

Home Builders Federation

Matter 2, 3, 7 and 10

WORTHING LOCAL PLAN EXAMINATION

Matter 2 – Broad Spatial Strategy and Strategic Policies

Issue 1 – Whether the spatial strategy of the WLP has been positively prepared, is justified, effective and will enable the delivery of sustainable development in accordance with national policy?

The Overall Spatial Strategy

Q12. Paragraph 22 of the NPPF states that strategic policies should look ahead over a minimum period of 15 years from adoption. Is the WLP consistent with national policy in this regard?

No. The Plan period ends in 2035/36. As this plan, if found sound, is likely to be adopted in 2022/23 the plan will have a time horizon from adoption of 14 years. Therefore, in order to be consistent with national policy the period should be extended by at least a single year.

Q13. Is the spatial strategy for the broad location of development in Worthing, set out in Policy SS1, justified and appropriate for the sustainable development of the area when considered against reasonable alternatives? What alternatives were considered by the Council in terms of options for spatial distribution and why were these rejected?

No. In considering the spatial strategy in the development of the local plan the Council identified 2 broad options in the Draft Integrated Impacts Assessment (DIIA) brownfield only and brownfield and sustainable urban extensions (SUE). This assessment concluded that the need to develop both brownfield sites and SUEs was the most sustainable way forward. We would not disagree with this assessment, however, the key assessment of the alternatives with regard to the scale of development that would be delivered through the spatial strategy is considered against SP3 in table 10 of the DIIA. It is these considerations and the level of constraints that are applied within each option that has seemingly informed the decision-making process with regard to the spatial strategy set out in SS1 and SS2. The detail of these options is set out in appendix D2 of the DIIA and consider options based on meeting needs in full, delivering all available sites and delivering sites but taking account of evidence-based studies.



The rejection of the alternatives put forward by the Council in appendix D2 of the DIIA would appear to be on the basis of the negative effects from the loss of biodiversity, coalescence of settlements and an impact on the setting of the national park. However, what is notable about this assessment is that the stated mitigation fails to recognise the potential for policies on biodiversity gain and other site-specific measures to offset the impacts set out in option 2. Such mitigation measures could easily address any concerns relating to this option and should have played a more significant role in the decision-making process with regard to the choice of spatial strategy.

However, most critically, what does not appear to have been undertaken in the consideration of any of these options is whether the adverse impacts of meeting needs, or indeed a higher level of housing delivery, significantly and demonstrably outweigh the benefits. This is a key consideration with regard to the ensuring the sustainability of the spatial strategy as set out in paragraph 11 of the NPPF and one that should have been front and centre in the Council's decision-making process. To reject options without such a consideration is inconsistent with the expectation of the NPPF to plan positively in meeting the needs of their area.

There will clearly be significant benefits with regard to meeting the shortfalls in housing need within Worthing from increasing its supply of developable housing sites. As the Council recognise, they have a shortfall of over 10,000 homes across the plan period with regard to meeting needs. Indeed, there will also be a shortfall in meeting the base level of needs expected to come forward under the latest 2018-based household projections. The adjusted projections, which are based on a five-year migration period as used in the previous iterations of these projections, show that over the plan period there was projected to be an increase of 7,238 households – significantly more growth than the number of homes to be delivered.

In addition, as the Council note at paragraph 4.35 of the SHMA (CD/I/1) the household projections that followed the 2014-based projections suppress household formation to some degree, or at the very least do not support positive household formation rates for younger people and, as stated in paragraph 4.50, there is also a decline in the number of family households and couples under 65. Therefore, a plan that falls so short of meeting baseline growth of household projections that already suppress household formation amongst younger people is concerning and should be a key issue in decisions as to the spatial strategy. Such a shortfall even on baseline growth will have a number of impacts. The first concern is that such low levels of growth will clearly compound any issues around homelessness and overcrowding not just in Worthing but across neighbouring areas as those without housing seek accommodation elsewhere.

