

# Amendments to Proposed Submission Adur Local Plan (2016) - Representations Report

Representation No	Contact First Name	Contact Surname	Organisation
64	Martin	Perry	New Monks Farm Development Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
38	Peter	Rainier	DMH Stallard

Relates to Policy
02

Relates to Paragraph
----------------------

Relates to Map
N/A

Relates to Other
N/A

Sound?
Yes

Legally compliant?
Yes

Unsound because not
N/A

Why unsound or not compliant
<p>It is considered that Policy 2 is legally compliant and sound. The release of New Monks Farm to provide a mixed use development is consistent with the NPPF which requires Local Planning Authorities to plan pro-actively to meet housing, business and other development needs of an area.</p> <p>The allocation of the site for a variety of uses (including housing, employment, open space and education) is also consistent with Paragraph 14 of the NPPF, which indicates that Local Planning Authorities should promote mixed use developments and encourage multiple benefits from the use of land in urban and rural areas.</p>

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy
02

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
Part Two - A Strategy for Change and Prosperity

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
Part Two - A Strategy for Change and Prosperity
We are concerned that Policy 2: Spatial Strategy continues to propose the release of green field sites such as New Monks Farm for development, our comments from previous consultations for this site still stand.
The Sussex Wildlife Trust notes that the Objectively Assessed Need for Housing: Adur District 2015 study has highlighted that the number of proposed dwellings over the plans period has increased from (3,600-4,800) up to the revised figure of 5,820. We recognise that ADC has taken steps to look at how they deliver this number of dwellings and have come to the conclusion that plan will unable to deliver 2211 of these dwellings over the period of the plan.
In order to deliver the remaining 3609 dwellings, ADC is proposing to build on greenfield sites. We ask what steps ADC have taken to ensure that by delivering these 3609 dwellings they will still be able to deliver the 6th Objective of the plan, to increase the District’s Natural Capital.
Section 2.17 of the plan seems to indicate a reduction of dwellings that will be delivered on brownfield sites. It is not clear in the schedule of changes why this modification has occurred as it simply refers to a change in monitoring information. The reason for this modification must be made clear as it represents a difference of some 113 dwellings.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
60	Robert	Thornton	Cobbetts Developments Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
34			

Relates to Policy
02

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
Omission Site: Land at Steyning Road, Shoreham (aka Shoreham Gateway)

Sound?
No

Legally compliant?
Left Blank

Unsound because not
Justified, Positively Prepared

Why unsound or not compliant
Objections as to Soundness.  The plan is unsound and has not been positively prepared because it does not seek to meet its objectively assessed housing needs. The plan is also unsound because it is not justified in its under delivery of housing and neither can it demonstrate that it has adopted the most appropriate strategy when properly considered against all reasonable alternatives. This is evident by its exclusion of the Steyning Road/Gateway site.  The OAN figures have been updated since the previous version of the plan and now demonstrate a requirement for a greater number of dwellings. However the proposed amended plan shows an even greater shortfall, currently up from the 2014 version of between 1162-1312 to a current undersupply of 2,211 (this represents a 40% unfulfilled housing supply). This is contrary to the specific requirements of the NPPF whereby local plans must fully meet their identified needs for housing. Consequently, the policy team needs to give greater consideration to other sites within the urban fringe, and should allocate the Steyning Road/Gateway site for future housing.  Since the amended version of the plan was published, planning approval has been given to the Environment Agency’s TWS. This includes an amendment to the originally proposed scheme for reach 3, whereby the southern half of the Steyning Road/Gateway site will now benefit from enhanced flood defenses (up to 1/200 year AEP) making it more suitable for housing, from a flood risk perspective, than previously considered. The scheme will now provide enhanced and new defences to safeguard an area of approximately one hectare, or potentially up to 35 dwellings, as well as provide protection for Shoreham to the south. However, despite the policy team being made aware of our collaboration with the EA, they have continued to reject the site based on landscape and visual impact concerns. However, the site is no more constrained by landscape and visual impact than the other major sites being proposed. In general they have attributed far too much weight to these concerns, given the severity of constraints within the district and the severity of the shortfall in unmet housing needs. This is in part because some of the evidence based studies are not credible or consistent in their evaluations and conclusions, whilst the conclusions and recommendations of others have just been ignored.  This is clearly demonstrated by the Landscape Study Update 2016 by Sheils Flynn, which uses the same methodology and criteria as the earlier Landscape & Ecology Study

2012, (by the same authors) to assess a number of Landscape Character Areas (LCAs). The updated report takes into consideration changes in the landscape, including the newly built Brighton & Hove training ground in the south east corner of the Gap and the proposed ATW scheme. It also draws conclusions based on the allocation of land at New Monks Farm and Shoreham Airport, although these sites are proposed land allocations and not yet adopted. Therefore any assessment based on the assumption of their inclusion within the plan is premature. The key viewpoints in both reports, to assess visual sensitivity, are the same, however, LCAs which are not included within the proposed version of the plan have had their scores changed to reflect a more negative outcome, whilst those LCAs that are included as land allocations within the plan have remained unchanged. Whilst such evidence based studies are supposed to form an independent and unbiased view, it does appear that the updated version includes amendments to support the policy team’s view that these alternative sites are not suitable for allocation. However, these conclusions fly in the face of the earlier 2012 Sheils Flynn report, which scored the Steyning Road/Gateway site as “medium-Low” for Landcape Sensitivity, Visual Sensitivity and Overall Landscape Sensitivity and the Urban Fringe Study 2006, which concluded the site had a “low” environmental impact, “low” contribution to landscape and “low” importance to the strategic gap.

Evidence to support this is given in more detail in our previous representation.

Further comments are made about the veracity of the Sheils Flynn Landscape update 2016 within the appendix.

Summary.

The Steyning Road/Gateway site should be omitted from the local gap and allocated within the plan for housing. In addition to the arguments outlined in previous representations, the following enabling factors have since come to fruition:

- 1. an approved planning application for the ATW flood defence scheme, which protects the site from future flooding to a level now appropriate for new housing but also protects existing housing, employment and infrastructure within the wider area of Shoreham town to the south.
- 2. an agreed access with WSCC Highways.
- 3. substantial funding secured by Adur District Council from the Government’s Local Growth Fund and additional funding from other agencies, in order to realize the ATW flood defence scheme, which makes it very hard to understand why the local authority would not to wish to maximize the cost benefit from safeguarding this site for future development.

Appendix:  
- Email from Robert Thornton to Adur policy team commenting on the Adur Landscape Study Update - Shoreham Gateway by Sheils Flynn 2016, dt. 01/02/2016

Changes required

Changes to Policy 2 Spatial Strategy and Policy 14 Local Green Gaps

The Submission Local Plan should include a policy whereby all sites previously identified by the Urban Fringe Study 2006, which will benefit from enhanced flood defences, afforded by the recently approved ATW scheme, should be allocated for housing to meet the OAN shortfall or, if not required within the plan period, safeguarded for future needs beyond the plan period, as required under NPPF guidance. (Para 147. ‘Crucially, Local Plans should...take account of longer term requirements’.)

Landscape and visual impact issues concerning the Local Green Gaps have been grossly overstated. Much of this land is of poor landscape quality and the weight of argument for retaining parts of its fringe are unjustified given the context of –

- (a) a severely constrained district from a topographical perspective,
- (b) a severe shortfall in unmet housing needs, including affordable housing,
- © a shortage of deliverable land supply for a 5 year period,
- (d) the vast, superior and heavily protected landscape amenity of the SDNP.

The original purpose of the Gap was to prevent the coalescence of the conurbations of Shoreham, Lancing and Worthing. Any land that does not make a significant contribution to the integrity of the gap should be given greater consideration for allocation for future development, including the Steyning Road/Gateway site, which was described by the UFS 2016 as having:

‘[a] tenuous visual relationship with rest of the gap to the south west’ and 'LOW importance to the strategic gap’  
and by the Landscape & Ecology Report 2012 as:

‘...a small, narrow part of the Lancing Gap and [which] seems disconnected from it’.

The allocation of 15,000sqm of employment space adjacent to the eastern bank of the river just south of the Ricardos industrial plant will further increase this sense of separation from the rest of the gap. In fact the site will become completely disconnected, effectively enclosed by development on the eastern side of the river.

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
62			Persimmon Homes South Coast Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
26	Will	Cobley	Turley
Relates to Policy		Relates to Paragraph	
02		N/A	
Relates to Map		Relates to Other	
N/A		N/A	
Sound?		Legally compliant?	
Left Blank		Left Blank	
Unsound because not			
N/A			
Why unsound or not compliant			
<p>Paragraph 14 of the NPPF requires ‘Local Plans to meet objectively assessed needs, with sufficient flexibility to adapt to rapid change’. Paragraph 2.4 of the Plan acknowledges that ‘realistic options for locating development are extremely limited due to the compact size of the Local Plan area and its constrained location between the sea and the South Downs National Park’. The strategic allocations of land at West Sompting and NewMonks Farm are therefore crucial to delivering thespatial strategy in accordance with the NPPF. The proposed allocation of these sites was arrived at on the basis of evidence that concluded they would not ‘significantly compromise the Local Gaps’. Furthermore the detail of the proposals will be assessed against the specific criteria listed in policies 5 and 6.</p> <p>On this basis whilst our client supports the overall objective of the policy, we consider that the specific reference to Sompting Village in the context of the overall spatial strategy for the district is too prescriptive and unnecessary in this policy.</p>			
Changes required			
Suggested change: Delete final paragraph which currently states ‘The character of Sompting village, which lies outside of the Built Up Area Boundary, will be respected and maintained’.			
I support the plan			
N/A			

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy
03

Relates to Paragraph
2.17

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
Section 2.17 of the plan seems to indicate a reduction of dwellings that will be delivered on brownfield sites. It is not clear in the schedule of changes why this modification has occurred as it simply refers to a change in monitoring information. The reason for this modification must be made clear as it represents a difference of some 113 dwellings.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
64	Martin	Perry	New Monks Farm Development Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
38	Peter	Rainier	DMH Stallard

Relates to Policy	Relates to Paragraph
03	N/A

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
Yes	Yes

Unsound because not
N/A

Why unsound or not compliant

It is considered that Policy 3 is legally compliant and sound. We note that Paragraph 2.22 of the Proposed Submission Local Plan (as amended) indicates that when assessed against Adur’s objectively assessed needs, the amount of residential development that can be accommodated on brownfield sites results in a considerable shortfall of 3,291 dwellings.

Consequently, the release of New Monks Farm (as well land at Sompting and Shoreham Harbour) is essential to partially make up this shortfall, although it is noted that there would still be an under delivery of 2,211 dwellings during the plan period. However, in acknowledgement of the considerable environmental constraints within the District a capacity based approach would in our view be appropriate. Should the Inspector seek to suspend the Plan so that the shortfall can be further addressed, we would welcome a preliminary statement from the Inspector indicating support for the allocation of land at New Monks Farm thus enabling delivery.

Changes required
N/A

I support the plan
N/A



Representation No	Contact First Name	Contact Surname	Organisation
71	James	Stevens	Home Builders Federation (HBF)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
32			

Relates to Policy	Relates to Paragraph
03	N/A
Relates to Map	Relates to Other
N/A	N/A
Sound?	Legally compliant?
No	No

Unsound because not
Justified

Why unsound or not compliant
Policy 3: Housing Provision
<p>The housing requirement of 180 dpa is unsound because it does not meet the full objectively assessed need of the district. The Council has not demonstrated that 180 dpa is all that can be accommodated.</p> <p>Accommodating the unmet need</p> <p>As in the cases of Brighton &amp; Hove and Lewes councils, we consider that Adur District Council should do more to accommodate a greater part of its unmet need, adopting the principle of ‘leaving no stone unturned’ (as the inspectors recommended at Brighton and Lewes). This is necessary to help close the gap between its OAN of 290 dpa and capacity for 180 dpa (paragraph 2.22).</p> <p>We consider that there are alternative site options within the HMA to accommodate some of the unmet need of Adur. The HBF is not allowed to suggest particular options as we need to be careful to avoid commenting on site specific matters, but the examination of the Lewes and Arun Local Plans have suggested at least two options for new settlements that the Sussex Coast authorities could consider that could help to provide for more of the unmet needs of the HMA in the longer term. These options could be considered as part of an immediate review of the local plan. The ability to allocate these locations is supported by the Government’s proposed changes to the NPPF to encourage development at public transport nodes.</p> <p>We also consider that there are more options within Adur itself. We have considered the SHLAA report of December 2015. We have considered the list of rejected sites – those to be monitored and those that have been clearly rejected. We think the Council is unjustified in rejecting many of these. For example, the rejection of the potential strategic sites (ADC/106/13, ADC/128/13 and ADC/129/13) on the grounds of there being ‘various constraints’ (Rejected sites – Monitor, page 5) needs to be substantiated better.</p>

Similarly, among the sites that have been clearly rejected, there are examples of sites which one might have expected to be allocated for residential development given the size of the housing supply shortfall. One would have expected the Council to have attached greater weight to accommodating a larger element of the shortfall relative to other planning objectives. For example, for some of the rejected sites the Council has chosen to give more wright to maintaining public open space (e.g. ADC/078/13 and ADC/080/13) than providing for a larger part of the OAN, or it has rejected a site because of overhead power cables (ADC/086/13).

Completions

The Council maintains that 528 completions have been achieved since 2011. This is not supported by data from the DCLG. The DCLG Live Table 253: permanent dwellings started and completed by tenure and district (<https://www.gov.uk/government/statistical-data-sets/live-tables-on-house-building>) provides a much less rosy picture for Adur. This shows that since 2011-2012 just 340 completions have been achieved. This is based on a combination of P2 returns from local authorities, data from the NHBC, and approved inspector data returns. We consider that the figures provided by the DCLG are reliable as they are based on a triangulation of data, including returns provided by the local authority itself.

Paragraph 2.3.1 of the Housing Implementation Strategy, October 2014 report states that the measure of completions is based upon ‘monitoring’ by the local authority. The report does not say what this monitoring data is. It would be helpful if the Council explained its source for its completions.

Windfall allowance

The Local Plan includes a windfall allowance of 416 dwellings (see Table 1). This seems to be on the high side. We note paragraph 2.5.3 of the Housing Implementation Strategy, October 2014. This states that the average windfall yield is 32 units a year, or 640 over 20 years, or 480 over 15 years. Normally we would consider this to represent robust evidence to justify the windfall allowance proposed. However, in the case of Adur, which has a very constrained housing land supply, we consider that an assumption that windfalls will continue to materialise in numbers they have done in the past, even at a discounted rate, may be a little too confident. Instead, the Council should take a more prudent approach and allocate more specific sites. Because the housing requirement of 180 dpa is already well below the OAN, the Council needs to do more to ensure that the requirement of 180 dpa will be delivered each year.

Changes required
N/A
I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
62			Persimmon Homes South Coast Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
26	Will	Cobley	Turley

Relates to Policy	Relates to Paragraph
03	N/A
Relates to Map	Relates to Other
N/A	N/A
Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
<p>Our client has commissioned site assessment and master planning work in order to better understand the opportunities and constraints at the site. This information has been discussed with the council in order to support the draft policy. Our client is in the process of preparing a planning application at the site, which will be submitted to Adur District Council later in the year.</p> <p>Paragraph 2.16 of the APSAL confirms that Adur’s objectively assessed need (OAN) has now increased to ‘291 dwellings per annum (5820 dwellings over the Plan period)’ based on a study undertaken by the Council in 2015. In this context and notwithstanding the acceptance above that Adur has limited opportunities for locating new development, the proposed minimum level of housing (3,609 homes or 180 dwellings per annum) proposed within Policy 3: Housing Provision is considered to be too low. This provision is proposing to meet approximately 60% of the identified need and it is unclear how the Council propose to deal with the remaining unmet requirement.</p> <p>In order to meet the objective of paragraph 47 of the NPPF, ‘To boost significantly the supply of housing’, the plan should consider further opportunities to increase the supply of housing over the plan period. One such option would be to increase the provision of housing identified at West Sompting, which could provide further community benefits and would be unlikely to result in any significant harm.</p>

Changes required
Suggested change: Increase the minimum number of dwellings proposed over the Plan period, to include exploring the potential to increase the provision at the West Sompting strategic allocation.

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
64	Martin	Perry	New Monks Farm Development Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
38	Peter	Rainier	DMH Stallard

Relates to Policy
04

Relates to Paragraph
2.43 to 2.44

Relates to Map
N/A

Relates to Other
N/A

Sound?
Yes

Legally compliant?
Yes

Unsound because not
N/A

Why unsound or not compliant
<p>It is considered that Paragraphs 2.43 – 2.44 are sound as they provide a flexible approach to employment provision. The types of employment generating uses supported at New Monks Farm via the wording “appropriate employment generating uses” is considered to be sufficiently flexible in regards to the form of employment floorspace that will be considered acceptable by the Local Planning Authority.</p> <p>Paragraph 2.43 recognises the importance of delivering a mixed local economy which could in addition to commercial uses, include retail, leisure and service economies. This flexibility is acknowledged and supported.</p> <p>Paragraph 2.44 then goes on to state that New Monks Farm will deliver appropriate employment generating uses.</p> <p>It is considered that in order for New Monks Farm to be viable and deliverable significant flexibility is provided for the type of employment uses considered suitable (as supported by Paragraph 2.43 of the Local Plan). This is in line with Paragraph 21 of the NPPF which states that policies should be flexible enough to accommodate needs not anticipated in the plan and to allow rapid responses to a change in economic circumstances.</p>

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
64	Martin	Perry	New Monks Farm Development Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
38	Peter	Rainier	DMH Stallard

Relates to Policy
04

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
Yes

Unsound because not
Effective, Positively Prepared

Why unsound or not compliant
<p>The Respondent considers that in order to be viable the level and type of employment floorspace should be as flexible as possible in order to ensure delivery. The delivery of the allocation will require significant investment in infrastructure, principally in respect of the proposed roundabout from the A27 but also in respect of flood mitigation works. Therefore, it is considered that the ‘appropriate employment provision’ should be given a very broad definition as would be consistent with Paragraph 21 of the NPPF which states that Local Planning Authorities should:</p> <p>“support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;”</p> <p>It is considered that the wording of the Policy is sound as it does not seek to be prescriptive regarding specific uses, allowing a flexible range of employment generating uses.</p> <p>It is considered that setting a maximum limit on the amount of employment generating floorspace at New Monks Farm is too restrictive and not positively prepared. In order that the Council can satisfy themselves that at least 10,000 m2 of employment generating space will be provided at New Monks Farm this level should be referred to as a minimum. Clearly, should any future developer seek to provide an increased level of floorspace, such provision should be treated positively, provided that it complies with other policies within the ADLP, as well as guidance provided within the NPPF.</p> <p>From the viability appraisals carried out by the Respondent, it is our view that the above amendment to the Local Plan are important to make the New Monks Farm allocation viable and deliverable.</p>

Changes required
The Policy should be amended as follows:

“To facilitate regeneration and ensure a sustainable economy, a minimum of approximately 41,000 square metres of floorspace will be allocated for appropriate employment generating uses in Adur up to 2031 at the following locations:

- Shoreham Airport (15,000 sqm)
- New Monks Farm (at least 10,000sqm)
- Shoreham Harbour Regeneration Area (16,000 sqm within Adur)

These allocations will provide a range of employment sites in terms of locations and sizes, and provision will be made within these allocations for a range of accommodation types”

It is considered that the above amendment is necessary to provide sufficient flexibility to aid the viability and deliverability of the New Monks Farm allocation, particularly in relation to highway and flood infrastructure works.

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
65			Albemarle (Shoreham) LLP and Longbow Investment no3 S.A.R.L.
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
47	Adam	Ross	Nexus Planning

Relates to Policy	Relates to Paragraph
05	2.46
Relates to Map	Relates to Other
N/A	N/A
Sound?	Legally compliant?
No	Yes

Unsound because not
Effective

Why unsound or not compliant
1. We support the amendment to paragraph 2.46 to confirm that the New Monks Farm strategic allocation can accommodate 600 dwellings. This will ensure that the potential of this site for development is fully utilised and also, importantly, increase the value generated by this major mixed-use development. This will help to ensure that this site can viably deliver the new access on to the A27 which is required to access material levels of development within this strategic allocation. It would also (as recognised by the Council in its proposed amendment to the last sentence of this paragraph) facilitate access to the strategic employment allocation at the adjacent Shoreham Airport site allocated under Policy 7, a factor of critical importance to the delivery of the Local Plan strategy as a whole.
2 However we consider that inclusion of specific reference to the access on to the A27 being a roundabout, located centrally between these two strategic allocations (as chosen through assessment of the alternatives within the Sustainability Appraisal), would add clarity and therefore make this paragraph more effective.

Changes required
3. Amend the last sentence of paragraph 2.46 to state that :
“Development at this site will require a new central roundabout access onto the A27 which would also help unlock further development at Shoreham Airport (See Policy 7).”

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
43	Wendy	Dowse	Resident
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
7			

Relates to Policy
05

Relates to Paragraph
2.46

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
Left Blank

Unsound because not
Consistent with National Policy, Justified

Why unsound or not compliant
Future expansion into the area east of Grinstead Lane will mean the River Adur will be the only gap between Lancing, Shoreham Airport and Shoreham. Shoreham airport was supposed to be retained for the use of small commercial flights and other light aircraft but steady increase in development will threaten its survival. Leaving a safety gap between runways and buildings will then become an issue and the airfield will lose out to workshops and factories. The environmental value of the airport will also be lost.

Changes required
Stop more and more expansion of the airport.

I support the plan
N/A



Representation No	Contact First Name	Contact Surname	Organisation
43	Wendy	Dowse	Resident
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
7			

Relates to Policy
05

Relates to Paragraph
2.47

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
Left Blank

Unsound because not
Consistent with National Policy, Justified

Why unsound or not compliant
New Monks Farm has a medium-low overall landscape sensitivity but it is functional flood plain so it is not necessary for it to have great value as a landscape, it is doing an important job containing groundwater and surface water from fluvial and run-off sources in watercourses and through the ground. Digging it up to build homes will destroy this natural method of retaining excessive water until it can disperse to the coast or the River Adur.

Changes required
Do not develop the area of flood plain known in this document as New Monks Farm.

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
43	Wendy	Dowse	Resident
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
7			

Relates to Policy	Relates to Paragraph
05	2.48

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
No	Left Blank

Unsound because not
Consistent with National Policy, Justified

Why unsound or not compliant
Reference to managing the network of riparian networks does not explain who is going to manage this area. It is easy to say that a Green Infrastructure Strategy should be produced and implemented, but developers are notorious for agreeing to such measures when applying for planning permission and then walking away without implementing them. Adur District Council does not have a good record when it comes to enforcing environmental responsibilities where commercial landowners are involved.

