

# Amendments to the Proposed Submission Adur Local Plan (2016)



## Representation Form

Return Address: [adurplanningpolicy@adur-worthing.gov.uk](mailto:adurplanningpolicy@adur-worthing.gov.uk)

Or:


Planning Policy Team, Adur and Worthing Councils, Town Hall, Chapel Road,  
Worthing, BN11 1BR

Or hand in at:

- Shoreham Centre, 2 Pond Road, Shoreham-by-Sea, BN43 5WU or
- Portland House, 44 Richmond Road, Worthing, BN11 1HS

Please return to Adur District Council by midnight on 11<sup>th</sup> May 2016  
Late representations will not be considered.

**Please note that at this stage, representations are only being sought on whether the amendments to the Plan are sound and/or legally compliant.**

 **Use of your information:** Respondent details and representations will be forwarded to the Secretary of State for consideration when the Adur Local Plan is submitted for examination. All documents will be held by Adur District Council and representations will be published including on the internet e.g. [www.adur-worthing.gov.uk](http://www.adur-worthing.gov.uk). Personal contact details (address, email and phone number) will be removed from published copies of representations. Your information will be handled in accordance with Data Protection Act 1998.

Contact details will be added to the Adur Planning Policy consultees database to keep you informed on the progress of the Adur Local Plan and other related documents.

☐ Please tick if you do **not** want to be informed.

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This form has two parts:

- i. Part A - Respondent Details. You only need to fill this in once.
- ii. Part B - Your representation(s). Please fill in a separate sheet for each representation you make.

**It is recommended that you read the Guidance Notes provided for an explanation of terms used in this form.**

**Part A – Personal Information**  
You only need to complete this section once

**Personal Details**

First name	<input type="text" value="Mathieu"/>		
Last name	<input type="text" value="Evans"/>		
Organisation (where applicable)	<input type="text" value="Gladman Developments"/>		
Address line 1	<input type="text" value="Gladman House"/>		
Address line 2	<input type="text" value="Alexandria Way"/>		
Address line 3	<input type="text" value="Congleton"/>		
Post Code	<input type="text" value="CW12 1LB"/>	Telephone	<input type="text" value=""/>
Email address	<input type="text" value=""/>		

**Agent's Details (if applicable)**

First name	<input type="text"/>		
Last name	<input type="text"/>		
Organisation	<input type="text"/>		
Job Title	<input type="text"/>		
Address line 1	<input type="text"/>		
Address line 2	<input type="text"/>		
Address line 3	<input type="text"/>		
Post Code	<input type="text"/>	Telephone	<input type="text"/>
Email address	<input type="text"/>		

## Part B – Representation

Please use separate sheets for each representation

### 1. Which Amendment(s) to the Adur Local Plan does this representation relate to?

Amendments relating to:

Policy No.	<input type="text" value="See attached letter"/>	Paragraph No.	<input type="text"/>
Map	<input type="text"/>	Other section (please specify)	<input type="text"/>

### 2. Do you consider the Amendment(s) to be: (tick as appropriate)

2.1 Legally Compliant    Yes    ☐    No    ☒

2.2 Sound    Yes    ☐    No    ☒

Please read the Guidance Note for guidance on legal compliance and soundness.

If you have ticked no to 2.1, please continue to Q4.

If you have ticked no to 2.2, please continue to Q3.

If you have ticked yes to 2.1 and 2.2 please go to Q7.

### 3. Do you consider the Amendment(s) to the Adur Local Plan to be unsound because it is not: (tick as appropriate)

3.1 Positively Prepared    ☒

3.2 Justified    ☒

3.3 Effective    ☒

3.4 Consistent with National Policy    ☒

**4. If you consider the Amendment(s) to the Adur Local Plan to be unsound or not legally compliant, please explain why in the box below:**

**See attached letter.**

(Continue on a separate sheet if necessary)

**5. Please explain in the box below what change(s) you consider necessary to make the Amendment(s) to the Adur Local Plan legally compliant and sound having regard to the reason you identified above.**

**(You will need to say why this change will make it legally compliant or sound. It will be helpful if you are able to put forward your suggested or revised wording. Please be as precise as possible).**

**See attached letter.**

(Continue on separate sheet if necessary)

**6. If your representation concerns soundness or legal compliance and is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination? (tick as appropriate)**

**No**, I wish to communicate through written representations ☒

**Yes**, I wish to speak to the Inspector at the hearing sessions ☐

**Please note:** The Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the hearing part of the examination.

**7. If you wish to participate at the hearing part of the examination, please outline why you consider this to be necessary.**

**8. Please tick if you do not wish to be informed of the following:**

When the Plan has been submitted for Examination ☐

When the recommendations from the Examination have been  
Published ☐

When the Local Plan has been adopted ☐

**What happens next?**

Representations made to the Council will be passed to the Inspector for consideration.