Secondly, it is likely that there will be an increase in the number of people commuting into the Borough to meet demand for jobs. As both the SHMA and the focussed update to the Employment Land Review (CD/J/2) note the proposed level of housing growth in this local plan will see the supply of labour decrease as the population ages and younger people migrate away from Worthing. As such the Council should have had

regard to paragraph 104 and 105 of the NPPF and the requirement to promote sustainable travel options, to limit the need to travel and reduce congestion. We would have expected the SA to have considered this situation. However, no mention appears to have been made as to whether the chosen scenario would deliver sufficient housing to meet employment needs without a significant increase in commuting and the impact of this scenario on sustainable travel patterns and whether it would potentially increase the amount and distance of commuting into Worthing. Whilst the allocation of additional housing sites may not address future employment needs in full a strategy including additional sites would certainly be a more sustainable approach than the Council's proposed strategy.

The HBF recognises there will be adverse impacts from delivering further housing growth on sites around the Borough but it is essential, as required by paragraph 11 of the NPPF, to consider whether these significantly and demonstrably outweigh the many benefits of allocating further sites as outlined above. To a large extent such consideration will come down to the sites allocated through a spatial strategy that delivered higher levels of growth and whether the adverse impacts of allocating those additional sites would significantly and demonstrably outweigh the benefits of additional housing delivery. The HBF does not comment on specific sites issues, however, as set out above with regard to the adverse impacts set out in the SA these are not significant and can be effectively mitigated. For example, loss of biodiversity will be addressed through net gain requirements, amenity value increased through the delivery of public open space on development sites and visual impact reduced through design and landscaping.

Increasing delivery of housing in Worthing will clearly have significant benefits. Not only will it enable more households to remain in the area it will reduce the pressure on neighbouring areas, support economic growth as well as provide additional funds through S106 contributions, council tax and new homes bonus to support infrastructure improvements and service delivery. In general, it would appear that the limited adverse impacts highlighted in the SA would not substantially outweigh the clear benefits of increasing the supply of development land for new homes in Worthing.

Q14. Is the strategic balance between development and the protection of the natural environment, including areas identified by policies SS4, SS5 and SS6, leisure and recreation uses and/or heritage assets appropriate and justified?

There is clearly a need to balance the level of development in any area against the protection of the natural environment. However, it is also important not to create unnecessary barriers to development where constraints on the supply of land are so acute due to the coastal location of Worthing and the presence of the national park in the north of the Borough. However, as set out above, the Council do not seem to have considered the balance between the benefits of development against the adverse effects of additional delivery on sites on the edge of the urban area that fall under policies SS4, SS5 and SS6 as is explicitly required by paragraph 11 of the NPPF.

In relation to SS6 we are also concerned that the Council has not fully considered the impact of paragraph 101 of the NPPF which states that “*Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.*” Given the level of unmet need for housing in the Borough there are concerns that the use of LGS is being used to further limit development opportunities it cannot be considered to be a positive or effective approach to spatial planning in Worthing.

Q15. Is the strategic balance between housing and other land uses appropriate and justified?

Whilst the Council must ensure there is balance between housing and other land uses it must give significant weight to the level of unmet need for housing when considering the allocation of sites for development.

Q16. Does the spatial strategy comply with national policy on flood risk? In particular, has it been informed by a Strategic Flood Risk Assessment (SFRA), based on the most up-to-date flood risk data and climate change allowances and taking advice from the Environment Agency?

No comment

Q17. Is the spatial strategy and location of growth in the WLP justified and consistent with national policy, in respect of the modelling of its effects on the operation of the highway network, its potential to minimise the need to travel and maximise journeys by more sustainable modes of transport? In particular, what are the cumulative impacts of the Plan on the A27 and are these able to be viably mitigated?

No comment

Q18. Is the spatial strategy and location of growth justified and consistent with national policy in respect of its consideration of the impact of development proposals on air quality in Worthing?

No comment

Q19. Is the WLP effective in the provision of infrastructure and local services to meet future development needs, in particular, those relating to education, transport, health and green infrastructure?

No comment

Q20. Does the evidence on whole plan viability and infrastructure demonstrate that the spatial strategy can viably deliver the housing, commercial floorspace and infrastructure required to support the growth proposed?

