and a surface skid will be required for the development. The southern support legs and base of the Ferris Wheel should be supported on CFA piles embedded into the underlying Lewes Nodular Chalk. For a 450mm diameter pile a safe working load of 400kN can be used. The Lewes Nodular Chalk Formation was encountered at a depth of c.5.40m bgl.

Due to the exclusion zone around the Southern Water sewer, located parallel with the promenade, piles cannot be used in this area. Therefore the support legs are proposed to be placed directly on the asphalt surface via a skid to evenly distribute the weight. Plate bearing tests confirmed a safe bearing capacity of 150kN/m² for the asphalt surface.

From the shear box testing a resistance angle of 47.3° within the superficial Storm Beach Deposits can be used for design purposes. Based on CIRIA C574 an effective angle of friction of between 29 and 34° (remoulded) and 31 and 42°(intact) can be assumed.

Earthworks

A Class 1B/2B classification should be adopted for general granular/cohesive fill materials for any proposed earthworks at the site.

Plate Bearing Tests

Two of the tests were undertaken at the top of the asphalt to determine the feasibility of placing the Ferris wheel support legs directly onto the asphalt surface. Maximum loadings of between 490 and 515kN/m² gave a typical settlement of between 0.96 and 2.60mm on the asphalt surface. A safe bearing capacity of 150kN/m² should be used for the asphalt surface.

Buried Concrete

All buried concrete should, as a minimum, conform to Class AC-1s of BRE Special Digest 1 for foundations within the superficial Storm Beach Deposits.

A method statement setting out details of contract information, plant and equipment, site personnel, safety, ground conditions and piling methods and controls has also been submitted.

vi) Transport Statement

A full transport statement has been submitted with the application, the summary and conclusions of which state:

The application site, identified by Adur and Worthing Councils, is within a highly accessible town centre located amongst other seafront attractions and Worthing high street with excellent sustainable travel opportunities available to visitors.

The Worthing Observation Wheel will operate between 1000 – 2200 hours, 7 days a week between March and November. The attraction is expected to attract 100,000 visitors over this 9 month period.

The Worthing Observation Wheel will have negligible impact on the local highway network as a high level of visitors to the attraction would be expected to be part of the overall visitor footfall to the seafront area and town centre as the development is likely to generate linked trips with other visitor attractions and leisure activities.

As well as sustainable travel mode options, there are a number of car parking facilities within the site's vicinity. A mix of council and non-council off-street and multi storey car parks provide over 1000 spaces within 500m radius of the proposed site. There is also a high level of short stay on-street parking within 250m radius of the site, providing parking spaces for cars, buses and motorcycles.

This Transport Statement has demonstrated that the proposed leisure development is highly accessible by non-car modes and would have a negligible impact on the local highway network. We therefore encourage West Sussex County Council to look favourably upon this development from a highway's perspective.

vii) Landscape and Visual Character Assessment

The statement concludes It is considered that whilst the Scheme would limit the present focus upon the surrounding Grade II Listed Buildings of The Lido and The Pier within the South Street Conservation Area, that the form, function and delight of the WOW would be uniquely suited to the location, both respecting and providing some enhancement to the appearance and character of the seafront environment. The curved form, structure and colour is considered to fit the values of the location, reflecting the distinctive curvilinear form and pale colour of the Pavilion Theatre and The Lido and the structural elements of The Pier, whilst introducing a new feature into the seafront townscape. The temporal nature of the Observation Wheel at three years, with the historic associations of the form and function with festivals and regeneration is considered to reflect the character of the seafront in this location as a place for pleasure and focus adjacent to the town for visitors to the seafront...

...The nature of the WOW is to be notable, introducing novel perceptual qualities associated with the height and form of the wheel. Despite the high magnitude of change within a landscape of high sensitivity the form, function and delight of the WOW, coupled with its temporary presence as a temporal event within the Worthing seafront townscape is considered by LLD to result in a Negligible Effect on landscape character in general...

... Within the localised area of the Promenade where the ground based apparatus would be located, there is likely to be a high magnitude of change across a limited area, which is considered to result in a Minor Adverse Effect on the limited contribution of this location to the qualities of the Conservation Area and the wider setting of The Lido (Grade II Listed Building)...

...For short distance receptors to the north within Liverpool Gardens, upon the Promenade immediately to the east and adjacent to the Site, and to the west of The Lido a Minor Adverse Effect is considered to result... For visual receptors upon the Promenade adjacent to the ground apparatus associated with the Wheel operation, this is due to the additional visual clutter which would be introduced at ground level into the South Street Conservation Area, alongside of that already present from the Beach Office for the Foreshore Team and beach safety patrol vehicles parked to the east. It is recommended that provided the ground apparatus is finished in white or comparably muted tones that this effect would be limited. For visual receptors upon the Promenade at short distance to the west of The Lido, the more subtle

relationships between the respective rooflines of The Lido and the Pavillion Theatre would be disrupted... For visual receptors relaxing within or walking through Liverpool Gardens adjacent to the (Grade II Listed) Desert Quartet Sculptures, the introduction of the spokes and pods of the wheel into the open space over the sea beyond Montague Place would flatten the lines of perspective from the adjacent built form, which otherwise continue to a vanishing point above the horizon line at sea. This would result in a more flat plane being introduced into the view than at present, which would foreshorten the existing context afforded by the more open column of sky and limit the visual context currently afforded by this to the (Grade II Listed) Dame Elisabeth Frink Desert Quartet Sculptures and the (Grade II Listed) 1-12, Liverpool Terrace. The effect would be limited by the Schemes three year timespan.*

Site and Surroundings

The proposed wheel would be located between the Pier and the Lido, partly on the Promenade and partly on the beach, opposite Montague Place which, given its open nature, means that the wheel would also be clearly visible from Liverpool Terrace which is higher than the application site due to the rising ground to the north. The application site is within the South Street Conservation Area which extends along the promenade and includes the Pier and the Lido, both of which are listed as are a number of buildings in Montague Place, and Liverpool Terrace.

While there are mixed business and tourist uses nearby, residential properties are also close to the application site including Knightsbridge House and Beaulieu Court are across the road to the north west, the latter containing ground floor and 5 storeys above, and is almost the same height of Knightsbridge House. To the north east are 3 storey buildings in mixed use on the northern side of Marine Parade.

Relevant Planning History

None relevant to the determination of the application

Consultations

i) Historic England

Thank you for your letter of 13th February 2019 regarding the above application for planning permission. As a proposal affecting the setting of grade II listed structures and for a development which is less than 1,000 square metres in a conservation area, the application does not meet the statutory criteria for Historic England to need to be consulted. We therefore assume that this consultation is a special request for our advice. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

South Street conservation area is made up of South Street with Chapel Road to the north as the central north-south axis of Worthing town centre. To the western edge of the area, Liverpool Terrace stands relatively high with a significant steep change

of level across Liverpool Gardens dropping from west to east. The remaining land within the conservation area generally slopes gently down to the seafront where there is an esplanade and shingle beach with sea defences.

Worthing experienced rapid expansion in the late 18th century and the first decade of the 19th century when it gained a reputation as a fashionable genteel seaside resort. The resort facilities seen today were developed in the 1860s with the construction of the pier in 1862 (grade II listed) and a seafront esplanade in 1867. The pier area became the focus of entertainment facilities in the town, which in the 20th century were increased with the provision of entertainment facilities. The Kursaal multi-purpose entertainment complex (now The Dome, grade II* listed) was constructed on the seafront in 1911 and included a cinema, roller skating rink, and stage. In the mid-1920s the seafront acquired two further landmark entertainment buildings in the Lido (1925, grade II listed) and the Pier North Pavilion (1926, part of the grade II listed structure). This cemented the seafront as the focus of seaside tourism in Worthing. It is this streetscape including the above mentioned listed buildings that today form part of the special architectural and historic interest of the South Street conservation area, contributing to its character and significance.

The proposed Worthing Observation Wheel is to be located partially on the promenade on Marine Parade and opposite Montague Place. The wheel is proposed to be 46 metres high with 36 gondolas each holding 6 persons, with associated structural base, wheel platform, access ramps, payment booth and welfare facilities. The application stipulates the wheel will operate between March and November until 2021.

The proposed location of the wheel is in an area characterised by businesses like cafes, ice cream parlours, amusement arcades, gift shops and hotels. We note that Worthing seafront is one of the town's greatest assets and is a primary focus for attracting visitors. With this in mind we additionally note the Worthing Seafront Investment Plan and the Councils focus on delivering a strategy to revitalise and renew the town's seafront.

The application provides a number of views showing the visual impact of the wheel on the surrounding area. In our view it is likely to cause a low level of harm to the setting and therefore significance of the grade II* listed Dome Cinema and 'Desert Quartet' sculptures with supporting Loggia at the Montague Shopping Centre, which are the closest designated heritage assets, to which we are a statutory consultee.

The wheel's impact on the South Street Conservation Area and other surrounding Conservation Areas, as well as the setting of the nearby grade II listed buildings is a matter for your council. In our view however it is unlikely to cause a high level of harm. We would suggest that reference be made to our published advice Historic Environment Good practice Advice in Planning: Note 3 The Setting of Heritage Assets in assessing the application.

In summary we do not think that the addition of the proposed observation wheel will cause a high level of harm to the significance of the grade II* listed buildings through changes to their setting. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm

should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (NPPF 196). Local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably (NPPF 200).

Recommendation

Historic England has no objection to the application on heritage grounds.

Your authority should be satisfied that the application meets the advice contained in paragraphs 192-194, 196 and 200 of the National Planning Policy Framework.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

ii) Conservation Area Advisory Committee

Objection. The proposal is acceptable in principle but this is considered the wrong location and should be east of the pier. This proposed feature will not preserve or enhance the Conservation Area. Concerns are raised regarding possible congestion, noise and light pollution.

iii) Worthing Society

The Worthing Society supports the idea of bringing an Observation Wheel to Worthing. It should help regenerate the town centre by attracting visitors and residents to this area. It will also provide another leisure facility for Worthing which is very welcome.

HOWEVER we object to the location that has been chosen on the grounds that it could adversely impact a significant number of local residents who live opposite the proposed wheel, particularly those people living in Beaulieu Court and 36 - 42 Marine Parade.

The wheel will be just 40 metres away from the front rooms of these local people. At 46m high it is double the height of the buildings opposite and will therefore tower over the immediate area and all those who live close by. The intrusion of people looking across from the viewing gondola's is likely to be significant. This attraction

will be open until 10.00pm each night (well beyond the hours of daylight), 7 days a week for 9 months of the year for a period of three years. The potential harm likely to be caused to the well-being of those living opposite the Wheel should be an overriding consideration in this project and be carefully assessed. However, it is not mentioned once in the application.

We do not accept the argument that for the 'greater good' some residents will be seen to be treated as 'collateral damage' and despite the severe impact on their lives, the rest of us should reap the benefits. It is not surprising that the hotels and residents of Steyne Gardens objected when the wheel was sited in that location last summer. The same argument applies, as it would for any location that adversely affected the lives of some local people for an extended period.

As a further consideration we note that despite the wheel being sited in the South Street Conservation Area there is no attempt in the Design and Access statement to assess the impact on this important heritage area. We are concerned that the planning policies within the National Planning Policy Framework and Planning (Listed Buildings and Conservation Areas Act 1990 are not being adhered to by omitting the statement. Whilst the economic benefits could be substantial in the short term, there would undoubtedly be an effect on the Conservation Area which needs to be fully assessed in the application.

Montague Place is an historic open space which contributes significantly to the Conservation Area. We note that the Conservation Area Appraisal Document (CAAD) describes the listed buildings and openness of the views from Liverpool Gardens to Marine Parade to be of 'major townscape significance.' The presence of the large observation wheel in this location would in our view be over dominant and would overwhelm the openness and traditional sea views enjoyed from Montague Place.

This has all the hallmarks of an application that is being pushed through without due care and attention for those it will impact most. In terms of planning policy it without doubt contravenes Saved Local Plan H18. This states 'development' including changes of use and intensification which would result in an unacceptable loss of amenity for local residents will not be permitted.' If the proposal goes ahead there would undoubtedly be a loss of amenity in terms of privacy, open views and disturbance from the close proximity of lighting on the Wheel.

We also consider it appropriate therefore to mention the Planning Policies which govern development on the seafront area. In particular Saved Policy CT3 (9 Saved) which refers to development being permitted 'if it respects and where possible enhances the appearance and character of the seafront environment and existing sea views.' Strategic Objective 16 of The Draft Local Plan seeks to improve the quality of the public realm within the town centre and along the seafront. It is difficult to see how the Wheel in this position could be compatible with these local planning policies and the Draft Local Plan.

It is also worth pointing out that under the Tall Building Guidance SPD this structure would qualify as a very tall building. The fact that the Observation Wheel has a proposed life span of 3 years and will be open 12 hours a day, 7 days a week for 9

months of the year means that in our view some of the provisions of this guidance should be considered, particularly with regard to quality of life and overlooking.

