Local Validation List for Adur & Worthing Councils

Last updated: June 2020

ADUR & WORTHING
COUNCILS

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PLEASE SEE APPENDIX ONE FOR ADDITIONAL SPECIFIC APPLICATION SUBMISSION REQUIREMENTS

Statements of Information

1. Affordable Housing Statement

Local housing evidence has identified that there is an acute affordable housing need in Adur and Worthing. As such, a mix of affordable housing, including social rent and intermediate housing will be sought to meet local needs on all but the smallest sites.

In Worthing, on sites delivering 10 to 14 dwellings (gross) 20% affordable housing will be sought and on sites of 15 or more dwellings (gross) 30% affordable housing will be sought (preferably as on-site provision).

The Adur Local Plan 2017 states that in Adur, on sites of 11 (gross) or more dwellings, 30% affordable housing will be sought (preferably on-site). However the National Planning Policy Framework (revised 2019 - see link below) now states that affordable housing can be sought on major developments - that is, sites of 10 dwellings or more. National policy therefore allows affordable housing to be sought from developments of 10 or more dwellings. This is a material consideration for development management purposes. Following a review of the Council's position, from 8th April 2020, Adur District Council will use the NPPF threshold of 10 dwellings for seeking affordable housing contributions.

For more information, please see the:

- Adur Interim Affordable Housing Position Statement https://www.adur-worthing.gov.uk/media/Media,156780,smxx.pdf
- https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

2. Air Quality Assessment (AQA)

All developments should follow the process contained within the document 'Air Quality and Emissions Mitigation Guidance for Sussex'. The current document is available to view here

https://www.midsussex.gov.uk/media/5608/sussex-aq-guidance-2021.pdf

However, a new version is due shortly. The aims are to avoid development causing new air pollution problems or exacerbating existing problems and to ensure appropriate mitigation is incorporated into developments at an early stage. A statement to demonstrate the guidance has been consulted should be provided with all applications.

Please also have reference to Section 25 'Transport Issues' in this document.

3. Biodiversity Survey and Report

The onus is on the developer to determine whether the development will have any significant impact on biodiversity. A survey and report are required for any proposed development which may have an impact on any protected species of flora or fauna or have an adverse impact on biodiversity or geological features. This could include development which involves the removal of vegetation (e.g. trees, shrubs, hedgerows), alteration to water courses, the demolition of older buildings or any works within the roofs of buildings.

Further guidance on the criteria and indicative thresholds which are likely to trigger the requirement for biodiversity and/or geological surveys has been prepared by the Association of Local Government Ecologists (ALGE) and is available on the Natural England website:

- http://www.alge.org.uk
- https://www.gov.uk/government/organisations/natural-england
- http://www.bats.org.uk
- https://sussexwildlifetrust.org.uk

With regards to potential habitat loss, the Environment Agency offer pre-application advice as follows:

> *'Applicants who would like any further detailed advice from the Environment Agency can do so via our detailed planning advice service, there is a charge for this service. As part of this service you would have a dedicated project manager to coordinate the advice from different teams within the Environment Agency. It would also include bespoke technical and planning advice if you request this. This will allow you to have greater clarity about the assessments you need to accompany your planning application and certainty about whether the development is acceptable to us before you resubmit. Engagement at the pre-application stage will speed up our formal response to your planning application and provide you with certainty as to what our response to your planning application will be. It should also result in a better quality and more environmentally sensitive development'.*

4. Community Infrastructure Levy (CIL)

Worthing Borough Council adopted its Charging Schedule for CIL in February 2015 and implementation of the charge commenced on 1st October 2015. The levy is charged on most new residential and retail development (all other uses are nil charged). Details relating to the rates set and all background documentation can be found on the Councils' website. Although CIL is now the dominant means for securing financial contributions from development in Worthing, Planning Obligations, despite being 'scaled back', will continue to play a key role in relation to affordable housing and certain site specific requirements:

- https://www.adur-worthing.gov.uk/planning-policy/worthing/worthing-cil

Adur District Council does not currently have a CIL charging scheme; please see the Councils' website for any future updates.