No comment

Issue 3 – Whether policies SS4, SS5 and SS6 are justified, positively prepared, effective, and consistent with national policy?

Countryside and the Undeveloped Coast (Policy SS4)

Q25. Is criterion b. justified in expecting all development in the countryside to demonstrate that a countryside location is essential to the proposed use and that it cannot be located in the built-up area? Are there no forms of development that would be considered acceptable in principle within the countryside? In this regard, is Policy SS4 internally consistent and compatible with controls set out in policies SS5 and SS6?

No comment

Q26. The Council's response to my initial letter concludes that the WLP does not need to consider Entry-Level Exception Housing, as described in paragraph 72 of the NPPF, as there is no potential for any additional housing on the edge of the built-up area. Is this conclusion justified?

Whilst the HBF has not made any comments with regard to exceptions sites in our representations the Council's response to the question posed on this issue reflects their objective to unnecessarily restrict land from coming forward for development through the use of local green space and local green gaps. In seeking to justify their approach to exceptions sites the Council refers to policy SS5 on local green gaps. This as the Council are aware is not a policy that would prevent an exception site from coming forward as it is a local policy and not referred to in footnote 36. Given the severe shortfall in housing supply in Worthing the Council should be looking to maximise delivery and not constrain it unnecessarily.

Q27. What is the justification for suggested modification M7 and is it necessary to make the Plan sound?

No comment

Local Green Gaps (Policy SS5)

Q28. Is the designation of Local Green Gaps (LGGs) positively prepared, justified and consistent with national policy? If so, have the boundaries of the LGGs been identified based on robust, proportionate and up-to-date evidence and a consistent approach to selection?

No. As the Council note in CD/M/32 the NPPF does not contain a specific policy to support the introduction of Green Gaps within policy with the principle of maintaining separation between settlements only referred to with regard to Green Belt. This does not mean that Green Gaps cannot be an appropriate policy tool to be used in local plans for managing development, but we would argue they should only be used where development needs are being met in full and are not used to restrict opportunities for

further development. In particular it is important to note that without reference to green gaps in footnote 7 of paragraph 11 of the NPPF as a reason for restricting development in plan making and decision making their use in this local plan for the express reason of restricting development is not consistent with national policy.

Q29. Policy SS5 indicates that development within LGGs will only be permitted in exceptional circumstances. There appear to be no exceptions to this requirement. Is this approach justified for all potential forms of development?

No. It is important to recognise that the sensitive development of areas between two settlements can ensure that the sense of separation is maintained as well as improving recreational and amenity value, factors that should have been a key consideration in the development of this policy and its inclusion in the local plan. To place such a restriction on these areas where there would appear to be no circumstances where development would be permitted cannot be considered to be sound. Firstly, it is not the positive approach to plan making required of LPAs given the significant shortfalls in housing need resulting from the Council's chosen spatial strategy. A positive approach would have recognised that there are limited opportunities for meeting needs within Worthing and looked to ensure development could take place whilst minimising the adverse effects. Secondly, as is also noted above, it is inconsistent with paragraph 11 of the NPPF in that it is using a constraint not referred to within footnote 7 to restrict the level of growth in an area where needs are not being met in full.

Q30. Further to the above, parts of LGGs are also identified as Local Green Spaces (LGS). Paragraph 103 of the NPPF states that policies for LGS should be consistent with those for Green Belts. Where LGG and LGS coincide, is it justified for LGG policy to be more restrictive than that for the Green Belt?

No. The policies would work in tandem to ensure that virtually no development would be permissible on land under these designated areas. As is set out in the NPPF applications for development on LGS would be considered on the basis of Green Belt policy which allow development in very special circumstances or where it is considered to be "not inappropriate".

Q31. Is it clear to decision makers what might constitute 'exceptional circumstances' in this context? Is it sufficiently clear to decision makers and developers how the four criteria would be assessed?

No comment

Q32. What is the justification for suggested modification M8 and is it necessary to ensure the policy is sound?