The applicant should make a thorough assessment of the number of people who will suffer significant overlooking and intrusion to how this can be mitigated (if at all). The council should in our view also look for alternative sites that have less impact on the wellbeing of those living nearby, such as the East Beach, and publish its assessment of the options including the one proposed.

Until these concerns are fully addressed and after much serious consideration we object to this application.

iv) Technical Services – flood risk and drainage

Thank you for the opportunity to comment on this application, the proposed site lies in flood zone 3, is unaffected by predicted surface water flooding and has no history of flooding, but has been eroded and overtopped by wave action in the past. The site is exposed to wind action.

I also note the presence of a 1500 mm diameter concrete foul sewer, which is the main artery sewer from what was the old West Worthing Treatment works, very close to the proposed foundations.

I note that the planning application states no connection to the surface water system – that is acceptable.

I note that the planning application states no drainage connection required for foul water, therefore I suspect the welfare unit comes with a portable toilet is on the far side of the facility and will require regular servicing, thereby vehicle parking is required, and therefore some form of traffic management statement will also be needed, and finally where does the welfare unit get a water supply from.

The FRA is acceptable, and I agree with its conclusions

There is a document entitled Statement on the FRA – this effectively answers my concerns about the site being subject to extreme wind and other meteorological events

Subject to clarification about staff welfare facilities I have no concerns about the installation.

v) Technical Services – Structural Engineer

The information submitted by the applicant has been submitted to an independent consultant and a response is anticipated prior to the meeting.

vi) West Sussex County Council Highways

Introduction

WSSCC in its role of Local Highway Authority (LHA) has been consulted on the above proposals. The application is supported by way of a Transport Statement (TS) which provides an assessment of the transport aspects of this application. The LHA have engaged in pre-application advice in relation to the applicants Constriction Management Plan (CMP) prior to the submission of this application.

The site is located along the seafront next to the Worthing Pier and Lido, with other visitor attractions in the local vicinity. The proposed Worthing Observation Wheel will be located over an area of the promenade and beach/shingle. There will be at least 6m wide pedestrian access along the promenade at the location of the wheel. The footprint of the observation wheel, including the structural base measures 24m x 20m overall.

Comments

The LHA acknowledge the sites sustainable travel mode options, there are a number of car parking facilities within the site's vicinity which are accessible. These include a mix of council and non-council off-street and multi storey car parks providing over 1000 spaces within 500m radius of the proposed site. There is also a high level of short stay on-street parking within 250m radius of the site, providing parking spaces for cars, buses and motorcycles.

In terms of trip generation visitors to the site are likely to incorporate visiting the Worthing Observation Wheel when visiting other local facilities. It is therefore accepted that there is the potential for a proportion of linked trips which will be spread across the network. It is therefore accepted that the application would not have a 'Severe' capacity impact on vehicle trips on the immediate highway network in line with Paragraph 108 of the National Planning Policy Framework (NPPF). Finally as part of the TS the CMP that the LHA passed comment on at the pre-application stage has not been submitted in support of this application.

Conclusion

The LHA does not consider that this proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

vii) Highways England

Referring to the planning application referenced above, received by Highways England on 13 February 2019, in the vicinity of the A27 and A24 that forms part of the strategic road network, notice is hereby given that Highways England's formal recommendation is that we:

a) offer no objection on the basis that we are satisfied that the development will not materially affect the safety, reliability and/or operation of the strategic road network

(the tests set out in DfT Circular 02/2013, particularly paragraphs 9 & 10, and DCLG NPPF particularly paragraph 109) in this location and its vicinity.

viii) Environmental Health

In terms of noise, the Design and Access Statement (DAS) states " Rotational power is transferred to the observation wheel via rubber tyres running on a steel rail. The noise generated by this action is equivalent to that of an electric car running on a tarmac road". Whilst not disagreeing with this statement, it needs clarifying as such tyre noise depends on the speed of the car, the faster the car the more noise the tyre creates. The DAS goes on to say no PA or music will be used, which is welcomed. The pods themselves are enclosed so will contain any people noise.

The piling method statement contains no information on the predicted noise and vibration impacts on nearby properties, this needs to be clarified. The construction process, including piling, must follow the principles contained within BS5228: 2009, 'Code of practice for noise and vibration control on construction and open sites'. This could be included as a condition - *"No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details of the methods to control noise and vibration from the construction process and follow the principles contained within BS5228: 2009, 'Code of practice for noise and vibration control on construction and open sites'."*

I recommend the hours of construction be limited to 08:00 - 18:00 Monday to Saturday only in order to reduce the impact on adjacent residents and businesses.

The lighting assessment dated 30.01.2017 and prepared by Performance Lighting contains an isolux contour plan in 2.1.1 - 'Result Overview, Measuring Area 2'. In order to confirm that light will not adversely affect nearby residential amenity this should be overlain onto a map so the levels at building exteriors can be assessed (in the vertical plane). Due to the relative proximity of existing residential premises there is the potential for the development to cause a loss of amenity as a result of light spillage and glare. Due to its position on the seafront the area falls somewhere between Environmental Zone 3 (Small town centre/Medium District Brightness) and 4 (Urban/High District Brightness). If we took the more stringent of these (Zone 3), the following is recommended to be attached as a condition to any permission granted. *"Light Intrusion into residential windows shall not exceed 10 Lux between 07:00 and 21:00 hours and 5 Lux between 21.00 and 07.00 hours, measured as Vertical illuminance (EV) normal to glazing. The Sky Glow (Upward Light Ratio) shall not exceed 5.0%"*

Finally the hours of operation should be restricted to those contained within the application - 10:00 - 22:00 hours.

ix) Southern Water

It appears that the developer is intending to build over/close to a public foul sewer which is crossing the site. Building over a “public sewer” is not normally permitted by Southern Water.

However, under certain circumstances building over a sewer may be allowed. The conditions associated with the buildover/close to a sewer are contained in Southern Water guidance notes which are available at: www.southernwater.co.uk. A formal application to build close to the sewer will required to be submitted by the applicant.

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council’s technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk”.

Representations

86 letters of objection have been received. The majority of the objections are from objectors who live in close proximity to the application site and are made on the following grounds:

- the wheel would be overbearing to the surrounding area
- Worthing cannot sustain a wheel with a capacity of 216
- loss of light
- light pollution
- loss of privacy through overlooking from the gondolas
- increased traffic
- adverse impact upon birds and gulls through tree damage in Montague Place
- the proposal would not enhance the Conservation Area
- wheel may be adversely affected by wind
- increased congestion on the promenade
- other sites would be more preferable eg Steyne Gardens, Splashpoint, Brooklands
- increased parking pressure
- out of keeping with the seafront and pier
- loss of uninterrupted views
- destroy the character of the town
- Brighton has more space for a wheel

- last year's wheel ruined Steyne Gardens
- town will be another cheap Blackpool or Southend
- sedate and likeable town would have the feel of a Maplinesque holiday camp
- loss of reputation
- the wheel would cause glare
- this is a Council backed scheme so is already a foregone conclusion
- a commercial imposition on the seafront
- inappropriate impact upon nearby listed buildings and the Conservation Area
- there will be a necessity to excavate into the beach
- Worthing is not a tourist destination
- Worthing is an original seaside town with a strong conservation policy
- Worthing retains age old quality while offering up to date amenities, how could a wheel improve this
- interfere with access to the beach
- could cause the road to collapse
- the view from the end of the pier is sufficient to see the inner yard of the bus station, mobile phone aerials or multi storey car parks
- money should be spent on widening the promenade at Goring
- the Council has already wasted money on beach posts that light up and coloured paint on a car park
- would not have purchased property if known this was going to take place
- add to congestion in Montague Place
- if people want views they can go to the Downs
- money put into tourist attractions ignores other problems in the town

74 letters of support have been received, including from the Chamber of Commerce, Town Centre Initiative, Hospitality Federation, the Lido and the Chatsworth. The majority of the representations are from Worthing residents although relatively few from close proximity to the site. The comments of support have been received on the following grounds:

- proposal will attract visitors and be of great value to Worthing
- will support and promote the seafront by engaging in a unique format
- would be an asset to the town
- would be a great economic benefit when High Streets across the country are struggling
- the town should not be closed for anything but daytime shoppers
- this is a forward thinking and positive idea
- anything that brings people to the seafront is positive
- will put Worthing back on the map as a tourist destination
- grandkids cannot wait for it
- number of empty shops in the town proves more visitors are needed
- will help Worthing compete with other seaside towns
- position of the wheel will allow adequate pedestrian access
- benefits to the town as a whole outweigh any objections
- the Council has a choice of letting the town die or investing in its future
- the space should be used for the benefit of everybody not just a privileged few
- this is a better location than Steyne Gardens

- people using the wheel will not be interested in looking into flats
- town has been dwindling for too long
- will be a wonderful addition to the skyline
- the Council should keep bringing fun and life to the town

Relevant Planning Policies and Guidance

Worthing Core Strategy (WBC 2011): Policies 3, 5, 15 & 16
 Worthing Local Plan Saved Policies CT3, H18
 Adur and Worthing Economic Strategy 2018-2023
 Worthing Borough Council: Worthing Seafront Investment Plan
 Adur & Worthing: Platforms for our Places, 2018

National Planning Policy Framework (CLG 2019)
 Planning Practice Guidance (CLG 2014)

Historic Environment Good Practice Advice in Planning: Note 3 The Setting of Heritage Assets

The Core Strategy, including the saved policies of the Worthing Local Plan, comprises the Development Plan here but the Government has accorded the National Planning Policy Framework (NPPF) considerable status as a material consideration which can outweigh the Development Plan's provisions where there are no relevant development plan policies or the policies which are most important for determining the application are out of date. In such circumstances paragraph 11 of the revised NPPF states that planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or any adverse impacts of doing so would demonstrably outweighs the benefits, when assessed against the policies of the NPPF taken as a whole.

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

As can be seen from the representations received, this application has attracted a high degree of interest with a number of comments received both in opposition and support of the proposal.

Dealing with the principle of development first, national guidance as set out in the NPPF sets out overarching objectives of the planning system, the most relevant to the application being the economic and environmental objectives.

In terms of the representations received, it could be summarized that many of those in favour of the proposal would see the application as meeting the economic objectives as set out in the NPPF while those in objection appear to relate mainly to the environmental objectives.

Beginning with the economic objectives, the NPPF states that the planning system should help build a strong, responsive and competitive economy amongst other matters by encouraging innovation.

The Worthing Core Strategy provides a strategic policy context for the proposal stating that:

Tourism has long been an important part of the local economy. However, Worthing is a highly seasonal and weather dependent visitor destination and according to research it is perceived as being 'outdated' with 'little to do'. It is therefore essential that the negative perceptions of Worthing are combated and that these issues are addressed in a way that helps to overcome seasonality and provides a greater and more vibrant visitor offer... The Local Development Framework will seek to ensure that opportunities are secured for new facilities and that existing facilities which support the boroughs overall tourist offer are protected and, where needed, positive improvements are achieved. The seafront and the activities along it are important visitor attractions and together with the town centre the area provides entertainment, restaurants, bars and shopping that benefit the tourist industry. However, studies have indicated that much of this offer is not achieving its full potential and requires upgrading to play an improved role in attracting more visitors to the town. It is considered that major new cultural/mixed use attractions should take advantage of Worthing's coastal location and provide quality facilities that meet current and future aspirations.

Policy 5 of the Core Strategy states *The retention, upgrading and enhancement of existing visitor attractions and visitor accommodation to meet changing consumer demands will be supported. The Council will support suitable new tourist and leisure facilities, with a particular focus on the town centre and seafront area. The aim is to enhance the visitor offer to support the regeneration of the town and help to reduce seasonality.*

The Seafront Investment Plan, which built on the earlier Seafront Strategy that is referred to in the Core Strategy, while not specifically referring to the current proposal does mention a necessity to invest in 'big ticket' items.

In this strategic policy context, it is considered that the principle of developing an observation wheel on the seafront is clearly acceptable. The Core Strategy emphasizes the importance of tourism to the town, as well as the necessity to improve the offer, which is an objective the wheel can be assumed to fulfill. The supporting information estimates that the visitors to the wheel would be 100,000, consisting of both new and linked trips which would make an important contribution to the economy of the town.

The principle of development is therefore considered acceptable, but in terms of detail, at 46 metres in height, this is quite clearly a significant structure on a site that is within the South Street Conservation Area and in reasonably close proximity to listed buildings. By way of comparison, the observation wheel which was previously located in Brighton was 45 metres and the wheel which was situated in Steyne Gardens last year was 33 metres. The submitted Landscape and Visual Assessment also states that when constructed the tallest building on the Aquarena site would be of a comparable height.

Equally, though, observation wheels are not uncommon features in many towns or cities and a number of them have been located in sensitive areas. Your Officers therefore felt it necessary to consult Historic England on the proposal although it is not an application that falls within their statutory criteria for comment.