Changes required
Do not destroy the area of flood plain known in this document as New Monks Farm.

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
65			Albemarle (Shoreham) LLP and Longbow Investment no3 S.A.R.L.
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
47	Adam	Ross	Nexus Planning

Relates to Policy	Relates to Paragraph
05	2.49
Relates to Map	Relates to Other
N/A	N/A
Sound?	Legally compliant?
No	Yes

Unsound because not
Effective

Why unsound or not compliant
1 The suitability of a centrally positioned roundabout, as referenced within paragraph 2.49 as amended, has been previously accepted by the promoters of New Monks Farm and of Shoreham Airport as referenced at paragraph 12.3.3 of the Council’s Sustainability Appraisal (‘the SA’). As such we very much support the inclusion of the additional wording in this paragraph which clarifies the preferred location of the new roundabout.
2 However we consider that further clarity could be added to this paragraph in relation to the chosen access solution to these sites, which would make it more effective in supporting the Council’s objectives for the delivery of both the strategic allocations at New Monks Farm and Shoreham Airport.

Changes required
3 Amend paragraph 2.49 as follows:
“Options for a new access onto the A27 have been explored with a centrally positioned roundabout identified as the appropriate access solution. This roundabout shall be centrally located between New Monks Farm and Shoreham Airport, with a reconfigured access at Sussex Pad. The relevant parties are working with Highways England to ensure that an acceptable access solution is achieved.”

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
64	Martin	Perry	New Monks Farm Development Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
38	Peter	Rainier	DMH Stallard

Relates to Policy
05

Relates to Paragraph
2.49 & 2.77

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
Yes

Unsound because not
Effective

Why unsound or not compliant
It is considered that at present paragraphs 2.49 and 2.77 are not sound as they fail to provide the most effective solution to the delivery of the New Monks Farm allocation. The design of the roundabout is currently being progressed based on a number of constraints, including highway constraints, and constraints presented by natural features including Honeyman’s Hole (a spring adjacent to the A27) and an Ancient Monument. Consequently, it needs to be made clear that the location of the roundabout is sufficiently flexible in order that the best solution can be provided taking into account those constraints. It is noted that the Proposals Map and related Map 2 (New Monks Farm) identifies the location of the roundabout as indicative, but the flexibility of its location is not appropriately picked up within the two above Paragraphs.

Changes required
Paragraph 2.49 should be amended as follows:  “The preferred site for a proposed roundabout is centrally located between New Monks Farm and Shoreham Airport, with a reconfigured access at Sussex Pad. The relevant parties are working with Highways England to ensure that an acceptable access solution is achieved, with the recognition that flexibility is required as to the final precise location and design. “  Paragraph 2.77 should be amended as follows:  “New development at the Airport will result in a need for improved access from the A27; given that the amount of development proposed at New Monks Farm requires a new junction onto the A27, it is intended that this will also serve new development at the Airport. The preferred site for a proposed roundabout is centrally located between New Monks Farm and Shoreham Airport, with a reconfigured access at Sussex Pad. The relevant parties are working with the Highways England to ensure that an acceptable access solution is achieved, with the recognition that flexibility is required as to the final precise location and design. “  It is considered that the above amendments are necessary to provide flexibility and to ensure the most effective solution for the roundabout is found in light of various

constraints.

I support the plan

N/A

Representation No	Contact First Name	Contact Surname	Organisation
67	Alan	Robb	
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
48			
Relates to Policy		Relates to Paragraph	
05		2.51	
Relates to Map		Relates to Other	
N/A		N/A	
Sound?		Legally compliant?	
No		Yes	
Unsound because not Effective			
Why unsound or not compliant			
With reference to New Monks Farm being placed within the Adur Local Plan I would request that section 2.51 page 34 be withdrawn from the plan.			
Although not mentioning it, the access for the first phase of 250 dwellings could only be through the Mash Barn Estate. The estate is served by 2 roads leading onto the A 2025 Grinstead Lane namely Mash Barn Lane and Curvins Way. At present, at peak times, Grinstead Lane going North is gridlocked with traffic queueing to join the A27 Manor roundabout. Traffic leaving the A27 to go South from the roundabout is also travelling at usually more than the 30 mile limit making it dangerous to turn right from Curvins Way into Grinstead Lane and onto the A27.			
My objection is to the soundness of adding quite possibly an extra 100/150 cars at peak times to an already gridlocked road. The roads nearest to the New Monks Farm site would lead to Curvins Way, a road approx 160 meters in length. This often has cars/vans queueing to join Grinstead Lane. This will cause some to attempt to leave by Mash Barn Lane bringing more traffic as it winds it's way through the Estate. So to sum up amendment 2.51 should be withdrawn from the plan and the New Monks Farm development should only be built with the correct infrastructure in place and the proposed roundabout on the A27 is completed.			
Changes required			
A27 Roundabout and infrastructure to be in place.			
I support the plan			
N/A			

Representation No	Contact First Name	Contact Surname	Organisation
65			Albemarle (Shoreham) LLP and Longbow Investment no3 S.A.R.L.
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
47	Adam	Ross	Nexus Planning

Relates to Policy
05

Relates to Paragraph
2.52

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
Yes

Unsound because not
Effective

Why unsound or not compliant
1. We are unclear why the word “help” has been inserted in to paragraph 2.52. We would assume that this allocation would need to deliver, not „help“ to deliver, the measures necessary to mitigate its highways impacts suitably and that this was why the paragraph had been worded as it had originally. However the change is clearly very deliberate but, pending clarification from the Council on the rationale for it, we object to the inclusion of the word „help“ which we consider makes the paragraph more vague and therefore not effective.

Changes required
2. Pending clarification from the Council as to the rationale for the amendment, the word „help“ should be deleted from paragraph 2.52.

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
43	Wendy	Dowse	Resident
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
7			

Relates to Policy	Relates to Paragraph
05	2.53

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
No	Left Blank

Unsound because not
Consistent with National Policy, Justified

Why unsound or not compliant
NPPF should be used before Adur District Council includes New Monks Farm and the functional flood plain in its Development Plan. The recent Surface Water Management Plan that Adur and West Sussex County Council commissioned was to cover the whole of Lancing, it did not look specifically at New Monks Farm but recommended that further development in that area should be avoided because the floodplain is at capacity during periods of exceptional rainfall.

Changes required
Do not allow development on the area of flood plain known in this document as New Monks Farm.

I support the plan
N/A



Representation No	Contact First Name	Contact Surname	Organisation
43	Wendy	Dowse	Resident
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
7			

Relates to Policy
05

Relates to Paragraph
2.54A

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
Left Blank

Unsound because not
Consistent with National Policy, Justified

Why unsound or not compliant
NPPG recommends that an alternative to the water company’s sewerage network, a Package Sewage Treatment plant might be the answer. If Southern Water cannot deal with the effluent and surface water runoff from the 600 homes and other buildings, where will that effluent go? The drainage system of the area is already fragile and during periods of excessive rainfall and surface runoff the existing homes suffer from flooding in their gardens. Southern Water has frequently had to put pumps in the roads to prevent sewage entering homes. How can a privately installed sewage treatment plant be run without cost to the new homes?

Changes required
Southern Water’s sewerage network is already over-stretched. It will not be able to deal with a further 600 homes and other buildings. A privately installed sewage treatment plant will have nowhere to discharge its waste and could cost the occupiers of New Monks Farm additional charges even if it were proved a viable option. There is no practical alternative for this issue.

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
53	Marguerite	Oxley	Environment Agency
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
6			

Relates to Policy	Relates to Paragraph
05	2.54A

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
No	Yes

Unsound because not
Effective

Why unsound or not compliant
<p>We support the following wording in Policy 5 “The development is to be connected to sewerage and water distribution networks at the nearest points of adequate capacity, as agreed with Southern Water”. We support that the New Monks Farm development should be connected to the mains sewerage system.</p> <p>However, the wording in paragraph 2.54A below does not appear to be fully effective in delivering this part of Policy 5. The wording does not emphasise that all mains sewerage connection possibilities should be fully considered in the first instance.</p> <p>“2.54A Wastewater from the new development will be expected to drain to a public sewer. If this is not feasible (following discussions with Southern Water Services and the Environment Agency) and there is evidence that there is no alternative available to provide a connection to the public sewerage network, the advice in paragraph 020 of the National Planning Practice Guidance should be followed. The operation of and future management of any sewerage treatment plant should be set out clearly in any planning application for the development of the site.”</p>

Changes required
<p>We support the following wording in Policy 5 “The development is to be connected to sewerage and water distribution networks at the nearest points of adequate capacity, as agreed with Southern Water”. We support that the New Monks Farm development should be connected to the mains sewerage system.</p> <p>We would suggest rewording paragraph 2.54A as follows:</p> <p>“Wastewater from the new development will be expected to drain to a public sewer. If this is not feasible (following discussions with Southern Water Services and the Environment Agency) and there is evidence that all options for connection to the public sewerage network have been fully explored, the advice set out in paragraph 020 of the National Planning Practice Guidance should be followed. The operation and future management of any alternative sewerage scheme should be set out clearly in any planning application for development of the site.”</p>

We request this change to make sure that all mains sewerage connection possibilities are fully considered in any planning application for this site in the first instance.

The words “sewerage treatment plant” in the last sentence of paragraph 2.54A are prescriptive. Using the term “alternative sewerage scheme” instead of “sewerage treatment plant” does not restrict the scope of potential sewerage options.

I support the plan

We support the following wording in Policy 5 “The development is to be connected to sewerage and water distribution networks at the nearest points of adequate capacity, as agreed with Southern Water”. We support that the New Monks Farm development should be connected to the mains sewerage system.

However, the wording in paragraph 2.54A below does not appear to be fully effective in delivering this part of Policy 5. The wording does not emphasise that all mains sewerage connection possibilities should be fully considered in the first instance.

“2.54A Wastewater from the new development will be expected to drain to a public sewer. If this is not feasible (following discussions with Southern Water Services and the Environment Agency) and there is evidence that there is no alternative available to provide a connection to the public sewerage network, the advice in paragraph 020 of the National Planning Practice Guidance should be followed. The operation of and future management of any sewerage treatment plant should be set out clearly in any planning application for the development of the site.”

Representation No	Contact First Name	Contact Surname	Organisation
65			Albemarle (Shoreham) LLP and Longbow Investment no3 S.A.R.L.
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
47	Adam	Ross	Nexus Planning
Relates to Policy		Relates to Paragraph	
05		2.58	
Relates to Map		Relates to Other	
N/A		N/A	
Sound?		Legally compliant?	
No		Yes	
Unsound because not Effective			
Why unsound or not compliant			
1 The amended text in paragraph 2.58 is supported in principle but, in accordance with the findings of the Council’s Sustainability Appraisal (‘the SA’), and to add clarity and therefore make this more effective, we consider that the reference to the ‘new roundabout’ on the A27 would benefit from greater clarity regarding its location and provision (consistent with other references in the Local Plan).			
Changes required			
2 Amend the second sentence of Paragraph 2.58 to state:  “The new centrally located roundabout access to be delivered by the New Monks Farm allocation, which would also provide access to the Strategic Allocation at Shoreham Airport (Policy 7), will necessitate relocation of the Withy Patch site in the locality.”			
I support the plan			
N/A			

Representation No	Contact First Name	Contact Surname	Organisation
44	Tricia	Butcher	The British Horse Society
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
43			

Relates to Policy
05

Relates to Paragraph
2.77

Relates to Map
N/A

Relates to Other
N/A

Sound?
Yes

Legally compliant?
Left Blank

Unsound because not
Consistent with National Policy

Why unsound or not compliant
N/A

Changes required
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I support the plan
<p>The Society’s concerns have always related to the removal of the existing traffic lights at the Sussex Pad junction, so we are very pleased to see this wording removed. Unless a grade separated crossing can be provided for walkers, cyclists and equestrians to link the Old Shoreham Toll Bridge (BW 2048/1) to the National Park (using BW 2065), a signalized crossing must remain here at the Sussex Pad.</p> <p>There would be no possibility of these NMUs being able to cross the A27 without traffic lights to stop the traffic, a roundabout would be too dangerous for them and effectively sever the link, making the Local Plan non-compliant with NPPF para 75 – “Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks.”</p> <p>The Society will not support any change to the Sussex Pad junction, which does not ensure safe and improved NMU access across the A27 to the South Downs National Park.</p>

Representation No	Contact First Name	Contact Surname	Organisation
69	David	Bowie	Highways England
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
42			

Relates to Policy	Relates to Paragraph
05	N/A

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
1. New Monks Farm: In previous correspondence we advised that it would be preferable to position the proposed new roundabout junction on the A27 further towards the built up area. This was to ensure that speed limits were rational and safe in relation to the position of the roundabout in relation to the built up area. We note that the council prefers the position of the junction to be central between New Monks Farm and the Airport. We understand the reasons for this but would advise that this therefore requires very careful consideration of the speed limits in conjunction with the built environment (providing speed limits to accord with driver perception of hazard and risk) and in particular with the requirement that any developer will need to provide a NonMotorised User link across the A27 to the South Downs National Park. An at grade crossing would be entirely unsuitable in an area subject to a speed limit in excess of 40mph and even then a robust demonstration will be needed to ensure traffic delays are minimised and safety for all users can be maintained.

Changes required
Careful consideration will need to be given to the funding of mitigations on the A27 as each of the three adjacent strategic sites will have varying effects on the most stressed parts of the network and accordingly each will contribute in part to the costs of mitigation in relation to their specific impacts. It would be useful to set out a mechanism for calculation of contributions (once mitigations are determined and agreed). It might be preferable to consider the use of section 278 agreements with Highways England which could be required within a Section 106 agreement.

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
64	Martin	Perry	New Monks Farm Development Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
38	Peter	Rainier	DMH Stallard

Relates to Policy
05

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
Yes

Unsound because not
Consistent with National Policy, Effective, Justified, Positively Prepared

Why unsound or not compliant
<p>We support the New Monks Farm allocation and in view of the Council’s shortfall against their Objectively Assessed Housing Need summarised at Paragraphs 2.20 to 2.22 believe that the release of this land for development is essential. However, it is our view that Policy 5 as currently drafted is not sound because it fails to provide sufficient flexibility.</p> <p>We support the wording of ‘appropriate employment generating floorspace’ as this provides flexibility in regards of the type of commercial floorspace provision, thereby enhancing the viability and delivery of the allocation. The delivery of the allocation will require significant investment in infrastructure, principally in respect of the proposed roundabout from the A27 but also in respect of flood mitigation works. Therefore, it is considered that the ‘appropriate employment provision’ should be given a very broad definition.</p> <p>We would emphasise the need for flexibility to ensure that the development can accommodate “modern operator’s requirements” and the need to recognise the significant employment opportunities associated with a range of uses not just traditional B Class operators.</p> <p>Policy 4 of the ADLP currently states that a total of 41,000 m2 of floorspace will be allocated for appropriate employment generating uses in Adur up to 2031 at locations including 10,000 m2 at New Monks Farm.</p> <p>It is considered that setting a maximum limit on the amount of employment generating uses at New Monks Farm is too restrictive and not positively prepared. In order that the Council can satisfy themselves that at least 10,000 m2 of employment generating space will be provided at New Monks Farm this level should be referred to as a minimum. Clearly, should any future developer seek to provide additional floorspace, such provision should be treated positively, provided that it complies with other policies within the ADLP, as well as guidance provided within the NPPF.</p> <p>With reference the provision of affordable housing, additional flexibility should be provided to ensure viability of the scheme, with regards to level of infrastructure required to support the proposal. Furthermore, flexibility should be provided in acknowledgement of the Housing and Planning Bill, which is soon to achieve Royal Assent and will</p>

introduce an obligation to provide an element of housing to be sold at a discount of at least 20% of the market value.

It is our view that the above amendment to the Local Plan are essential to make the New Monks Farm allocation viable and deliverable.

Furthermore, whilst we consider that the provision of land for the extension of the proposed primary school is acceptable in principle, at present the site identified at Map 2 and on the Proposals Map is not sufficient and it is considered that the boundary needs an amendment to incorporate the additional land required. This is discussed further in respect of our reps on Map 2 and the Proposals Map.

It is noted that the plan has been amended referring to both the provision of both Section 106 and CIL contributions. Given that viability of the site is critical due to the costs of; highway, flood infrastructure and the country park. Our view is that the level of contributions will need to be negotiated and that it will not be appropriate to address requirements through both Section 106 and CIL. It is considered that this paragraph should be returned to its original draft.

#### Changes required

It is considered that the following amendment is necessary to make the Policy sound.

“Land at New Monks Farm (within the area shown on Map 2) will be allocated for mixed use development comprising:

- 600 homes, of which up to a maximum of 30% will be affordable subject to viability, providing a mix of types and tenures in accordance with identified needs.
- A community hub.
- 1 hectare of land to accommodate a new 1-form entry primary school, with additional land for expansion to 2-form entry in the future;
- A minimum of 10,000 sqm of appropriate employment-generating floorspace.
- Suitable access onto the A27 in agreement with the Highways England.
- Provision or funding of mitigation for off-site traffic impacts on the Strategic Road Network and local roads through a package of measures including improvements to the A27/Grinstead Lane (North Lancing roundabout) junction.
- Provision of sustainable transport infrastructure including improved public transport and cycle, pedestrian and equestrian links to Lancing, Shoreham-by-Sea and the South Downs National Park.
- Site-specific travel behaviour initiatives which encourage sustainable modes of transport. (This should include a package of travel behaviour initiatives such as residential and workplace travel plans)…”

Furthermore, it is considered that the following change should be made.

“Infrastructure requirements are to be secured through planning conditions and Section 106 as appropriate.”

I support the plan

N/A



Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy
05

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
Policy 5: New Monks Farm
<p>Given the biodiversity and flood risk issues in this area, the Sussex Wildlife Trust has continued concern over this allocation. It represents further erosion of the green gap between Shoreham and Lancing, and we remain unconvinced that development in this green gap will contribute to the gain in natural capital which is vital for sustainable growth in West Sussex.</p> <p>The Sussex Wildlife Trust is concerned that the modifications made to this policy are to the detriment of the site’s biodiversity. As a Trust we have commented on this allocation and policy a number of times previously and we were encouraged by Adur Districts Councils recognition that housing numbers for this site needed to be considered in relation to the biodiversity and ecological functioning of the area.</p> <p>During the last consultation about the New Monks Farm Allocation in December 2015 it was not made clear in the consultation that the increasing in housing to the upper range of 600 would result in the removal of wording to justify its viability in relation to the biodiversity.</p> <p>By removing wording which safeguards the site’s biodiversity in relation to the upper house numbers, the policy now fails to deliver the emphasis of NPPF Paragraph 114, to:</p> <p>‘Set out a strategic approach in their Local plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure’.</p> <p>We strongly recommend that that the wording is reinstated given the value the site has in delivering a healthy functioning ecosystem for the District.</p> <p>We support the additions made to the policy in respect to the following statement.</p>

A site wide landscape and ecological management plan to be produced and implemented to the satisfaction of the local planning authority to ensure the long-term maintenance of retained and newly created on-site habitats.

However we would like to see the addition of wording that states that any ecological plans need to be based on up-to-date ecological information about the site and surrounding areas. This would ensure it is in line with paragraph 165 of the NPPF. This wording is also lacking from the biodiversity policy (32).

This addition is necessary because although we welcome the preliminary ecological appraisals that were carried out for these site allocations as part of the draft plan, it is important to recognise that it may still be a number of years before these sites come forward for development. In this time the ecological characteristics of the sites will have changed. Any future decisions about the ecological importance of the site, in terms of its connectivity and biodiversity assets, will need to be reassessed and based on up-to-date information relating to the site and its context with the ADC’s proposed green infrastructure network.

We would encourage ADC to seek advice in relation to the suitability of the ecological surveys and the management plan when it is submitted, this should come from either in-house expertise or external consultees.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
58	David	Johnson	CPRE Sussex - Campaign to Protect Rural England
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
21			

Relates to Policy	Relates to Paragraph
05	N/A
Relates to Map	Relates to Other
N/A	N/A
Sound?	Legally compliant?
No	Yes

Unsound because not
Consistent with National Policy, Effective

Why unsound or not compliant
<p>CPRE Sussex works to promote the beauty, tranquillity and diversity of the Sussex countryside by encouraging the sustainable use of land and other natural resources in town and country. We encourage appropriate and sustainable land use, farming, woodland and biodiversity policies and practice to improve the well-being of rural communities. It is our position that local planning authorities should seek to ensure that the negative impacts of development on the countryside, both direct and indirect, are kept to a minimum and that development is sustainable in accordance with national planning policy.</p> <p>We would like to draw your attention to (but will not reiterate) our comments as part of the 2014 Local Plan consultation in relation to Policies 2, 3, 4, 5, 6 and 7 as these have not been addressed through recent amendments. We believe that the current plan is not sound as further work needs to be done in relation to the exception test for flood risk to fully comply with the NPPF para 102. More work also needs to be done to establish how the investment in infrastructure needed to manage and mitigate flood risk at New Monks Farm will affect deliverability.</p> <p>Policy 5, in relation to New Monks Farm, now states that ‘Developers will need to work with Adur District Council, West Sussex County Council and the Environment Agency to ensure that tidal and fluvial flooding as well as surface water and groundwater flooding are adequately mitigated without worsening flood risk elsewhere. A Flood Risk Assessment (FRA) will be required at the planning application stage. The FRA must take account of and seek to facilitate relevant recommendations of the Lancing Surface Water Management Plan.’</p> <p>Whilst CPRE Sussex welcomes the acknowledgement of the Lancing Surface Water Management Plan, the amendments to the Policy do not fully comply with National Policy and guidance.</p> <p>Currently areas considered for domestic housing, such as New Monks Farm and West Sompting, are situated on what was part of the extensive and historic Adur River delta. New Monks Farm is still part of the Adur flood plain. Both areas are vulnerable to ground water and surface water flooding. In 2015, CPRE Sussex commissioned its own independent Flood Risk Assessment of the three proposed key strategic sites at New Monks Farm, West Sompting and Shoreham Airport. A copy of this Assessment is</p>

submitted with this representation. In May 2015, CPRE Sussex and Adur Flood Watch Group commissioned WaterCo to carry out a document review to establish whether the issues raised in our previous submission have been addressed by subsequent analysis and amendments to the Local Plan. A copy of this review is submitted with this representation. Also submitted is a 'further comment on groundwater flooding within the Adur Local Plan area' by Dr. Stephen Buss (2016) – also commissioned by Adur Floodwatch and CPRE Sussex.

