

# ARUN DISTRICT COUNCIL

## REPORT TO AND DECISION OF PLANNING POLICY SUB COMMITTEE ON 23 FEBRUARY 2021

**SUBJECT: Worthing Local Plan and Crawley Local Plan Regulation 19 Pre - Submission Consultations**

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**DATE:** 30 November 2020  
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**PORTFOLIO AREA:** Planning Policy

### **EXECUTIVE SUMMARY:**

This report advises Members on Worthing Borough Council's and Crawley Borough Council's 'Pre-submission' Local Plan (Regulation 19) public consultations. The respective plans propose strategies, site allocations and policies to deliver housing and development needs over their plan periods but with a significant residual unmet housing need in each case. At this stage each plan is considered ready for submission and comments are restricted to legal or 'soundness' issues. The response urges the two authorities respectively, to secure Statements of Common Ground with Arun to clarify and address the cross boundary implications of the levels unmet housing need.

### **RECOMMENDATIONS:**

That the Planning Policy Sub Committee agrees: -

1. That its outstanding objection to the Worthing Local Plan is resolved, however, Worthing Borough Council is urged to pause its plan timetable in order to progress Statement of Common Ground and joint working with neighbouring authorities within its Housing Market Area, in order to address the significant level of unmet housing need; and
2. That Arun is satisfied with the approach to the Crawley publication (Regulation 19) Local Plan and the 'Duty to Cooperate', however, the authority is urged to secure a Statement of Common Ground with Arun in order to clarify its approach to securing unmet need within the North Sussex HMA before submitting its plan.

### **1. BACKGROUND:**

- 1.1 In December 2018 the Local Plan Sub-committee objected to the Worthing Borough's draft Local Plan (Regulation 18) covering the period 2016-2033. The objection concerned; a significant unmet need against Worthing's housing requirement; incomplete evidence; including insufficient progress under the 'Duty to Cooperate' to address the residual housing need. This must be resolved through securing

Statements of Common Ground with neighbouring authorities within Worthing's shared Sussex Coast Housing Market Area (HMA) which includes; Arun; Adur; Worthing; Brighton & Hove; Chichester; and Lewes Councils (Background Paper 1).

- 1.2 In February 2020 Planning Policy Sub-committee also considered and responded to the Crawley Borough Pre-submission Local Plan (Regulation 19) which similarly, identified a residual unmet need against Crawley's housing requirement. Crawley had written to authorities both within, and outside its HMA for assistance. Arun is not within the North West Sussex HMA and not therefore, objecting to the draft plan. Nevertheless, Planning Policy Sub-Committee urged Crawley to publish Statements of Common Ground with its HMA neighbours (e.g. Horsham and Mid Sussex and to a lesser degree Riegate and Bansted Councils) which secure the necessary provision (as indicated in its plan approach) in order to meet its unmet housing requirement within the HMA (Background Paper 3). In addition, Crawley was urged to agree an SCG with Arun to clarify this approach.

### **Worthing Local Plan**

- 1.3 The 'Pre-submission Worthing Local Plan now covers the amended period 2020 to 2036 and has been put to consultation for eight weeks (26 January to 23 March 2021). The plan (Background paper 2) proposes to deliver a 'capacity' based provision of 3,672 dwellings (230 dwelling per annum to 2036). This is a higher rate than previous adopted plan targets but will fall significantly short (-10,488 dwellings) of the housing need identified (14,160 dwellings) representing 26% of the requirement using the Government's Standard Housing Methodology. The plan aims to deliver this by maximising recycling of brownfield land (on eleven sites) and via sustainable urban extensions on four mainly greenfield sites. Three of these sites are located to the west of the built up area boundary within the District located at; Titnore Way Caravan Club; Fulbeck Avenue; and Titnore Lane - all close to but avoiding the Goring - Ferring or Chatsmore Farm 'Local Green Gaps' between settlements. The plan justifies the approach based on evidenced on landscape sensitivity of these locations and the need to prevent coalescence with Ferring. The only other available greenfield site - Brooklands Park open space, lies to the east of the district, but this location is similarly, not allocated for development in order to maintain settlement separation.
- 1.4 Since making the original objection, officers from both authorities have undertaken several 'Duty to Cooperate' meetings to overcome the objection including through progressing the plan's supporting evidence base, and approach. In summary:-
- Worthing Council declared a Climate Emergency and consequently formulated a stronger vision and objectives;
  - The plan period is adjusted to a timescale which reflects updated evidence and may aid plan alignment across the housing market area and sub region;
  - A more positive approach to development to meet shortfalls has been undertaken (e.g. allocating two sensitive Omission sites) and using densification and mix assumptions (35 dwellings per ha on edge of town locations and in excess of 100 dph in town and district centers) on sites appropriate to accessible locations and the character of the area;