5. Daylight/Sunlight Assessment

Whilst not considered an appropriate requirement at validation stage, applicants should be aware that a daylight/sunlight assessment may be required during the course of determining an application where it is considered that a development would result in an unacceptable loss of light to adjoining premises. Any assessment would need to be carried out in accordance with BRE guidelines (Site Layout Planning for Daylight and sunlight: a Guide to Good Practice - BRE Report 209, 2011). This document is available to purchase on the BRE website here:

- https://bregroup.com/store/bookshop/site-layout-planning-for-daylight-and-sunlight-a-guide-to-good-practice-br-209-2022-edition

Or you can request a free fact sheet here:

- https://www.right-of-light.co.uk/fact-sheets/?_gl=1*742645*_up*MQ..*_gs*MQ..&gclid=CjwKCAjwqKzEBhANEiwAeQaPVcTHGrPhgTK303SvsYQMG2o-NK9Y6YxL2Sp9UOCmhsO3V9zL80GgAhoCYPwQAvD_BwE&gbraid=0AAAAAD_FtRTRsmn284GGDHUvx5Ux9

6. Economic Statement

In the case of applications involving the net loss of employment floorspace in Worthing, please see the Worthing Sustainable Economy SPD February 2012 which sets out in detail what information will need to be submitted with the application:

- https://www.adur-worthing.gov.uk/worthing-ldf/spd-and-guidance/#sustainable

In the case of applications involving the net loss of employment space in Adur please refer to the Demonstrating Genuine Loss of Employment Floorspace SPD, which was adopted on 26th March 2019, and provides detailed advice as to information which should be submitted to support applications:

- https://www.adur-worthing.gov.uk/media/Media,151915,smxx.pdf

7. Energy/Sustainability Statement

Policy 19 of the Adur Local Plan requires all new major development within Adur to

incorporate renewable/low carbon energy production equipment to provide at least 10% of predicted energy requirements. A statement should be submitted which demonstrates the proposal's contribution to reducing carbon dioxide emissions through an energy efficient design of the site, buildings and services; the use of decentralised energy, heating and cooling and on-site renewable technologies. The Shoreham Harbour Joint Area Action Plan also has policies on sustainable energy provision.

On 14th August 2019 Adur District Council adopted the Sustainable Energy Supplementary Planning Document which supports the policies referred to above, and explains how the requirements of the policy can be met. This can be found here:

- https://www.adur-worthing.gov.uk/adur-ldf/spd-and-guidance/#spd-sustainable-energy

Worthing Borough Council does not currently have specific energy targets but these will be included in the emerging Worthing Local Plan; please see the Council's website for future updates.

8. Flood Risk Assessment (FRA) and Exceptions and Sequential Tests

Planning applications for development proposals of 1ha or greater in Flood Zone 1 and all proposals for new development located in Flood Zones 2 and 3 should be accompanied with a Flood Risk Assessment (FRA); further advice from the Environment Agency on how to complete a FRA can be found at:

- https://www.gov.uk/flood-risk-assessment-standing-advice

This includes requirements for householder developments in Flood Zones 2 and 3, and water-compatible, less vulnerable or more vulnerable development up to 1ha in Flood Zone 2.

The Lead Local Flood Authority reviews all applications for major planning applications for local flood risk from ordinary watercourses, surface water and groundwater. LLFA Guidance on Flood Risk Assessments and accompanying Drainage Strategies for both major and minor development can be found at:

- https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/flood-risk-management-pre-application-advice/#:~:text=1%20Overview,an%20application%20has%20been%20submitted.

The Environment Agency also provide 'Building a Better Environment' May 2013 which is a document for those involved in the wider development process including architects and consultants:

- https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attach

ment_data/file/289894/LIT_2745_c8ed3d.pdf

Please also refer to Section 22 Sustainable Urban Drainage Systems (SUDS).

9. Foul Sewerage Assessment (FSA)

A FSA is required for all 'major' developments of 10 or more dwellings (excluding conversions of existing buildings), or where the site is 0.5ha or more and in other cases where the floor area to be created is 1,000sqm or more or the site area is 1 hectare or more. A FSA will also be required for any application where there is a change to the existing sewerage system or the creation of a new one.