The Sequential and Exception test for the Proposed Adur Local Plan (2016) document accurately describes the constraints facing the District in finding suitable new sites for housing:

'This objectively assessed housing need figure is not considered achievable due to a number of constraints within the district including flood risk and landscape constraints. As a result, there are not a large variety of sites to choose from in Adur – every site that is potentially deliverable and would not have unacceptable environmental, economic or social impacts is being put forward in the Proposed Submission Adur Local Plan in order to try and meet objectively assessed needs as far as is possible.'

The aim of the Sequential Test is to steer new development into areas with the lowest probability of flooding i.e. areas outside of the 0.1% annual probability. The site has been assessed as having passed the NPPF Sequential Test, on the basis that there are no alternative sites in the area at lower flood risk which could accommodate a development of this size.

Where the Sequential Test is passed, the Exception Test should be applied. As stated in Paragraph 102 of the NPPF, for the Exception Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

In order to comply with Paragraph 102 of NPPF (the Exception Test), which states that development must be safe for its lifetime without increasing flood risk elsewhere, the document recommends a number of mitigation measures. However the WaterCo (2016) report states that:

'there is currently lack of detail given in regards to maximum on-site water levels and flood depths / velocities for the design tidal flood event (0.5% annual probability plus 100 years climate change allowance tidal flood event – including defence failure) in order to assess the viability of the mitigation measures.'

It also states that:

'The SFRA Core Strategy Site Flood Risk Assessments and 'Sequential and Exception Test for the Proposed Submission Adur Local Plan (March 2016)' state that the development should be resilient to future climate change and that floor raising and / or localised land raising above the 1 in 200 (0.5%) annual probability flood level for the year 2115 will be required to ensure the development is safe for its lifetime. Given the difference in potential extreme tidal levels and site levels, there may be limited scope to raise floor levels and significant land raising will be required. Land raising across a large extent of the site would likely lead to displacement of flood storage and increase in flood risk elsewhere.'

The WaterCo report (2016) recommends that further work is carried out to assess and determine the impacts of the proposed development on flood risk elsewhere before allocating this site and that;

'At this stage a study into the impacts and viability of the required mitigation measures (raising the development platform) should be undertaken. The study should establish:

- Maximum water levels, flood depths, velocities and hazards for the 0.5% annual probability plus 100 years climate change allowance tidal flood event, including for a failure of flood defences;
- The risk from a number of combined flood drivers i.e. the risk from surface water flooding from local ditches (Lancing Brooks), when outfalls becomes tide locked, combined with groundwater flooding;
- Design levels i.e. required land heights to ensure development is above the 0.5% annual probability plus 100 years climate change allowance tidal flood event;
- Means of safe access / egress and flood risk along such routes;
- The hydrological impact of localised ground raising on the existing groundwater and surface water regime;
- The impact of localised ground raising on flood risk elsewhere including a strategy to compensate for any potential loss of flood storage.

The above works will also identify the land take required for flood compensatory storage and the remaining land available for development. ‘

In terms of drainage, the Water Co report states that:

‘Given the size of the development and issues identified within the foul drainage network by the West Sussex County Council Lancing Surface Water Management Plan (CH2M Hill, September 2015), it would be prudent to undertake an assessment of the capacity of the local sewerage infrastructure to accommodate a major development prior to allocation in the Adur Local Plan. The study, undertaken by / in conjunction with Southern Water should establish:

- The capacity of the existing sewer network
- The capacity of the existing waste water treatment works
- The works required to the existing sewerage network to accommodate a major development at New Monks Farm including costs and timescale for implementation.’

This is supported by Dr. Stephen Buss in his ‘further comment on groundwater flooding within the Adur Local Plan area’ document (2016) which states that flood management measures ‘must robustly demonstrate that all contributions to flooding have been considered’

The WaterCo report (2016) concludes that:

‘The assessments, as presently offered, appear to be incomplete and inadequate and do not provide a sufficiently robust basis for supporting the site allocation within the Adur Local Plan.’

West Sussex County Council, as the lead drainage authority, commissioned an in depth study of the drainage of the Lancing Gap within which New Monks Farm is located. This was carried out by CH2MHill and published in October 2015, the non-technical report is submitted with this representation. The study covers the geological and drainage influences and structure of the Lancing area. It does not anticipate the impacts of additional development, although it does conclude that in extreme weather Lancing will always be vulnerable to groundwater flooding no matter what mitigation is undertaken. It states:-

“Policy, construction and maintenance mitigation measures to alleviate the impacts of flooding in Lancing have been considered. Even with all of these measures in place Lancing will still be at risk of flooding during more extreme weather events. This is because drainage systems (both natural and man-made) and any other flood risk infrastructure will become overwhelmed during extreme weather events. In addition, Lancing is highly vulnerable to groundwater flooding (or drainage is affected by groundwater levels), which is significantly more technically and economically challenging to manage.”

Enclosures:

- Stephen Buss further comment on groundwater flooding within the Adur Local Plan area, May 2016
- Waterco New Monks Farm, Adur strategic document review, May 2016
- Lancing Surface Water Management Plan, Non Technical Summary

#### Changes required

CPRE Sussex would like to see further work carried out before the allocation of this site to assess and determine the impacts of the proposed development on flood risk elsewhere. A study into the impacts and viability of the required mitigation measures (raising the development platform) should be undertaken. The study should establish:

- Maximum water levels, flood depths, velocities and hazards for the 0.5% annual probability plus 100 years climate change allowance tidal flood event, including for a failure of flood defences;
- The risk from a number of combined flood drivers i.e. the risk from surface water flooding from local ditches (Lancing Brooks), when outfalls becomes tide locked, combined with groundwater flooding;
- Design levels i.e. required land heights to ensure development is above the 0.5% annual probability plus 100 years climate change allowance tidal flood event;
- Means of safe access / egress and flood risk along such routes;
- The hydrological impact of localised ground raising on the existing groundwater and surface water regime;
- The impact of localised ground raising on flood risk elsewhere including a strategy to compensate for any potential loss of flood storage.

The above works will also identify the land take required for flood compensatory storage and the remaining land available for development.

We believe that an assessment of the capacity of the local sewerage infrastructure to accommodate a major development should also be made prior to allocation in the Adur Local Plan. The study, undertaken by / in conjunction with Southern Water should establish:

- The capacity of the existing sewer network
- The capacity of the existing waste water treatment works
- The works required to the existing sewerage network to accommodate a major development at New Monks Farm including costs and timescale for implementation.'

If these assessments cannot demonstrate that viable mitigation measures are possible (and flood risk elsewhere is not increased for its lifetime) and appropriate infrastructure can be put in place within the timeframes available the development of the site will not be acceptable. It should then be deleted from the Plan.

#### I support the plan

N/A

Representation No	Contact First Name	Contact Surname	Organisation
65			Albemarle (Shoreham) LLP and Longbow Investment no3 S.A.R.L.
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
47	Adam	Ross	Nexus Planning

Relates to Policy	Relates to Paragraph
05	N/A
Relates to Map	Relates to Other
N/A	N/A
Sound?	Legally compliant?
No	Yes

Unsound because not
Effective

Why unsound or not compliant
<p>1. We support the strategic mixed-use allocation at New Monks Farm in principle but have a number of smaller comments to make in terms of the detail in what is a lengthy policy.</p> <p>Policy 5, Paragraph 1 (Bullet Point 1)</p> <p>2. As set out in our representations to paragraph 2.46, we support the amendment of Policy 5 to confirm that the New Monks Farm strategic allocation can accommodate 600 homes. This will ensure that the potential of this site for development is fully utilised and also, importantly, increase the value generated by this major mixed-use development. This will help to ensure that this site can viably deliver the new access on to the A27 which is required to access material levels of development within this strategic allocation. It would also (as recognised by the Council elsewhere in the Local Plan) facilitate access to the strategic employment allocation at the adjacent Shoreham Airport site allocated under Policy 7, a factor also of critical importance to the delivery of the Local Plan strategy as a whole.</p> <p>Policy 5, Paragraph 1 (Bullet Point 5)</p> <p>3. We support the amendment to this bullet point to update the reference to identify Highways England. However of much greater significance is the need to amend this bullet point to be much more specific and, importantly, reflect matters which are set out in the supporting text to Policy 5 but which are not included within Policy 5 itself.</p> <p>4. The reference to ‘suitable access on to the A27’ is vague and has been made much more specific in the supporting text to the policy, with reference at paragraph 2.49 (amongst others), consistent with the conclusions of the Council’s Sustainability Appraisal, to a roundabout located centrally between the New Monks Farm and Shoreham Airport strategic allocations. It is notable also that the supporting text to Policy 5 (paragraph 2.51 as amended) identifies a specific threshold by which this new roundabout access must be delivered by the New Monks Farm allocation – 250 dwellings (based presumably not only on technical highways matters but also the need to deliver the</p>

access in a timely way such that it does not delay unnecessarily the development of the strategic allocation at Shoreham Airport).

5. These are important issues not only for the delivery of the New Monks Farm allocation but also the adjacent strategic employment allocation at Shoreham Airport. As such it is essential that these issues are included within Policy 5 itself (which carries statutory development plan weight) and not just in the supporting text.

#### Policy 5, Paragraph 2

6. We support the inclusion of this paragraph within Policy 5 relating to the relocation of the Withy Patch Gypsy and Travellers site as a consequence of the requirement for a central single roundabout access onto the A27. Importantly, in addition to facilitating this important access provided by New Monks Farm (but serving both that allocation and that at Shoreham Airport), moving the Withy Patch Gypsy and Travellers site westwards brings a number of other benefits which include the potential to provide additional traveller pitches to meet identified needs, the ability to reduce flood risk on the site for existing and future residents, and improve facilities / future expansion facilities for the site. As such the insertion of this paragraph into Policy 5 is consistent with the findings of the Councils Sustainability Appraisal.

#### Policy 5, Paragraph 9 (Bullet Point 1)

7. We support the inclusion of this additional bullet point which states that development will be phased in order to:

“Ensure the Withy Patch Gypsy and Travellers site is relocated prior to the construction of the new roundabout access onto the A27”

8. This is a physical necessity in order to deliver this new but critically important access. However we consider that the wording of this bullet point would benefit from being more specific, and therefore more effective, including reference (consistent with paragraphs elsewhere in the Plan) to the central location of this new roundabout access.

#### Changes required

9. Amend Policy 5 as follows:

##### Paragraph 1 (Bullet Point 5)

“Suitable access onto the A27 by way of a centrally located roundabout in agreement with Highways England, to be delivered prior to the delivery of a maximum of 250 dwellings.”

##### Paragraph 2

“The Withy Patch Gypsy and Travellers site should be relocated, to allow for the delivery of the new central roundabout access onto the A27, and increased in size.

The new site should be built at a higher level to reduce flood risk and to take the site out of Flood Zone 3. This will enable the provision of additional pitches in the future to meet identified needs.”

##### Paragraph 9 (Bullet Point 1)

“Ensure the Withy Patch Gypsy and Travellers site is relocated prior to the construction of the new central roundabout access onto the A27”



I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			

Relates to Policy
05

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
The District Council proposes to include a reference to potential for future expansion of the primary school on the New Monks Farm site which the County Council supports as this will provide flexibility to expand the school if this is required in the future. There is a need for contributions towards education provision from both the New Monks Farm and West of Sompting sites to cater for children of all ages. The primary school is required on the New Monks Farm site to accommodate the primary education needs arising from both the strategic sites. Therefore the wording; “A financial contribution towards the provision of education facilities”, should also be added to the education bullet point in Policy 5.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
46	Mark	Milling	Lancing College
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
9			

Relates to Policy
05

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/a

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
N/A

Changes required
N/A

I support the plan
For the record, Lancing College has no objections to the latest update re New Monks Farm and its previous position re the junction remains unchanged.
When it comes to the details of junction design and business continuity during project delivery, our position is reserved and we will address this as part of the planning process.
It is important that the LGF bids are supported and funded and that HE delivers an upgraded A27 (Sussex pad to west of Chichester) and a phased programme that must all be contracted well before the next general election.

Representation No	Contact First Name	Contact Surname	Organisation
48	Andrew	Swayne	Ricardo plc
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
30			

Relates to Policy
05

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
N/A

Changes required
N/A

I support the plan
For the record, Ricardo has no objections to the latest update re New Monks Farm and its previous position re the junction remains unchanged.
When it comes to the details of junction design and business continuity during project delivery, our position is reserved and we will address this as part of the planning process.
It is important that the LGF bids are supported and funded and that HE delivers an upgraded A27 (Sussex pad to west of Chichester) and a phased programme that must all be contracted well before the next general election.

Representation No	Contact First Name	Contact Surname	Organisation
43	Wendy	Dowse	Resident
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
7			

Relates to Policy
05

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
Left Blank

Unsound because not
Consistent with National Policy, Justified

Why unsound or not compliant
A Flood Risk Assessment should be undertaken by Adur District Council and West Sussex County Council for the specific area known as New Monks Farm before any developer is allowed to apply for planning permission. This is a vitally important part of the Lancing floodplain. SuDS do not work on floodplains because these systems confine excess water (usually in underground tanks) until surrounding water levels have reduced. The contained water is then released into a watercourse or the ground. A floodplain already does this naturally and putting man-made tanks into it makes no sense.

Changes required
The Surface Water Management Plan made many recommendations for the whole of Lancing, but not specifically for New Monks Farm. The reference to Flood Risk Assessment should be done by Adur D.C. prior to any development being considered in order for the whole district to be improved.

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
52	Alan	Byrne	Historic England - South East
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
46			

Relates to Policy	Relates to Paragraph
05	N/A

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
No	Left Blank

Unsound because not
N/A

Why unsound or not compliant
I refer to your email of 29 March 2016 inviting Historic England to comment on the above consultation document.
While Historic England does not have an objection to the principle of housing development at New Monks Farm, Lancing we have previously highlighted our concern that the scheme as proposed will have harmful impacts on the setting of the WWII Trainer Drone Scheduled Monument by virtue of the positioning of a new access roundabout and road close to the designated site. Until this matter is resolved through further discussion with HE’s Inspector of Ancient Monuments we will maintain our objection to allocation of this site.
Should an acceptable proposal come forward prior to or in the course of the examination of the local plan, we would be content to review our position on this matter.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
55	Bill	Freeman	Adur Floodwatch Group
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
11			

Relates to Policy
05

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
Sequential & Exception Tests 2016 SWMP Pages 36/39

Sound?
No

Legally compliant?
Left Blank

Unsound because not
Consistent with National Policy, Effective, Justified, Positively Prepared

Why unsound or not compliant
<p>Adur Floodwatch Group is an alliance of community groups across Adur District, formed following the flooding issues of winter 2012/13, it serves the community in all matters concerning drainage and is established with the National Flood Forum and a member of the West Sussex Flood Action Group. With county financial support, it has run community 'Teach Ins' to help residents prepare and be personally resilient in emerging flood situations.</p> <p>Background</p> <p>As stated in earlier submissions, AFG members know that the New Monks Farm allocation and the amended plan for now 600 homes and business development is in an inappropriate location because of the potential it will create for increased flood risk for the Lancing area both north, west and south of the site.</p> <p>This has been communicated many times to the authority in consultation submissions, at full council meetings, meetings with the planning team, with the support of local councillors and considerable comment in the media during the previous 3 years. The authority has failed to react to these community concerns for increased flood risk.</p> <p>This lack of listening to the community in itself does not comply with para 155 of the NPPF which states " A wide section of the community should be proactively engaged so that local plans, as far as possible, reflect a collective vision and set of agreed priorities for the sustainable development of the area..."</p> <p>Following the Lancing drainage issues of 2012/13, West Sussex County Council, the lead drainage authority, commissioned an in depth study of the drainage of the Lancing Gap within which New Monks Farm is located. This was carried out by CH2MHill and published in October 2015.</p> <p>The study was to cover the geological and drainage influences and structure of the Lancing area. Categorically, it did not include work in the light of further development of sites within the study area which includes the New Monks Farm allocation.</p>

A copy is attached of both the CH2MHill technical and non technical reports. We draw your attention particularly to the latter which, highlighted on page 3, concludes that in extreme weather Lancing will always be vulnerable to groundwater flooding no matter what mitigation is undertaken. It states:-

“Policy, construction and maintenance mitigation measures to alleviate the impacts of flooding in Lancing have been considered.

Even with all of these measures in place Lancing will still be at risk of flooding during more extreme weather events. This is because drainage systems (both natural and man-made) and any other flood risk infrastructure will become overwhelmed during extreme weather events. In addition, Lancing is highly vulnerable to groundwater flooding (or drainage is affected by groundwater levels), which is significantly more technically and economically challenging to manage.”

The CH2MHill technical report clearly shows the ‘at capacity’ of the complicated, ditch network which manages the drainage of the whole area into tidal sluices into the River Adur at Shoreham – drainage from the South Downs, all the local roads, the properties, gardens and their soakaways and even the A27 trunk road, the site itself plus the whole of Lancing Gap. The ditch network has virtually no gradient, 1:2000 across 1.5 miles.

The Lancing Gap and parts of the south and north west conurbations are in an area with an Environment Agency Zone 3a rating high risk of flooding from fluvial and/or coastal influences. Even more significant, the whole area of the Lancing Gap has a >75% risk of flooding from groundwater influences Almost all of New Monks farm is situated within this area.

in extreme weather, groundwater and surface water flows, particularly from the South Downs are major contributors to flooding problems for the whole of Lancing.

Climate change is becoming ever more evident. Lancing, both north, west and south of New Monks Farm, has experienced flooding and drainage issues throughout every one of the last 4 winters.

Attached is an AGM presentation which confirms this both pictorially and with comment slides.

Flooded, unusable gardens and roads, road lane closures, and severe ground water infiltration of sewers with loss of foul waste facilities are now experienced during every winter.

Please see attached the emailed drainage report to the Adur Technical Team submitted February 1st during the winter 2015/16 event for North Lancing area.

Policy 5 – Why the SWMP is unsound (Sequential & Exception Tests 2016 SWMP Pages 36/39)

The SWMP for New Monks Farm, whilst it indicates the methods to manage and attenuate surface water flows from the proposed site, totally fails to demonstrate that there will be no increased flood risk elsewhere for the lifetime of the development as required by stage 2 of the exception test, NPPF, para 102. It completely fails to show sustainability of the suggested methods of surface water drainage into the existing network of ditches (Lancing Brooks) which flow, when the tide permits, through the sluices into the River at Shoreham. It also mentions SuDs attenuation but once again shows no quantified proof how this will be sustainable.

As per NPPG guidance which states: “Determine all the variation in risks from all sources of flooding across their areas, and also the risks to and from surrounding areas in the same catchment.”

As it stands the SWMP takes no account of off-site influences for both surface, ground water and in the case of areas to the south, added coastal tidal influences

NPPF Para 102 clearly states that all sources of water flows must be taken into account both on and offsite. Drainage sustainability must be clearly demonstrated before

inclusion of the allocation in the Local Plan.

All the right words are in the SWMP – but to comply with para 102, flow data, capacities and a proposed, quantified and calculated drainage method has not been included to demonstrate its sustainability.

At the very least, to comply with rule 102, a full, site specific drainage plan must be carried out before the allocation is set in the plan. This should demonstrate the absolute methods to be taken with support of full data on capacities, flows, drainage influences (both from on and off site) and effects to justify it would work.

This SWMP completely fails to do that and is therefore not sound.

Expert Evidence (Sequential & Exception Tests SWMP Pages 36/39)

Adur Floodwatch Group, together with CPRE, The Campaign to Protect Rural England, jointly commissioned the Waterco consultancy to produce an independent hydrology assessment report of the SWMP.

A copy of this report with an additional groundwater report is attached.

This report critiques the SWMP. We draw your attention to its conclusions which are shown below :-

“From the EA mapping the majority of the New Monks Farm site is identified as being at significant risk from tidal flooding. The site is also identified at risk from surface water and groundwater sources. Both the SFRA and the Surface Water Management Plan acknowledge this.

The site has been assessed as having passed the NPPF Sequential Test, on the basis that there are no alternative sites in the area at lower flood risk which could accommodate a development of this size.

Further work is required to assess and determine the impacts of the proposed development on flood risk elsewhere. The principal mitigation measure proposed in the core strategy is land raising; but this could amount to raising levels by some 2-3 metres over the majority of the site area. The proposition that this can be done without affecting flood risk elsewhere has not been substantiated and may prove to be both impractical and unviable.

Further work also appears to be required to establish whether the existing sewerage network can accommodate the development, or if infrastructure upgrades are required. Any potential infrastructure upgrades may be of significant scale to accommodate a development of 600 dwellings and may impact of development timescales.

The assessments, as presently offered, appear to be incomplete and inadequate and do not provide a sufficiently robust basis for supporting the site allocation within the Adur Local Plan.”

The Waterco assessment conclusions absolutely confirm this community group’s comments that the SWMP is unsound, neither consistent with National Policy, nor justified and effective.

The report also highlights that further work should be undertaken with the water company (Southern Water) in respect of sewerage. In our experience, the local sewer network, which is for foul waste only, particularly at times of extreme weather, is consistently vulnerable to ground water inundation and failure of foul waste facilities. The last 4 winters confirm that.



In our opinion significant infrastructure for handling this foul waste element should also be considered and be proven to be manageable before this allocation is set in the Local Plan. This is another reason that the plan is unsound.

If an adequate SWMP is not carried out, exception tests have failed and New Monks Farm should not be included in the Adur Local Plan.

#### Other Relevant Comment

##### 1) Inconsistency

The plan allocations include a particular site for 8 homes called The Lancing Petrol Filling Station (ADC/083/13).

This location is immediately north of the A27 and directly opposite to the north west of the New Monks Farm site.

An application (AWDM/1128/14) to build 6 homes on The Lancing Petrol Filling Station was refused by Adur DC in October 2015. There were 5 main points of refusal. The first of these was because of concerns of increased 3rd party flood risk from ground water disruption together with an inadequate surface water management plan.

The refusal document for this application is attached

Point 1 – the authority has refused building permission for this small site because of drainage issues and yet it proposes development of a major 600 homes/10,000 sq m business development site in the same area with an even greater potential for increased flood risk. Its SWMP has failed to produce and demonstrate that there will be no increased flood risk to the site or elsewhere for the lifetime of the development.

Point 2 – if Lancing Petrol Station site has been refused planning approval, why is this site still in the Adur Plan? – and for 8 homes not 6?

This lack of consistency once again confirms that in respect of the New Monks Farm allocation due diligence for the drainage has not been practised to comply with para 102 of the NPPF and part 2 of the exception test and both parts 1&2 of the exception test are therefore unsound.