Historic England consider the proposal *is likely to cause a low level of harm to the setting and therefore significance of the grade II* listed Dome Cinema and 'Desert Quartet' sculptures with supporting Loggia at the Montague Shopping Centre, which are the closest designated heritage assets*, and while stating that the impact upon the Conservation Area is ultimately a matter for the Council, they also consider that it is *unlikely to cause a high level of harm*. It is of course noted that the Worthing Society and Conservation Area Advisory Committee object to the proposal but in light of the comment above, it is felt that an objection on such basis may be difficult to sustain. Moreover, in any case, the application remains to be assessed against the economic objectives of the NPPF and on balance, plus having regard to the fact that this an application for permission for 9 months of the next 3 years, rather than a permanent proposal, it is considered that the application is acceptable. As also referred to by Historic England, paragraph 196 of the NPPF states that *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*.

Your Officers are of the view that paragraph 196 demonstrates that in light of the above, the application is considered acceptable in terms of its impact upon the visual character of the surrounding area.

The next issue is the impact upon the nearest residential properties, a number of which have objected to the application.

It is perfectly understandable that residents who currently have an unimpeded sea view would raise concern in respect of the proposal while others raised the issue of loss of property value as a result of the potential installation of the wheel. However,

planning law is quite clear that loss of view and loss of property value are not material considerations that can be taken into account in making the decision. Given the nature of an observation wheel as not completely solid, it is not a structure which would cause a loss of light either.

The first issue to be addressed in planning terms is loss of privacy. The distance from Beaulieu Court to the proposed wheel is about 40 metres at its nearest point while 36-42 Marine Parade, in mixed uses, is slightly nearer. In both cases, therefore, the distances between the gondolas and the nearest residential properties far exceeds the Council's overlooking standard of 21 metres, normally applied for face to face window relationships. Clearly, the relationship between a slow moving gondola at elevation and a residential property is quite different to a more usual back to back housing situation. The outlook to the nearest residential properties is of course open at the moment and there are no comparable structures.

However, the seafront is a public area where tourist development can reasonably be expected. The expanse of seafront is wide and the residential properties nearby are not directly opposite the wheel (hence outlook will be maintained in other directions). Furthermore, users of the wheel will not be at a fixed point since the wheel will be continually moving except when unloading and loading passengers. A consequence of the height of the wheel being higher than the buildings around it, is that much of the north views being seen from the wheel will be over the nearest residential properties and visitors are likely to spend looking more at distant views, assuming they are looking to the north in the first place. Those using the gondolas will also be looking out to the sea to the south and along the coastline to the east and west which will be providing viewing opportunities of as much interest to the north. As such, therefore, any overlooking to the nearest residential properties would be of a somewhat transitory nature. Having regard to this nature of any overlooking, the normal overlooking standard is of some useful relevance in that it is well exceeded by the proposed siting of the wheel and therefore while resident's concerns are understood, it is not considered that having regard to the wider benefits of the scheme, a refusal could be justified on such basis.

A number of residents have also raised concern in respect of noise. It needs to be remembered in the consideration of any planning application that there must be material harm caused as a result of any proposal and to that end your Officers are of the view that given the central location of the site within a busy part of the seafront where there are number of noise generating activities already including bars in the vicinity of the site, that it is unlikely that material harm in respect of additional noise could occur if it is accepted that a certain degree of noise and disturbance is therefore to be reasonably expected in this location. It is stated that there will be no public address system or music played, which can be controlled by condition, and in the absence of any objection from the Environmental Health section it is not considered that a refusal could be justified on noise grounds. Likewise, in respect of lighting, the Environmental Health Officer has also suggested a condition can be imposed.

There is also no objection from the County Council as the Highways Authority for the area. Your Officers agree with the assessment that site is in a sustainable location offering a range of transport opportunities including car parks nearby. It is

generally accepted that a facility of this type in terms of trip generation is likely to incorporate linked trips visiting the Worthing Observation Wheel while also visiting other local facilities. There would not therefore be a severe impact on the highway network and accordingly permission could not be refused on this basis.

Concern has been raised about the stability of the wheel and its ability to withstand strong winds. As such, this is not a planning consideration (the Health and Safety Executive were consulted on the application but did not respond) but in any case the Council's Technical Services Officers are considering the matter given the location of the wheel in particular partly on the beach. An independent consultant has been requested to look at the proposals and it is anticipated their response will be received prior to the meeting.

Conclusion

This application has generated a high level of interest and unusually for the number of representations received there is a not significant difference in number between those objecting to and those supportive of the proposal. A number of issues are quite finely balanced and reasonable arguments made from either perspective. However, a central part of national planning policy, local planning policy and wider corporate objectives are to support the vibrancy of the town and in particular that of the seafront. It is notable that the Town Centre Initiative, Chamber of Commerce and various business owners nearby support the proposal which offers the ability to attract visitors to the town which in turn will help its economic prosperity. While there will be some impact from the proposal, the use is temporary for 3 years and therefore not a permanent installation. There are no objections from the relevant specialist consultees and accordingly, on balance, it is recommended that planning permission is granted.

Recommendation

To **GRANT** permission

Subject to Conditions:-

- 01 Approved Plans.
- 02 Temporary Permission – March to November until 2021 only.
- 03 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details of the methods to control noise and vibration from the construction process and follow the principles contained within BS5228: 2009, 'Code of practice for noise and vibration control on construction and open sites'."
- 04 Hours of construction be limited to 08:00 - 18:00 Monday to Saturday only in order to reduce the impact on adjacent residents and businesses.
- 05 Light Intrusion into residential windows shall not exceed 10 Lux between 07:00 and 21:00 hours and 5 Lux between 21.00 and 07.00 hours, measured as Vertical illuminance (EV) normal to glazing. The Sky Glow (Upward Light Ratio) shall not exceed 5.0%".

- 06 Hours of operation restricted to those contained within the application - 10:00 - 22:00 hours.
- 07 No music or public address system.
- 08 Wheel Management Plan (to include but not limited to, queue management, litter management, provision of welfare facilities) to be submitted prior to first use of the wheel.
- 09 Details of surfacing, including foundation construction to be submitted prior to first use of the wheel.
- 10 Not later than 3 months before the cessation of the use, all materials etc to be removed and the promenade/beach restored to a condition to be agreed in writing with the LPA via a scheme of work to be submitted and approved.

27th March 2019

Local Government Act 1972

Background Papers:

As referred to in individual application reports

Contact Officers:

Gary Peck
Planning Services Manager (Development Management)
Portland House
01903-221406
gary.peck@adur-worthing.gov.uk

Schedule of other matters

1.0 Council Priority

- 1.1 As referred to in individual application reports, the priorities being:-
- to protect front line services
 - to promote a clean, green and sustainable environment
 - to support and improve the local economy
 - to work in partnerships to promote health and wellbeing in our communities
 - to ensure value for money and low Council Tax

2.0 Specific Action Plans

- 2.1 As referred to in individual application reports.

3.0 Sustainability Issues

- 3.1 As referred to in individual application reports.

4.0 Equality Issues

- 4.1 As referred to in individual application reports.

5.0 Community Safety Issues (Section 17)

- 5.1 As referred to in individual application reports.

6.0 Human Rights Issues

- 6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

7.0 Reputation

- 7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

8.0 Consultations

- 8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

9.0 Risk Assessment

- 9.1 As referred to in individual application reports.

10.0 Health & Safety Issues

10.1 As referred to in individual application reports.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 Matter considered and no issues identified.

13.0 Legal

13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

14.0 Financial implications

14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.



Draft Worthing Local Plan – Reporting Consultation Responses and Next Steps

Report by the Director for the Economy

1.0 Summary

- 1.1 A new Local Plan is being prepared to provide the development strategy for the borough over a plan period of 15 years. The Council undertook public consultation on its Regulation 18 Draft Worthing Local Plan for a period of six weeks commencing on 31st October 2018 and closing on 12th December 2018. This followed consultation on the Issues and Options in 2016.
- 1.2 This report provides an overview of the consultation, a summary of the representations received and the key issues raised (Appendix A). The report then sets out a summary of further work that is required to be undertaken. The work programme has then informed the revised timetable established within an updated Local Development Scheme (Appendix B).

2.0 Background

- 2.1 The Worthing Core Strategy was adopted in 2011 and the intention was that it would help to guide development in the borough until 2026. However, as explained in previous reports, it must be reviewed to reflect latest national policy, particularly with regard to how Councils now need to plan for housing. As such, the Council has committed to replace the Core Strategy with a new Local Plan for the borough.
- 2.2 The Local Plan, when adopted, will provide a strategy for development and change in Worthing over the next 15 years. The process of preparing a new Local Plan is made up of a number of statutory stages. The first stage of consultation, the 'Issues and Options' stage was undertaken in 2016 when the

Council sought views on how Worthing should grow and develop. The responses received helped to inform the next key step, the drafting of the Regulation 18 version called the 'Draft Worthing Local Plan'.

- 2.3 Having identified the key issues and challenges for the borough the Draft Local Plan was published for consultation at the end of October 2018. All interested parties were invited to comment on the Council's preferred options. The Plan set out the proposed Spatial Strategy, potential site allocations and a number of supporting Core Policies. The consultation represented an important step in the progression of a Local Plan towards adoption. The comments received and further evidence will now help to inform revisions for the next version of the Plan (known as the Regulation 19 publication version). Once the Regulation 19 version is published it will be consulted on and submitted for Examination.

3.0 Consultation on the Draft Local Plan

- 3.1 Formal and informal stages of consultation with the public and all relevant stakeholders are integral to the development of a new Local Plan. Prior to the publication of the Draft Local Plan engagement undertaken included: the Issues and Options consultation (2016); several workshops for elected Members; engagement with other Council service; ongoing engagement with infrastructure and service providers; and a number of 'calls for sites' (when landowners and developers are asked to put forward land that may have some development potential).
- 3.2 Following consideration by Planning Committee (Sept 18) and approval by Joint Strategic Committee (Oct 18) the Draft Local Plan was made available for a six week consultation period from the end of October to mid-December. The consultation was undertaken in line with the Joint Adur and Worthing Statement of Community Involvement (Dec 2012) and the Local Plan Engagement Strategy (2018). The engagement activities went beyond the basic legal requirements of Plan preparation which helps to demonstrate the Council's commitment to engage fully with the community and stakeholders.
- 3.3 The 'Consultation Summary Report', that will be made available to view on the Council's website, provides a 'performance review' of the consultation along with an assessment of what consultation methods worked well and which methods were not so effective. The Consultation Summary report outlines how a variety of techniques were used to publicise the consultation ranging from drop-in sessions, presentations, summary leaflets, press releases and the regular use of social media.

4.0 Summary of Representations Received

- 4.1 The Council received a total of 218 representations, 60 of which were submitted by organisations with the remainder (158) being received from individual members of the public. A summary of the comments submitted during the consultation are tabulated in Plan order and attached as Appendix A. In addition, all of the representations can be read in full on the Council's website or as hard copies at the Council Offices at Portland House.
- 4.2 A wide range of comments were received during the consultation that covered nearly every section and policy within the Plan. Some of these were supportive of the policy approach whilst others raised questions or objections about the proposed strategy. In part, it is some of the concerns raised during the consultation that have influenced the work programme (see below).
- 4.3 Whilst the tables in Appendix A provide a clear indication of the level and type of response on each topic area it is noteworthy that by far the highest majority of representations submitted expressed support for the proposed Local Green Space Designations and the protection of the Goring Gaps.

5.0 Key Issues and Summary of Further Work Required

- 5.1 Local Plans must also be based on robust local evidence that is used to help understand the needs, opportunities and constraints within the borough. A range of technical evidence contributed to the development of the draft Local Plan, including work on infrastructure capacity, sustainability, transport, the economy, retail needs, infrastructure, flood risk, housing need & capacity; and landscape & biodiversity assessments. The studies, and a number of other documents that supported the Draft Local Plan, can be found on the Council's website.
- 5.2 Prior to the next version of the Plan being prepared updates will be needed for some of the existing evidence (e.g. viability, flood risk, housing need, retail, the economy and open space/leisure). It is largely the time taken to get this evidence in place that will influence the timetable for the Local Plan (see Section 6 below). Work will also need to be undertaken to respond to the revised National Planning Policy Framework which was published shortly before the Draft Local Plan had been prepared.
- 5.3 Work will also need to be undertaken to address some of the comments submitted during the recent consultation. Whilst the officer comments

included within the summary tables provide a clear indication of what work may now be required this section of the report highlights and expands on some of the key issues that must now be addressed:

Housing Need / Capacity

- 5.4 A number of representations challenged the proposed housing requirement in that it doesn't fully meet the identified needs for the Borough and thus leaves a significant unmet need. It has been suggested that additional work needs to be carried out to explore reasonable alternatives to increase housing provision and actively work with landowners of areas of change sites and omission sites to overcome the identified delivery constraints.
- 5.5 As Members will be aware, the housing delivery target set in the Draft Local Plan is significantly higher (approximately 25%) than the levels of growth planned for within the Worthing Core Strategy. The Draft Plan explains that this is 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.
- 5.6 However, it is acknowledged that despite taking a positive approach to development the delivery rate for housing will fall significantly below the levels of housing need identified. In this regard, the NPPF is clear that Local Plans should strive to meet development needs unless any adverse impacts of doing so would significantly outweigh the benefits. As previously explained, officers are of the view that very strong evidence is in place that demonstrates the lack of land availability and other constraints that limit the potential for significant growth in and around Worthing. As a consequence, the reality is that local housing needs will never be met. Despite this, and in response to some of the comments received during consultation, further work will be undertaken to explore all opportunities for new development, 'leaving no stone unturned'. In particular, this will include a reassessment of proposed densities to establish where a greater intensification of development might be appropriate.