Southern Water's Foul Sewerage Modelling Criteria for developers can be found here:

- https://www.southernwater.co.uk/media/chyj3j0u/ds-modelling-criteria_nsa.pdf

10. Heritage Statement

The National Planning Policy Framework (NPPF) states at paragraph 189 that:

> *'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record [HER] should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'.*

Applicants are advised to discuss proposals located in a heritage sensitive area with either a duty planning officer or the conservation officer before any application is made. Further information concerning the Pre-Application service and fees can be found here:

- https://www.adur-worthing.gov.uk/planning/applications/do-i-need-permission/

11. Historic Environment Record (HER)

Developers must provide a report using the HER if there is any indication of archaeology on an application site. A guidance document for Local Authority Planning Officers or their Archaeological Advisors is available on the Councils' website and this sets out the

recommended thresholds at which a Historic Environment Record (HER) search is considered appropriate.

Locations and boundaries of the Archaeological Notification Areas (ANAs) have been provided to the West Sussex Districts and Boroughs and the South Downs National Park Authority in both GIS format and accompanying PDF report. The thresholds are linked to the ANAs which hold detailed information regarding the potential for as well as known heritage assets.

A digital map of the Archaeological Notification Areas can be found on the West Sussex County Council HER web page:

- https://www.westsussex.gov.uk/land-waste-and-housing/landscape-and-environment/historic-environment-record/#archaeological-notification-areas
- https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms/#heritage

12. Land Contamination Assessment

Applications for development on land that may be affected by contamination should, where appropriate, be accompanied by a preliminary risk assessment which has identified:

- all previous uses of the site and surrounding sites
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potential risks arising from contamination at the site

The purpose of the assessment is to establish the potential risk posed to human health by the development of the site. Further advice on Land Contamination Assessment can be found on the Environment Agency website here:

- https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm/lcrm-stage-1-risk-assessment#:~:text=source%20%E2%80%93%20a%20contaminant%20or%20pollutant,as%20buildings%2C%20crops%20or%20animals

If you are progressing a planning application and have concerns that the property or site may be on, or near, potentially contaminated land you can arrange for an environmental search to be conducted. The Public Health & Regulation Team conduct environmental searches by request only. Searches cover any potentially contaminated land within 100m of the property or site. Here is a link to the fees and charging schedule:

- https://www.adur-worthing.gov.uk/media/Media,172771,smxx.pdf

13. Landscaping Details

All full planning applications for five or more dwellings or business, commercial and leisure developments of more than 1,000sqm gross (excluding conversions of existing buildings) must be accompanied by full landscaping details in the form of drawing/s and schedule/s.

14. Lighting Assessment

Applications which include, or are for the provision of, floodlighting in particular in relation to car parks, outdoor leisure facilities and commercial premises particularly in the vicinity of residential properties or open countryside must be accompanied by a lighting impact assessment.

15. Noise Impact Assessment

Applications for developments that raise issues of disturbance by noise to the occupants of nearby existing buildings, and for developments that are considered to be noise sensitive and which are close to existing sources of noise (e.g. railway, major roads, industrial sites), should be supported by a Noise Impact Assessment prepared by a suitably qualified acoustician. Further guidance is provided in the *'**Planning Noise Advice Document: Sussex'**.*

- https://www.adur-worthing.gov.uk/noise/planning/#noise-assessment

16. Parking Provision

All full planning applications should be accompanied by existing and proposed block plans to a scale of 1:200 showing parking provision. Provision should normally be in accordance with West Sussex County Council Highways Authority's parking standards:

- https://www.westsussex.gov.uk/media/1847/guidance_parking_res_dev.pdf

Where under on-site parking provision is proposed, an on-street car parking capacity survey may be required in accordance with the above guidance.

Further pre-application advice for roads and transport from West Sussex County Council, including the car parking demand calculator:

- https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/pre-application-advice-for-roads-and-transport

17. Planning Obligations (Section 106)

Planning Obligations (section 106) agreements are used to collect affordable housing contributions (see above) and to deliver site specific impact mitigation requirements without which a development would not be granted planning permission. These requirements must be directly related to the development. Where appropriate, the Councils will expect these requirements to be identified at pre-application stage and where required a draft planning obligation or at least a draft Heads of Terms shall be submitted.