##### 2) A Further Developer Report (Sequential & Exception Tests SWMP Pages 36/39)

From a meeting with the planning policy team in November 2014, this community group was informed that the authority had requested a further study from the prospective developer following their submission of their Capita groundwater report.

The Authority were seeking further substantiation for the surface water management to confirm sustainability of the development. At that time the developer refused to undertake further work on such a report. Recently we have learned that there may now be a report submitted but there is no indication of when this will be available. Policy Planning Team do agree that such a report would be helpful at this stage, but they still feel confident that sufficient work has been done with the SWMP to confirm the allocation of New Monks Farm in the Plan.

Whether or not this further evidence for drainage sustainability does become available, the fact that the authority was pursuing further hydrological data on sustainability in 2014 clearly shows that they feel this is necessary to justify the allocation for the plan.

Yet the published SWMP (Sequential & Exception Tests SWMP Pages 36/39) still fails to provide such data and as such is unsound.

### 3) Viability – New Monks Farm Allocation

From previous 2014 consultation comment by a developer's planning agent it is clear that there is concern about the financial viability of the site. The submission in question pushes for 600 homes to be allocated and not the lower figure in the range (450 – 600) featured in the 2014 plan stage.

The arguments for the highest number are based on financial viability of the development bearing in mind infrastructure costs of the drainage, the roads/A27 roundabout. 600 homes have now been included for this potential allocation.

As required by NPPF para 173 which states:-

“To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.”

The question to be asked, therefore, has viability of the site been fully calculated to ensure that with all the extra burden of infrastructure costs, particularly drainage & sewerage, the development can be deliverable?

These surely cannot be calculated until a comprehensive, quantified and specific drainage scheme has been produced. The same applies to the infrastructure for sewerage. Until these are carried out for this difficult site, the viability statement cannot be deemed to have reasonable accuracy.

Based on a mix of 600 homes, the Viability Statement shows a margin of £10.1m for residential and just £148k for business development. On the lower figure of 450 homes, the Viability Statement shows a margin of £5.3 m.

Based on the above developer's push for 600 homes are these margin expectations feasible and realistic? The return on 450 homes the authority says will yield £5.3m but the developer who was, in 2014, looking for the full 600 has obvious doubts about the site's viability based upon the lower figure which throws doubt on the margin expectations shown in the Viability Statement for 450 homes. By the same token, is not the margin stated for the 600 homes questionable also?

The developer obviously realises that there will be inevitable extraordinary infrastructure costs, particularly for drainage and sewerage, which must be of concern for viability.

This is another reason that a fully worked SWMP must be developed to comply with both paras 102 and 173 of the NPPF to better calculate viability to ensure developer deliverability.

So, the question remains – Is this site realistically viable?

Adur Floodwatch Group believes that the authority may well be aware that a full, substantial, well qualified SWMP may well indicate non viability of the site because of the inordinate costs of the methods needed to sustainably manage the drainage without increased flood risk within, upstream and downstream of the site and also the sewerage.

The Adur Plan has a 2200 homes shortfall against its OAN. In its concern for that, the perception is that the authority has produced a less than substantial SWMP in an endeavour to create site validation for the exception tests, part 1 and 2. Adur DC is trying to obtain government inspector approval and leave the design and sustainable management of the drainage to the development application stage.

This is of great concern to the community because, after all its communication with the authority on flood risk, the authority has failed to do due diligence on the drainage for New Monks Farm to protect the community from increased flooding,

it is passing off its responsibility to the developer when under the NPPF, para 102, it is clearly their responsibility.

Enclosures:

Bill Freeman - Adur Floodwatch email

AGM Slides

Email from Bill Freeman to Ken Argent (Adur & Worthing Engineer)

Groundwater Flooding Report 2016-043-001-002

Planning Refusal Application Number AWDM/1128/14

Waterco Strategic Document (Stephen Buss Environmental Consulting) – Further Comments on Groundwater Flooding within Adur Local Plan area May 2016

Waterco Strategic Document Review - New Monks Farm, Adur - May 2016

West Sussex County Council Lancing Surface Water Management Plan (ch2m) Final Technical Report - September 2015

West Sussex County Council Lancing Surface Water Management Plan (SWMP)(ch2m) – Non Technical Summary

Changes required

Re: Sequential & Exception Tests 2016 SWMP Pages 36/39

To comply with the NPPF para 102, the Adur Floodwatch Group asks that a further comprehensive, site specific SWMP should be undertaken.

This should demonstrate the absolute methods to be taken with support of full data on capacities, flows, drainage influences (both from on and off site) and effects to justify it would work.

If this revised SWMP can demonstrate sustainable management of site drainage both for surface water run off and sewerage and that flood risk is not increased, either for the site or elsewhere (as required by the exception test part 2) then the Viability Statement should be revisited to take into account the costs associated with this full drainage scheme to demonstrate deliverability.

If it shows that increased flood risk cannot be sustainable and/or the site is not viable, to satisfy NPPF paras 102 & 173, then the New Monks Farm allocation should be excluded from the local plan.

I support the plan

N/A

Representation No	Contact First Name	Contact Surname	Organisation
64	Martin	Perry	New Monks Farm Development Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
38	Peter	Rainier	DMH Stallard

Relates to Policy	Relates to Paragraph
05 and 07	2.53 & 2.54A
Relates to Map	Relates to Other
N/A	N/A
Sound?	Legally compliant?
No	Yes

Unsound because not
Effective, Positively Prepared

Why unsound or not compliant
Paragraph 2.53 refers to the Lancing Surface Water Management Plan (LSWMP) 2015. The LWSMP is not finalised and therefore reference to the 2015 version is not appropriate. It is considered necessary to make reference to the LSWMP and omit the date, as set out in Policy 5.
It is considered that Paragraph 2.54A is not effective nor is it positively prepared. The paragraph should provide more flexibility in order that there is equal preference for either connection to the public sewer system or alternatively provision of a package sewerage treatment plant.

Changes required
Paragraph 2.53 should be revised to omit reference to (2015) and refer simply to the LSWMP.
It is considered that Paragraph 2.54A should be amended as follows:
“Wastewater from the new development will be expected to drain either to a public sewer, or to a sewerage treatment plant. The advice in paragraph 020 of the National Planning Practice Guidance should be followed. The operation of and future management of any sewerage treatment plant should be set out clearly in any planning application for the development of the site.”

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			

Relates to Policy
05 and 07

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
N/A

Changes required
N/A

I support the plan
Transport
West Sussex County Council has continued to support the additional transport work undertaken. The County Council has worked collaboratively to inform the Adur Local Plan and Shoreham Harbour Transport Study and on the basis of a technical assessment of the work carried out, supports its conclusions. There is reasonable confidence that the package of local transport infrastructure improvements and smarter choices measures (or a similar package of measures) is likely to provide sufficient mitigation so that any residual cumulative impacts would not be severe. This is the key test imposed by the NPPF. This is subject to further work on the design and capacity testing of a joint access junction on the A27 for the New Monks Farm and Shoreham Airport sites, and replacing the existing signal controlled junction of the A27 at Coombes Road with alternative provision for pedestrians and cyclists.

Representation No	Contact First Name	Contact Surname	Organisation
62			Persimmon Homes South Coast Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
26	Will	Cobley	Turley

Relates to Policy
06

Relates to Paragraph
2.69

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
This paragraph refers to the requirement for a Transport Assessment to support an application at West Sompting to consider the traffic impact on Dankton Lane. Whilst it is accepted that this impact will need to be considered, as Dankton Lane is not referred to in the policy text, this reference is considered confusing.

Changes required
Suggested change: Specific reference to Dankton Lane omitted from the text.

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
62			Persimmon Homes South Coast Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
26	Will	Cobley	Turley
Relates to Policy		Relates to Paragraph	
06		2.72	
Relates to Map		Relates to Other	
N/A		N/A	
Sound?		Legally compliant?	
Left Blank		Left Blank	
Unsound because not			
N/A			
Why unsound or not compliant			
Paragraph 183 of the NPPF explains that ‘Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need’. Our client supports this aspiration but believes that the current wording of paragraph 2.72 is too specific over the areas of the scheme that the Neighbourhood Plan may influence.			
Changes required			
Suggested change: Paragraph 2.72 re-worded to state: There is potential for certain aspects of the West Sompting allocation to be addressed through this process.			
I support the plan			
N/A			

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy
06

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
Policy 6: Land at West Sompting
<p>The Sussex Wildlife Trust feels that this strategic allocation further erodes the green gaps between Worthing and Sompting. However we do welcome the inclusion of the biodiversity enhancements being suggested for the site and the potential to open up opportunities for local people to use the green gap with sustainable transport links. These proposed transport links should incorporate green infrastructure to ensure they align with the sensitivities of the landscape and support and enhance the ecological functioning of the area.</p> <p>Section 2.61 and the supporting policies map (Map 3: Proposed Allocation at West Sompting) also indicate the expansion of the Cokeham Brook SNCI. We would suggest that a greater commitment to this is demonstrated by inclusion of wording to this affect in Policy 6.</p> <p>Again we note that this policy and the other policies within the plan, fail to address the importance of up-to-date ecological information when formulating landscape and ecological management plans. It would be prudent to incorporate this into the policy wording to uphold the ethos of the NPPF section 109.</p>

Changes required
N/A

I support the plan
N/A



Representation No	Contact First Name	Contact Surname	Organisation
62			Persimmon Homes South Coast Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
26	Will	Cobley	Turley

Relates to Policy
06

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
First paragraph (second bullet)
<p>The policy currently states that “provision of funding of mitigation for off-site traffic impacts on the Strategic Road Network and Local roads through a package of measures including improvements to the A27/ A2025 Grinstead Lane junction, A27 Sompting Bypass/Upper Brighton Road (Lyons Farm junction) and enhancement of the traffic calming scheme in West Street”.</p> <p>It should be noted that paragraph 32 of the NPPFstates:</p> <p>“Plans and decisions should take account of whether:</p> <ul style="list-style-type: none"><li>- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;</li><li>- safe and suitable access to the site can be achieved for all people; and</li><li>- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”</li></ul> <p>Paragraph 204 of the NPPF also states:</p> <p>“Planning obligations should only be sought where they meet all of the following tests:</p> <ul style="list-style-type: none"><li>- necessary to make the development acceptable in planning terms;</li></ul>

- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.”

A comprehensive Transport Assessment (TA) will need to be submitted at the planning application stage, which will set out the improvements that need to be undertaken within the transport network to effectively limit the significant impacts of the development. The TA will therefore inform the decision as to whether or not planning obligations should be sought.

First paragraph (eighth bullet)

The policy now states that the development will provide a contribution towards the provision of education facilities. In the absence of an adopted Community Infrastructure Levy (CIL) charging schedule, paragraph 204 of the NPPF is relevant where it states ‘Planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development’

We consider that reference to the regulations should be included either within the policy or as a footnote.

Sixth and eighth paragraphs

The policy requires all of the stated elements to be secured through s106/planning conditions. In accordance with Paragraph 204 of the NPPF, this should be subject to satisfying the appropriate tests in the CIL regulations. To acknowledge these tests we suggest that the following amendments are made to the text.

#### Changes required

Suggested change: Add: ‘if necessary depending on the outcome of the Transport Assessment that will be submitted at the planning application stage’ at the end of the first paragraph, second bullet.

Suggested change: Add ‘Subject to meeting the tests of the Community Infrastructure Levy Regulations 2010 as amended, a financial contribution towards the provision of education facilities’.

Suggested change: Add ‘where necessary’ after the words ‘elements identified above’ in the sixth paragraph and after the words ‘planning conditions’ in the eighth paragraph.

I support the plan

N/A

Representation No	Contact First Name	Contact Surname	Organisation
69	David	Bowie	Highways England
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
42			

Relates to Policy
06

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
N/A

Changes required
Careful consideration will need to be given to the funding of mitigations on the A27 as each of the three adjacent strategic sites will have varying effects on the most stressed parts of the network and accordingly each will contribute in part to the costs of mitigation in relation to their specific impacts. It would be useful to set out a mechanism for calculation of contributions (once mitigations are determined and agreed). It might be preferable to consider the use of section 278 agreements with Highways England which could be required within a Section 106 agreement.

I support the plan
We note that there is no proposed change to the West Sompting allocation and agree that mitigations are required at the Lyons Farm junction and Grinstead Lane roundabout. We agree that developers will need to provide a robust Transportation Assessment of the impacts that the development is likely to have on the A27 which includes the left in left out junction with Dankton Lane.

Representation No	Contact First Name	Contact Surname	Organisation
68	David	Porter	Sompting Parish Council
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
18			

Relates to Policy	Relates to Paragraph
06	N/A
Relates to Map	Relates to Other
West Sompting allocation	N/A
Sound?	Legally compliant?
No	Yes

Unsound because not
Positively Prepared

Why unsound or not compliant
<p>The playing pitches are referred to in the policy but not shown on the west sompting allocation map. This is an inconsistency and may mean the policy is unsound.</p> <p>The Parish Council is not against some form of recreational provision relative to the size of the proposed house number allocation. This has not been soundly demonstrated in the supporting text of policy 6 that meeting the shortfall in sports provision serving the needs of the entire district, would be best located in the West Sompting allocation. We believe there would be adequate sports provision to serve the needs of Sompting in the existing pitches on Sompting Recreation Ground and in the 3G pitch at Roberts Woodard Academy.</p> <p>It has not been soundly demonstrated either in the supporting text or the actual wording of the amended policy 6 that the impacts from the sports pitches have been adequately addressed through the provision of mitigation measures subject to permission being granted (i.e. traffic, noise, and light pollution measures). This may mean the policy is unsound.</p> <p>It has not been soundly demonstrated in the supporting text that adequate assessment and/or reference has been made to the implications on the Sompting Gap designation by the amendment to include the sports pitches</p>

Changes required
The allocation map should show where the pitches are to be placed and clarification on the impact of the pitches should be addressed. Also a clear statement should be inserted as to why Sompting has been chosen as the location when comparing the population size of sompting to other areas of the district.

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			

Relates to Policy	Relates to Paragraph
06	N/A

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
However, we again request that; “Access across the A27 to the South Downs National Park for pedestrians, cyclists & equestrians must be retained and where possible, enhanced”, is added to Policy 6 and its supporting text due to the importance of sustainable travel and linkages.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
65			Albemarle (Shoreham) LLP and Longbow Investment no3 S.A.R.L.
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
47	Adam	Ross	Nexus Planning

Relates to Policy	Relates to Paragraph
07	2.77
Relates to Map	Relates to Other
N/A	N/A
Sound?	Legally compliant?
No	Yes

Unsound because not
Effective

Why unsound or not compliant
<p>1. We fully support the amendments to paragraph 2.77 which make it clear that improved access from the A27 (and specifically the new junction with the A27) is something required as a result of the amount of new development proposed at the adjacent New Monks Farm allocation. We also fully support the clarity that this access, whilst required and provided by the New Monks Farm strategic allocation, would also serve the strategic allocation at Shoreham Airport.</p> <p>2. We also support the amendment to the paragraph which would clarify that this access solution will be a new roundabout, and that it will be sited in a central location between the two strategic sites. As referenced by paragraph 12.3.3 of the Council’s Sustainability Appraisal, this centrally positioned roundabout has previously been accepted by the promoters of New Monks Farm and Shoreham Airport. Furthermore, as set out in the technical note produced by JMP (originally submitted in December 2015 but updated and provided for ease of reference – see Appendix 1), this is a wholly appropriate location from a technical perspective.</p> <p>3. However we consider that the clarity of this paragraph could be added to by a further slight amendment which would make the references even more definitive and specific (consistent with the Council’s Sustainability Appraisal conclusions) and, in turn, make the paragraph more effective.</p> <p>Enclosed: Appendix 1 - Technical Note 'JMP - Shoreham Airport Local Plan Amendments Representation Transport and Highways'.</p>

Changes required
<p>4. Amend paragraph 2.77 to state:</p> <p>“New development at the Airport will result in a need for improved access from the A27; given that the amount of development proposed at New Monks Farm requires a new junction onto the A27, it is intended that this will also serve new development at the Airport. The site for the proposed roundabout shall be centrally located between New Monks Farm and Shoreham Airport, with a reconfigured access at Sussex Pad. The relevant parties are working with Highways England to ensure that an acceptable</p>

access solution is achieved.”

I support the plan

N/A

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy

07

Relates to Paragraph

2.84

Relates to Map

N/A

Relates to Other

N/A

Sound?

Left Blank

Legally compliant?

Left Blank

Unsound because not

N/A

Why unsound or not compliant

N/A

Changes required

N/A

I support the plan

We are pleased to see that paragraph 2.84 in the supporting text for Policy 7 recognising the importance of Shoreham Airport as a site which supports wintering and wading birds such as lapwing and skylark.

Representation No	Contact First Name	Contact Surname	Organisation
57	Elizabeth	Robinson	Resident
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
37			

Relates to Policy	Relates to Paragraph
07	N/A

Relates to Map	Relates to Other
04	N/A

Sound?	Legally compliant?
No	Left Blank

Unsound because not
Consistent with National Policy, Justified

Why unsound or not compliant
Amendments have been made to Map 4 and Policy 7.
For the avoidance of doubt they do NOT meet my objection (registered previously under reference 37).
Further particulars have already been given and are not repeated here.

Changes required
The Policy (7) and map (4) should be deleted and re-written without the industrial development site in the NE of the Airport.

I support the plan
N/A



Representation No	Contact First Name	Contact Surname	Organisation
65			Albemarle (Shoreham) LLP and Longbow Investment no3 S.A.R.L.
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
47	Adam	Ross	Nexus Planning

Relates to Policy	Relates to Paragraph
07	N/A
Relates to Map	Relates to Other
N/A	N/A
Sound?	Legally compliant?
No	Yes

Unsound because not
Effective, Justified

Why unsound or not compliant
<p>1. We support Policy 7 in principle and our comments relate more to matters of detail which, although small, are important to the delivery of the allocation and the effectiveness of the policy.</p> <p>2. For the avoidance of doubt, reference to “paragraph” within the below representation refers to the paragraphs (which are not numbered) within the Policy text itself.</p> <p>Policy 7</p> <p>3. As set out in our previous representations, the Local Plan identifies that the first „Key Issue“ for the District in the period to 2031 is the need to diversify the economy, safeguard employment sites and provide more opportunities for businesses to locate into or expand in Adur. In this regard it makes specific reference to the Shoreham Airport site. The Council’s strategy in this regard of course expands upon the „Greater Brighton City Deal“ which seeks to prioritise economic growth in order to support the delivery of the Coast to Capital LEP’s Growth Strategy – a strategy which specifically identifies the Shoreham Airport site as being key to its success (paragraph 2.38 of the Local Plan refers).</p> <p>4. The Council (and the LEP) is therefore clear not only that the Shoreham Airport site is central to its strategy for the District but also, as set out in Policy 5, that the delivery of the Shoreham Airport and adjacent New Monks Farm strategic sites are mutually dependent. The clearest example of this recognised inter-relationship is the Council’s confirmation of the need for the New Monks Farm site to deliver the single central access from the A27 that would also serve the Shoreham Airport site.</p> <p>5. In light of the above it is essential that Policy 5 (and Policy 7) recognises the inter- relationship between these key sites to ensure that both are delivered in a timely and viable way. It is essential that neither site comes forward in a way that would prejudice the other and, furthermore, that each site is actively brought forward having regard to the delivery of the other.</p>

#### Policy 7, Paragraph 1

6. The addition of “hangar” uses within the first paragraph of Policy 7 is fully supported. This adds further to the variety of employment-generating uses that are permitted in this key location.

#### Policy 7, Paragraph 6

7. We support the intention for development to deliver ecological enhancements where this is possible. However the objective as set out at paragraph 109 of the National Planning Policy Framework (NPPF) is to secure net ecological gains „where possible“. The revised policy wording pre-supposes that such enhancements can definitively be delivered, prior to a scheme being proposed.

8. Whilst it is likely that such ecological enhancements could be delivered, this paragraph should be amended to accord national planning policy.

#### Policy 7, Paragraph 9

9. Policy 7, paragraph 9 as amended seeks to limit development in airside locations to aviation-related employment uses, whilst non-airside locations are identified as suitable for non-aviation related employment uses provided that it can be demonstrated that these non-aviation related uses would not impact the operational viability of the Airport.

10. We support the approach to non-airside locations, which maximises flexibility on this strategically important site and, therefore, maximises the potential to deliver the new employment opportunities on this strategically employment allocation. However we consider that the policy, insofar as it does not afford this same flexibility to airside locations, is unnecessarily constraining and therefore has the potential to prevent much-needed employment development. Moreover, this current absence of flexibility for airside locations does not appear to be evidenced and therefore would be unjustified.

11. Accordingly we consider that this part of Policy 7 should address airside and non-airside locations in the same way – allowing aviation related employment uses but also allowing non-aviation employment where it can be demonstrated that it would not impact on the operational viability of the Airport. This would make the policy more effective, ensuring that the operation of the Airport is protected whilst also ensuring that opportunities for employment development are maximised.

#### Policy 7, Paragraph 10

12. We support the inclusion of reference to infrastructure requirements being addressed through Section 106 / planning conditions as appropriate. Whilst to an extent it goes without saying, we also consider that the clarity of the policy would be assisted by the inclusion of the words „subject to viability“.

13. As the Council is aware, the employment development proposed at Shoreham Airport, whilst important strategically, is not a significant generator of development value. This was identified in representations submitted by Savills in November 2013 which identified, with reference to viability assessment work, that the proposed development at Shoreham Airport was not financially viable if it was required to fund significant improvements to the A27.

14. Against that background we consider that it would add to the clarity and effectiveness of the policy if reference was made to viability.

#### Changes required

15 Amend Policy 7 as follows:

New paragraph into Policy 7 after existing paragraph 2

“Development of this allocated site must not prejudice, and should be planned and delivered in a way that actively seeks to recognise / facilitate, the development of the adjacent strategic allocation at New Monks Farm (Policy 5)”

Paragraph 6

“Where possible, ecological enhancements should be incorporated as an integral part of the development.”

Paragraph 9

“Within the existing developed area located at the southern end of the Airport, airside and non-airside locations will be protected and supported for aviation-related and non-aviation related B1, B2 and B8/hangar uses, with non-aviation uses allowed only where it can be demonstrated that such use will not impact the operational viability of the Airport.”

Paragraph 10

“Infrastructure requirements are to be addressed, subject to viability, through s106 / planning conditions as appropriate.”