Development Sites

- 5.7 To provide the necessary delivery certainty work will continue with all interested parties to address any of the identified development constraints and to respond to any additional issues or solutions (e.g. flood risk, access arrangements, environmental impacts / mitigation) that were raised during the consultation. In this regard, all Areas of Change and Omission Sites will be

carefully assessed to see if there is now enough certainty to make them allocations.

Green Gaps / Local Green Space Designation

- 5.8 Supported by strong evidence, the draft Plan proposed to designate the most significant undeveloped areas on either side of the borough as Green Gaps and Local Green Space. It was these policies that generated the highest level of response, the vast majority of which were supportive. However, as expected, the landowners of the Goring gap sites have objected to this approach, particularly given the level of unmet housing need. Technical work has been submitted alongside these objections and this will now be reviewed to test whether there is still robust justification for the continued protection of these sensitive areas within the Plan.

Space Standards

- 5.9 A couple of representations questioned the proposed adoption of space standards and argued the justification and evidence for this was lacking. Linked to this, there was some support for 'mirco-flats' / studios which would fall below the proposed standards as it was argued that these could provide some much needed housing for those in need. In response, it is accepted that further work is required to provide justification that could support the approach outlined in the draft Plan and to assess the implications of allowing a more flexible approach that would deliver 'smaller' studios and flats for those in emergency need.

Transport Study

- 5.10 Highways England were invited to transport study meetings and were issued with technical notes on its progress. The Council was therefore somewhat surprised by the key concerns Highways England raised in relation to the transport study and modelling work undertaken to support it. In response, officers and the Council's consultants have met with Highways England and further work is now being undertaken to address these concerns.

Duty to Co-operate

- 5.11 Representations were received from several neighbouring Councils that highlighted the need for all local authorities across the sub-region to continue to work together to try to address strategic priorities, particularly how objectively assessed development needs can be best met. Of note, is that an

objection to the Draft Plan was received from Arun District Council on the grounds that the Plan leaves a significant unmet need unresolved which will be prejudicial to Arun's own Local Plan preparation.

- 5.12 As explained within the Interim Duty to Co-operate Statement that supported the Draft Worthing Local Plan the Council has been working with other local authorities across the sub-region over a number of years to address strategic issues. This work has clearly demonstrated that, given the level of housing need identified in neighbouring areas and the significant constraints to growth across the sub-region, the reality is that there is currently very limited potential for other local authorities to meet some of Worthing's unmet need. However, the Council will continue to work with all relevant parties to ensure that all opportunities are fully explored within Worthing and beyond. This work will include meetings with all neighbouring authorities, the preparation of Statements of Common Ground and work to progress Local Strategic Statement 3 prepared by the West Sussex and Greater Brighton Strategic Planning Board.

Longer term work programme

- 5.13 Whilst some decisions need to be taken about work which will be done prior to the Regulation 19 plan, thought is also being given to work which will follow after examination and adoption of the Plan. Examples of future work might include an Historic Environment Supplementary Planning Document (SPD) and a Green Infrastructure Strategy SPD. The sort of detail included in these documents, and the work required to produce them, mean that they are better as standalone documents because they 'supplement' the overarching policy approach in the Local Plan.

6.0 Timetable

- 6.1 A new Local Development Scheme (the Council's 3-year work programme for Planning Policy) has been prepared. This document, which is attached as Appendix B, illustrates that much of 2019 will be spent updating evidence, responding to comments received during the Draft Local Plan consultation and addressing changes made to planning policy at the national level.
- 6.2 Following this, a formal 'submission' version of the plan will be considered and approved by elected Members (anticipated in winter/spring 2020). A statutory period of consultation will then follow (Regulation 19), during which interested parties can comment as to whether the Plan meets the 'tests of soundness' as set out in the NPPF. These relate to whether the Plan is: positively prepared,

justified, effective, and consistent with national policy. Following this the Plan will be submitted for formal Examination (anticipated autumn 2020). This could result in adoption of the Worthing Local Plan by spring / summer 2021.

7.0 Legal

7.1 The Worthing Local Plan is being prepared in accordance with the Planning and Compulsory Purchase Act 2004 and 2012, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Localism Act 2011. The Plan should be subject to Sustainability Appraisal, Conservation of Habitats and Species Regulations 2010 and The Habitats Regulations Assessment (HRA). The plan should comply with national policies except where indicated.

8.0 Financial implications

8.1 There are some significant costs attached to the progression of a new Local Plan. Most of these costs relate to the evidence base required to make informed decisions within the Plan but there are also costs associated with consultation stages and the Examination. The production of the Local Plan is to be funded by the existing service budget.

9.0 Recommendation

- 9.1 The Planning Committee is asked to consider and comment on the Officer's report and the summary of comments received during the Draft Local Plan consultation (Appendix A).
- 9.2 Prior to its approval by the Executive Member for Regeneration, the Planning Committee is also asked to consider and comment on the work programme as outlined in the report and set out in the revised Local Development Scheme (Appendix B).

Local Government Act 1972

Background Papers:

Background Papers

- Report to Joint Strategic Committee (04/04/17)
- Report to Joint Strategic Committee (09/10/18)
- Worthing Local Plan Issues & Options Consultation Document (May 2016)
- Worthing Draft Local Plan and associated reports (Oct 2018)

- Worthing Core Strategy 2011
- National Planning Policy Framework
- Platforms for Our Places

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Schedule of Other Matters

1.0 Council Priority

- 1.1 When adopted, the Local Plan will be a key tool for meeting the ambition for our communities' prosperity and wellbeing as set out in Platforms for our Places (in particular, Platforms 1,2,3 and 5).

2.0 Specific Action Plans

- 2.1 Establish an up to date planning framework Worthing provide a clear platform for the future development of our places and the protection of key environmental assets. An adopted planning framework will also help to underpin a clear regulatory service for development management, help facilitate business growth and meet future housing and community needs.
- 2.2 The timetable for the progression of a new Local Plan is set out in the Council's revised Local Development Scheme - 2019 (Appendix B)

3.0 Sustainability Issues

- 3.1 The Government requires that all Development Plan Documents (including Local Plans) be subject to a formal sustainability appraisal. The Local Plan will aim to promote sustainable development.

4.0 Equality Issues

- 4.1 The Plan will be the subject of an Equalities Impact Assessment. It will aim to ensure that all groups have equal access to the spatial opportunities offered by the new Development Plan. For example, the provision of affordable housing and sustainable transport initiatives are key issues to be addressed through the new plan to help promote equal opportunities.

5.0 Community Safety Issues (Section 17)

- 5.1 The emerging Local Plan considers community safety issues and requires development to incorporate the principles of securing safety and reducing crime through design in order to create a safe and secure environment.

6.0 Human Rights Issues

- 6.1 Matter considered and no issues identified.

7.0 Reputation

- 7.1 The delivery of a new Local Plan will help to meet the spatial needs of the Borough and therefore have a positive impact on the reputation of the Council.

8.0 Consultations

- 8.1 As explained in this report, formal and informal stages of consultation with the public and all relevant stakeholders are integral to the development of a new Local Plan. As a minimum, consultation will be undertaken in line with the Joint Adur and Worthing Statement of Community Involvement. Council Members (particularly the Local Plan Working Group) will continue to be involved in the progression of the new Local Plan at all appropriate stages.

9.0 Risk Assessment

- 9.1 Failure to adopt a new Plan could impact on a number of this Council's priorities including economic and social regeneration. In addition, failure to get a new Development Plan in place in a timely manner may impact on local control when determining applications and increase the risk of speculative development proposals.

10.0 Health & Safety Issues

- 10.1 Matter considered and no issues identified

11.0 Procurement Strategy

- 11.1 Matter considered and no issues identified

12.0 Partnership Working

- 12.1 The Duty to Co-operate places a requirement on Local Planning Authorities to work with neighbouring authorities to address strategic issues. Work to address this need is on-going and will continue as the Plan is advanced.
- 12.2 Given that the Local Plan for Adur District Council has been recently adopted, officers will continue to use best practice to help guide the Worthing Local Plan. Where appropriate, evidence studies will be procured jointly with Adur DC and other neighbouring planning authorities.

**WORTHING
BOROUGH
COUNCIL**

**DRAFT
LOCAL PLAN
2016 - 2033**

REGULATION 18

MARCH 2019



**SUMMARY OF
REPRESENTATIONS REPORT**



**WORTHING BOROUGH
COUNCIL 41**

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SUMMARY OF REPRESENTATIONS

Introduction

This report summarises the representations received during the Draft Worthing Local Plan (Regulation 18) consultation. This summary is not designed to report on all comments made - the intention is that it draws out the key points and provides an early indication as to how, where relevant, they will be addressed as the Council prepares the Submission version of the Plan in the coming months. All responses to the consultation are available to view in full on the Council's website and as hard copies in the Council Offices (Portland House, Richmond Road, Worthing). This summary should be read in conjunction with the 'Consultation Report' which gives an overview of the consultation methods used. Where appropriate, the respondent's individual reference number is provided - these are either 'E' numbers (submitted using e-form) or 'M' numbers (submitted 'manually').

GENERAL COMMENTS

A number of representations made comments that covered multiple sections of the Plan. This included:

- Support for the inclusion of social issues and for the strong environmental focus
- Highlighting the needs of all sectors of society
- Concerns were raised about the plans to locate extra beach huts along the seafront. (It should be noted that this proposal is not included in the Draft Worthing Local Plan).
- Concerns were raised that the Plan period is not consistent with national policy.

Officer Response: *The plan period will need to be amended so that it extends to 15 years from date of adoption. An assessment of the implications of this change (for the Plan and supporting evidence) will be undertaken.*

PART I - INTRODUCTION

VISION & STRATEGIC OBJECTIVES

A number of representations supported the Vision and individual Strategic Objectives. In addition, specific comments were proposed to strengthen the Vision and additional Strategic Objectives.

Officer Response: *The Vision and Strategic Objectives will be largely retained as drafted but an assessment will be made to consider if minor amendments would help to strengthen these.*

PART 2 - SPATIAL STRATEGY

POLICY SP1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

One respondent argued that this policy is unnecessary and duplicates national policy.

Officer Response: *The inclusion of this policy helps to integrate the NPPF at the local level and local planning authorities are advised to include this within their Local Plan (as is the case within the recently adopted Adur Local Plan). Therefore, no significant change will be made.*

POLICY SP2 - SPATIAL STRATEGY

A variety of comments were made in relation to the proposed spatial strategy (many of which are also covered in other sections of the Plan). Whilst the very constrained nature of Worthing was broadly acknowledged several representations suggested the Council should be doing more to meet its housing need. In particular, several representations raised concerns that the focus/emphasis of this policy should be on maximising delivery to meet needs rather than its current focus on protection. Other key comments included:

- Support for the redevelopment of brownfield / urban sites
- Support for the overarching strategy and the protection of valued open spaces/landscape
- Some opposition to any greenfield development (particularly before all brownfield sites have been developed)
- Concerns raised about the impact of development on infrastructure including roads, car parks (due to loss from redevelopment), schools and health services.

Officer Response: *Given the lack of alternative options, the Spatial Strategy will remain largely unchanged. However, as explained elsewhere, further work will be undertaken to ensure that all opportunities that could help meet development needs are fully explored and optimised. An Infrastructure Delivery Plan is being progressed alongside the Local Plan to help ensure that infrastructure needs arising from new development are met.*

POLICY SP3 - DEVELOPMENT SITES

Comments submitted in relation to the proposed development sites are also addressed within SP2 (Spatial Strategy) above and within the sections relating to the individual sites below. In addition, the following more generic comments were made in relation to SP3:

- The Plan does not meet housing needs and that it should seek to reduce the shortfall as far as possible and identify how any shortfall will be met
- Arun District Council (M56) has objected due to the significant unmet need that is unresolved through the Plan. This is also highlighted by Horsham District Council (M69)

- Representations from neighbouring authorities highlighted the work being done under Duty to Cooperate and towards the preparation of Local Strategic Statement 3 (LSS3)
- Brighton & Hove City Council (M89) state that it would be helpful to clarify how much additional office and industrial floorspace will be delivered at Decoy Farm to meet the forecast needs
- Persimmon Homes (M102) - argue that Chatsmore Farm should be included as an allocation. They highlight the complexity applying to many of the allocated sites and that the housing contribution from the Areas of Change cannot be relied upon.

Officer Response: WBC will continue to work with authorities within the sub-region to assess how housing needs can be met. In particular, work will focus on the progression of LSS3. The Strategic Planning Board has recently agreed to sign up to a Statement of Common Ground that will commit the relevant authorities to the production and progression of LSS3 and the necessary background evidence.