No comment

Local Green Spaces (Policy SS6)

Q33. Are the Local Green Spaces identified in Policy SS6 justified and consistent with paragraph 101 and 102 of the Framework, the latter of which states that such designations should only be used where the green space is:

- i. in reasonably close proximity to the community, it serves;
- ii. demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- iii. local in character and is not an extensive tract of land.

As set out in our statements we do not consider the some of the Local Green Spaces designated in this plan to be justified. In particular we are concerned that the size of some of the sites designated constitute an extensive tract of land in relation to this local plan. The Council consider whether or not the sites identified as LGS are extensive tracts of land in section 4.4 of CD/M/32. In this section they refer to the fact that Havant BC and Cheltenham have both identified similar sized areas as LGS. However, it must be noted that the position in this evidence does not paint the full picture. In the development of its new local plan Havant undertook further assessments of its designated local green space and in fact identified both Queen's Inclosure and Hollybank Woods to be extensive tracts of land and as such should not be considered LGS. Both these sites have subsequently redesignated these as Destination Open Space in recognition of their importance in terms of being multifunctional open spaces of over 10 hectares¹.

With regard to the LGS designated in Cheltenham the examining Inspector has found that numerous proposed Local Green Spaces in Cheltenham did not justify the designation, but also that the scale of the larger proposals, as referenced in CD/M/32, were considered to be extensive tracts of land. Following this conclusion additional work the two examples cited by the Council were reduced in size to 26.4ha and 21.6ha.

Therefore, we consider that the Council are not justified in seeking to designate such large tracts of land in agricultural use on the edge of Worthing as LGS that in fact have very little local significance or value in terms of recreation or wildlife. It would appear that the Council are in fact looking create blanket designations that in effect seek to replicate Green Belt in direct contradiction to paragraph 37-015 of PPG.

Q34. Paragraph 103 of the NPPF states that policies for managing Local Green Space should be consistent with those for Green Belts. Further to this, and the Council's response to my Initial Letter, how does the policy address exceptions to 'inappropriate development' as set out in paragraphs 149 and 150 of the NPPF? Paragraph 11.11 of the response to my letter also recognises that inappropriate development should only be permitted in 'very special circumstances'. How is this reflected in Policy SS6? Is the policy therefore consistent with national policy?

¹ Local Green Spaces and Destination Open Spaces in Havant Borough December 2018
<https://cdn.havant.gov.uk/public/documents/Local%20Green%20Spaces%20and%20Destination%20Open%20Spaces%20in%20Havant%20Borough.pdf>

It is essential that this policy recognises that there will be a far wider range of circumstances than those set out in SS6 that will allow development to occur in LGS. What contributes to the very special circumstances that support development in Green Belt and consequently LGS is not defined in national policy or guidance. However, they will be specific and unique to any site and there must be clear recognition of the need for such considerations through this policy. At present it is not clear that this is the case as the policy provides a very limited scope for the consideration of development on LGS. Therefore, a reference not only to very special circumstances but also to development that is considered to be not inappropriate as set out in paragraph 149 of the NPPF is considered essential for this policy to be sound.

Matter 3: Housing Provision

Issue 1: Has the WLP been positively prepared and is it justified, effective and consistent with national policy in relation to its provision for housing?

Housing Need

Q35. The Housing Implementation Strategy Topic Paper (HIS) concludes that the Council's Objectively Assessed Housing Need (OAHN), based on the standard method calculation of local housing need, is 14,160 between 2020 and 2036. This equates to 885 dwellings per annum (dpa). Is there any evidence to suggest that this is not a robust assessment of OAHN?

The HBF would agree with the Council's use of the standard method in assessing its housing need.

Housing Requirement and Overall Supply

Paragraph 11b of the NPPF states that strategic policies should, as a minimum, provide for objectively assessed needs for housing unless the requirements of criteria i. and ii. are met. Policy SS2 identifies a minimum housing requirement of 3,672 dwellings over the plan period (230 dpa). This equates to around 26% of the OAHN.