I support the plan

N/A

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy	Relates to Paragraph
07	N/A

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
Policy 7: Shoreham Airport
The Sussex Wildlife Trust still hold concerns about the suitability of this site for development given it is important role as flood zone 3b (functional flood plain) and the acknowledged need for ecological mitigation if this area is developed. We are encouraged to see that ADC has taken our comments from previous consultations and strengthened this policy to ensure ecological enhancements are integral to any development on this site.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			

Relates to Policy	Relates to Paragraph
08	

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
N/A

Changes required
Policy 8 paragraph 10 has been amended, it is requested that a further change is made to add ‘and must not prejudice’ into the last sentence so that it reads; “Development in this location should contribute and must not prejudice the delivery of measures identified in the Transport Strategy.”

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			
Relates to Policy		Relates to Paragraph	
08			
Relates to Map		Relates to Other	
N/A		N/A	
Sound?		Legally compliant?	
Left Blank		Left Blank	
Unsound because not			
N/A			
Why unsound or not compliant			
As outlined in the IDP and in previous comments, education provision is required to meet the needs from development, a further primary school site may be required as part of the Shoreham Harbour strategic site allocation . The need for a site will depend on the capacity available to expand existing schools in the local area. It was requested that under paragraph 6 of Policy 8, the following additional wording was added; “Educational provision will be considered and suitable provision offsite or onsite will be provided”. Wording has been added, however, it does not imply that the development is required to provide or contribute to suitable provision of facilities. We therefore request that the last sentence in paragraph 6 of policy 8 is amended to read; “Suitable education provision will also be provided”.			
Changes required			
As outlined in the IDP and in previous comments, education provision is required to meet the needs from development, a further primary school site may be required as part of the Shoreham Harbour strategic site allocation . The need for a site will depend on the capacity available to expand existing schools in the local area. It was requested that under paragraph 6 of Policy 8, the following additional wording was added; “Educational provision will be considered and suitable provision offsite or onsite will be provided”. Wording has been added, however, it does not imply that the development is required to provide or contribute to suitable provision of facilities. We therefore request that the last sentence in paragraph 6 of policy 8 is amended to read; “Suitable education provision will also be provided”.			
I support the plan			
N/A			

Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			

Relates to Policy
08

Relates to Paragraph
2.100

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
Paragraph 2.100 needs to be amended to remove the last sentence, which makes reference to guidance, which is not being prepared, in order to ensure the document is factually correct.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			

Relates to Policy	Relates to Paragraph
08	2.101

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
N/A

Changes required
It is suggested that ‘(2014)’ is removed after ‘Shoreham Harbour Transport Strategy’ in para 2.101 so that any updates are considered by developers and the Local Plan does not date unnecessarily.

I support the plan
N/A



Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy
08

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
Policy 8: Shoreham Harbour Regeneration Area
We suggest that given the broad proposals in this policy and high level of housing suggested in the Shoreham Harbour area, a suite of ecological enhancements are considered within the policy wording.
We welcome the policies recognition that ‘All development will be required to protect and enhance the areas important environmental assets and wildlife habitats...’ However we must reemphasis that along with seeking on site biodiversity gains in line with section 109 of the NPPF, the policy must consider off site biodiversity gains.
We are pleased to see the addition of wording in character area 5 that recognises and supports the opportunity ‘To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including landscape enhancements to social housing estates’.
Depending on the steps taken to deliver the above statement ADC has the opportunity to excellently demonstrate how implementing green infrastructure improvements can increase the District’s Natural Capital, whilst simultaneously delivering multifunctional benefits to biodiversity and people’s health and social wellbeing.
We are encouraged by the additions to the character areas which support improvements to green infrastructure. We do still raise concern that there is not recognition of the potential increase in visitor pressure on sites such as Wide Water Lagoon LNR and Shoreham Beach LNR. This policy should highlight the importance of securing 106/CIL payments for the long term management and monitoring of these sites, particularly given the presence of highly sensitive vegetated shingle priority habitat.

Changes required
N/A

I support the plan			
N/A			

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)

Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy	Relates to Paragraph
09	N/A

Relates to Map	Relates to Other
N/A	Part Three - Policies for Places

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
Part Three - Policies for Places
Policy 9 Lancing
Policy 10 Sompting
Policy 11 Shoreham-by-sea
Policy 12 Southwick and Fishersgate
Policy 13 Adur’s Countryside and Coast
Policy 14 Local Green Gap
While we recognise the individual nature of these policies, we have an overarching concern that they fail to encapsulate the importance of the council’s commitment to add to the District’s natural capital.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy
10

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
Part Three - Policies for Places
Policy 9 Lancing
Policy 10 Sompting
Policy 11 Shoreham-by-sea
Policy 12 Southwick and Fishersgate
Policy 13 Adur’s Countryside and Coast
Policy 14 Local Green Gap
While we recognise the individual nature of these policies, we have an overarching concern that they fail to encapsulate the importance of the council’s commitment to add to the District’s natural capital.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy	Relates to Paragraph
11	N/A

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
Part Three - Policies for Places
Policy 9 Lancing
Policy 10 Sompting
Policy 11 Shoreham-by-sea
Policy 12 Southwick and Fishersgate
Policy 13 Adur’s Countryside and Coast
Policy 14 Local Green Gap
While we recognise the individual nature of these policies, we have an overarching concern that they fail to encapsulate the importance of the council’s commitment to add to the District’s natural capital.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy	Relates to Paragraph
12	N/A

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
Part Three - Policies for Places
Policy 9 Lancing
Policy 10 Sompting
Policy 11 Shoreham-by-sea
Policy 12 Southwick and Fishersgate
Policy 13 Adur’s Countryside and Coast
Policy 14 Local Green Gap
While we recognise the individual nature of these policies, we have an overarching concern that they fail to encapsulate the importance of the council’s commitment to add to the District’s natural capital.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
56	Sarah	Temple	Marine Management Organisation
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
41			

Relates to Policy
13

Relates to Paragraph
3.56

Relates to Map
N/A

Relates to Other
Part 3

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
We were pleased to see that Adur had accounted for the South Marine Plans and the Marine Policy Statement in the amended Adur Local Plan (2016) following Peter Cosgrove’s previous consultation response, although not all of the comments seem to have been taken into account. We advise that you review the relevant policy document (the Marine Policy Statement) and consider whether the plans meet the requirements of this, along with Section 58 of the Marine and Coastal Access Act and the Localism Act (Duty to Cooperate).

Changes required
We would request a slight variation to the proposed text to help clarify the remit of the marine plans in order to assist those persons and organisations implementing the marine plans. A suggested amendment is offered below:
CURRENT TEXT
Part 3
3.56A The Marine Management Organisation (MMO) was created in order to achieve clean, healthy safe and productive and biologically diverse seas. The MMO is currently preparing a Marine Plan for the south area, which includes Adur. The Marine Policy Statement is the relevant marine planning document until the Marine Plan is published.
16 The MMO also issues marine licences under the Marine and Coastal Access Act 2009 - these may be required for activities involving deposit or removal of a substance or object below the mean high water spring mark or in any tidal river to the extent of the tidal influence. Works may also require consideration under the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended). Early consultation with the MMO is advised.
These edits have the note “To clarify role of Marine Management Organisation” attached in the schedule of changes document.

## SUGGESTED TEXT (MMO May 2016)

3.56A The Marine Management Organisation (MMO) was created in order to achieve clean, healthy safe and productive and biologically diverse seas. The MMO is currently preparing a Marine Plan for the south area, which includes Adur. When in place, decisions that might or will affect the marine area will need to take appropriate consideration of the relevant marine planning documents, including the South Marine Plans under the terms set out in the Marine and Coastal Access Act, 2009 (section 58). The Marine Policy Statement is the relevant marine planning document until the Marine Plan is published.

16 The MMO also issues marine licences under the Marine and Coastal Access Act 2009 these may be required for activities involving deposit or removal of a substance or object below the mean high water spring mark or in any tidal river to the extent of the tidal influence. Works may also require consideration under the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended). Early consultation with the MMO is advised.

The additional text is intended to demonstrate the role of marine plans in decision making, that being that public authorities (including but not limited to the MMO and Adur & Worthing DC) are responsible for making relevant decisions in accordance with/regard to the marine plans.

The MMO cannot instruct public authorities how to consider and implement marine planning. However, with respect to integrating the two planning systems at an early stage (i.e. before the marine plans are published) the following might provide something to consider.

### A) Swale Borough Council have

- acknowledged the MMO's role in marine planning
- highlighted the legislative basis for it (Marine and Coastal Access Act 2009)
- identified the relevant marine planning documents.

"the MMO will deliver UK marine policy objectives for English waters through statutory Marine Plans and other measures. Swale is within the South East Inshore Marine Plan area and a plan for this area will be prepared at a future date. Until a Marine Plan has been prepared, the Marine Policy Statement should be referenced for guidance on any planning activity that includes a section of coastline or tidal river;"

Bearing Fruits 2021: The Swale Borough Local Plan Part 1 (Dec 2014) p212 (7.6.51)

[http://swaleconsult.limehouse.co.uk/portal/planning/lp\\_part\\_1/local\\_plan\\_part\\_1?pointId=1418143066714#section1418143066714](http://swaleconsult.limehouse.co.uk/portal/planning/lp_part_1/local_plan_part_1?pointId=1418143066714#section1418143066714)

### b) Suffolk Coastal District have, in addition to acknowledging the MMO's role in planning and identifying the relevant documents;

- Highlighted the Marine policy statement in their 'relevant legislation/policy' text very early on (page 7)
- Acknowledged the overlap with marine and terrestrial planning (page 22, paragraph 3.07)
- Referenced marine planning and 'expected policies' in their coastal zone policy (Sp30)

<http://www.suffolkcoastal.gov.uk/assets/Documents/LDF/SuffolkCoastalDistrictLocalPlanJuly2013.pdf>

Please note the legislation (MCAA S58.) states where public authorities should take decisions in accordance with, or have regard to the appropriate marine policy documents. Without the South Marine Plan in place to date, the appropriate marine policy document is the Marine Policy Statement.

Later this year, the MMO will be hosting a series of bespoke implementation workshops for South Coast public authorities to assist in their understanding of the practicalities of implementing marine plans. If additional advice would be welcomed beyond these workshops please don't hesitate to contact me.

I support the plan

N/A



Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy
13

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
Part Three - Policies for Places
Policy 9 Lancing
Policy 10 Sompting
Policy 11 Shoreham-by-sea
Policy 12 Southwick and Fishersgate
Policy 13 Adur’s Countryside and Coast
Policy 14 Local Green Gap
While we recognise the individual nature of these policies, we have an overarching concern that they fail to encapsulate the importance of the council’s commitment to add to the District’s natural capital.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy	Relates to Paragraph
14	N/A
Relates to Map	Relates to Other
N/A	N/A
Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
Part Three - Policies for Places
Policy 9 Lancing
Policy 10 Sompting
Policy 11 Shoreham-by-sea
Policy 12 Southwick and Fishersgate
Policy 13 Adur’s Countryside and Coast
Policy 14 Local Green Gap
While we recognise the individual nature of these policies, we have an overarching concern that they fail to encapsulate the importance of the council’s commitment to add to the District’s natural capital.
We are pleased to see that the proposed plan still contains a policy to recognise the importance of the local green gaps within Adur, policy 14. Although we are concerned that other policies within the plan (policy 5 & 6), undermine it.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
60	Robert	Thornton	Cobbetts Developments Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
34			

Relates to Policy
14

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
Left Blank

Unsound because not
Justified, Positively Prepared

Why unsound or not compliant
Objections as to Soundness.  The plan is unsound and has not been positively prepared because it does not seek to meet its objectively assessed housing needs. The plan is also unsound because it is not justified in its under delivery of housing and neither can it demonstrate that it has adopted the most appropriate strategy when properly considered against all reasonable alternatives. This is evident by its exclusion of the Steyning Road/Gateway site.  The OAN figures have been updated since the previous version of the plan and now demonstrate a requirement for a greater number of dwellings. However the proposed amended plan shows an even greater shortfall, currently up from the 2014 version of between 1162-1312 to a current undersupply of 2,211 (this represents a 40% unfulfilled housing supply). This is contrary to the specific requirements of the NPPF whereby local plans must fully meet their identified needs for housing. Consequently, the policy team needs to give greater consideration to other sites within the urban fringe, and should allocate the Steyning Road/Gateway site for future housing.  Since the amended version of the plan was published, planning approval has been given to the Environment Agency’s TWS. This includes an amendment to the originally proposed scheme for reach 3, whereby the southern half of the Steyning Road/Gateway site will now benefit from enhanced flood defenses (up to 1/200 year AEP) making it more suitable for housing, from a flood risk perspective, than previously considered. The scheme will now provide enhanced and new defences to safeguard an area of approximately one hectare, or potentially up to 35 dwellings, as well as provide protection for Shoreham to the south. However, despite the policy team being made aware of our collaboration with the EA, they have continued to reject the site based on landscape and visual impact concerns. However, the site is no more constrained by landscape and visual impact than the other major sites being proposed. In general they have attributed far too much weight to these concerns, given the severity of constraints within the district and the severity of the shortfall in unmet housing needs. This is in part because some of the evidence based studies are not credible or consistent in their evaluations and conclusions, whilst the conclusions and recommendations of others have just been ignored.  This is clearly demonstrated by the Landscape Study Update 2016 by Sheils Flynn, which uses the same methodology and criteria as the earlier Landscape & Ecology Study

2012, (by the same authors) to assess a number of Landscape Character Areas (LCAs). The updated report takes into consideration changes in the landscape, including the newly built Brighton & Hove training ground in the south east corner of the Gap and the proposed ATW scheme. It also draws conclusions based on the allocation of land at New Monks Farm and Shoreham Airport, although these sites are proposed land allocations and not yet adopted. Therefore any assessment based on the assumption of their inclusion within the plan is premature. The key viewpoints in both reports, to assess visual sensitivity, are the same, however, LCAs which are not included within the proposed version of the plan have had their scores changed to reflect a more negative outcome, whilst those LCAs that are included as land allocations within the plan have remained unchanged. Whilst such evidence based studies are supposed to form an independent and unbiased view, it does appear that the updated version includes amendments to support the policy team’s view that these alternative sites are not suitable for allocation. However, these conclusions fly in the face of the earlier 2012 Sheils Flynn report, which scored the Steyning Road/Gateway site as “medium-Low” for Landcape Sensitivity, Visual Sensitivity and Overall Landscape Sensitivity and the Urban Fringe Study 2006, which concluded the site had a “low” environmental impact, “low” contribution to landscape and “low” importance to the strategic gap.

Evidence to support this is given in more detail in our previous representation.

Further comments are made about the veracity of the Sheils Flynn Landscape update 2016 within the appendix.

Summary.

The Steyning Road/Gateway site should be omitted from the local gap and allocated within the plan for housing. In addition to the arguments outlined in previous representations, the following enabling factors have since come to fruition:

- 1. an approved planning application for the ATW flood defence scheme, which protects the site from future flooding to a level now appropriate for new housing but also protects existing housing, employment and infrastructure within the wider area of Shoreham town to the south.
- 2. an agreed access with WSCC Highways.
- 3. substantial funding secured by Adur District Council from the Government’s Local Growth Fund and additional funding from other agencies, in order to realize the ATW flood defence scheme, which makes it very hard to understand why the local authority would not to wish to maximize the cost benefit from safeguarding this site for future development.

Appendix:  
- Email from Robert Thornton to Adur policy team commenting on the Adur Landscape Study Update - Shoreham Gateway by Sheils Flynn 2016, dt. 01/02/2016

Changes required

Changes to Policy 2 Spatial Strategy and Policy 14 Local Green Gaps

The Submission Local Plan should include a policy whereby all sites previously identified by the Urban Fringe Study 2006, which will benefit from enhanced flood defences, afforded by the recently approved ATW scheme, should be allocated for housing to meet the OAN shortfall or, if not required within the plan period, safeguarded for future needs beyond the plan period, as required under NPPF guidance. (Para 147. ‘Crucially, Local Plans should...take account of longer term requirements’.)

Landscape and visual impact issues concerning the Local Green Gaps have been grossly overstated. Much of this land is of poor landscape quality and the weight of argument for retaining parts of its fringe are unjustified given the context of –

- (a) a severely constrained district from a topographical perspective,
- (b) a severe shortfall in unmet housing needs, including affordable housing,
- © a shortage of deliverable land supply for a 5 year period,
- (d) the vast, superior and heavily protected landscape amenity of the SDNP.

The original purpose of the Gap was to prevent the coalescence of the conurbations of Shoreham, Lancing and Worthing. Any land that does not make a significant contribution to the integrity of the gap should be given greater consideration for allocation for future development, including the Steyning Road/Gateway site, which was described by the UFS 2016 as having:

‘[a] tenuous visual relationship with rest of the gap to the south west’ and ‘LOW importance to the strategic gap’  
and by the Landscape & Ecology Report 2012 as:

‘...a small, narrow part of the Lancing Gap and [which] seems disconnected from it’.

The allocation of 15,000sqm of employment space adjacent to the eastern bank of the river just south of the Ricardos industrial plant will further increase this sense of separation from the rest of the gap. In fact the site will become completely disconnected, effectively enclosed by development on the eastern side of the river.

I support the plan

N/A

Representation No	Contact First Name	Contact Surname	Organisation
71	James	Stevens	Home Builders Federation (HBF)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
32			

Relates to Policy	Relates to Paragraph
14	N/A
Relates to Map	Relates to Other
N/A	N/A
Sound?	Legally compliant?
No	No

Unsound because not
Justified

Why unsound or not compliant
Policy 14: Local Green Gaps
<p>The policy is unsound because it is unjustified given the size of the unmet housing need and the Council’s failure to make any alternative provision for this unmet need.</p> <p>Possibly more importantly in terms of inhibiting the land supply for residential development in Adur, we note the effect that the Strategic Gap and Local Green Gap policies are having on preventing the release of other sites (for example ADC/101/13, ADC/102/13, ADC/104/13 and ADC/107/13). The efficacy of these Gap policies should be reconsidered by the Council in view of the scale of the shortfall. The Council will need to reconsider whether these ‘Gap’ policies from the current local plan are still justified in view of the new planning challenges in Adur. It could consider whether it could redraw these Gaps to allow for the release of some additional sites.</p> <p>The Council will be aware that the NPPF expects local planning authorities to accommodate their objectively assessed needs in full unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”. Guided by this maxim, we are not convinced that the Council has struck the appropriate balance. Paragraph 76 of the NPPF does say that by designating Local Green Space local communities can prevent development other than in very special circumstances, but in identifying land as Local Green Space this should be “consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services”. Paragraph 113 of the NPPF requires the local planning authority to distinguish between the hierarchy of designated sites – international, national and local – so that protection is commensurate with their status. Clearly the South Downs National Park is out of bounds for development, but in view of the considerable restriction this imposes on Adur and the HMA in meeting the full OAN, a more critical view of the local gap policies is justified.</p> <p>We are concerned that the Council is placing more weight on the maintenance of local gap designations than on the importance of accommodating the OAN in full. The retention of local gap polices to their current extent is unjustified.</p>

We also note that some locations in the Shoreham Harbour Regeneration Area (including SH/001/13 and SH/002/13 broad location areas) are not allocated for residential in this plan period. We note from paragraph 3.14 of the Duty to Cooperate Statement of March 2016 that the Council has secured £13.78 million from the LEP's Local Growth Fund for the Shoreham Area Transport Package. Adur has also secured from the LEP an additional £9.5m via the Growth Deal for flood defence projects and transport access improvements. Given this level of investment it is perhaps surprising that a number of sites within the Regeneration Area are not expected to come forward for residential development within the life of this plan. It would be helpful if the Council explained the terms of this infrastructure investment and how many homes were expected to be provided over the course of the plan. We think this is 1,100 by 2031 according to Policy 8. This is contradicted by Table 1 on page 23 of the Local Plan that states that only 968 homes will come from this allocation. The Local Plan needs to be clarified in this respect, stating how many homes are expected to come from the Shoreham Harbour Broad Location over the plan period up to 2031. If 1,100 is the total estimated capacity, but only 968 homes are expected before 2031 the Local Plan should state this. This would mean that 132 homes would be provided at Shoreham Harbour after 2031. Policy 8 does say that 1,100 homes are anticipated in the Shoreham Harbour Regeneration Area by 2031.

We note that an Area Action Plan (AAP) for Shoreham Harbour is being produced. It would be helpful if the Council explained if this AAP is intended to operate over a different time period to the local plan, or if it will enable the broad locations that have been rejected to be brought forward for development sooner. If the AAP may enable the other 132 homes to come forward before 2031 then the Adur Local Plan should state this.

Changes required
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N/A
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I support the plan
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N/A
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Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy
15

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
Part Four - Development and Management Policies

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
Policy 15: Quality of the built environment and public realm
<p>The inclusion of natural features and biodiversity within this policy is welcome as it demonstrates the potential contributions that the built environment can make to biodiversity gains, in line with paragraph 118 of the NPPF. The policy’s wording relating to the ‘respect of natural features’ should clarify that ‘positive contribution to biodiversity’ means a net gain as per section 109 of the NPPF.</p> <p>We note the recognition of gardens in section 4.6 but suggest that the policy should include wording to resist the inappropriate development of gardens as suggested in the NPPF:</p> <p>‘Local authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.’ NPPF paragraph 53.</p>

Changes required
N/A

I support the plan
N/A



Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			

Relates to Policy
17

Relates to Paragraph
N/A

Relates to Map
Policies Map

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
N/A

Changes required
N/A

I support the plan
Heritage
The amendments made by the District Council to the Draft Local Plan and Policies Map in response to previous comments are supported.