POLICY SP4 - COUNTRYSIDE AND UNDEVELOPED COAST

Several respondents supported all, or part, of the policy. However, one representation argued that the blanket protection for countryside pockets outside the national park is not justified and that no particular need for countryside uses within Worthing has been demonstrated. Additional comments:

- Representations supported the protection of the natural coastline, its associated vistas and access to views
- 4 representations from organisations supported part f) of the policy relating to the setting of the South Downs National Park and the Designated International Dark Skies Reserve
- West Sussex Access Forum (E43) - Support of Criterion d) and e). The lack of multi-use PRow on Coastal Plain is widely accepted and improvements and enhancements would be beneficial.

Officer Response: Consideration will be given to all pockets of land located outside the proposed built up area boundary to ensure that their future use and designation is clarified.

POLICY SP5 - LOCAL GREEN GAPS

There was very strong support for this policy - 102 representations (including 7 organisations). Key reasons given in support were that the gaps provide an important break between development. They have multiple functions and have an important role for wildlife, biodiversity, landscape, health & wellbeing, recreation. The vast majority of representations on this policy were also linked to the proposed Local Green Space designation so this summary should be read in conjunction with policy SP6 below.

A much smaller number of representations question the policy approach:

- Review approach given the significant shortfall in housing (Horsham DC - M69)

- Policy is in effect creating a green belt which is not consistent with national policy (HBF - M79)
- Object to the Chatsmore Farm and Goring-Ferring Gap designations because of the Plan's significant housing shortfall (Persimmon Homes - M102).

Officer Response: *Although the Council acknowledges the significant levels of unmet housing need this does not automatically override the need to protect sensitive environments. The draft Plan explained the balance that had been struck and how this was supported by robust evidence. This will be further reviewed and, where appropriate, updated in light of the comments received during the consultation.*

POLICY SP6 - LOCAL GREEN SPACE

There was very strong support for this policy with 136 representations opposing development in these areas and / or supporting 'protection' of both the Goring gaps (and to a lesser extent Brooklands). Of these, 100 representations made specific reference to their support for policy SP6 (see also policy SP5 above).

Much like the comments received at Issues and Options stage, the key reasons given why the Goring sites should be protected from development include: impact on biodiversity, wildlife (birds) / the loss of land used for informal recreation that supports health and well-being / impact on landscape, views and setting of SDNP / the need to protect settlement pattern & avoid coalescence / loss of agricultural land / the need to protect undeveloped coast / historic associations / infrastructure concerns / flood risk / and the value of the Ilex Avenue bridleway.

- Ferring Conservation Group (E18) - in the revision of the Ferring Neighbourhood Plan we shall, be pressing for Local Green Space Designation on the southern gap land that lies within Arun
- SDNP Authority (M66) - the Chatsmore Farm site is of significant importance in maintaining the views from the SDNP of the coastal plain and for the separation of settlements. Proposed designation and justification in the supporting text is strongly supported
- Southern Water (M74) - Suggest boundary amendment to Policy Map to exclude a parcel of land at Brooklands that forms the northernmost tip of East Worthing Wastewater Treatment Works.

Although the vast majority of representations made in relation to this policy were supportive of the Council's proposed approach there were several that raised concerns, particularly relating to the proposed designations and the significant shortfall in housing. Importantly, these included representations submitted by the landowner(s):

- Persimmon Homes (M102) - designation of the privately owned Chatsmore Farm and Goring-Ferring Gap as LGS would be inappropriate and unduly restrictive given that the sites are extensive tracts of farmland and they do not have qualities which are demonstrably special. The approach is not consistent with that taken by Arun DC.
- Sylvatica Homes (M71) - land does not meet the requirements for LGS and the 2 acre parcel of land within the southern part of the site should be removed from this

designation. There are lots of options other than housing that could help tourism / regeneration.

- House Builders Federation (M79) - these are extensive tracts of land so their designation is inconsistent with paragraph 100 of the NPPF and should be deleted.

Officer Response: *Although the Council acknowledges the significant levels of unmet housing need this does not automatically override the need to protect sensitive environments. The draft Plan explained the balance that had been struck and how this was supported by robust evidence. This will be further reviewed and, where appropriate, updated in light of the comments received during the consultation.*

PART 3 - SITES

SITES - INTRODUCTION & DEVELOPMENT PRINCIPLES

A number of organisations made comments that related to all development opportunities. These included:

- West Sussex Access Forum (E43) - where appropriate, proposals for development should include NMU access and link to the wider access network
- WBC Sustainability (M110) - recommends specific requirements for town centre sites including climate change adaptation. Also suggest that allocations for decentralised energy are added
- Southern Water (M74) - where appropriate the reinforcement of the local sewerage network would be required to accommodate proposed development and easements. In addition, underground infrastructure may cross the site which will need to be taken into account
- Soctia Gas Networks Ltd (M147) - reinforcement of grid will be required in the medium term if gas is to play a major role in meeting the energy requirements of developments. Extent of improvements will become clear once a developer's request has been received
- Sussex Wildlife Trust (M86) - it is unclear what weight will be given to 'site requirements'. There is no requirement to integrate biodiversity within the development (para 175d of the NPPF). The policy should include the following wording:
 - This development should be informed by up to date ecological information
 - Biodiversity net gains and high quality Green Infrastructure should be achieved by any development on the site.

Officer Response: *Where appropriate, the development principles will be amended / strengthened.*

SITES - PROPOSED ALLOCATIONS

AI - CARAVAN CLUB

Five objections/concerns including 4 from organisations. Areas of concern include: loss of visitor accommodation; potential impact on Local Wildlife Site / ancient woodland / biodiversity / tranquility / SDNP / local highways.

Officer Response: *It is expected that the allocation will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received during the consultation.*

A2 - LAND WEST OF FULBECK AVENUE

Six objections / concerns from organisations. Natural England (M83) and Sussex Wildlife Trust (M86) note part of the site is a priority habitat which should be retained, that it forms a buffer to the SDNP and is functionally linked with the adjacent Local Wildlife Site. West Sussex County Council (M152) have raised concerns as to the suitability of this site for development due to the level of surface water flood risk and the role this site plays in reducing flood risk downstream. Other concerns: phasing and design re sewerage and underground infrastructure / impacts on Local Wildlife Site / biodiversity / increased traffic.

Officer Response: *It is acknowledged that the SFRA needs updating to provide a Level 1 assessment and Level 2 assessment for those sites that require the Exceptions Test. This will include those sites at risk from other sources of flooding and will also need to consider cumulative impact as required by the NPPF.*

A3 - UPPER BRIGHTON ROAD

Ten representations received (8 from organisations). Some concerns were raised relating to access arrangements and local congestion. Specific comments include:

- Historic England (M67) - should include a requirement to protect the setting of both the listed building and the conservation area
- Adur DC (M69) - request that careful attention is paid to avoidance of coalescence, landscape matters, transport movement and potential impact on the Sompting Village Conservation Area
- SDNP Authority (M66) - as site is visually sensitive in views from the SDNP the design of any development must be informed by the landscape character
- Persimmon Homes (102b) welcome and support the proposed allocation and envisage development implementation and completion within a 2-3 year timescale
- Strutt and Parker on behalf Sompting Estates (M87) - it is difficult to see from Figure 2 exactly where the boundary to A3 and the boundary to the Local Green Gap area lies. Boundaries should be adjusted to reflect the revised easement arrangements that have been agreed with Rampion. The easement strips will not be suitable for tree planting so reference to “a block of woodland planting within the eastern area” should be deleted.

Provision should be made for the maintenance and improvement of suitable agricultural access alongside the land use changes.

Officer Response: *Wording relating to the avoidance of coalescence and the need to protect heritage assets will be strengthened. Maps will be amended to clarify the boundary of the Local Green Gap and to revise the extent the required easement strip. It will also be clarified that the easement strip is not suitable for tree planting.*

A4 - DECOY FARM

Nine representations (8 from organisations) which were generally supportive about the proposed development. The following points were made:

- Careful regard needs to be had to potential impact of development on the Worthing - Sompting Local Green Gap and the proposed footpath / cycleway (Adur DC - M69)
- Specific amendments suggested relating to contaminated land and restoration of Teville Stream made by Environment Agency (M63)
- Wording suggestions made by WBC Sustainability (M110)
- Sompting Estate owns the land to the east that sits within the Local Green Gap and has declared its willingness to cooperate over the delivery of routes that improve access to the countryside.

Officer Response: *It is expected that the allocation will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received during the consultation.*

A5 - TEVILLE GATE

Seven representations (5 from organisations) were generally supportive of the regeneration of this site. Specific comments were made relating to: surface water flooding; contaminated land and remediation; biodiversity; alternative uses; and the potential impact on the setting of the Listed Grand Victorian Hotel and the original Worthing Railway Station.

Officer Response: *It is expected that the allocation will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received during the consultation.*

A6 - UNION PLACE

Six representations received (5 from organisations). Minor changes were suggested to help improve the sustainability of the development. One representation questioned the proposed mix of uses and the need for any additional retail.

- WBC Major Projects Team and & LCR (M80) request change to boundary to include surface car-park to west for subsequent phase of development. The indicative capacity

should be amended to 200 residential units and approximately 9,500 sqm retail/leisure. The policy should be revised to exclude reference to right of light and electricity sub-station

- Historic England (M67) revise to clearly identify the listed buildings facing this site.

Officer Response: *It is expected that the allocation will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received during the consultation. This is likely to include revisions to the site boundary and the indicative capacity.*

A7 - GRAFTON

Five representations received (4 from organisations). One representation raised concern about loss of parking and the bowling alley. Another highlighted the sensitive setting of the site and the potential impact on the seafront.

- Environment Agency (M63) state that the criteria should specify the need for a site specific flood risk assessment prior to the site being developed
- Southern Water (M74) require site layout to allow 15m gap between pumping station and sensitive development (e.g. housing) if relocation of infrastructure is not feasible.

Officer Response: *It is expected that the allocation will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received during the consultation. It is acknowledged that the SFRA needs updating to provide a Level 1 assessment and Level 2 assessment for those sites that require the Exceptions Test.*

A8 - CIVIC CENTRE CAR PARK

Four representations received (3 from organisations). Whilst one representation raised concerns about the loss of parking the others were generally supportive:

- Historic England (M67) suggest that the neighbouring listed buildings should be highlighted
- WSCC have made reference to the library in that the road access to the car park provides access to the rear of the library for deliveries.

Officer Response: *It is expected that the allocation will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received during the consultation.*

SITES - PROPOSED AREAS OF CHANGE

AOCI - CENTENARY HOUSE

Southern Water highlights that reinforcement of local sewerage network and easement strips would be required. Underground infrastructure crosses the site which needs to be taken into account.

Officer Response: *It is expected that the development principles will remain largely unchanged but, where appropriate, minor amendments may be made in line with some of the comments received from Southern Water. It is hoped that in the coming months greater delivery certainty will be achieved which will allow for this site to become an allocation rather than an Area of Change.*

AOC2 - BRITISH GAS SITE, LYNDHURST ROAD

Only two representations were made in relation to this site:

- Environment Agency (M63) - Support the redevelopment of the site but consideration needs to be given to the surface water drainage scheme
- Carter Jonas on behalf of Southern Gas Networks (M81) - support the approach being taken by the Council which will optimise the development potential of this current site.

Officer Response: *It is expected that the development principles will remain largely unchanged. It is hoped that in the coming months greater delivery certainty will be achieved which will allow this site to become an allocation rather than an Area of Change.*

AOC3 - STAGECOACH SITE, MARINE PARADE

Only 4 representations made specific points relating to this site:

- Environment Agency (M63) - need clear criteria as to the requirements that would need to be met prior to the site being developed i.e. site specific flood risk assessment
- Southern Water (M74) - take account of underground infrastructure that crosses the site
- Historic England (M67) - amend requirements to recognise the proactive conservation and enhancement of adjacent heritage assets (their significance and setting)
- Worthing Society (M78) - redevelopment could allow for the reopening of Library Place which is an historic right of way. Consider extending site boundary to encompass the parking areas on the east side of Bedford Row to reinstate the historic garden area.

Officer Response: *It is acknowledged that the SFRA needs updating to provide a Level 1 assessment and Level 2 assessment for those sites that require the Exceptions Test. It is expected that the AOC will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received during the consultation.*

AOC4 - WORTHING LEISURE CENTRE

Six representations were submitted that were generally supportive of the redevelopment of the site and the delivery of a new leisure centre (some supported provision of new pool). However, several representations raised concerns relating to: the impact on local congestion; access arrangements; provision of infrastructure; loss of open space / playing fields / running track; and ensuring adequate parking provision. Comments were also received suggesting that there should be a cohesive plan for all sites in this area and that development should not have a negative impact on neighbouring occupiers.