For Worthing, further information on infrastructure contributions and thresholds (and how they relate to the Community Infrastructure Levy) can be obtained from:

- https://www.adur-worthing.gov.uk/planning-policy/worthing/worthing-developer-contributions/worthing-planning-obligations/

For Adur, an Interim Planning Guidance Note 'Planning Contributions for Infrastructure Provision' was approved by the Council in July 2013 to provide guidance to landowners and developers as to the contributions required towards new infrastructure provision to serve new development.

The document may be found at:

- https://www.adur-worthing.gov.uk/media/Media,116034,smxx.pdf

18. Refuse and Recycling Provision

Adur & Worthing Councils Services provide household waste and recycling services using wheeled bins. Standard properties with a frontage that faces directly onto a street use 140L refuse and 140L/240L recycling bins for the collection services. A 240L bin may additionally be used for the collection of garden waste. Other types of accommodation may use shared facilities using these volume capacities for each household unit. A plan should be provided at application stage with all relevant applications which shows how the waste and recycling facilities will be stored on the property and the likely collection method to be used.

Where shared facilities are expected to be provided or where access to the property by dustcart may be difficult, developers should contact Adur & Worthing Councils Services for bespoke guidance in advance of an application by contacting:

- help.aws@adur-worthing.gov.uk

19. Shoreham Harbour

Planning applications in the Shoreham Harbour area are required to submit a

Sustainability Statement. Adopted guidance for this can be found on the website (this guidance will be updated with the next version of the Shoreham Harbour Joint Area Action Plan):

- https://www.adur-worthing.gov.uk/media/Media,156281,smxx.pdf

20. Space Standards

All applications for new dwellings will be expected to comply with both internal and external space standards.

Adur District Council expects new dwellings to meet the minimum nationally described space standards and the optional higher Building Regulations Standard M4(2) for Accessible and Adaptable dwellings. It also has its own local requirements for external space standards. These are available to view on the Councils' website (see links below):

- https://www.adur-worthing.gov.uk/media/Media,98782,smxx.pdf

Worthing Borough Council's requirements are available to view on the Council's website (see links below). The national described standards are similar to those approved by the Council in 2012 (Space Standards SPD). However, they do not relate to conversions or external open space standards and, therefore, the Council's Space Standards SPD will continue to provide guidance on these issues:

- http://www.adur-worthing.gov.uk/worthing-ldf/spd-and-guidance/#space

Technical housing standards - nationally described space standards:

- https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard

21. Statement of Community Involvement

A Statement of Community Involvement is required for all major applications as well as planning applications for telecommunications equipment. For advice on community engagement at the pre-application stage please refer to paras 4.9-4.15 of the Worthing and Adur Joint Statement of Community Involvement (April 2024):

- http://www.adur-worthing.gov.uk/adur-ldf/statement-of-community-involvement

22. Structural Surveys

A full structural survey is required for applications which involve the demolition of a listed building or a building that positively contributes to the character of a Conservation Area where the condition of the building forms part of the justification for its replacement or where extensive conversion works to such a building are proposed to be carried out. Any survey undertaken should be carried out by a qualified surveyor. A structural survey may also be required to support an application involving the loss of employment floorspace if the loss is justified on the grounds that it is economically unviable to retain the building for employment use.

23. Sustainable Drainage Systems

A surface water drainage strategy will be required for:

- all development over two dwellings or 1,000sqm of commercial floor space
- all applications within areas at risk of fluvial or pluvial flooding
- all applications for an increase in impermeable area within areas not served by public surface water sewers

West Sussex LLFA policy for the management of surface water was updated in November 2018. This policy statement sets out the requirements that the LLFA has for drainage strategies and surface water management provisions associated with applications for development. Planning applications for development should therefore be accompanied by a site-specific drainage strategy that demonstrates that the drainage scheme proposed is in compliance with West Sussex County Council's sustainable drainage policies, as outlined within this document. In accordance with the NPPF, major developments should incorporate SuDS (Sustainable Drainage Systems) unless there is clear evidence that this would be inappropriate.