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy	Relates to Paragraph
18	N/A

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
Policy 18: The Energy Hierarchy
We are disappointed to see the removal of this policy as we had been encouraged by the steps taken by the council to ensure development proposals contribute to the UK Governments legally binding commitments to reduce carbon emissions enshrined in the Climate Change Act 2008. While we recognise that this change is as a result of changes to Government policy, we take this opportunity to emphasis to the ADC that Climate change is the most serious threat facing biodiversity and therefore we would like this proposal to further identify micro generation as a requirement for each development.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
71	James	Stevens	Home Builders Federation (HBF)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
32			

Relates to Policy	Relates to Paragraph
20	N/A

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
No	No

Unsound because not
Justified

Why unsound or not compliant
Policy 20: Decentralised Energy, Stand-alone Energy Schemes and Renewable Energy
The policy is unsound because parts are contrary to national policy.
Part of the policy requires that applicants for residential development are expected to incorporate renewable/low carbon energy production equipment to meet at least 10% of predicted energy requirements. This is a policy that relates to the performance of new dwellings.
The Government has set out in its Written Ministerial Statement of 25 March 2015 that from the date the Deregulation Bill 2015 is given Royal Assent, local planning authorities should not set in their Local Plans any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. All that applicants are required to demonstrate is compliance with Part L of the Building Regulations. How compliance with Part L is achieved is a matter for the applicant to decide. This is not a planning matter.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			

Relates to Policy
21

Relates to Paragraph
----------------------

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
Changes to para 4.29 in the supporting text of Policy 21 have been made, to reflect the expected need for smaller dwellings in the future, including the provision of smaller family sized dwellings as part of a high density development at Shoreham Harbour. However, the policy has not been changed and the use of ‘housing’ and ‘flatted development’ implies that only the town centre development should be delivering higher density flatted developments. As there are limited opportunities to provide new or improved education facilities in the Shoreham area, there is a need to ensure the child product from new development does not exceed the number of school places which can be provided. In order to facilitate the proposed development, it has been assumed that development at Shoreham Harbour will be largely ‘flatted development’ which has a lower child product than housing. Therefore, we request the addition of Shoreham Harbour to the second bullet point.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
64	Martin	Perry	New Monks Farm Development Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
38	Peter	Rainier	DMH Stallard

Relates to Policy
21

Relates to Paragraph
4.29

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
Yes

Unsound because not
Effective

Why unsound or not compliant
<p>Paragraph 4.29 indicates that the future delivery of market housing should reflect the following mix</p> <ul style="list-style-type: none"><li>- 1 bed dwellings 10%</li><li>- 2 bed dwellings 45%</li><li>- 3 bed dwellings 35%</li><li>- 4 bed dwellings 10%</li></ul> <p>Policy 21 goes on to state that new residential development should incorporate a range of dwelling types, tenures and sizes that reflect and respond to Adur’s identified housing needs and demands.</p> <p>It is our view that the paragraph and policy when taken together are not effective, as they do not provide sufficient flexibility by allowing for developments to provide a mix in accordance with up date evidence and in respect of local needs.</p> <p>It should be acknowledged that the district wide housing mix, is just that and, consequently, the mix for individual sites should be considered on a site specific basis particularly because the major allocation at Shoreham Harbour is likely to result in the provision of primarily smaller dwellings, whereas the other allocations will have greater ability to provide larger units.</p> <p>It is considered that Paragraph 4.29 should be amended to provide a range of house sizes whilst Policy 21 should be amended to reflect this range and make an allowance for the mix of houses to be negotiated subject to up to date information and local needs.</p>

Changes required

It is considered that Paragraph 4.29 should be amended to set out a percentage range of housing mix to allow for flexibility to meet local needs, as follows:

- 1 bed 5 – 10%
- 2 bed 40 - 45%
- 3 bed 35 - 40%
- 4+ bed 10 - 15%

It is considered that Policy 21 should be amended as follows:

“New residential development should incorporate a range of dwelling types, tenures and size (including affordable housing) that reflect and respond to Adur’s identified housing needs and demands. The housing mix in terms of tenure and size will be determined through negotiation on a site specific basis, taking account of up to date information, local needs and site specific characteristics, settings and the wider context.”

I support the plan

N/A

Representation No	Contact First Name	Contact Surname	Organisation
71	James	Stevens	Home Builders Federation (HBF)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
32			

Relates to Policy
21

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
No

Unsound because not
Justified

Why unsound or not compliant
<p>Policy 21: Housing Mix and Quality</p> <p>Parts of the Policy are unsound because certain requirements are unjustified.</p> <p>The Council expects applicants to meet the Optional Technical Standard for Accessible and Adaptable dwellings for all dwellings. This is unsound because it is unjustified and it is also ineffective because it jeopardises the deliverability to the local plan. This is Optional Technical Standard Part M4(2). Before the Council can require compliance with this as local plan policy it must satisfy the tests set out in the NPPG: Housing – Optional Technical Standards. These tests require Adur Council to consider:</p> <ul style="list-style-type: none"> <li>a) the likely future need for housing for older and disable people;</li> <li>b) size, location, type and quality of dwellings needed to meet specifically evidence needs;</li> <li>c) the accessibility and adaptability of existing housing stock;</li> <li>d) how needs vary across different housing tenures; and</li> <li>e) overall impact on viability.</li> </ul> <p>(NPPG reference: ID 56-007-20150327).</p> <p>We are unaware of how the need for Part M4(2) dwellings varies by size and location and type across the district.</p> <p>We are unaware of any assessment by the Council of the accessibility and adaptability of the existing stock.</p> <p>We are unaware of any assessment of how needs vary across tenure.</p>

In terms of viability, we note page 29 of the Adur Whole Plan and CIL Viability Assessment, November 2014. The reports considers that the construction costs used reflect the cost of building to Lifetime Homes. However, the Council would need to demonstrate that this is actually the case: i.e. how many homes in recent years have been built to the Lifetime Homes standard in order to judge whether this is a cost that is reflected in the pattern of new building in Adur in recent years. The DCLG Housing Standards Review Cost Impacts, September 2014 (EC Harris) provides the best information on the additional costs associated with building to Part M(4)2. It is an average of £682 per dwelling, but the cost is much steeper for flats (£923 on average). The Council will need to consider the efficacy of this carefully if it wants its Shoreham Harbour Regeneration Scheme to happen. The Shoreham Harbour scheme will mostly consist of flats. The viability appraisal already shows that the scheme is unviable and that a nil CIL rate is necessary. Adding another £900 per dwelling will hardly help matters.

The inclusion of the caveat ‘where feasible and viable’ is unjustified in the policy. This is because the onus is on the Council to demonstrate that compliance with the Optional Requirement is feasible and viable, not the applicant.

The NPPG also invites local planning authorities to take into account specific factors such as vulnerability to flooding, site topography and other circumstances which may make a specific site less suitable for M4(2) (NPPG, ID 56-008-20150327). It advises that “where step-free access is not viable, neither of the Optional Requirements in Part M should be applied”.

The Council has not justified the adoption of this Optional Requirement.

Conversions

The policy requires that the conversion of dwellings into flats and maisonettes will have to comply with the Council’s adopted Development Control Standard “Flat Conversions”. This is unsound because it is contrary to national policy. The Ministerial Statement of 25 March 2015 states that other than the Building Standards and the Optional Technical Standards, local planning authorities “should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings”.

The Council cannot adopt local policy controlling these conversions. Nor can the Council introduce any other guidance relating to the construction, internal layout or performance of new dwellings now or later on. This paragraph should be deleted from the plan.

Changes required
N/A

I support the plan
N/A



Representation No	Contact First Name	Contact Surname	Organisation
62			Persimmon Homes South Coast Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
26	Will	Cobley	Turley

Relates to Policy
21

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
Paragraph 50 of the NPPF requires local authorities to ‘deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive mixed use communities’ it then goes on to state that they should ‘plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community..’. Although the housing mix policy seeks to follow this objective, the current wording is considered to be too prescriptive and inflexible. The policy should refer to a preferred mix based on local housing need, but should allow some flexibility so that individual developments can respond to the site circumstances and the local market.

Changes required
Suggested change: Delete ‘This will include market housing, based upon the following principles:  - Family sized housing should be provided through infill developments, identified strategic locations, and town centre regeneration. Such dwellings should mainly provide 2-3 bedrooms - Town centre developments should aim to create family sized housing as well as flatted developments, to enhance the housing offer and support town centre regeneration.’  Replace with: ‘This should include a high proportion of family housing (mainly 2-3 bedrooms) in appropriate development.’

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
64	Martin	Perry	New Monks Farm Development Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
38	Peter	Rainier	DMH Stallard

Relates to Policy
22

Relates to Paragraph
4.40b

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
Yes

Unsound because not
Effective, Justified

Why unsound or not compliant
Paragraph 4.40b and Policy 22 indicate a preferred tenure mix of 75% social/affordable rented and 25% intermediate housing.
In our view the suggested tenure mix is unsound. Whilst it is accepted that there is a paragraph later in the Policy which discussed viability evidence to be put forward to justify non-compliance with due percentage of affordable or the tenure mix, the Policy itself should also be the subject of viability testing.
The Council tested a different tenure split in 2014. The Council should be mindful that it is inappropriate to set unachievable policy obligations. Negotiating lower affordable housing provision/alterations to the tenure split inevitably incurs additional costs in terms of time and money which impairs housing delivery.
In our view the suggested tenure split is unsound and there appears to be no viability testing of the suggested split.
To allow enhanced viability and a balanced approach to delivery, it is considered that the tenure split should revert to a 50/50 split between intermediate and affordable rent.
Furthermore, it is noted that Paragraph 4.40b and Policy 22 make no reference to the Housing & Planning Bill, which introduces an obligation to provide an element of housing to be sold at a discount of at least 20% of the market value. Given that the Housing & Planning Bill is likely to soon achieve Royal Assent, it is considered that Paragraph 4.40b and Policy 22 (as well as any viability evidence) needs to be reconsidered in light of this.

Changes required
It is considered that Paragraph 4.40b and Policy 22 should be amended to reflect a 50/50 split between intermediate and affordable rent.
The Policy should also be amended to reflect the Housing & Planning Bill which is likely to achieve Royal Assent prior to adoption of the Local Plan.

In absence of up to date viability testing, it is considered that this amendment is necessary to ensure delivery of the affordable housing element of New Monks Farm.

I support the plan

N/A

Representation No	Contact First Name	Contact Surname	Organisation
64	Martin	Perry	New Monks Farm Development Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
38	Peter	Rainier	DMH Stallard

Relates to Policy
22

Relates to Paragraph
4.40c

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
Yes

Unsound because not
Effective, Positively Prepared

Why unsound or not compliant
Paragraph 4.40c and Policy 22 identifies that the OAN indicates a preferred affordable mix of:  - 1 bed dwellings 20-25% - 2 bed dwellings 30-35% - 3 bed dwellings 30-35% - 4 bed dwellings 10-15%  It is our view that the Paragraph and Policy are not currently effective and are therefore unsound. Whilst it is acknowledged that Policy 22 allows for negotiation, it is our experience that affordable housing providers do not consider 4 bedroom affordable dwellings as a viable option, because they are either unaffordable within the Universal Credit limit if for Rent, and too expensive if for Shared Ownership.

Changes required
It is considered that Paragraph 4.40c should be amended to confirm that the final mix of affordable dwellings is subject to negotiation. It is considered that this amendment is required to provide flexibility in order to ensure the delivery of the affordable element of housing.  It is suggested that the following paragraph is included below Paragraph 4.40c.  “The preferred affordable housing mix in terms of size will be negotiable on each individual site taking into account up-to-date assessments and characteristics of the area.”

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
62			Persimmon Homes South Coast Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
26	Will	Cobley	Turley

  

Relates to Policy	Relates to Paragraph
22	N/A

  

Relates to Map	Relates to Other
N/A	N/A

  

Sound?	Legally compliant?
Left Blank	Left Blank

  

Unsound because not
N/A

  

Why unsound or not compliant
<p>The Government published the Starter Homes Technical Consultation for comment on 23rd March 2016. The document sets out details of the draft Starter Homes Regulations, which are currently being debated in parliament as part of the Housing and Planning Bill.</p> <p>As Starter Homes will be recognised as a form of affordable housing, specific reference to them should be included within the Local Plan policy.</p>

  

Changes required
Suggested change: Insert 'New residential development will be expected to make provision for a mix of affordable housing, including social rented, affordable rented, starter homes and/or intermediate housing according to the following site thresholds:'

  

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
71	James	Stevens	Home Builders Federation (HBF)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
32			

Relates to Policy
22

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
No

Unsound because not
Justified

Why unsound or not compliant
Policy 22: Affordable Housing
<p>The policy is unsound in parts because it is contrary to national policy: some of the rates proposed are not supported by the evidence.</p> <p>We have noted the Adur Whole Plan and CIL Viability Assessment, November 2014. Paragraph 6.10 observes the non-viability of the Shoreham Harbour Regeneration Area. This area appears to be unable to sustain any level of affordable housing owing to flood defence and site specific infrastructure costs. The report says that these problems can be overcome because the Shoreham Harbour scheme is likely to attract government funding. This may well happen, but equally it may not. We have noted above that the Council has secured funding from the LEP for various flood defence works and transport infrastructure projects across Adur. However, it is unclear what proportion of these funds is available to improve the viability at Shoreham Harbour.</p> <p>As things stand and on the basis of the evidence presented, it would be unwise, and contrary to national policy, for the Council to specify the proposed rates of affordable housing in this strategic allocation. This issue cannot be evaded by requiring application specific open book viability assessments. The Local Plan needs to provide clarity for applicants so that any application made can be approved without delay (paragraph 14 of the NPPF). The applicant needs to know what level of affordable housing is expected, and this needs to be supported by evidence. This is the essential principle of the plan-led system.</p> <p>The tenure split in paragraph 4.40B and the Policy does not reflect the tenure split tested in the Viability Appraisal. The Local Plan stipulates a split of 25% intermediate and 75% social/affordable rent (without specifying the apportionment of the latter). However, the viability appraisal has tested something different: namely 40% intermediate, 30% affordable rent and 30% social rent. The selection of the higher intermediate component is interesting because this will tend to improve viability because they are sold-on to RSLs at 60% of the full market value compared to 40% for social rent. The mix chosen, therefore, will tend to favour the Council's case that 30% can be achieved on schemes of 15 gross dwellings (except in Shoreham Harbour of course where the viability report has also recommended a nil CIL). This is illustrated in section 4: viability appraisal assumptions where intermediate homes are calculated at 60% of market value.</p>

The Local Plan should reflect what has been modelled. It should reflect the modelling of 30% intermediate, 40% social rent and 30% affordable rent.

Gross dwellings

We also note that the contribution to affordable housing is calculated on the basis of gross dwellings. Normally affordable housing obligations are calculated on the basis of net additions to the stock. Therefore, if a householder applied for planning permission to re-build her home, she would be subject to a financial contribution equivalent to 10% affordable housing.

Similarly, if a developer was involved in redeveloping an estate of 20 homes as part of a regeneration scheme to provide 21 new homes the applicant would be liable for a 30% affordable housing contribution based on the one additional unit created by the development. This is unlikely to be effective as a policy.

CIL

The issue of the CIL is also very important since this could have a big impact on the viability of the small sites. The Adur Whole Plan and CIL Viability Assessment, November 2014 has only examined the effect of local plan policies and possible CIL rates for the Strategic Sites. The report has recommended ranges within which the Council may want to set its residential CIL but the Council has yet to determine what these rates might be.

Changes required
N/A
I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy	Relates to Paragraph
30	N/A

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
Policy 30: Delivering Infrastructure
The policy could ask that all development contributes not only to the green infrastructure needs of the development itself, but to the green infrastructure needs of the district as a whole, on a proportional scale to the development.

Changes required
N/A

I support the plan
N/A



Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy	Relates to Paragraph
31	N/A
Relates to Map	Relates to Other
N/A	N/A
Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
Policy 31: Green Infrastructure
<p>Paragraph 4.93 highlights that the green infrastructure framework carried out by the South Downs National Park has been incorporated into the wording of the Adur Local Plan and will influence their future steps for the district own strategy and in the decisions they make on planning applications.</p> <p>We are pleased to see the continued recognition of green infrastructure in the proposed submission plan. In our previous submissions we encouraged ADC to include policy wording that requires developers to show how their proposed development delivers green infrastructure both on a site level and how it links and enhances to the wider district’s green infrastructure network. We are pleased to see that this is now within this policy.</p> <p>The Trust is very disappointed to see that the council have removed their commitment to delivering a Green Infrastructure SPD within the policy wording. The schedule of change for the plan simply says that the reference to SPD deleted here to ensure consistency with other policies/text. However in the supporting text to the policy, 4.95 states:</p> <p>"A Green Infrastructure SPD will be produced in order to provide a holistic approach to the provision of green infrastructure and to maximise the many benefits that green infrastructure brings."</p> <p>Can we seek clarity from ADC as to their commitment to a green infrastructure SPD. As we have done in our previously consultation responses, we encourage the Council to ensure that they deliver a Green Infrastructure SPD that not only looks at mapping the current green infrastructure assets of the District, but that it is truly forward thinking and progressive in addressing issues of connectivity, climate change resilience and increases in natural capital. This approach reflects the ethos of NPPF paragraphs 99, 114 and 156 and will enable them to deliver towards Objective 6 of the plan.</p>

Changes required
N/A
I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy	Relates to Paragraph
32	N/A

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
Policy 32: Biodiversity
<p>The Sussex Wildlife Trust welcomes the inclusion of this policy within the plan and its recognition of the hierarchy of designated sites and Biodiversity Opportunity Areas. We are keen that the sentiments of section 4.98 of the plan are also reflected in the policy.</p> <p>This policy has the opportunity to reflect the NPPF further through highlighting the importance of landscape in the context of connectivity and its ecological functioning. The Sussex Wildlife Trust feels that this should be incorporated into this policy wording to bring it in line with paragraphs 109 and 114:</p> <p>‘The planning system should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"><li>- recognising the wider benefits of ecosystem services;</li><li>- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; NPPF Paragraph 109</li></ul> <p>‘Set out a strategic approach in their Local plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure’ NPPF Paragraph 114.</p>

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
71	James	Stevens	Home Builders Federation (HBF)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
32			

Relates to Policy
33

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
No

Unsound because not
Justified

Why unsound or not compliant
Policy 33: Open Space, Recreation and Leisure
In view of the size of the unmet need, and the failure of the Council to provide an alternative strategy to accommodate the unmet need, the open space requirements of Policy 33 are unjustified.
The policy is unjustified. The policy would be defensible if the Council had managed to secure an alternative means of accommodating the shortfall of 2,200 homes but it has been unable to do so. In view of the scale of the need, plus the uncertainties associated with the deliverability of the Shoreham Harbour Regeneration Strategic Scheme, the local standards are unjustified. Once the Council has secured alternative provision for its shortfall, then such a policy would be justified, and could be re-introduced through the local plan review that it proposes. However, at the current time, in view of the constraints in the area, the policy will restrict the ability for the Council to optimise the capacity of the few residential sites that it does have.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
45	Charlotte	Mayall	Southern Water
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
36			

Relates to Policy
33

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
Yes

Unsound because not
Consistent with National Policy, Effective

Why unsound or not compliant
<p>Southern Water is pleased to note the inclusion of the provision for the delivery of essential utilities infrastructure in special circumstances within areas of open space, recreation and leisure as a result of the last consultation. However the addition of the following sentence at the end of the provision; '[...] any loss of open space should be in accordance with (iii) above' could restrict Southern Water's ability to deliver infrastructure, for example a pumping station, which would result in a negligible loss of open space, yet the need to find an 'equivalent or improved provision in terms of quantity and quality' could preclude development.</p> <p>The addition of this clause creates an inflexibility of policy in certain circumstances. Planning Practice Guidance on Water supply, wastewater and water quality (paragraph 005 - Infrastructure) states;</p> <p>'In identifying sites it will be important to recognise that water and wastewater infrastructure sometimes has particular locational needs (and often consists of engineering works rather than new buildings) which mean otherwise protected areas may exceptionally have to be considered where consistent with their designation.' (our underline) In certain cases the requirement for small new buildings may not justify the provision of an equivalent quantity of open space.</p> <p>Southern Water understand the Council's desire to seek replacement of open space lost to substantial development, but would wish the council to acknowledge that an exception should be made for circumstances where the loss of space is not significant.</p>

Changes required
<p>Southern Water recommends the following proposed modification to the policy wording:</p> <p>'...development of open space for essential utilities infrastructure will be supported in special circumstances, where the benefit outweighs any harm or loss and it can be demonstrated that there are no reasonable alternative sites available. However, any significant loss of open space should be in accordance with (iii) above.'</p>

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
53	Marguerite	Oxley	Environment Agency
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
6			

Relates to Policy
37

Relates to Paragraph
4.130

Relates to Map
N/A

Relates to Other
N/A

Sound?
No

Legally compliant?
Yes

Unsound because not
Effective

Why unsound or not compliant
Part 4
Page 138 Paragraph 4.130. Last sentence – the indicative completion date for the Shoreham Adur Tidal Walls scheme is 2018 and not 2017. This seems to have been updated / corrected in other parts of the documents.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			

Relates to Policy
N/A

Relates to Paragraph
1.20 and 2.100

Relates to Map
N/A

Relates to Other
Footnote 5 page 4

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
N/A

Changes required
N/A

I support the plan
Minerals and Waste
We support the changes made to footnote 5 on page 4, para 1.20 and 2.100 in response to previous comments.

Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			

Relates to Policy	Relates to Paragraph
N/A	1.34 of Vision 4 and 3.29

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
Education
The District Council proposes to remove ‘education’ from para 1.34 of Vision 4. This is still a priority area to consider as new or improved infrastructure, either on or off site, is needed to meet the needs arising from development proposed in the Local Plan. We support the additional wording at para 3.29 which sets out that Adur District Council and the County Council are working together to address the need for suitable education provision in the Shoreham area, arising from growth. Innovative solutions may include shared facilities on Shoreham Harbour and it is important that policies in the Local Plan are capable of securing the necessary infrastructure, so we request that ‘education’ be mentioned in Vision 4.

Changes required
N/A

I support the plan
N/A



Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			

Relates to Policy
N/A

Relates to Paragraph
1.7

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
As set out in previous comments, paragraph 1.7 refers only to safeguarded mineral site allocations and resources. However, the West Sussex Waste Local Plan 2014 also safeguards allocated sites and permitted capacity for waste management. Paragraph 1.7 should be amended to read; “West Sussex County Council is responsible for preparing statutory land use plans for minerals and waste. Adopted sites have been identified and safeguarded in the West Sussex Minerals and Waste Local Plans. Proposals for development should have regard to the defined County Minerals Safeguarding Areas and Minerals Consultation Area guidance and policy produced by West Sussex County Council. The Waste Local Plan safeguards allocated waste sites and permitted capacity for waste management. Preparation of site plans will require liaison with West Sussex County Council at an early stage to ensure that any potential minerals and waste interests are fully considered in planning development.”