Officer Response: *The Council is also updating its Sport, leisure and Open Space Study and is soon to appoint a master-planner to develop a range of options for how the site could be developed, to include leisure use, public open space and housing. Greater delivery certainty will be provided following the development of a full feasibility assessment, options appraisal and business case and it is hoped that the site may become an allocation in the next version of the Plan.*

AOC5 - HMRC OFFICES, BARRINGTON ROAD

Several representations support the redevelopment of this site but others raised concern about increased congestion and the provision of supporting infrastructure. The need to protect existing residents from the potential impacts of development was also raised. There were calls made for integration between the key development sites in local area.

- Monagu Evans LLP on behalf of Mapeley STEPS Ltd (M85) - expect that as more certainty is established that AOC5 will transfer into an allocation. Fully support the allocation of this site for residential development for 261 dwellings plus 146 retirement flats. Proposes that the employment allocation (western portion) is widened to incorporate a range of employment uses
- EM Goring Ltd, SGN & Mapeley STEPs Ltd (M99) - 3 parties are exploring a solution to maximise potential of AOC5 and AOC6 and increase the quantum of residential use whilst also assisting in bringing forward a significant level of employment land.

Officer Response: *The Council will continue to work with all interested parties to maximise the redevelopment of this (and adjoining sites) to bring forward the appropriate mix of residential and employment uses. Positive discussions with all interested parties are continuing and it is hoped that enough delivery certainty (particularly for the employment uses) can be provided in the coming months to allow for this and adjoining sites to be allocated within the Submission version of the Plan.*

AOC6 - MARTLETS WAY

A couple of representations support the redevelopment of this site but others raised concern about increased congestion and the provision of supporting infrastructure. The need to protect existing residents from the potential impacts of development was also raised. There were calls made for integration between the key development sites in local area.

- Carter Jonas for and on behalf of Southern Gas Networks (SGN = landowners of the former gasholder) (M81a) - support some of the requirements but policy is unsound the

identified indicative capacity of development does not include residential development, and the level of employment floorspace is too high. Amended policy to make clear that employment generating uses, beyond those falling in B Class uses will be supported

- Rapleys for EM Goring Ltd (M96) - To maximise development potential Rapleys are in active discussions with SGN (and the promoter of the HMRC site) in the interest bringing forward the two (or three) sites as a comprehensive development or as part of a phased set of proposals. Employment floorspace is only viable with residential development to support it. Supports some development requirements but, as drafted, policy is unsound as it does not include residential development and the level of employment floorspace is too high. Policy should also be amended to make clear that employment uses, beyond those falling in B Class uses will be supported
- EM Goring Ltd, SGN & Mapeley STEPs Ltd (M99) - 3 parties are exploring a solution to maximise potential of AOC5 and AOC6 and increase the quantum of residential use whilst also assisting in bringing forward a significant level of employment land.

Officer Response: *The Council will continue to work with all interested parties to maximise the redevelopment of this (and adjoining sites) to bring forward the appropriate mix of residential and employment uses. Positive discussions with all interested parties are continuing and it is hoped that enough delivery certainty (particularly for the employment uses) can be provided in the coming months to allow for this and adjoining sites to be allocated within the Submission version of the Plan.*

SITES - OMISSION SITES

OSI - LAND EAST OF TITNORE LANE

Nine representations (including 5 organisations) supporting the site being omitted from designation. Some of these respondents also supported the proposed amendment that would remove this site from within the existing built up area boundary. Key concerns raised primarily relate to environmental sensitivities including impact on: ancient woodland; wildlife; local highways; flooding; and the setting of National Park. In particular, Natural England (M83) raised concern that development would affect a Local Wildlife Site / priority habitat and that impacts to ancient woodland should also be avoided in line with the requirements of the NPPF.

The site promoter has submitted evidence to demonstrate how the identified constraints can be overcome. A revised illustrative masterplan shows the number of dwelling from 126 to 73 whilst retaining the previously proposed access point onto Titnore Lane. They would object to the site being deleted from the Built up Area Boundary given that there is an acknowledged housing need.

Officer Response: *In liaison with key partners (WSCC, Natural England, SDNP etc) consideration will be given to the evidence submitted by the site promoter to assess whether the identified constraints could be overcome. Depending on this assessment the site will either be taken forward as an allocation or removed from the next version of the Plan.*

OS2 - LAND NORTH OF BEECHES AVENUE

Three representations support the site being omitted from designation. Concerns raised include impact on the setting of the National Park; local access arrangements and congestion on the A27.

The site promoter argues that the site should be allocated for residential development as the identified constraints can be overcome and that 90 dwellings could be delivered early in the Plan period. A suitable access road can be created to the Beeches Avenue site from Lyons Way across the car parking area within the football club site (OS3).

Officer Response: *In liaison with key partners (WSCC, Highways England, SDNP and Worthing Utd FC etc) consideration will be given to the evidence submitted by the site promoter to assess whether the identified constraints could be overcome. Depending on this assessment the site will either be taken forward as an allocation or removed from the next version of the Plan.*

OS3 - WORTHING UNITED FOOTBALL CLUB

Nine representations argued that it would be unacceptable to develop this site, primarily due to the loss of a sports / community facility. This included a representation made on behalf of Worthing United FC (E56). Other concerns raised were: local access; congestion on the A27; impact on South Downs National Park; and impact on motor cycling training centre.

The promoters of the site (M94) state that the site should be allocated for development and that the identified constraints can be overcome. The lease for this site does not give long-term security for football use, nor is the site of adequate quality or size for the club to realise its ambitions. It is recognised that this site might come forward later the plan period to allow for appropriate arrangements for sports and recreation provision to be made in the town. In this regard, the representation states that part of the site could initially provide access to Beeches Ave without compromising use of the Football Ground.

Officer Response: *In liaison with key partners (WSCC, Highways England, SDNP and Worthing Utd FC etc) consideration will be given to the evidence submitted by the site promoter to assess whether the identified constraints could be overcome. The Council is also updating its Sport, leisure and Open Space Study. Depending on this assessment the site will either be taken forward as an allocation or removed from the next version of the Plan.*

PART 4 - CORE POLICIES

CORE POLICIES - HOMES AND NEIGHBOURHOODS

CPI - HOUSING MIX AND QUALITY

12 representations were made in relation to CPI. Some of which are broadly supportive recognising the Council's approach to housing need for the disabled and an ageing population. Other general comments include concern about second home ownership and a glut of retirement flats on the market:

- Turning Tides (E63) states that the Plan should better reflect the needs of single people and suggests that the provision of studio flats would in part help meet this need
- Retirement Housing Consortium (M75) - Policy is encouraging but consider that the best approach is one that encourages both the delivery of specialist forms of accommodation such as sheltered / retirement housing and extra care accommodation and a separate requirement for homes to be built to a standard that is suitable for the elderly
- House Builders Federation (M79) and three other representations comments that the Policy does not cover sufficient flexibility and that there is insufficient evidence to support the requirement for all homes to be built to Part M4(2) and 10% to M4(3).

Officer Response: *Further work will be undertaken to better understand up-to-date housing needs - particularly how best the needs of an aging population will be met. In addition, evidence will be put in place to assess whether the proposed accessibility standards can be justified.*

CP2 - DENSITY

14 representations were made in relation to Policy CP2. Three representations support the policy. The others make specific comments or have requested clarification / suggested amendments to be made:

- Minimum densities proposed are not high enough given the overwhelming need for housing
- 2 reps (including Mid Sussex District Council - M59) suggest that higher densities could be achieved, particularly in sustainable locations with good or excellent accessibility
- Concern that higher densities will place added impacts on infrastructure
- Turning Tides (E63) and one other representation suggest that the policy is amended to provide flexibility for 'transition housing' for studio flats with a space standard minimum of 28m².
- One representation (M91) considers that the policy is unsound as it has not been justified. No evidence has been provided in relation to the need for such internal space standards.
- Another similar representation (M103) comments that a revised version of this policy should instead seek to protect against particularly low - quality developments whilst still providing flexibility for increased provision and more intuitive higher density solutions.

Officer Response - Further work is being undertaken to assess the urban fabric of Worthing and opportunities to increase the density of new development - this may influence the minimum density standards to be taken forward in the next version of the Plan. Working with key stakeholders, the Council will also review evidence that supports the proposed space standards - in particular, this will include consideration of smaller dwellings / studio flats and whether more flexibility could be justified.

CP3 - AFFORDABLE HOUSING

10 representations that made a variety of comments were received in response to Policy CP3:

- Policy should refer to net increases in residential units not gross
- Council should be an affordable housing provider
- Needs to have more sites for affordable and social housing
- Policy needs to be tightened to ensure affordable housing is delivered
- Retirement Housing Consortium (M75) - policy is contrary to the NPPF as the Council has not considered the economic viability of development to inform the targets set
- House Builders Federation (M79) there is no up to date viability evidence to support the approach to affordable housing set out in this policy and Part d) should be deleted.

Officer Response - Working with affordable housing providers and the Council's Housing Team, the policy will be reviewed to respond to the latest guidance and evidence. In addition, a 'Whole Plan Viability Assessment' will be undertaken which will assess the economic viability of the proposed policy approach.

CP4 - GYPSY AND TRAVELLERS AND TRAVELLING SHOWPEOPLE

Two representations were received. The Environment Agency (M63) supports the Policy. The other representation asked for clarification on whether Gypsies, Travellers and Travelling Showpeople were consulted on the Policy.

Officer Response: The national Federation of Gypsy Liaison Groups was consulted on the Draft Local Plan. The Council is updating its Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment where Gypsies, Travellers and Travelling Showpeople and relevant organisations were contacted as part of the field work survey. It is expected that this update will be published in the spring.

CP5 - QUALITY OF THE BUILT ENVIRONMENT

9 representations were received in response to Policy CP5. 5 representations, including The Worthing Society (M78), Natural England (M83) and Brighton and Hove City Council (M89) broadly support the principle and aims of the policy.

- Historic England (M67) - disappointed that the policy makes no requirements to the conservation, enhancement and promotion of enjoyment of heritage assets
- Natural England (M83) and Sussex Wildlife Trust (M86) suggest text amendments. Other

general comments include:

Officer Response: *It is expected that the policy and supporting text will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received.*

CP6 - PUBLIC REALM

General support regarding the principle of Policy. Other comments / suggested amendments include:

- Need to ensure that areas are accessible and appropriate for all ages and abilities
- Criterion e) - not clear why the last sentence singles out illumination for special consideration. Delete last sentence as it is entirely unnecessary
- Support for speed reductions and traffic calming
- Improvements should not drive away visitors arriving by bus and coach to the seafront.

Officer Response: *It is expected that the policy and supporting text will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received.*

CORE POLICIES - SUSTAINABLE COMMUNITIES

CP7 - HEALTHY COMMUNITIES

Natural England (M83), Sussex Wildlife Trust (M86) and Horsham DC (M76) submitted comments in support of CP7. Additional amendments have been suggested to strengthen / clarify the Policy.

- Clarify what the Health Impact Assessment will require
- Reference noise and air quality
- Greater reference needs to be made to the positive benefits associated with food growing
- Importance of informal recreation is underestimated.

Officer Response: *It is expected that the policy and supporting text will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received.*

CP8 - OPEN SPACE, RECREATION AND LEISURE

Representations support the general principles of CP8. Suggested amendments have been made to strengthen the Policy:

- Need to consider access to open space etc for those people who have limited mobility / disabled
- Goring Residents Association (M28) request that the Plan specifically recognises the Goring Greensward's Village Green status with its associated legal protection
- Reference Public Rights of Way and Equestrian routes and the need for connections to be made to new development
- Clarification is required for CIL exemptions for Retirement Housing
- Clarification reference to site contributions when open space is currently listed on Reg 123 List
- Ensure a net gain of open space where existing open space is lost through development
- Worthing Society (M78) - parks and sports facilities are not as safe as they should be.

Officer Response: *It is expected that the policy and supporting text will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received. Points relating to CIL will be clarified and reference will be made to the Greensward's Village Green status. The Council is also updating its Sport, leisure and Open Space Study and this will inform the policy wording.*

CP9 - PLANNING FOR SUSTAINABLE COMMUNITIES / COMMUNITY FACILITIES

General comments have been made which include:

- Policy states the Council will seek planning obligations to secure new and improved community facilities and services but this is addressed through CIL payments. This needs clarifying
- Highlight need to education infrastructure and day centres to support the elderly
- Worthing Hospital needs more car parking provision.

Officer Response: *It is expected that the policy and supporting text will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received - this will include clarification relating to the use of CIL.*

CP10 - DELIVERING INFRASTRUCTURE

Policy is supported by a number of organisations including Southern Water (M74), Sussex Wildlife Trust (M86), Natural England (M83) and Goring and Ilex Conservation Group (E61). In addition, general comments have been made regarding the need for infrastructure to be put in place to support new development. Amendments requested to address CIL discretionary relief and provision for EV Charging.

Officer Response: *It is expected that the policy and supporting text will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received.*

CORE POLICIES - LOCAL ECONOMY

CP11 - ECONOMIC GROWTH AND SKILLS

- Brighton and Hove City Council (M89) support Town Centre first approach to new office space and safeguarding existing employment areas
- Plan should recognise the strong engineering, manufacturing and pharmaceutical presence. Opportunities for creating an enterprise hub for a developing technology cluster
- One representation was received stating that the Plan is not clear how or why new development should address local skills shortages. Requirement (criterion x) is considered not to be necessary to make the development acceptable and thus does not meet the CIL Regulations 2010.