The details provided by the applicant should be in accordance with the Council's Surface Water Drainage Supplementary Guidance Notes and Surface Water Drainage Checklist, found on the following webpage:

- https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms/#flood

Developments over five properties will require a maintenance manual to be supplied as part of the surface water drainage strategy.

If insufficient information relating to drainage is provided it is likely that pre-commencement conditions will be imposed.

Note: the proposed drainage system must be informed by winter ground water monitoring and winter infiltration testing.

24. Telecommunications Development

A supporting statement is required in connection with all telecommunications development setting out the operational need/requirements, including an analysis of alternative sites which could be considered, ICNIRP compliance and public consultation undertaken.

25. Town Centre Uses - Sequential Test and Impact Assessment

Where an application is submitted for main town centre uses outside of a town centre and not in accordance with an up-to-date Local Plan, it should be accompanied by a sequential test.

In Worthing, where an application for retail, leisure and office development exceeds 2,500sqm gross of floorspace it must also be accompanied by an impact assessment.

In Adur, an impact assessment will be required for any proposed retail development outside of the Primary Shopping Area with a net sales floorspace of 1,000sqm or more.

26. Transport Issues

A Transport Statement (accompanied by a Travel Plan Statement) or a Transport Assessment (accompanied by a Full Travel Plan) will be required where the size of development exceeds the thresholds defined for each type of development in the West Sussex County Council (WSCC) Transport Assessment Methodology, and must comply fully with this guidance:

- http://www2.westsussex.gov.uk/roadsandtransport/WSCC%20Transport%20Assessments%20-%20Guidance%20on%20Methodology%20for%20Developers.pdf

When dealing with public transport issues in the Transport Statement or Transport Assessment, the Local Authority would expect consideration of the availability of public transport over a 24 hour period.

A Stage 1 Road Safety Audit and designers response will be required for any major planning applications (defined as being 10 residential units or more, or 1,000sqm or more of commercial GFA) that propose an alteration to the public highway, intensification in use of an existing access, formation of a new access or off-site highway improvements. The RSA should be undertaken in accordance with the WSCC Road Safety Audit Policy which can be found at the following link:

- https://www.westsussex.gov.uk/media/uysmcbdy/roadsafety_auditpolicy.pdf

27. Tree Survey

Required in all cases where trees within the application site or on land adjacent to it could be affected by the development. In addition, an arboricultural statement produced by a qualified arboriculturalist will be required to support any planning application which proposes any development within the root protection zone (as defined by BS 5837:2012) of a tree subject to a Tree Preservation Order or within a designated Conservation Area.

During the processing of the application, the authority may also require the submission of a professional arboricultural statement in relation to the impact of the development on other unprotected trees within or adjoining the development site if these have amenity and/or ecological value.

The statement should include a plan accurately plotting all relevant trees and a schedule of their species. Full guidance on the survey information, protection plan and method statement to be provided with an application is set out in the current BS58 37: 2012 Trees but will need to be purchased.

28. Ventilation and Air Conditioning Statement

Required for all applications for the use of premises for purposes within Use Classes A3 (Restaurants and Cafes), A4 (Drinking Establishments), A5 (Hot Food Takeaways) and D2 (Assembly and Leisure) including change of use and any other applications which require ventilation or extraction equipment to be installed.

For most planning applications for food premises, the details of the ventilation/extraction system including extract hoods, filters, fans and ductwork must be provided, in addition to details of noise emissions from external plant, and external appearance; in some cases this requirement may be able to be relaxed where an application is speculative and/or the end user unknown in which case a more generic statement may be acceptable.

Applications which include air conditioning plant should be accompanied by full details of appearance, siting and noise readings to enable a full assessment of the potential impact on surrounding residential properties.

The Institute of Acoustics (IoA) and Chartered Institute of Environmental Health (CIEH) have produced guidance notes for those thinking about purchasing a heat pump and installers, designed to avoid significant adverse noise impacts associated with their use, see:

https://www.ioa.org.uk/heat-pump-briefing-notes-calculation-sheet-ioa-cieh