Once this has happened, the Inspector will commence the examination and give notice of the start of the hearing sessions.

Interested parties will be informed of the start date of the hearing sessions and the matters to be considered.

**Thank you for your representation.**



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Congleton, Cheshire  
CW12 1LB

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**F: 01260 288801**

**[www.gladman.co.uk](http://www.gladman.co.uk)**

Planning Policy Team,  
Adur & Worthing Councils,  
Worthing Town Hall,  
Chapel Road,  
Worthing,  
BN11 1BR.

(Representations submitted by email to [adurplanning@adur-worthing.gov.uk](mailto:adurplanning@adur-worthing.gov.uk))

11<sup>th</sup> May 2016

**Re: Amendments to the Proposed Submission Adur Local Plan (2016)**

Dear Sir/Madam,

## **Introduction**

Gladman Developments Ltd (Gladman) specialise in the promotion of strategic land for residential development and associated community infrastructure. From this experience, Gladman understand the need for the planning system to deliver the housing and economic needs of an area, whilst responding positively to the wider opportunities for growth.

Gladman have considered the documentation and accompanying sustainability appraisal prepared by the Council, which propose additions and changes to the previous submission version of the Adur Local Plan, as consulted upon in 2014. Since this time the draft Local Plan has been revised to take account of changes to the strategic allocations within the plan, most notably the New Monks Farm site. However during the time since the last pre submission version in 2014 there have been a number of significant changes in the planning position of a range of local planning authorities within and bordering onto the housing market area (HMA) for Adur. These coupled with the recent publication of evidence into the Local Plan Experts Group have the potential to have significant consequences on the production of the proposed plan.

This representation should be read in addition to our previous representation of the 28<sup>th</sup> November 2014. The comments made in that letter remain our view and should be considered alongside this letter.



## **Constraints and Objectively Assessed Need**

Gladman acknowledge that the district of Adur is one that is constrained. The district sits between the sea and the South Downs National Park, with the much of the unconstrained area already built up. It is therefore not surprising that the Council is claiming it cannot meet its full established Objectively Assessed Need (OAN) for housing. The district is planning to provide 180 units against an estimated need of 290. Gladman have already expressed concern about the robustness of the work put forward by GL Hearn in determining the OAN, and we continue to express the same reservations as we outlined previously. It is however clear that at present the Council is advancing a case for not meeting its OAN based on the constraints which influence the District, we would be clear however that the establishment of OAN and housing requirement are different, as such the comments we make below which refer to unmet need emanating from Adur are very much a best case scenario. As we note above we have concerns that the current OAN figure for Adur is a significant underestimation of housing need and therefore the level of unmet need from Adur is likely to be very much higher than the figure reported in the plan.

## **The Duty to Cooperate and Unmet Housing Need**

Our main concern with the plan as written at present is the unmet housing need which exists, and how the HMA and its wider bordering authorities are seeking, or in this case not seeking, to address the considerable level of unmet housing need. A need which is growing year on year as a range of authorities fail to not only accommodate their own housing needs but also to adequately use the Duty to Cooperate to address the HMA wide unmet needs.

By the Councils own admission there is unmet need from the following authorities (who have recently adopted plans in addition to the unmet needs of Adur) within areas which could be reasonably be considered a HMA or neighbouring authorities to the HMA:-

- Brighton – 27,00 unit shortfall;
- Lewes – 2,300-3,500 unit shortfall;

Furthermore Worthing has recently assessed its OAN to be 663 dwellings per annum, and Arun has assessed its OAN as 845 dwellings per annum (although in the case of Arun there is challenge still to this figure). There is therefore potential for the levels of unmet housing need to further increase. The levels of unmet need being left undealt with, or undecided upon, within HMAs is a growing problem and one which significantly hinders the government's desire to boost house building, provide homes and improve affordability. We do not believe that the current draft Adur Local Plan is taking adequate steps to deal with the issue of unmet housing need.

We would wish to bring to the Councils attention the case of Warwick District and the Coventry HMA. The examination of the Warwick EIP has been in effect paused since May 2015 because of the level of unmet need within the HMA<sup>1</sup>. The inspector into the Warwick Local Plan was so concerned by the failure of the local authorities to reconcile the issue of unmet housing need that at one point he was proposing the plan should be withdrawn as he considered it unsound. Since this time that HMA has made significant strides on joint working with regard housing numbers, SHLAA assessment and green belt release. The HMA contains significant levels of green belt. There is therefore clearly, with will, a

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<sup>1</sup> [http://www.warwickdc.gov.uk/info/20410/new\\_local\\_plan/973/local\\_plan\\_examination](http://www.warwickdc.gov.uk/info/20410/new_local_plan/973/local_plan_examination)

way forward in addressing the issues which effect Adur and the other neighbouring authorities. Unfortunately so far there has been a great deal of talking and agreeing that there is unmet need and little to nothing done to address it. This cannot be considered sound planning.