- Implementing pro-active measures to bring sites forward in advance of Plan adoption;
- Further policy alignment to comply with changes to national policy (NPPF 2019 revisions);
- Worthing is seeking to secure progress under the Local Strategic Statement 3 in order to resolve the significant shortfall in housing supply through strategic planning.

- 1.5 Worthing last entered into a Statment Common Ground (SCG) with Arun September 2017 but anticipated drafting a revised SCG before consulting on it's Pre-submission plan. However, shortly before Pre-submission, Worthing indicated that this work would now progress following consultation, to allow scrutiny of its supporting evidence base. Even higher density than proposed is unlikely to make a significant inroad against this level of unmet need, even if it could be be viably delivered through 'design led' approach which appears to have been exhausted. The greenfield options are limited and now allocated. The only remaining alternatives are the sensitive green gaps but the evidence on landscape sensitivity and need to safeguard settlements from coalescence between Worthing and its hinterland, will inevitably push the residual need towards development on Arun's environment (including elsewhere within the HMA) which similarly, has sensitive policy protection and now the risk that these will come under increasing pressure. This would point to the need for an objective joint evidence study to treat each authority the same if hard decisions are eventually needed.
- 1.6 It is apparent that Worthing have progressed further work to address Arun's objection at Regulation 18 but that the land capacity is nevertheless, significantly constrained. Inevitably therefore, there remains a significant level of unmet need. Worthing have written to Arun seeking assistance. Further, the Local Strategic Statement 3 process (steered by the West Sussex and Greater Brighton Strategic Planning Board) continues to falter and is unlikely to provide strategic solutions in the short term.
- 1.7 The 'Duty to Cooperate' process requires that the difficult decisions for accommodating full housing, development and infrastructure requirements (which includes any unmet housing need), should be determined as far as possible within plan preparation, or with clear outcomes secured through the 'Duty to Cooperate'. While the grounds for Arun's objection have largely been addressed, Arun remains concerned that national policy requirement described risks 'soundness' issues with the Worthing plan and therefore, urges that Worthing should pause its plan preparation and secure solutions to its unmet need before submitting the plan for examination.
- 1.8 The progress made by Crawley Borough in this regard, set out below – offers a model approach whereby earlier joint working and studies commissioned for unmet needs identified in support of it's adopted plan, are secured within neighbouring local plans (e.g. Mid Sussex) and evidenced through SCG or Memoranda of Understanding (MoU). This approach is continuing with the Pre-submission plan now being consulted on.

- 1.9 This is Crawleys' second consultation on the Regulation 19 Pre-submission Crawley Local Plan which runs from 6 January and has been extended to 31 March 2021. Crawley's plan (Background paper 4) approach focusses on efficient use of land and 'densification' in the town centre (200 dph) and at accessible locations (60 – 200 dpa) where compatible with local context. The approach meets 44% of its requirement within its administrative boundary. The remaining 60% (i.e. 6,680 dwellings) is to be accommodate through urban extensions to Crawley and contributions within local plans progressing within the North West Sussex HMA (Background paper 5) and via a joint North West Sussex authorities SCG. It is anticipated that the remaining unmet need will be accommodated in the wider North Sussex HMA - including via urban extensions to Crawley, assisted by further neighbouring plan reviews – e.g. Homes England and Horsham District are exploring a potential urban extension of 10,000 dwellings to Crawley which will form three neighbourhoods (e.g. West of Ifield) including options over the longer term.
- 1.10 Crawley have not actioned a SCG yet with Arun to clarify their approach and the authority is therefore, urged to progress a SCG with Arun before their plan is submitted for examination.