Q36. Is the Council's housing requirement justified having regard to recognised constraints, including but not limited to land availability, viability and infrastructure? In particular:

- i. Does the evidence base support the restrictions on development outside the defined built-up area, including Local Green Gaps? Are they a justified constraint on development?
- ii. Has the potential for redevelopment of brownfield sites in the plan period been appropriately taken into account? Does the plan provide appropriate guidance for new housing on previously developed land?
- iii. Does the evidence base demonstrate there are no other developable sustainable sites within the plan area during the plan period, including sites allocated for other uses?

No. As we set out in our Matter 2 statements the Council have looked to constrain itself unnecessarily through the designation of both Green Gaps and Local Green Space. The inclusion of Green Gaps in a local plan that meets only 26% of its identified needs cannot be considered to be taking a positive approach. It must be remembered that green gaps are a local designation which have no reference point in the NPPF and as such cannot be considered a reason for restricting development. We accept that Local Green Space is such a designation but, as set out in our matter 2 statement, we would suggest that some of the proposed designations are extensive tracts of land and that

the Council are seeking to create green belt via the back door in contradiction to national policy.

Q37. The HIS concludes that there is little to no headroom between the housing supply and housing requirement. In coming to this conclusion, has the Council taken into account the possibility that some sites may not come forward due to unforeseen circumstances? Has a lapse rate or allowance for non-deliverability been applied? In this regard, is the WLP sufficiently flexible to take account of changing circumstances?

The fact that the Council cannot meet needs means that the housing requirement must be set at the maximum number of homes it can reasonably deliver. Any additional supply would merely need to be included as an uplift to the housing requirement. The inclusion of a lapse rate without supply would see the requirement reduced diminishing the effectiveness of the plan in seeking to address as much of Worthing's housing need as possible.

Q38. On what basis does Policy SS2 and the table on page 51 of the WLP include a windfall allowance of 67 dpa between 2023 and 2036. Is there compelling evidence that they will provide a reliable source of supply in accordance with paragraph 71 of the NPPF?

Whilst the 68 dpa allowance for windfall seems reasonable when looking over a 15-year period, as set out in Appendix 4 of Topic Paper 1 (CD/H/16), there must be a concern that over the last five years this average has fallen to 55 dpa and over the last 10 years the average windfall is 50 dpa. In the long term there is clearly no certainty that 68 dpa is consistently deliverable if the scenario seen in the last 5 or 10 years is repeated.

Q39. Policy SS1 criterion c. states the Council will seek to increase the rate of delivery from small sites. How will this be achieved and how has this policy been assessed in the Council's assumptions on housing delivery?

For Council

Q40. What lead-in times and build-out rates have been applied to sites, both with and without planning permission? Have different approaches been adopted for sites with or without full planning permission? Are the assumptions used appropriate and justified?

For Council

Q41. Will the plan be effective in helping to ensure that at least 10% of the housing requirement is met on sites no larger than one hectare, as required by paragraph 69 of the NPPF? If this is not possible, are there strong reasons why the 10% cannot be achieved?

The Council have now provided further evidence in paragraphs 5.21 to 5.24 of CD/H/16 which indicates that 9% of its housing requirement is on allocated sites of less than one hectare with further sites identified in the Brownfield Register. It would seem that the Council have meet this requirement, but it would be helpful if the Council could confirm the total percentage of the housing requirement that has been identified on sites of less than 1 hectare to meet national policy.

Q42. Should the Plan specify the level of unmet housing need and set out how the issue is expected to be addressed?

Yes. It is important to recognise the substantial level of unmet needs that are resulting from this local plan and that these will need to be addressed elsewhere. The Council must commit to seeking every avenue – including challenging other LPAs at examination to meet their unmet needs. If needs are to addressed somewhere it is incumbent on the Council to ensure that they are committed to an ongoing objective to seek their provision in other areas.

Q43. Paragraph 74 of the NPPF expects strategic policies to include a trajectory illustrating the expected rate of housing delivery over the plan period and for plans to set out the expected rate of delivery for specific sites. The Council's response to my Initial Letter concludes that a separate trajectory set out in regular Annual Monitoring Reports would be preferable. How does this conclusion sit with paragraph 74? In responding to this question, could the Council set out how it would modify the Plan as suggested in paragraph 10.8 of its response?