### Local Plan Expert Group (LPEG)

The government remains concerned that the Local Plan process remains flawed, overly long and is leading to plans and HMAs which are failing to adequately plan for their housing needs. The late of which is particularly prevalent in the south east. As a response LPEG was commissioned to look at ways in which the Local Plan system could be improved. The report was published in March 2016<sup>2</sup> and was the subject of a consultation which ran until 27<sup>th</sup> April 2016. It is our understanding that the government's response to it will be published before the summer recess of parliament. There are a number of aspects of LPEG which are of pertinence in the evolution of the Adur Local Plan, however it is the issues surround HMAs and dealing with the unmet housing needs which we would wish to raise with the Council at this time.

LPEG are quiet clear in their recommendation that the Duty to Cooperate has failed to deal with the unmet housing needs emanating from certain areas of the country. It highlights, in effect, what has been the exact problem in Adur, Brighton and the surrounding districts, namely that there has been a duty to chat, not to deal with the problem of unmet housing need. LPEG do not underestimate the difficulties faced by local authorities in planning to meet housing need however they recommend a series of changes, in Appendix A - section 5 to the main report, to ensure that HMAs cannot simply pass the buck on housing needs. These include:-

- Establishing coordinated HMA boundaries;
- Strengthening the Duty to Cooperate and including and adding the following wording to the tests of soundness in para 182 of the NPPF;
  - i. *the product of joint working between authorities is **expected to be agreement on the distribution of full OAN unless there is clear and convincing agreed evidence that the adverse effects of meeting the need in full would significantly outweigh the presumption that the need should be met;***
  - ii. *plan making authorities **who do not plan to meet their own OAN are expected to identify in their submitted plans how those needs are likely to be met and to proactively work towards achieving the meeting of those needs** – this should involve, for instance,*
    - *testing the assertions of adjacent authorities who claim an inability to meet those unmet needs and challenging that assertion if capacity is considered to be available to meet needs;*
    - *formally requesting that adjacent authorities meet those needs; and*
    - *making representations to adjacent authorities' plans to meet those needs in the event that agreement has not been reached.*

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<sup>2</sup> <http://lpeg.org/wp-content/uploads/2016/02/Local-plans-report-to-governement.pdf>

- iii. *where unmet needs are identified as a result of this process, planning authorities requested to meet needs from adjacent authorities whether within the same HMA (or not) will be expected to treat that unmet need as part of their own OAN and to apply the same NPPF tests as they do to their own OAN in assessing their ability to meet those needs within their local plan*

It is acknowledged that the LPEG recommendations have not yet been formally accepted by government, however it is clear that the problems of unmet need in and bordering HMAs is a significant problem for many local plans at present. We have put forward the example of Warwick where an Inspector has properly sought to grapple with these significant issues, we believe strongly that a similar approach must be taken in Adur and the surrounding districts. Too many plans have already been passed without any significant work undertaken to address the levels of unmet need being generated and where the housing need is to be accommodated, the problem is only likely to grow, and starting to tackle it now is the only sound approach to take in preparing a sound, future proof Local Plan. LPEG clearly state how they think this can be undertaken, and it is likely that the full impacts of what LPEG proposes will start to be felt imminently. The Council should therefore take this opportunity to start to consider these implications and consider further where its unmet need is likely to go. It will not be adequate in the future to not deal with unmet need emanating from a HMA, therefore putting off this decision now is not sound long term planning for Adur.

## **Conclusion**

At present therefore, and in the context of the example raised of the Warwick examination and the Coventry HMA, we consider that the Adur plan is not sound as presently written as it is not seeking to adequately deal with the unmet housing need which it is generating. The proposals from LPEG are clear in outlining how such unmet need could potentially be dealt with and build upon existing policy within the NPPF<sup>3</sup>, which outlines the need for such an approach to unmet housing need. We consider the problem in Adur and its surrounding authorities is so acute that it is essential that proactive steps are taken to dealing with the unmet housing need now. Consequently we do not consider the plan to be positively prepared, justified, effective or consistent with national policy.

We trust that these representations are helpful, we would request the right to be heard at the reconvened examinations to discuss the above points in further detail and to elaborate on the points expressed in this letter.

Yours faithfully

Mathieu Evans  
Planning Policy Manager  
Gladman Developments

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<sup>3</sup> NPPF – Paragraphs 47 and 159