### **Proposed Response**

- 1.11 Arun considers that its outstanding objection prior to the Worthing Pre-submission plan is resolved. However, Arun is concerned about the high level of unmet need that has not been clearly dealt with within the plan or via the 'Duty to Cooperate' through SCG on how any unmet need is to be addressed or apportionment within the HMA. This is a significant risk to the plan's progress. It is acknowledged that Worthing has signaled an intent to secure SCG to address the unmet need, including under the LSS3 process but the latter is significantly stalled. Any SCG with Worthing's HMA neighbours following Pre-submission consultation is even less likely to identify solutions before the plan is submitted for examination, without a significant pause. Worthing is therefore, urged to pause its timetable, sufficiently for this engagement to take place. It is the view of this authority, that Worthing and its neighbours within the HMA should undertake joint working and an evidence study on the 'objective' development options available to accommodate the high level of unmet need and its apportionment across the HMA.
- 1.12 Arun is satisfied with the approach to Crawley's Pre-submission plan and 'Duty to Cooperate'. However, the authority is urged to secure an SCG with Arun in order to clarify its approach to securing unmet need, within the North Sussex HMA, before submitting its plan.

## **2. PROPOSAL(S):**

To agree the proposed responses to the Worthing Local Plan and Crawley Local Plan Regulation 19 Pre - submission Consultations.

## **3. OPTIONS:**

The following options are available to Members:

1. To agree the report to ensure that effective local plans are examined and put in place which can clearly address unmet housing need sustainably, close to where it arises supported through appropriate infrastructure provision, under the 'Duty to Cooperate';
2. or not to agree the report and the risk that unmet housing need in the Sussex South HMA and the North Sussex HMA is not resolved which could have potential implications for Arun District Council under the 'Duty to Cooperate'.

#### 4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		x
Relevant District Ward Councillors		x
Other groups/persons (please specify)		x

5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	x	
Legal	x	
Human Rights/Equality Impact Assessment		x
Community Safety including Section 17 of Crime & Disorder Act		x
Sustainability	x	
Asset Management/Property/Land		x
Technology		x
Other (please explain)		x

#### 6. IMPLICATIONS:

The authority is required under the legal 'Duty to Cooperate' to engage constructively and on an ongoing basis with its neighbouring authorities to ensure that respective plan preparation is 'sound' and delivers sustainable development including on resolving unmet need and cross boundary matters. The need for joint working and studies has cost implications – however, this has been budgeted for.

#### 7. REASON FOR THE DECISION:

To ensure that Arun is fulfilling its obligations under the Duty to Cooperate'.

#### 8. BACKGROUND PAPERS:

**Background Paper 1:** Local Plan Sub-Committee 5 December 2018 - Response and Objection to the Worthing Local Plan:-  
<https://democracy.arun.gov.uk/Data/Planning%20Policy%20Sub-Committee/20181205/Agenda/Minutes.pdf>

**Background Paper 2:** Worthing Pre-submission Local Plan:-

<https://www.adur-worthing.gov.uk/media/Media,159076,smxx.pdf>

**Background Paper 3:** Planning Policy Sub Committee 25 February 2020 – Response to the Crawley Local Plan:-

<https://democracy.arun.gov.uk/documents/g672/Printed%20minutes%2025th-Feb-2020%2018.00%20Planning%20Policy%20Sub-Committee.pdf?T=1>

**Background Paper 4:** Crawley Pre-submission Local Plan:-

<https://crawley.gov.uk/sites/default/files/2021-01/Submission%20Draft%20Local%20Plan%20January%202021.pdf>

**Background Paper 5:** Crawley Topic Paper 1: Unmet Needs and Duty to Cooperate

[https://crawley.gov.uk/sites/default/files/2021-01/Topic\\_Paper\\_1\\_Unmet\\_needs\\_and\\_DtC.pdf](https://crawley.gov.uk/sites/default/files/2021-01/Topic_Paper_1_Unmet_needs_and_DtC.pdf)