The Plan must set out a housing trajectory in the local plan in order to be consistent with paragraph 74 of the NPPF. Such trajectories are key in ensuring the plans objectives in terms of housing delivery are clearly articulated in the plan and its performance against those objectives can be monitored and scrutinised effectively.

5-year housing land supply

Q44. What is the most up to date 5-year housing land requirement?

For council.

Q45. Appendix 7 of the HIS suggests the supply of deliverable housing land stands at 2068 dwellings. Are assumptions on deliverability appropriate, justified, and consistent with national policy?

THE HBF does not comment on the deliverability of specific sites within housing trajectories. With regard to windfall whilst there are some concerns regarding long term supply from this type of development, however, we would agree with the decision to only include windfall in the last 2 years of the five-year land supply to ensure no double counting with extant permissions.

Q46. Would the Council be able to demonstrate a 5-year supply of deliverable housing land on adoption of the Plan and a rolling 5-year supply throughout the Plan period? In responding, could the Council ensure the most up-to-date trajectory of the supply is provided?

On the basis of the evidence provided by the Council in CD/H/16 the Council will have a five-year land supply on adoption. When considering the rolling five-year housing land supply, it is important to note that the PPG outlines at paragraph 68-031 that past under-delivery should be included in any assessment of five-year land supply. However, PPG is silent on the inclusion of over-supply except to state that it can be used address shortfalls from previous years. If over-supply is included in the assessment of the five-year land supply, and is proportioned out across the remaining land supply, then the Council will not have a five-year land supply from 2027/28. If the over-supply is not brought forward into the five-year land supply, then it would appear that the Council will not have a five-year land supply from 2025/26. Our assessment of the rolling five-year land supply using the trajectory set out in CD/H/16 is attached at appendix A to this statement.

Density and Policy DM2

Q60. Is the minimum density of 35 dwellings per hectare for family housing justified and consistent with the considerations set out in criterion a.?

No comment

Q61. Is the minimum density of 100 dwellings per hectare for mixed-use and flatted development justified and consistent with the considerations set out in criterion a.?

No comment

Q62. Criterion c. states that this density should be achieved in 'most' mixed-use, flatted and town centre development. Is it clear to decision makers, developers and local communities in what circumstances a lower density might be considered acceptable? To be effective, should the policy identify exceptions in the same way as criterion b.?

No comment

Q63. Is Policy DM2 sufficiently flexible to take account of individual site circumstances?

No comment

Q64. Footnote 49 of the NPPF states that policies may make use of the nationally described space standards (NDSS) where the need for an internal space standard can be justified? The HIS sets out the justification for adopting the NDSS. Does this meet the requirements of footnote 49?

As set out in our representations the HBF shares the Council's desire to see good quality homes delivered across Brighton and Hove. However, the HBF also consider that space standards can, in some instances, have a negative impact upon affordability issues and reduce customer choice and as such there must be a robust justification to support their adoption.

The Council's updated HIS now contains in appendix 9 its justification for the application of NDSS. Whilst this sets out the Council's reasoning for adopting the Space Standards SPD it does not provide any evidence as to whether there was an endemic problem with regard to homes being built to inappropriate standards prior to their introduction. The Council make that statement that the house building industry were progressing some schemes were being brought forward that were considered to be sub-standard/ size accommodation, but this evidence is not set out in the HIS.

The Council acknowledge that there is a need for flexibility, however, the HBF do not consider this to offer sufficient scope to bring forward market homes that are below NDSS but offer well designed accommodation that meets the needs of its occupants. Therefore, if the Inspector considers there to be sufficient evidence to support their adoption in this local plan, we suggest the following amendment is made to part e to allow scope for well-designed market homes smaller than space standards to be considered as exceptions:

The Council will only consider any variation to the requirements set out above in exceptional circumstances. For example, exceptions will be made for well-designed homes that meet the needs of occupants or when a social or charitable housing provider is able to demonstrate that the homes it is seeking to deliver meets an identified need for supported housing and temporary emergency accommodation and that there is a clear and robust 'move on' strategy and site management in place.