Officer Response: *Criterion x that relates to skills will be reassessed in light on the comments received.*

CP12 - PROTECTING AND ENHANCING EXISTING EMPLOYMENT SITES

No representations were received pertaining to this Policy - as such, it is expected that this policy will remain largely unchanged. However, this will be informed by an update to the Council's economic / employment evidence which, alongside other evidence being progressed (e.g. the Open Space and leisure facilities study) will help to inform the employment uses / areas that may be protected and where a greater degree of flexibility may be acceptable.

CP13 - THE VISITOR ECONOMY

In general, the Policy is welcomed however the Worthing Society (M78) have said that more needs to be done to maximise the potential of Worthing's historic character, leisure and culture assets, watersports and seafront. It is suggested that there is a dedicated tourist office in a highly visible seafront location. Another comment has stated that Beach huts should be located behind the promenade as views of the sea are currently obstructed by the beach huts whilst walking along the prom.

Officer Response: It is expected that the policy and supporting text will remain largely unchanged but the comments made by the Worthing Society may result in minor changes being made to the wording.

CP14 - RETAIL

Comments were generally supportive. However, some respondents felt that the Policy needed to ensure that the town centre retail units have sufficient flexibility in terms of use class to respond to demand. One suggestion was that the Montague shopping Centre should be removed from Primary Zone A and reclassified as Zone B as the classification is considered to be too restrictive. Other comments include:

- Need for more 'anchor' shops
- Concerns about the high number cafes and coffee shops
- Goring and Ilex Conservation Group (E61) have commented that District and Local Centres should provide a variety of uses / retailers
- Questions have been raised whether it is appropriate to allow more retail within development opportunities (i.e. Teville Gate) given that the current economic / retail climate.

Officer Response - it is acknowledged that the retail sector is going through significant change and that this is likely to have implications for all areas, particularly the town centre. Whilst the evidence put in place to support the draft Local Plan strongly supported the policy position established in CP14 it is accepted that this needs to be updated to reflect more recent changes in guidance, the retail market and wider aspirations for the town centre. The proposed policy position will be reconsidered to assess whether a greater degree of flexibility within the retail hierarchy would be beneficial.

CORE POLICIES - HISTORIC ENVIRONMENT

CP15 - A STRATEGIC APPROACH TO THE HISTORIC ENVIRONMENT

Historic England (M67) welcome CP15 and CP16 and broadly support their wording. However, they suggest that Policy CP15 is refined and relocated to Part 2 Spatial Strategy. Other comments include:

- Worthing Society (M78) welcome policy but suggest areas that could be strengthened
- One representation states that CP15 is a set of objectives rather than a policy.

Officer Response: Officers will continue to work with heritage colleagues and partners, and with Council Members, to arrive at a strong strategic approach to the historic environment which can be implemented. In line with the suggestion made by Historic England consideration will be given to moving CP15 to Part 2.

CP16 - THE HISTORIC ENVIRONMENT

Historic England (M67) welcomes the inclusion of CP16 but suggests that title of Policy is amended to 'Development Affecting the Historic Environment'. Other comments include:

- Policy is too long and duplicates national policy
- Worthing Society (M78) suggest amendments to strengthen Policy
- Protect Conservation Areas and key cultural centres / buildings and parks.

Officer Response: Officers will continue to work with heritage colleagues and partners, and with Council Members, to arrive at a strong development management approach to the historic environment which can be implemented. The policy will be renamed in line with the suggestion made by Historic England.

CORE POLICIES - ENVIRONMENT AND CLIMATE CHANGE

CP17 - SUSTAINABLE DESIGN

7 representations support this policy including the Environment Agency (M63), Southern Water (M74), Natural England (M83) and WBC Sustainability (M110). Other comments include:

- One representation considers that the policy introduces significant additional requirements on new development that has not been justified and that this will constrain housing delivery
- WBC Sustainability suggests some detailed amendments to help strengthen policy further.

Officer Response: It is expected that the policy and supporting text will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received. A 'Whole Plan Viability Assessment' will be undertaken which will assess the economic viability of the proposed policy approach.

CP18 - ENERGY

A few amendments have been suggested to further strengthen the Policy. In addition:

- Natural England (M83) have stated that proposals for wind energy developments should be required to consider their visual impact on the South Downs National Park
- Scotia Gas Networks (M147) has suggested that developments include renewable technologies, especially those related to the production of biomethane.

Officer Response: It is expected that the policy and supporting text will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received.

CP19 - BIODIVERSITY

6 representations support the key aims of CP19. Other comments include:

- CPRE (M92), Sussex Ornithological Society (M109) and WBC Sustainability suggest amendments to strengthen policy
- EA (M63) suggest amendment to ensure that primary intention is that harm would be avoided
- Natural England (M83) suggest a requirements to address coastal squeeze and that contributing to environmental net gains should not be restricted to major development
- Sussex Wildlife Trust (M86) supports the suggestion of an increase in woodland cover in appropriate locations. Suggests modifications to ensure policy reflects the ethos of NPPF 2018
- SWT and Sussex Ornithological Society suggest change to text of policy which would require some biodiversity assets to be mapped that are not currently mapped (e.g. wildlife corridors)
- Concern that the exceptions in the mitigation hierarchy gives too much leeway for developers.

Officer Response: *It is expected that the policy and supporting text will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received and in response to any relevant changes in guidance.*

CP20 - GREEN INFRASTRUCTURE

6 representations support CP20. Comments include:

- Sussex Wildlife Trust (M86) recommend the Green Infrastructure Plan is strongly embedded in the Local Plan and associated documents such as the Infrastructure Development Plan
- Refer to the benefits of food growing
- 'Network' should include reference to public rights of way as green corridors
- Worthing Society (M78) recognise that green spaces are an important amenity and social benefit
- Sussex Ornithological Society (M109) states that any future strategy should integrate policy initiatives by the South Downs National Park and adjoining Local Authorities.

Officer Response: *It is expected that the policy and supporting text will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received.*

CP21 - FLOOD RISK & SUSTAINABLE DRAINAGE

There is general support for this policy but a number of specific comments have been made:

- Environment Agency (M63) policy should refer to the need for sites to meet the sequential test and ensure that development be directed away from the areas at the highest risk of flooding. Supporting text should be amended to reference the Sequential and Exceptions Test document
- Major developments should be required to renovate drainage systems with more suitable SUDs
- Policy needs to be clear that WSCC SUDS requirements only apply to sites that are being comprehensively redeveloped (para 163 of the NPPF)
- Requirement for flood risk assessments on applications in flood zones 2 and 3 is excessive and should only apply to developments where there is likely to be significant flood risk implications
- Where proposals in do not propose increases in floorspace at ground floor level the requirement to provide a comprehensive flood risk assessment should be applied pragmatically.

Officer Response: *It is expected that the policy and supporting text will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received. It is acknowledged that the SFRA needs updating to provide a Level 1 assessment and Level 2 assessment for those sites that require the Exceptions Test. This will include updates to information on other sources of flooding including surface water flooding, new climate change allowances and will also need to consider cumulative impact as required by the NPPF. The recommendations of this will inform the wording of this policy.*

CP22 - WATER QUALITY & PROTECTION

Environment Agency (M63) and Southern Water support this Policy. Other comments include:

- Environment Agency recommends that it should be noted that in some instances further assessments would be required (bullet c)
- Natural England and WBC Sustainability have suggested some amended wording to the text
- Para 4.270 - as of November 2018, the bathing water was classified as sufficient.

Officer Response: *It is expected that the policy and supporting text will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received.*

CP23 - POLLUTION

Environment Agency (M63) and Sussex Wildlife Trust (M86) support the Policy. Other comments include:

- Consider orientation of buildings in reducing impact of pollution
- Incorporate light pollution with regards to International Dark Skies Reserve
- Refer to the latest Noise Action Plan (rather than a dated version)
- Recommend requiring developers to have regards to the 'Planning Noise Advice Document - Sussex' before submitting planning applications where noise will have to be considered
- "Air Quality and Emissions Mitigation Guidance for Sussex' should be incorporated into a SPD.

Officer Response: *It is expected that the policy and supporting text will remain largely unchanged but, where appropriate, minor amendments will be made in line with some of the comments received.*

CORE POLICIES - CONNECTIVITY

CP24 - TRANSPORT AND CONNECTIVITY

27 representations were submitted in response to Policy CP24. In general, concern was raised about the levels of congestion and capacity of infrastructure to cope with growth. A number of comments support and encourage a shift towards sustainable transport / active travel modes. In particular, these include:

- Prioritise and improve cycle paths and walkways
- Concern about air quality
- Support for a Park and Ride scheme
- Liaison with WSCC and service providers to improve public transport
- Include policies to support walking to school and a public transport system for school children
- Support the provision of Electric Vehicle Charging points
- Deliver safe crossings over the A27 to improve access and provide a network of off-road multi-use PRow routes (2 representations including The British Horse Society M100)
- West Sussex County Council (M152) - policy would benefit from strengthening for road safety

- Sustrans (M108) - policy has no sense of urgency; no measurable targets; and insufficient detail to turn an aspiration into a coherent plan. Suggest a move away from the 'predict and provide' approach and provide specific commitments to support the NPPF objectives to prioritise walking and cycling. Conclusion is vague and at odds with the WS Local Transport Plan and does not recognise the importance of the emerging Road Space Audit.

Highways England (M111) has expressed their concern that the Transport Assessment does not address their concerns with regard to the cumulative impacts of the strategic allocations presented in the Plan. Have requested further information.

Officer Response: Consideration will be given to how the policy and supporting text can be strengthened to promote sustainable modes and address road safety. Further work is currently being undertaken to address the concerns relating the Transport Assessment raised by Highways England.

CP25 - DIGITAL INFRASTRUCTURE

2 representations were received in response to Policy CP25. Sussex Wildlife Trust (M86) proposes a modification. West Sussex County Council (M152) supports para 4.301 and recommends that the that the policy specifically references gigabit-capable full fibre infrastructure in order to provide future proofed broadband services and to support the delivery of 4G and 5G mobile technology.

Officer Response: It is expected that the policy and supporting text will remain largely unchanged but, consideration will be given to the suggested reference to gigabit-capable full fibre infrastructure.

SUSTAINABILITY APPRAISAL

As part of the consultation on the DLP comments were also invited on the associated Sustainability Appraisal (SA). Only one representation (Lewis and Co Planning - M103) made specific points:

- Not clear why the SA has rejected a need led approach to housing - this is contrary to NPPF
- SA has not undertaken any assessment of the impacts of not meeting these needs.
- Conclusion of SA under Housing Mix and Quality places further requirements on housing developers without understanding the viability impacts or potential impacts on delivery rates
- All reasonable alternative options have not been fully explored. A proactive approach to increasing densities needs to be considered and assessed through the SA.

Officer Response: The SA Report will be updated to accompany the next stage of the Plan. This will include appraisals of further options identified through this consultation and as a result of new evidence produced.

SHLAA / CALL FOR SITES

Given the very constrained nature of the Borough, the Council has published a comprehensive Strategic Housing Land Availability Assessment (SHLAA). To support this process, at all appropriate stages (including during this consultation), the Council has published a 'call for sites' when landowners and developers are encouraged to put forward any realistic development opportunities for consideration. As set out below, only 3 'new' sites were put forward at this stage:

- Indigo Planning for New River Retail (M106) - review SHLAA methodology to consider a greater number of potential sites - to include consideration of the Montague Shopping Centre
- Indigo Planning for Beales (M93) - promote site 19-23 and 35-39 South Street and 5 - 13 Liverpool Buildings, Liverpool Road (Beales) for inclusion in SHLAA and the Local Plan
- Henry Adams for WSCC (M112) - Promoting a WSCC owned site. Site was previously assessed and rejected through the SHLAA (WB15011) due to its size but the representation considers that the site could accommodate more than 6 units.

Officer Response: *Promoted sites will be given careful consideration as the SHLAA is reviewed/updated.*

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Worthing Borough Council
Planning Policy
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WORTHING BOROUGH
COUNCIL

**WORTHING
BOROUGH
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**WORTHING
LOCAL
DEVELOPMENT
SCHEME**

MARCH 2019



**WORTHING BOROUGH
COUNCIL 69**

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I Introduction

- 1.1 Local planning authorities are required to prepare a Local Development Scheme (LDS). The LDS is a public 'project plan', or in other terms, a timetable identifying which planning policy documents will be produced and when. It establishes a three year work programme that allows stakeholders to understand the current and proposed planning policy framework for the area and the associated resource implications. This version of the LDS, when adopted, will cover the period 2019-2021 and will supersede the previous version published by the Council in 2017.
- 1.2 Changes to the planning system at the national level, with the revised National Planning Policy Framework (NPPF) being published in 2018, have had significant implications for the work programme for preparing a new Local Plan for Worthing. This LDS sets out an up-to-date work programme for the production of the Worthing Local Plan, including key milestones and information on when people will have an opportunity to be involved in the process.