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
71	James	Stevens	Home Builders Federation (HBF)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
32			

Relates to Policy	Relates to Paragraph
N/A	4.7

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
No	No

Unsound because not
Justified

Why unsound or not compliant
Quality of the Built Environment and Public Realm
Paragraph 4.7
We note in paragraph 4.7 that the Council will require applicants to have regard to a range of design standards, such as By Design, Building in Context, Safer Places, and Building for Life. This is potentially confusing for applicants and sometimes the guidance is contradictory. In line with the spirit of the Government’s Housing Standards Review which has attempted to simplify the number of standards relating to the construction, internal layout and performance of residential developments, we would encourage the Council to simplify its guidance in relation design standards. To this end we would encourage the Council to focus on the new updated Building for Life 12 guidance (distinct from the earlier Building for Life guidance) the development of which was supported by the HBF, and remove reference in the Plan to any other design standards or guidance.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			

Relates to Policy
N/A

Relates to Paragraph
4.74

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
N/A

Changes required
N/A

I support the plan
Rights of Way
Considering the previous comments made we support the addition of text to para 4.74 to ensure that; “New pedestrian and cycle networks should integrate with existing routes as far as possible.” relates to all sites and reflect Key Issue 7 and Vision and Objective 8 of the Plan.

Representation No	Contact First Name	Contact Surname	Organisation
71	James	Stevens	Home Builders Federation (HBF)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
32			

Relates to Policy
N/A

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
Vision and objectives

Sound?
No

Legally compliant?
No

Unsound because not
Justified

Why unsound or not compliant
Vision and objectives of the Adur Local Plan
<p>The vision and objectives are unsound because they are unjustified in view of the Council’s inability to meet its OAN in full.</p> <p>The Council states in V1 that “residents will enjoy an improved quality of life and wellbeing through better access to higher quality jobs, better choice in housing including affordable homes...”. This vision is not supported by the contents of the plan because the local plan will not provide for the full objectively assessed housing needs of the district, either within the Adur administrative boundary, or without through the operation of the duty to cooperate. Clearly, if the Council is unable to provide for the OAN in full – it faces a shortfall of 2,211 dwellings – it is inevitable that the quality of life and well-being of some residents will suffer. Vision V1 should be re-drafted to reflect this reality. It is necessary that the local authority and the planning profession is honest about the consequences of failing to meet housing needs.</p> <p>The Council should not be allowed to evade the reality of the housing situation. The problem of the shortfall should be stated explicitly in the local plan. This would act as an impetus on the Council to undertake an immediate review of the local plan to seek to find a solution of the problem of its unmet need by working with other authorities in the HMA and further afield in the sub-region.</p> <p>Similarly Objective O2 needs to be re-drafted to reflect the reality of the situation. Clearly not all local communities will benefit from regeneration if the council is unable to provide for the OAN in full, which will also include the provision of homes of different tenures. For example, the affordable housing need in the district has been calculated to be 233 dwellings per year for 20 years (based on the 2014 SHMA, as referred to in Table 35 of the Objectively Assessed Need for Housing: Adur District Final Report, August 2015). The OAN is 290 dpa. Therefore, it is axiomatic, that if the plan is only able to provide a capacity constrained 180 dpa then the Council’s plan will not be catering to meet all needs. Touchy-feely statements blithely stating that the plan will meet the needs of all residents should be avoided when the facts suggest otherwise. The local plan provides an important statement about how the district is going to evolve over the plan period, and who the winners and losers will be.</p>

If the Council truly wants to be a more inclusive borough that meets the needs of its residents in the housing market area then it will need to embark upon an immediate review of its plan, working with its neighbours and probably other authorities much further afield, to develop a strategy to address the housing needs of Adur in full. We note that the Duty to Cooperate Statement March 2016 refers to an early review in paragraph 3.29. As we commented above, if this commitment has any meaning, then it will need to be written into the Local Plan.

Changes required  
N/A

I support the plan  
N/A

Representation No	Contact First Name	Contact Surname	Organisation
69	David	Bowie	Highways England
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
42			

Relates to Policy	Relates to Paragraph
N/A	N/A

Relates to Map	Relates to Other
N/A	Part 2 of the Plan

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its longterm operation and integrity.

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the Strategic Road Network (SRN), in this case the A27.

Highways England acknowledge that the council consider that it is not practical/achievable to deliver the required amount of dwellings identified from the Objectively Assessed Needs process which indicated that 5820 dwellings should be provided over the Local Plan Period, this being considerably above the amount previously considered at a maximum of 4800 dwellings. Instead it is proposed that the council will provide 3609 dwellings over the Local Plan period this being a notable decrease from the previously considered amount. In broad terms this might lead to the conclusion that the traffic impacts of development might be less significant than previously anticipated. However, in terms of impacts on the A27 trunk road it is noted that the immediately adjacent strategic sites at West Sompting, New Monks Farm and Shoreham Airport have not reduced in size with the allocation at New Monks Farm being increased by 150 dwellings to 600 dwellings. In this respect Highways England would not expect a material difference in the impacts of development on the A27 below that previous considered in the 2014 Plan. We therefore agree that these developments will need to contribute to improvements on the A27 to ensure that there are no detrimental effects to its current operation.

Shoreham Airport have not reduced in size with the allocation at New Monks Farm being increased by 150 dwellings to 600 dwellings. In this respect Highways England would not expect a material difference in the impacts of development on the A27 below that previous considered in the 2014 Plan. We therefore agree that these developments will need to contribute to improvements on the A27 to ensure that there are no detrimental effects to its current operation.

We will comment on the mitigations required resulting from the Local Plan proposals as indicated in the updated Adur and Shoreham Harbour Transport Study under separate cover.

I trust that the above is of assistance and welcome further involvement as the Local Plan progresses.

Changes required

Careful consideration will need to be given to the funding of mitigations on the A27 as each of the three adjacent strategic sites will have varying effects on the most stressed parts of the network and accordingly each will contribute in part to the costs of mitigation in relation to their specific impacts. It would be useful to set out a mechanism for calculation of contributions (once mitigations are determined and agreed). It might be preferable to consider the use of section 278 agreements with Highways England which could be required within a Section 106 agreement.

I support the plan  
N/A

Representation No	Contact First Name	Contact Surname	Organisation
66			Cobbetts Developments Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
17	Chris	Barker	ECE Planning
Relates to Policy		Relates to Paragraph	
N/A		N/A	
Relates to Map		Relates to Other	
N/A		Omission Site: Land at Steyning Rd, Shoreham (aka Shoreham Gateway)	
Sound?		Legally compliant?	
Left Blank		Left Blank	
Unsound because not			
N/A			
Why unsound or not compliant			
<p>This letter has been prepared by ECE Planning on behalf of Cobbetts Developments Ltd in support of the promotion of the Land at Steyning Road, Shoreham (also referred to as the ‘Shoreham Gateway’ site) for allocation within the Adur Local Plan for future residential development.</p> <p>We welcome the opportunity to provide justification in support of the allocation of the site within the Adur Local Plan. It is hoped that the information contained within this letter will enable the inclusion of the Land at Steyning Road within the Submission version of the Local Plan as it progresses towards examination.</p> <p>Pre-application discussions have taken place with the Council regarding the site and a Design Panel Review has taken place. This has informed the development of proposals on the site to overcome those concerns raised by the Council and stakeholders relating, predominantly, to impact on landscape, design and flood risk.</p> <p>Our client welcomes the opportunity to work proactively with Adur District Council in the promotion of the Land at Steyning Road for future residential development, helping the Adur Local Plan to reflect those requirements of the Framework.</p> <p>Those representations contained within this letter, and the recommendations that it makes, focus on both the Council’s evidence base in relation to the identification of a robust and justified housing need and landscape evidence base, and the strategy that is adopted to guide future residential development within the District.</p> <p>The Site and Proposal – Pre application</p> <p>The site (refer to Figure 1) is contiguous with the settlement boundary of Shoreham and forms a well-defined parcel of land, currently used as grazing land.</p> <p>The site’s western extent is bounded by the River Adur and the A283 runs along the eastern side of the site. The raised A27 (Shoreham Bypass) and ‘Shoreham Flyover’ is located to the north of the site. An old, disused railway which forms part of the Downs Link public right of way runs along the western boundary of the site and is screened off by shrubbery.</p>			



## Figure 1: Land at Steyning Road

The site is close to the Grade II\* listed Old Shoreham Toll Bridge and the Grade I listed St Nicholas Church is to the immediate south east of the site.

The proposal has been discussed at pre application level and presented to the Design Panel (Design South East) for critical review given its sensitive location. The scheme originally sought housing development to the south with a car sales room to the north.

The Design Panel found that:

"the proposed combination of a car showroom and housing does not sit comfortably in such a location..."

As such, the proposal is to be amended to retain the housing site to the south, with a proposed area of landscaping to the north in place of the proposed car sales room (refer to Figure 1). This area of landscaping is considered to mitigate the perceived impact of development on landscape and views (considered further below).

The proposed housing site will benefit from the Shoreham Adur Tidal Walls scheme, which has recently been approved by Adur Planning Committee. This scheme would deliver a flood defence on the northern and western boundaries of the proposed housing area shown in Figure 1 thus providing flood protection to the housing site.

The proposed development would deliver an appropriate scale of approximately 35 dwellings considerate of the sensitive landscape and historic environment concerns held by the Council.

### Housing Need

The National Planning Policy Framework ('The Framework') and the National Planning Practice Guidance (NPPG) establish the basis against which the Adur Local Plan should be prepared, as well as those 'tests of soundness' that the emerging Local Plan must comply with.

In this regard, fundamental to the preparation and examination of the Adur Local Plan, is the identification of the objectively assessed development needs of the District, and the adoption of suitable and effective 'spatial strategy' to meet these needs. The delivery of the objectively assessed housing need should also be supported by the allocation of suitable, available and deliverable sites for future residential development.

A key element of the Adur Local Plan is setting out the strategic housing policies including a housing target and housing allocations. The current strategy for delivery of housing is a mixture of brownfield and windfall sites within the built-up-area of the existing communities (1429 dwellings) as well as the following strategic housing allocations, amended since the 2014 version of the Local Plan:

- New Monks Farm 600 dwellings
- West Sompting 480 dwellings
- Shoreham Harbour 1100 dwellings

In total, this equates to 3,609 new homes over the plan period. This is significantly lower than the updated objectively assessed housing need (OAN) of the district.

The Locally Generated Housing Needs Survey (2014) established the need within the District as 3,600 – 4,800 new dwellings over the plan period (180-240 per annum). This has since been revised through the Objectively Assessed Need for Housing: Adur District (2015) report which identified a significantly higher housing need figure of 5820 dwellings or 291 dwellings per annum.

The Adur Local Plan (2016) seeks to deliver only 3,609 dwellings over the plan period or just 180 dwellings per annum. It is clear that the amended housing target identified within the Adur Local Plan 2016 document is significantly below the housing need identified within the Objectively Assessed Need for Housing: Adur District study (2015).

The requirement for Local Planning Authorities to plan strategically for the delivery of adequate residential development to meet the locally identified housing need is explicit within the National Planning Policy Framework, which states at Paragraph 47:

To boost significantly the supply of housing, local planning authorities should:

- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;

The Framework is clear that Local Plans must meet the full objectively assessed housing need consistent with other policies of the Framework. Paragraph 156 of the Framework states:

Local planning authorities should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver:

- the homes and jobs needed in the area;
- the provision of retail, leisure and other commercial development;
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

As such, the Adur Local Plan and the strategic policies it contains must seek to provide for the delivery of residential development that meets the locally identified need within the District.

The Amendments to the Proposed Submission Adur Local Plan 2016 fails to do this and is considered to be contrary to the explicit obligations contained within the Framework. Consequently, in failing to plan strategically for the delivery of adequate housing throughout the 15 year plan period, the Amendments to the Proposed Submission Adur Local Plan 2016 cannot be considered sound.

On this basis, it is considered that the additional information provided in support of the allocation of the Land at Steyning Road for future residential development, further to the Council's existing difficulties in demonstrating a robust housing land supply, provide Adur District Council the opportunity to incorporate the allocation of the site within the Submission Adur Local Plan.

Furthermore, consideration of the OAN and housing trajectory show significant reliance on Shoreham Harbour in delivery of housing in the District. The Council have identified a considerable proportion of housing coming forward at Shoreham Harbour in the medium term which is not considered to be realistic.

There are considerable concerns over the deliverability and viability of Shoreham Harbour with constraints related to infrastructure provision including:

- Flood Defences – the development 968 dwellings (1100 over the entire plan period) on the Western Harbour Arm will require significant investment in flood defence provision along the entire stretch of the site. There are delivery concerns related to the complex pattern of landownership and the difficulty in phasing for a flood defence to close off the entire flood cell without increasing the risk of flooding elsewhere. As set out in the Infrastructure Delivery Plan (IDP 2016) accompanying the Adur Local Plan, a significant shortfall of funding exists for flood defence provision.

- Transport Mitigation – the provision of high density development will have a significant impact on the transport infrastructure in the area and significant infrastructure investment, as set out in the IDP, is required. Again, a significant shortfall exists and some items such as the ‘Package of site specific travel behaviour initiatives’ are yet to be costed.
- Primary Education - The Adur IDP states that a new primary school onsite or within close proximity of the site is required yet this has not yet been identified within the plan or IDP.

In addition to the significant costs associated with infrastructure are other associated viability and deliverability considerations. Contaminated land is a significant risk for the site which could increase costs appreciably. There are also numerous businesses located on the Western Harbour Arm that would require relocating at significant cost. Land is required to achieve this relocation and there is currently no clear and robust land assembly strategy setting this out.

When considering these constraints it is hard to gauge how Shoreham Harbour can be delivered within the short - medium term as set out in the Adur Local Plan. The current housing trajectory (Figure 2 – taken from the Adur AMR 2015) shows Shoreham Harbour coming forward at the end of the 5 year period with a delivery rate of 179 homes per dwellings over a five year period.

\*Figure 2: Housing Trajectory (Adur AMR 2015) (to view please see supporting evidence).

It is considered that this high level of annual completions of predominantly flatted development is not reasonable in the short to medium timescales.

Such a level of development would flood the local market for flatted development over a short period of time and would therefore be unattractive for any developer. Given the above constraints, it is highly unlikely that the site will be developed in the short – medium term with delivery only likely to come forwards at the end of the plan period.

It is considered that the Land at Steyning Road could aid in housing delivery in the short – medium term (dependant entirely upon the timescales for the delivery of the Adur Tidal Walls – a scheme, it should be added, which is much further advanced than the flood defence strategy for the Western Harbour Arm). This would significantly aid the Council in delivery of housing to fill the significant gap that is likely to be created by delivery of Shoreham Harbour in the latter part of the plan period and realistically beyond this.

In this respect, the Adur Local Plan, as currently drafted, cannot be considered to be effective in terms of being deliverable over its period or justified when considered against reasonable alternative options for development. On this last point, other sites in the district have potential to be delivered with less impact / infrastructure provision than development of Shoreham Harbour and can come forward earlier in the plan period.

#### Flood Risk

This site will be located within flood zone 3a once the Adur Tidal Walls is implemented. As such, the site will be at the same flood risk as other residential sites being considered for development within the area (Ropetackle North, Shoreham Harbour).

Concern has been raised regarding surface water and groundwater flooding. It is our view that a technical solution to overcome these concerns is possible and is currently being investigated by our clients. Similar flood risk is experienced on other sites in the area (such as the Ropetackle North site).

The Sequential Test accompanying the Adur Local Plan requires updating. It refers to the site being located within flood zone 3a and 3b. It makes no mention of the Shoreham Adur Tidal Walls Scheme and the protection this would provide over the plan period. This requires amending and updating along with the Sustainability Appraisal.

## Landscape

The Adur Local Plan Assessment of landscape sensitivity – Adur Local Plan area report (2016) identified the site as having a medium – high landscape sensitivity. The update report has escalated the sensitivity of the site significantly from the original Landscape and ecological surveys of key sites within the Adur District Report (2012) which identified the site as having a low – medium landscape character.

The two studies were produced by the same consultant using the same methodology.

As such, it is apparent that two changes within the update report (2016) may have caused such an escalation. Firstly, the enlargement of the site to include the river Adur Estuary and the Ricardo Employment Site (refer to Figures 3 and 4) and secondly the perceived impact that the Adur Tidal Walls riverside defence will have.

\*Figure 3: Landscape Study (2012) Character Areas (to view please see supporting evidence).

\*Figure 4: Landscape Study Update (2016) Character Areas (to view please see supporting evidence).

Figure 5 displays the difference in assessment outcomes for the character areas between the 2012 study and 2016 update.

\*Figure 5: Landscape Study Assessment Status for Land at Steyning Road Site (to view please see supporting evidence).

## Landscape Character Sensitivity

In relation to Landscape Character Sensitivity, there has been no change in the landscape makeup of the Land at Steyning Road since the two studies have been carried out. In this sense, the 2012 study noted that the site was of:

"...poor condition, with a mix of temporary fencing, horse stables, water troughs etc."

It is clear however that the Adur Tidal Walls intervention will impact on the site. It is our view that to some degree, the provision of a large, engineered and clearly man made flood defence structure in an otherwise natural landscape environment will have an urbanising impact on the character of the area. This would diminish the importance and sensitivity of the landscape, although these specific points have not been acknowledged by the Council.

\*Figure 6: Adur Tidal Walls Flood Defence - Northern Boundary of Site (to view please see supporting evidence).

The defence running on the northern side of the site is a significant structure. It is in excess of 20 metres wide and will be in excess of 2.5m in height along its crest (refer to Figure 6). Flood defences on the riverside are, in places, 1.5m higher than the existing levels with the new defence measuring in excess of 15m wide in places.

It is our view that the landscape here is already compromised by the residential development to the south and east and the elevated A27 to the north. The soon to be implemented tidal flood defence scheme including raised A283 Steyning Road can only have a further urbanising impact upon the site. This may be diminished to some degree by proposed planting (discussed below).

It remains our view that the Tidal Walls intervention can only downgrade the landscape character and quality rather than raise it.

It must therefore be assumed that the change in status from medium – low landscape character sensitivity to medium sensitivity is due to the artificial inclusion of the river

Adur Estuary / Ricardo site within the character area.

When the Landscape Study was undertaken in 2012, the River Adur would have formed part of the assessment of the site being located on its border. The image of the site within the 2012 study Technical Appendix (refer to page 19) clearly shows the site in the context of the river and the Adur is repeatedly referred to throughout.

The updated 2016 assessment is considered to misconstrue the landscape value of the site and artificially inflate it by including other landscape areas such as the estuary itself (even though its presence would have formed part of the 2012 assessment). As such, the Landscape Character Sensitivity of the Land at Steyning Road can only be considered to be of medium – low sensitivity status as set out in the 2012 report.

#### Visual Sensitivity

In relation to visual sensitivity, this has increased significantly from the 2012 assessment of medium – low to the 2016 assessment of medium - high. The only change associated with the site (other than the artificial landscape character boundary change) is the approved Adur Tidal Walls scheme and the perceived increased opportunity for viewing the site at close range from the Downs link public right of way.

It is understood that, contrary to the 2016 update report, scrubland on the river banks will be replaced as shown by the areas of planting for reach E3 in the Adur Tidal Walls planning application (as approved). ‘Native shrub or woodland mix’ proposed planting is shown on both sides of the footpath and upon the bund on the northern section of the site (refer to drawing MMD-339663-L-DR-03-E3-1381- Shoreham Adur Tidal Walls Landscape Proposals E3 - Old Railway General Arrangement Sheet 1 of 4). It would therefore be fair to assume that visibility in terms of longer distance views from the riverside level and from some more elevated positions from the west and from the north will be reduced. This is due to the height of the defence and due to the significant woodland planting proposed by the Tidal Walls scheme.

From close range, i.e. the Downs Link public right of way, the viewer will indeed be elevated and potentially have views into the site. However, this is not guaranteed again due to the significant amount of woodland planting proposed on the easternmost side of the defence.

The Landscape Study 2016 update states:

The Adur Tidal Walls Scheme will change the relationship of this landscape character area to the River Adur because the tall hedgerow/scrub vegetation along the riverside path is likely to be removed to construct a higher flood embankment. The riverside path (the Downs Link) will run along the crest of the bund. As a result, the fields alongside the path are likely to become more visible and their role as part of the wider landscape setting of the River Adur will be enhanced. As the only undeveloped part of the Adur floodplain within the Lancing-Shoreham Gap, this is a highly sensitive riverside meadow landscape, which is vulnerable to change.

We strongly object to this assertion in relation to the Land at Steyning Road. It assumes that there will be increased visibility of the site taking no account of the negative impact of a raised defence and proposed planting on longer views. In relation to closer range views, when fully established, the woodland planting is likely to provide significant screening.

Subsequently, it is our view that visibility will be decreased and visual sensitivity must also be reduced. The methodology of the landscape reports are clear on the point of how visual sensitivity is assessed:

The assessment of visual sensitivity is based on the general visibility of the landscape, the number and type of viewers and the potential scope to mitigate the visual effects of any change that might take place.

The change in the overall status from medium – low to medium -high cannot therefore be justified for the Land at Steyning Road site.

In summary, we object to the Landscape Study 2016 update and strongly argue the evidence base underpinning the Local Plan 2016 is not considered to be sound.

It is also our view that the Landscape Study 2016 requires updating based on our comments and subsequently the Sustainability Assessment of the Local Plan would similarly require updating before the plan can progress towards Submission.

#### Other Landscape Considerations

A further site specific study produced by the Council (Adur Landscape Study Update - Shoreham Gateway Landscape and visual appraisal of development proposals (2016)) found that the previous proposal (including commercial element) would be unacceptable with no mitigation possible.

This assessment has been made on the predication of development at other Strategic Sites within the district (including the Shoreham Airport employment allocation within an area of high landscape sensitivity). These sites have not yet been allocated and therefore the assessment is premature. Furthermore, the Allen Scott Landscape and Visual Impact Assessment (2014) in support of the site found that that development in the location would be acceptable.

Furthermore, the proposed loss of the commercial unit would significantly alter the impact of development in this location. The site area identified for housing development is shown overlaid on the Adur Landscape Study update (2016) character area in Figure 7 to illustrate the reduced size of the site and the large fingers of green space to be retained to the north. As such, the provision of proposed landscaping to the north will enhance and mitigate the perceived impact that development would have, retaining the sequence of gateway views considered to be of importance.

\*Figure 7: Site in context of landscape character areas (to view please see supporting evidence).

Significant work has been undertaken following Design Panel review to reduce the impact that the housing element would have on the area. Ongoing design work is identifying more perforate development layouts to retain visibility through and across the site, although as mentioned previously, this will be significantly altered by the Adur Tidal Walls flood defence.

On the basis of the 2012 Landscape Study conclusions, the site is the same overall landscape sensitivity as the New Monks Farm allocation (and indeed scores more positively than other proposed allocations in the district such as West Sompting). In this context, the site is not considered to be sacrosanct should a sensitively designed and high quality scheme be put forward that respects the existing context.