Annex A – Rolling 5-year housing land supply

Surplus not carried forward

| | 20/21 | 21/22 | 22/23 | 23/24 | 24/25 | 25/26 | 26/27 | 27/28 | 28/29 | 29/30 | 30/31 | 31/32 | 32/33 | 33/34 | 34/35 | 35/36 |
|---------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Req. | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 |
| Cumulative req. | 230 | 460 | 690 | 920 | 1,150 | 1,380 | 1,610 | 1,840 | 2,070 | 2,300 | 2,530 | 2,760 | 2,990 | 3,220 | 3,450 | 3,680 |
| Delivery | 122 | 328 | 792 | 464 | 505 | 345 | 262 | 247 | 142 | 67 | 67 | 67 | 67 | 67 | 67 | 67 |
| Cumulative Delivery | 122 | 450 | 1,242 | 1,706 | 2,211 | 2,556 | 2,818 | 3,065 | 3,207 | 3,274 | 3,341 | 3,408 | 3,475 | 3,542 | 3,609 | 3,676 |
| Deficit | -108 | - 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | -4 |
| 5-year req. | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | | | | |
| add deficit/surplus | 1,150 | 1,258 | 1,160 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | | | | |
| Buffer | 230 | 252 | 58 | 58 | 58 | 58 | 58 | 58 | 58 | 58 | 58 | 58 | | | | |
| Total req | 1,380 | 1,321 | 1,218 | 1,208 | 1,208 | 1,208 | 1,208 | 1,208 | 1,208 | 1,208 | 1,208 | 1,208 | | | | |
| 5-year supply | 2,211 | 2,434 | 2,368 | 1,823 | 1,501 | 1,063 | 785 | 590 | 410 | 335 | 335 | 335 | | | | |
| Surplus/deficit | 831 | 924 | 1,150 | 616 | 294 | -145 | -423 | -618 | -798 | -873 | -873 | -873 | | | | |
| 5YHLS | 8.01 | 8.06 | 9.72 | 7.55 | 6.22 | 4.40 | 3.25 | 2.44 | 1.70 | 1.39 | 1.39 | 1.39 | | | | |



Surplus proportioned across plan period

| | 20/21 | 21/22 | 22/23 | 23/24 | 24/25 | 25/26 | 26/27 | 27/28 | 28/29 | 29/30 | 30/31 | 31/32 | 32/33 | 33/34 | 34/35 | 35/36 |
|---------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Req. | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 | 230 |
| Cumulative req. | 230 | 460 | 690 | 920 | 1,150 | 1,380 | 1,610 | 1,840 | 2,070 | 2,300 | 2,530 | 2,760 | 2,990 | 3,220 | 3,450 | 3,680 |
| Delivery | 122 | 328 | 792 | 464 | 505 | 345 | 262 | 247 | 142 | 67 | 67 | 67 | 67 | 67 | 67 | 67 |
| Cumulative Delivery | 122 | 450 | 1,242 | 1,706 | 2,211 | 2,556 | 2,818 | 3,065 | 3,207 | 3,274 | 3,341 | 3,408 | 3,475 | 3,542 | 3,609 | 3,676 |
| Deficit/Surplus | -108 | -10 | 552 | 786 | 1,061 | 1,176 | 1,208 | 1,225 | 1,137 | 974 | 811 | 648 | 485 | 322 | 159 | -4 |
| 5-year req. | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | 1,150 | | | | |
| add deficit/surplus | 1,150 | 1,186 | 1,154 | 938 | 823 | 796 | 730 | 685 | 640 | 633 | 663 | 699 | | | | |
| Buffer | 230 | 237 | 58 | 47 | 41 | 40 | 37 | 34 | 32 | 32 | 33 | 35 | | | | |
| Total req | 1,380 | 1,245 | 1,211 | 985 | 864 | 836 | 767 | 720 | 672 | 665 | 696 | 734 | | | | |
| 5-year supply | 2,211 | 2,434 | 2,368 | 1,823 | 1,501 | 1,063 | 785 | 590 | 410 | 335 | 335 | 335 | | | | |
| Surplus/deficit | 831 | 1,189 | 1,157 | 838 | 637 | 227 | 19 | -130 | -262 | -330 | -361 | -399 | | | | |
| 5YHLS | 8.01 | 8.55 | 9.78 | 9.26 | 8.69 | 6.36 | 5.12 | 4.10 | 3.05 | 2.52 | 2.41 | 2.28 | | | | |

Matter 7 – Transport and Accessibility

Issue: Is the WLP's approach to transport and accessibility justified, prepared, effective and consistent with national policy?