2 What is the current Development Plan?

- 2.1 At the time of publishing this LDS the Development Plan for Worthing consists of:
 - Worthing Core Strategy 2011
 - Saved policies from the Worthing Local Plan 2003 (see appendix 6 of the Core Strategy)
- 2.2 West Sussex County Council is the Minerals and Waste local planning authority and the policy framework for these matters is contained in:
 - West Sussex Joint Minerals Local Plan – 2018 (WSCC & South Downs National Park Authority)
 - West Sussex Waste Local Plan – 2014
- 2.3 In addition to the above, the Council has published a number of non-statutory planning guidance documents which have been produced to support planning policies. These will continue to be material planning considerations as long as the principles are in general conformity with national policy (see paragraph 6.3).

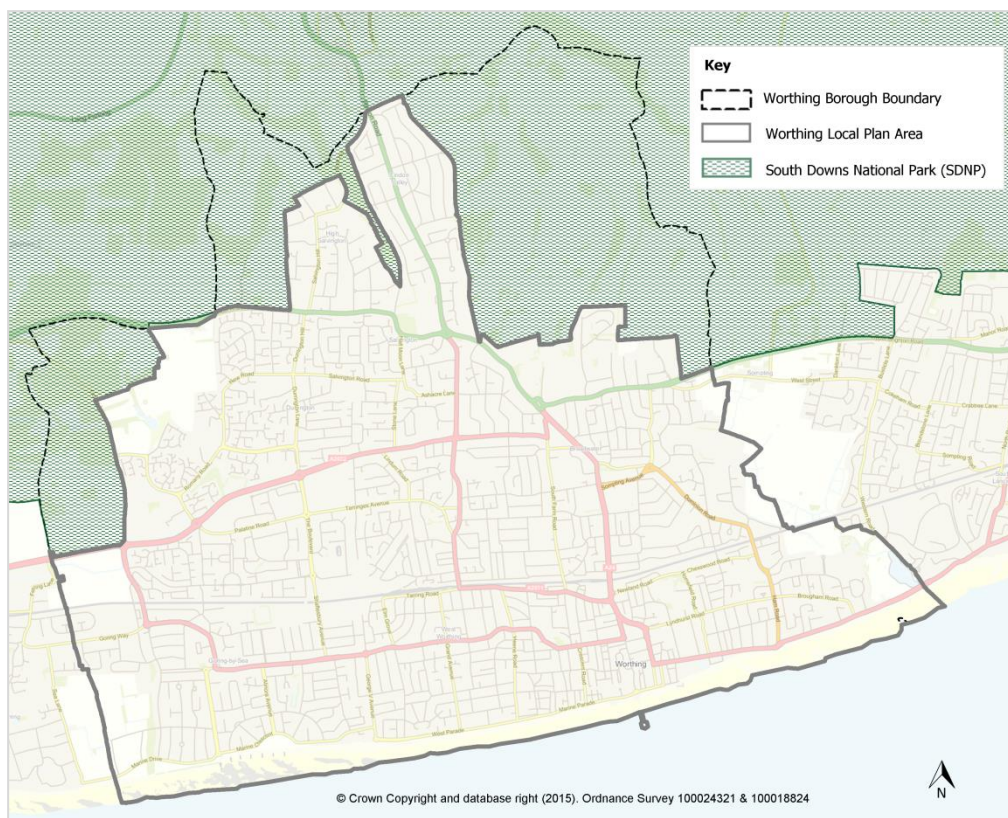
3 The New Local Plan

- 3.1 The Council adopted its Core Strategy in 2011. Following on from this, the Council established a work programme to support and deliver the Vision, Strategic Objectives and policies that had been established. A number of documents to support these aims were put in place. However, in response to changes to the planning system, the Council committed to a review of the Core Strategy and thus the preparation of a new Local Plan for Worthing.
- 3.2 The process of preparing a new Local Plan is made up of a number of specific stages. The first stage of consultation, the 'Issues and Options' stage was undertaken in 2016 when the Council sought views on how Worthing should grow and develop. The responses received helped to inform the drafting of the next version of the draft Plan (Regulation 18 -

Preferred Approach) which was subject to public consultation between October and December 2018. This consultation identified the need for additional evidence work to be carried out.

- 3.3 The new Worthing Local Plan, when adopted, will become the primary basis upon which all planning decisions are made in the Borough. It will contain Development Management policies and site allocations for a range of uses including housing and employment. Whilst the Worthing Local Plan is the only Development Plan Document programmed within this LDS other areas work will be progressed by the Planning Policy Team (see section 6).
- 3.4 As reported below, good work has been made on the progression of the new Local Plan and most of the steps and targets set out in the previous version of the LDS have been met. However, to allow adequate time for further evidence gathering and stages of consultation the timetable for Local Plan progression has been extended. This is reflected within the table at the end of this document.
- 3.5 The Local Plan will cover Worthing Borough excluding the area within the South Downs National Park (see map below). The South Downs National Park Authority is the local planning authority for the South Downs National Park area.

Area to be covered by the Worthing Local Plan



4 The Plan Making Process

- 4.1 The process of preparing and adopting Development Plans is set out in the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012 and Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017. A summary of this process is set out below and then incorporated within the work programme. It is recommended that the LDS is read in conjunction with the Councils' emerging Joint Statement of Community Involvement (2019) which sets out the statutory process and consultation methods that the Councils must undertake when preparing new Local Plans.

Evidence

- 4.2 Plans must be prepared within the context of national policy. They should be in accordance with this unless strong local evidence indicates that variation from this would provide better outcomes in the specific local context. As reported within the Council's Annual Monitoring Report a number of background studies have been published (or are being progressed) to ensure that the evidence base is up-to-date.
- 4.3 A key part of the evidence base is the sustainability appraisal. The appraisal is a systematic, iterative process, integrated into each phase of Plan production to ensure that the Plan proposes the most sustainable pattern of future development possible.
- 4.4 A statutory Duty to Co-operate has formalised working arrangements between Councils and service providers. This ensures partners are fully engaged in the plan preparation process. Work to address the requirements of the Duty to Co-operate will continue and is reported within the Annual Monitoring Report and the Interim Duty to Co-operate statement.

Public Participation and Engagement

- 4.5 Community involvement is a key component in shaping the content of the Local Plan. This is an iterative process involving several rounds of engagement in addition to ongoing discussions with interested parties. Public participation is guided by the Councils' Statement of Community Involvement and the scale and nature of community involvement will vary according to the stage reached.
- 4.6 Planning regulations encourage extensive early public participation in the preparation of the Local Plan. In response to this, the Council launched the review in 2015 to explain the context of this work and encourage all interested parties to participate in the development of the Plan. Subsequently, an Issues and Options consultation was undertaken in summer 2016. This consultation identified the challenges facing the borough and the options that could help address them. The Council asked for views on how best to balance growth and regeneration across the borough to meet future needs whilst at the same time protecting the things that are valued about the town. Comments received during the Issues & Options consultation helped to inform the drafting of the Regulation 18 Local Plan which sets out the Council's preferred options. This document was recently the subject of public consultation between October – December 2018.

Submission and Examination

- 4.7 Informed by relevant up-to-date evidence and the responses made on the draft Plan, the Council will prepare the Local Plan for formal publication (expected in 2020). Once published, representations will be invited on issues of soundness and legal compliance. The Council can make limited, minor amendments to the published document at this stage before submitting it (and the representations made) to the Secretary of State and the Planning Inspectorate.
- 4.8 Once the Local Plan, its sustainability appraisal and all other supporting documentation have been submitted they will be examined by an independent Inspector. The Inspector is charged with examining whether the document complies with legislation; the duty to co-operate has been met; and whether the proposed plan is sound. If found to be 'sound' the Council can then adopt the Local Plan.

5 Other areas of Work

Community Infrastructure Levy (CIL) and Developer Contributions

- 5.1 The Community Infrastructure Levy is a mechanism through which Councils can collect financial contributions from developers toward identified infrastructure needs. The Council adopted CIL in February 2015 with implementation of the CIL Charging Schedule coming into effect on 1st October 2015. A full review of Worthing CIL is currently being undertaken and it is expected that a revised charging schedule will be in place by the end of 2019. The Borough CIL operates in conjunction with the Council's Developer Contributions SPD.

<https://www.adur-worthing.gov.uk/planning-policy/infrastructure/#worthing-cil>

Neighbourhood Plans

- 5.2 Neighbourhood Plans (NP) give communities the opportunity to come together through a local Parish Council or a Neighbourhood Forum (where there is no Parish Council - as is the case in Worthing) and state where they think new development should go. The matters to be addressed in a NP must be in line with national policies and also the strategic policies in the Local Plan. The creation of NPs is a partnership between the local community and the Council who can advise and support the process. There are currently no NPs currently being progressed in Worthing.

Supplementary Planning Documents (SPDs)

- 5.3 Supplementary Planning Documents (SPDs) provide greater detail on policies within the Council's Development Plan and support decisions on planning applications. The Council has in place a number of SPDs covering a range of topic areas. These, and other guidance documents, can be viewed using the link below. Given the focus being placed on the production of a new Local Plan there are no new SPDs currently programmed within this LDS. However, any new documents that may be produced will be reported within the Annual Monitoring Report.

www.adur-worthing.gov.uk/worthing-ldf/spd-and-guidance

Infrastructure Delivery Plan

- 5.4 The Council has prepared a working draft Infrastructure Delivery Plan (IDP) (October 2018) to ensure that the emerging Worthing Local Plan can be supported by necessary infrastructure provision. The delivery of the right levels and type of infrastructure is essential to support new homes, economic growth and to protect the environment. It is important to note that the IDP is a mechanism for identifying the future infrastructure requirements of development proposed as a result of the Worthing Local Plan. The document is the 'second' IDP for Worthing and supersedes the IDP published in 2010 which was prepared to support the Worthing Core Strategy (2011). The IDP is a 'live' evidence base document that will be regularly reviewed and updated as the Local Plan progresses.

Joint Statement of Community Involvement

- 5.5 A draft revised Joint Statement of Community Involvement (SCI) is being prepared and it is expected to be adopted in Spring 2019. The SCI seeks to describe how the public, businesses and interest groups within Adur and Worthing can get involved in Planning Policy, Neighbourhood Planning and the planning application decision making process. Since the previous version of the SCI was adopted in 2012 there have been changes to national policy including the publication of the revised National Planning Policy Framework (2018). It is therefore appropriate to review the SCI and bring it up-to-date.

6 Resources

- 6.1 Worthing Borough Council has committed to the adoption of a new Local Plan. Whilst the Planning Policy Team will take the lead in this work, other teams within the Council will be involved at appropriate stages as the Plan is progressed. There are strong project management arrangements and reporting structures in place to coordinate and monitor progress. Progress on the Local Plan will be reported to the regular meetings of the Local Plan Member's Working Group.
- 6.2 Expertise will be sought where relevant from other partners such as the County Council. Consultants may also be engaged on specific projects where there is a lack of capacity in-house, or specialist research is required. The existing Planning Policy budget makes allowance for anticipated costs of Local Plan production, including funding for specialist consultancy work and Examination.

7 Risk Assessment and Monitoring

- 7.1 Whilst the timetable for the Local Plan review set out in this LDS provides the best indication of the work programme there will always be a level of uncertainty associated with work of this nature. For example, there may be an issue with staff retention / recruitment and the level of public engagement / interest is often difficult to forecast. Furthermore, the national planning context is subject to change such as the Government recently publishing its revised National Policy as well as introducing a new standard method to calculating housing need. It takes time for these changes to be implemented but it also means that additional work has to be carried out.

- 7.2 The following arrangements will help to reduce risks and will ensure that planning documents are progressed in line with this LDS:
- Project management and reporting arrangements will ensure that the Local Plan is advanced in a transparent manner and that any risks / issues are identified and considered in a timely manner
 - Additional resources may be required in periods of heavy workload
 - Consultants may be appointed on short-term contracts to undertake specialist technical studies
 - Joint working will take place with neighbouring authorities when appropriate
 - Advice on procedural matters and any changes to legislation will be sought from the Planning Inspectorate and the Planning Advisory Service
- 7.3 The LDS will be continually monitored and regular updates will be provided on the Council's website and through the Planning Policy Newsletter. A more formal review of progress will be set out in the Council's Annual Monitoring Report. Any significant amendment to the timetable proposed may mean that this LDS will need to be reviewed.

Timetable for the Worthing Local Plan

Stages Undertaken								
Local Plan Stage	2017				2018			
	Spring	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter
Updating of evidence								
Regulation 18 Draft Worthing Local Plan Consultation								

Timetable 2019-2021										
Local Plan Stage	2019				2020				2021	
	Spring	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter	Spring	Summer
Consideration of Reg 18 consultation responses and updating of evidence										
Preparation of Regulation 19 Pre Submission version of Local Plan and consideration / approval by elected Members										
Regulation 19 Pre Submission Consultation										
Submission										
Examination										
Adoption										

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