Policy DM15

Q149. Is the policy effective, justified and consistent with national policy in respect of transport and access in new developments?

No comment

Q150. In its response to my initial letter, the Council acknowledge that criterion a. iv) is not sound in relation to parking standards and the reference to West Sussex County Councils' guidance. On this basis, is suggested modification DM32(a) necessary to ensure soundness?

Yes. As set in our representations the Council can only require development to accord with policies set out in the plan. An applicant therefore only needs to have regard to guidance set out in supplementary documents such as the County Council's parking standards.

Q151. What is the justification for suggested modification M32(b) and is it necessary to make the plan sound?

No comment



Matter 10 – Climate Change, Flood Risk and Pollution

Issue: Are the policies relating to climate change, flood risk and pollution justified, positively prepared, effective and consistent with national policy?

Sustainable Design (Policy DM16)

Q172. Is the policy consistent with the Government's current policy on energy performance set out in the Written Ministerial Statement of March 2015? In particular, what is the justification for requiring the levels of energy efficiency set out in criterion b.?

The requirement that all new build development will achieve a minimum reduction CO₂ emission of 20% on current building regulations is consistent with the ministerial statement and which is also reflected in 6-012 of PPG. However, the Council are seeking higher standards of 31% in advance of the changes to building regulations which on the basis of current policy and regulations is not sound. The HBF recognises the need for new homes to become more energy efficiency as we move towards the net zero carbon aspirations set out by Government. As such we support the Government's transitional process through proposed amendments in building regulations to achieve a 31% improvement and then a further 75% improvement with the introduction of the Future Homes Standard. Given this is likely to be introduced shortly we would question whether there is a need to reference it specifically given that part a) already refers to that fact that then minimum 20% standard will apply unless superseded by changes in national policy or building regulations.

Q173. What is the justification for suggested modification M33 and is it necessary to make the Plan sound?

See response to Q172 above.

Q174. Is the policy sufficiently flexible to take the characteristics of individual proposals into account, including the location of a site, its surroundings, the type of development proposed and viability?

No comment

Energy (Policy DM17)

Q175. Is the requirement within criterion a. for all new housing and major non-residential development to provide at least 10% of their energy needs from renewable or low carbon sources justified and consistent with national policy?

No comment

Q176. What is the justification for suggested modification M34 and is it necessary to make the Plan sound?

Q177. What is the justification for requiring major development to connect to district heating networks under criterion c.? Is it clear to decision makers how to they should react to development which does not propose to connect to such networks?

The HBF has concerns over the requirement for major development to connect to district heating networks as set out under criterion c. Whilst we accept that development should explore the opportunities to connect to such systems where they are available and to provide the ability to connect to such networks in future this policy should not require their connection. Firstly, national policy establishes that local plans should identify opportunities for development to connect to such networks, but it does not require development to utilise such systems. Secondly, there is no certainty that such system will be in place at the time the development is delivered. This policy as currently worded could see development in the proposed zones delayed until completion of the heating network. Finally, requiring all development in these zones could add significant costs where these are not directly adjacent to the proposed heating network. We recognise that the Council have included flexibility in this policy with regard to the viability and feasibility, but we would suggest the policy is amended to state:

Major development within areas identified as heat network opportunity clusters will need to consider the feasibility and viability of connecting to district heating networks where these are available at the time permission is granted.

Q178. Has the effect on viability from the requirements of Policy DM17 been assessed?

No comment

Q179. Are the use of conditions set out in paragraph 5.252 consistent with the requirements of national policy? If so, should this be set out in the policy?

No comment

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