#### Conclusion

As set out this letter, it is our considered view that the Amendments to the Proposed Submission Adur Local Plan 2016 and the updated evidence base that supports it is not considered to be sound as assessed against the provisions of the Framework. It is also considered that the plan does not meet the following tests of soundness:

- positively prepared – not meeting the objectively assessed housing need
- justified – not being the most appropriate approach when compared to reasonable alternatives (i.e. delivery of housing at Land at Steyning Road)
- effective – not being deliverable over the plan period (i.e. reliance on Shoreham Harbour)

Our client is keen to proactively and positively explore the residential development of the land at Steyning Road and discuss solutions to overcome the remaining physical constraints.

The key environmental issues such as those relating to landscape can be overcome through suitable design and appropriate mitigation measures as set out above. Furthermore, the site is considered to represent only a small incursion within the landscape and the impact is considered acceptable.

A technical solution to flood issues is currently being considered.

We therefore hope that Adur District Council will reconsider their housing needs position and decision not to allocate the Land at Steyning Road for residential development and engage proactively and positively in bringing the site forward in the Submission Adur Local Plan as a housing allocation to meet the locally identified housing need arising in the District.

Changes required
N/A
I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
64	Martin	Perry	New Monks Farm Development Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
38	Peter	Rainier	DMH Stallard

Relates to Policy
N/A

Relates to Paragraph
N/A

Relates to Map
Proposals Map/ Map 2

Relates to Other
N/A

Sound?
No

Legally compliant?
Yes

Unsound because not
Effective, Positively Prepared

Why unsound or not compliant
The fact that the built up area boundary east of the New Monks Farm allocation is shown as “indicative” is supported. However it is considered that the flexibility of the built up area boundary is essential in order to ensure that sufficient space is provided for homes, commercial floorspace, expansion room for the Primary School, and the existing Brighton & Hove Albion Training Ground whilst taking into account physical constraints.
From the studies undertaken by the Respondent, which take into account the site constraints, it appears necessary for the built up area to extend further eastwards at the north-east and south-east of the allocation. Notwithstanding the built up area boundaries indicative nature, it is considered that further adjustment is necessary to provide certainty and clarity.

Changes required
Map 2 and the Proposals Map should be amended to relocate the indicative built up area boundary eastwards in order to ensure that adequate land is provided to allow for provision of the housing, commercial and school allocations along with space for expansion of the Brighton & Hove Football Club Training Ground.
We are currently in the process of masterplanning the site and considering a number of options in terms of the final layout which will determine the appropriate position of the built up area boundary, the masterplan will be submitted to the Local Planning Authority and Inspector in due course.
(

I support the plan
N/A



Representation No	Contact First Name	Contact Surname	Organisation
73	Philip	Packham	
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
49			

Relates to Policy
N/A

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
Whilst car parking for new residential developments is mentioned , there appears to be a total lack of any requirement for any residential development to allow for the parking of commercial vehicles of the additional residents thereon.
As can be evidenced from the number of commercial vehicles parked on the streets around the completed housing development in Southlands, which bans the parking of commercial vehicles within its boundaries, this is a legitimate concern which I consider the plan must address.
I trust you will give reasonable consideration to this issue and ask that my comments are addressed.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			

Relates to Policy	Relates to Paragraph
N/A	N/A

Relates to Map	Relates to Other
N/A	Footnote page 6

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
The change requested to footnote 8 has been made, however the amended plan still shows a footnote which is repeated on the next page. The footnote relates to the Adur Local Plan and links to para 1.25 on the following page, it is therefore suggested the footnote on page 6 is removed to avoid confusion.

Changes required
The change requested to footnote 8 has been made, however the amended plan still shows a footnote which is repeated on the next page. The footnote relates to the Adur Local Plan and links to para 1.25 on the following page, it is therefore suggested the footnote on page 6 is removed to avoid confusion.

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
61			Hyde New Homes (The Hyde Group)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
15	Dinny	Shaw	Boyer Planning

Relates to Policy
N/A

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
Omission Site: Land at New Salts Farm, Lancing

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
Consistent with National Policy, Effective, Justified, Positively Prepared

Why unsound or not compliant
Please see full representation.

Changes required
Please see full representation.

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
59	Mathieu	Evans	Gladman Developments
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
27			

Relates to Policy
N/A

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
Whole Plan

Sound?
No

Legally compliant?
No

Unsound because not
Consistent with National Policy, Effective, Justified, Positively Prepared

Why unsound or not compliant
<p>Introduction.</p> <p>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.</p> <p>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.</p> <p>This representation should be read in addition to our previous representation of the 28th November 2014. The comments made in that letter remain our view and should be considered alongside this letter.</p> <p>Constraints and Objectively Assessed Need.</p> <p>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</p>

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 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 27th 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 quite 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.

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 NPPF3, 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.

Enclosures:

- Gladman Adur Response Form

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy	Relates to Paragraph
N/A	N/A

Relates to Map	Relates to Other
N/A	Part One - The Adur Local Plan

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
Part One - The Adur Local Plan
<p>We are pleased to see that Adur District Council (ADC) has set out key issues for the District and that these include a broad recognition of the importance of the natural environment. We are encouraged to see that they highlight the need to maintain and enhance those assets as well as actively facing the challenges of climate change.</p> <p>The plan sets out 11 vision statements and we are disappointed that the proposed submission fails to include a vision relating specifically to the biodiversity of the District. This section should contain a vision statement that clearly sets out the District’s commitment to delivering a net gain in biodiversity.</p> <p>The Sussex Wildlife Trust does supports ADC recognition that an increase in natural capital will be needed to ensure the Council can deliver sustainable development within the District and that this has been reflected in the wording of Objective 6.</p> <p>We suggest that the last sentence of Objective 7 ‘New development will avoid impacts to biodiversity and the natural environment as far as possible, and mitigate and/or compensate where necessary’, should be amended to reflect the wording of NPPF paragraph 109 to a greater degree:</p> <p>‘The planning system should contribute to and enhance the natural and local environment by:</p> <p>Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.’</p> <p>We are unable to find the term net gains in biodiversity within the local plan and would encourage ADC to ensure that policy wording reflects this sentiment of the NPPF.</p>



We also question whether Objectives 3 and 11 are mutually achievable. The plan suggests in Objective 3 that to regenerate Adur... they will seek to © achieve strategic development at New Monks Farm... Whilst Objective 11 states to ensure that the risk associated with flooding are avoided and mitigated through directing development to appropriate locations and where this is not possible, through appropriate flood mitigation measures. Given the flooding issues of this site, we question whether the evidence provided in the proposed submission is sufficient to enable Adur District Council to adequately assess the suitability of New Monks Farm for development and the level of development that is feasible on this site.

Changes required

We suggest that the last sentence of Objective 7 ‘New development will avoid impacts to biodiversity and the natural environment as far as possible, and mitigate and/or compensate where necessary’, should be amended to reflect the wording of NPPF paragraph 109 to a greater degree:

‘The planning system should contribute to and enhance the natural and local environment by:

Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.’

I support the plan

N/A

Representation No	Contact First Name	Contact Surname	Organisation
51	Michael	Hubbard	Resident
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
45			

Relates to Policy	Relates to Paragraph
N/A	N/A

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
Thank You, I now fully understand the term Sustainable Development! A never ending supply of new homes. Some 3609 by 2030.
This should increase Council revenues by about 4.33 million pounds per year. It will help alleviate the additional health and public services, road improvements and car parks required.
The one service that cannot be increased, and never seems to be mentioned is the Water Supply.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
54	Jessica	Hamilton	Brighton and Hove City Council
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
19	Andrew	Watson	Savills

Relates to Policy
N/A

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
Omission Site: Land at Mill Hill, Shoreham

Sound?
No

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
Plan Introduction.  Brighton & Hove City Council (hereafter referred to as the "BHCC") would like to thank Adur and Worthing Councils (AWC) for the opportunity to comment on their Submission Local Plan (hereafter referred to as the "Plan"). As the strategic planning document that will shape the future of the area, it is an important document that needs to create the right balance of social, economic and environmental objectives. The role it will play in future planning decisions will be critical, and it is important that the Plan successfully achieves this balance through its policies.  About the BHCC Downland Estate.  At 10,500 acres, BHCC's Downland Estate comprises a substantial rural landholding falling under a single public ownership. Through ownership of the Downland Estate, BHCC - in addition to considering the Estate as part of their overall property investment portfolio - are also presented with the opportunity to deliver on conservation and social wellbeing related issues. This is encapsulated within the Council's City Downland Estate Policy (CDEP). The policy brings together the Property and Design team with the Council's City Parks and Sustainability Teams and seeks to incorporate social and environmental considerations not only into day-to-day management decision making, but also by identifying opportunities for the considerable environmental and social gains that can be realised through land ownership.  The CDEP has evolved out of the Downland Initiative and aims to:  'Sustain natural resources provided by the Council's Downland Estate by working in partnership with relevant stakeholders and potential beneficiaries and pursuing an economically sustainable approach for the Council and its tenant farmers.'  It examines the feasibility of securing sustainable management of the Downland Estate and is aligned with the Biosphere Reserve objectives. The Policy also incorporates the

main Corporate Plan 2015-2019 objectives:

- 1) To tackle inequality and work to create a fairer city;
- 2) To create a more sustainable city;
- 3) To engage more individuals and groups across the city.

The policy is implemented by working in partnership with Council departments, the SDNPA, tenant farmers and other stakeholders. The receipts from development opportunities form part of BHCC's Central Investment Fund. They are used to finance capital projects and new development, which provide substantial benefits for the local community.

Background to previous SHLAA submission.

In 2014, BHCC submitted the Mill Hill site (Ref: ADC/126/13) for consideration as part of the Strategic Housing Land Availability Assessment (SHLAA) process. AWC subsequently assessed the site, through the 2015 SHLAA, and made the following comments:

ADC/126113 Land at Mill Hill, Shoreham - this site, that was not previously considered as part of the 2009 and 2012 SHLAA review, is rejected from the scope of this study because it is not considered that there is a reasonable prospect that housing will be delivered on the site as the site (owned by Brighton & Hove City Council) is not currently available.

The original assessment queries whether the site is available for development, which I have addressed below. Through subsequent discussions with AWC a number of further questions were raised in relation to transport and landscape/visual impact. These are also addressed through this representation.

Description of Site.

The site is located close to the town centre of Shoreham; to the north of The Street and to the west of Mill Hill. It is currently used as grazing land for horses and includes a number of stable buildings and other structures related to the site's equine use. Access is provided at the south-west corner of the site at the intersection of The Street and Mill Hill. Vegetation is limited to the perimeter of the site.

Topographically, the site slopes from north to south from approximately 15m AOD in the south-west corner to approximately 45m AOD in the north-east corner. Residential development is located to the south and east of the site. The northern and western parts of the site are an area of woodland. Further to the north the site is the A27 (Shoreham Bypass). The National Park is located beyond the A27. However, it is severed from the site by virtue of the substantial road infrastructure. A public Right of Way runs around the north and west of the site.

Policy Context.

The site is currently allocated in the Plan as being within the 'Countryside' (policy 13 — Adur's Countryside and Coast); and a 'Local Green Gap' (policy 14). These policies seek to constrain development outside of the built up area boundary unless a number of specified criteria are met. This site is also partly-located within an area covered by a Site of Nature Conservation Importance (policy 32) designation.

Consultations on the Submission Local Plan.

This section sets out BHCC's response to the SHLAA assessment and other subsequent points raised. Tests of Soundness.

Paragraph 182 of the National Planning Practice Guidance (NPPG) explains that plans should be:

- Positively prepared — the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

- Justified — the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective — the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy — the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

The Plan forms a strong basis for facilitating sustainable development in the district. However, it is not currently sound for two main reasons:

a) It has not been positively prepared because it is not based on a strategy that would meet objectively assessed development requirements; and

b) It is also not consistent with national policy, particularly paragraph 47 of the National Planning Policy Framework, which urges local authorities to 'boost significantly the supply of housing their full objectively assessed need for market and affordable housing.'

Housing Need.

The AWC Objectively Assessed Needs (OAN) for Housing (2015) was recently updated and identifies a shortfall of 2,211 dwellings over the plan period. This was confirmed by the 8th March 2016 officer report to AWC planning committee, which explains that:

'...the amount of residential development that can be delivered (3,609 dwellings over the plan period - an annual delivery target of 180) when measured against Adur's Objectively Assessed Needs still results in a shortfall; this shortfall figure has been updated to 2,211 dwellings.' (page 4, para 3.8)

AWC will be aware that a number of local authorities, including BHCC, have had to review their housing sites through the Local Plan Examination Process to ensure that no stone is left unturned in their attempts to meet housing need. The Mill Hill site provides an important opportunity to fulfil some of this remaining housing need, including contributing to affordable housing provision. This would help to make sure that the Plan complies with the NPPF and is therefore sound.

Sustainable Location.

The site is located in a highly sustainable location close to Shoreham town centre where there is a mainline train station, comprehensive bus service, shops and other services. These services can be walked to in approximately 15 minutes, or cycled to in 4 minutes, which will substantially reduce the need to travel by car.

Landscape and Visual Considerations.

The latest landscape assessment by Sheilsflynn (2016) identifies the site as an important landscape area. This is set out on page 34 of the report where it states that:

...any reduction in the size and openness of the field risks resulting in a change in character, as the field could potentially be perceived as a small urban paddock rather than a component of the sweeping Downs landscape.'

And that:

'If the urban areas were to extend across the Mill Hill Slopes, the A27 would mark the interface between urban development and countryside in longer views from the Downs. In such circumstances, the A27 would be perceived as a poor quality, abrupt visual boundary to the SDNP'

This part of the Sheilsflynn assessment is not agreed with because the landscape character of the site has already been largely compromised by the presence of the A27 which acts as a major physical barrier, separating the site from the National Park and preventing it from being viewed as part of the 'sweeping downs landscape.'

With regards to visual sensitivity, it is agreed that the northerly and western parts of the site are sensitive. This is because they are more apparent in views of the site and are located closer to the Site of Nature Conservation Importance. However, the southern and eastern parts of the site, which are less visible and closer to the existing residential development, are less sensitive. In 2014, BHCC instructed Farbrik landscape architects to prepare landscape advice on the site, which reinforces this view.

A sensitive development at Mill Hill could provide an opportunity to protect the northern part of the site through the provision of publicly accessible open space to serve the needs of the local area and maintain the landscape character. This would provide opportunities to contribute to the green linkages provided by Mill Hill Local Nature Reserve and onwards to the South Downs National Park. The provision of new landscaped areas provides a related opportunity for biodiversity and ecology enhancements, which could potentially be linked to the River Adur to reinforce existing biodiversity areas.

Vehicular Access.

During the SHLAA assessment process, questions were raised over whether suitable access could be achieved. BHCC has subsequently instructed a highways engineer (Bellamy Roberts) to visit the site and determine whether access could satisfactorily be achieved.

The work undertaken by Bellamy Roberts has determined that vehicular access can be achieved to a level that is an improvement on the existing situation. This includes the opportunity for safer and more legible access on to the site, suitable for a modest level of development. The results of this technical study are enclosed within this response.

Site Availability.

During AWC's assessment of the site there was some uncertainty as to whether the site is available. On 22nd February 2016 I wrote to the planning policy department to clarify that the site is available and ready for development. A copy of the correspondence is enclosed with this representation.

Conclusion.

BHCC would like to thank AWC for the opportunity to comment on and influence this important emerging planning policy. Finally, should officers want to meet with BHCC and its representatives to discuss this letter, we would be more than happy to do so.

Enclosure:

Bellamy Roberts transport study - "Access Feasibility Report - Site for Potential Residential Development at Mill Hill, Shoreham", March 2016.

Changes required
N/A
I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
71	James	Stevens	Home Builders Federation (HBF)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
32			

Relates to Policy
N/A

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
Duty to cooperate

Sound?
No

Legally compliant?
No

Unsound because not
Justified

Why unsound or not compliant
Duty to cooperate
<p>The Local Plan is unsound because is it not positively prepared. It is not positively prepared because the plan in unable to meet the OAN and provides no plan for this unmet need to be addressed elsewhere. Nor does the plan help to meet the unmet needs of other partner authorities in the Sussex Coastal HMA. The plan is unsound because there is no plan for future working by Adur that will attempt to address this issue in the future. To be made sound, the plan must be subject to an immediate review with a specific date included on the face of the plan that will commit to resolving this major strategic issue.</p> <p>We note from the draft local plan that Adur will have an unmet housing need, based on its calculations, of some 2,200 dwellings (or an annual average of 110 dwellings) – see paragraph 2.22 (the precise shortfall is 2,211 dwellings). We acknowledge the difficulties that the West Sussex Coastal HMA authorities face in accommodating their projected housing needs. The undersupply relative to need is large. Brighton &amp; Hove is confronted by an undersupply of about 10,000 dwellings. In Lewes the OAN was calculated to be between 9,200 (460 dpa) and 10,400 (520 dpa) but the district is only able to accommodate 6,900 homes, leaving an unmet need of 2,300 homes when measured against the lower end of the OAN range although the inspector has stated that he considers that the OAN lies nearer to the higher end (see paragraph 22 of the Inspector’s report, dated 22 March 2016). For Chichester the Council prepared a plan that will provide for 660 dpa over a plan period of 2011-2029. The OAN is much greater – 1,506 dpa. The fact that there is an unmet need in Chichester has been confirmed by Arun Council in its evidence base for its examination.</p> <p>* Table provided (please refer to the full representation.</p> <p>Only Arun Council is likely to be able to accommodate its OAN in full at present, although the OAN may go up to 845 dpa as a consequence of the Inspector’s conclusions on the OAN as part of the first stage of the Arun Local Plan examination (see paragraph 1.28 of the inspector’s letter).</p> <p>On the basis of these figures there will be a shortfall of 31,320 homes across the HMA over the next twenty years (1,566 x 20). This is a level of undersupply that</p>



approximates to Birmingham’s unmet need of 38,000 homes.

The shortfall is considerable across the HMA. On the basis of the information provided to support the plan, we are not convinced that Adur has pursued the case of accommodating the OAN in full through cooperation with the other authorities of the HMA, and with Mid Sussex and Horsham, with sufficient vigour.

We have considered the evidence relating to the duty to cooperate. The Councils of the HMA acknowledge the unmet need. We note in paragraph 2.14 of the Duty to Cooperate Statement March 2016 that a report to the Strategic Planning Board of the HMA on the options for accommodating the unmet need will be presented in April 2016. We also note paragraph 3.29 of the Duty to Cooperate Statement March 2016 where the Council states that it will embark upon an early review of the local plan. We would support this, indeed we would argue that this is an essential precondition for this local plan being found sound. If this is the Council’s intention, then there will need to be an explicit commitment to do so written into the Local Plan. This would include a timetable for action showing when the reviewed plan will be submitted to the Secretary of State. Rather than an early review, we consider that the review should be an immediate one (like the London Plan), involving all the HMA authorities, to identify new settlements within or outside the HMA that can accommodate the unmet need.

To this end we note the formal suspension of the Arun Local Plan examination that the Council refers to on page 25 of the Duty to Cooperate Statement March 2016. As the Council notes, the inspector considering the Arun Local Plan, has argued in his report on the OAN, that the suspension affords an opportunity for Arun to align its plan with the others of the HMA. It provides an opportunity for aligned plans to be produced by the HMA authorities where additional land could be identified within Arun (and possibly Lewes too) to help address some of the unmet need.

Changes required
N/A
I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
53	Marguerite	Oxley	Environment Agency
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
6			

Relates to Policy	Relates to Paragraph
N/A	N/A
Relates to Map	Relates to Other
N/A	Infrastructure Delivery Plan
Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A
Why unsound or not compliant
N/A

Changes required
Page 34. Planned Provision. The italic bold and strikethrough amendments that we have added to your text below provide the current situation with the Shoreham Adur Tidal Walls project. Again, the current situation with this project has been updated / corrected in other parts of the documents.
“The Environment Agency has produced plans for improvements to the Shoreham Adur Tidal Walls on both the east and west sides of the River. The scheme is separated into 10 reaches, or lengths of the estuarine bank stretching from the river mouth and the A27 on the west bank, and Coronation Green to the A27 road bridge on the east bank .....Construction is due to begin in Spring 2016.”
Page 67/68. Planned Provision. Teville Stream. Since this was written, some further work has been carried out. There are now only 2 phases to the proposals. The following text below (which combines and updates the first 2 paragraphs on Page 68) provides the latest situation:
“The EA has been investigating potential options to improve the stream to restore it to its natural state where possible. Two sections of the stream have been considered. Phase 1 is the stream restoration North of the Railway line and is located in Adur and Phase 2 which is Brooklands Lake habitat improvements is located in Worthing. Phase 1 has completed detailed designs and gained planning permission. It involves the restoration and rerouting of the Teville Stream. It will deliver ecological enhancements to meet legislative requirements of the Water Framework Directive as well as improving community access to the natural surroundings and improve green infrastructure. Phase 2 has looked at options for habitat improvements to the lake for future consideration.”
If you wish to discuss any aspects of our representation in more detail, please do not hesitate to contact me.

I support the plan

N/A

Representation No	Contact First Name	Contact Surname	Organisation
71	James	Stevens	Home Builders Federation (HBF)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
32			

Relates to Policy
N/A

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
Objectively assessed need

Sound?
No

Legally compliant?
No

Unsound because not
Justified

Why unsound or not compliant
Objectively assessed need in Adur
<p>The Council considers that the OAN for the district is 291 dwellings per annum (dpa). We consider that this figure is unsound because it is unjustified in terms of its treatment of migration and the inadequacy of its response to market pressures and the scale of the affordable housing need.</p> <p>The Council has assessed that the OAN for Adur alone is 291 dpa. This is stated in paragraph 2.16. Turning aside for a moment from the question of the unmet need, we would query the veracity of the OAN figure because we consider it to be on the low side when one considers the evidence.</p> <p>The Local Plan will operate over the period 2011-2031 (as Table 1 on page 23 indicates). The NPPG sates that the official household projections published by the DCLG should provide the demographic starting point. We have set out below a table comparing the various DCLG Household Projections. The projections in relation to the 2008 and 2011-interim series are confined to the period 2011-2021 because the 2011-interm projections only went up to 2021.</p> <p>* Table provided (please see supporting evidence).</p> <p>The NPPG states that the 2012 household projections published in February 2015 are the most-up-to-date projections. It is generally accepted that the most recent DCLG Household Projections should serve as the demographic starting point. The figure of 300 households per annum is based on the DCLG Live Table 406: Household projections by district, England, 1991- 2037.</p> <p>This is the unadjusted projection for Adur, i.e. no adjustments have been made for UPC, alternative migration scenarios, or alternative headship rates. It is the view of the HBF, shared by the Government in its NPPG, that the DCLG projections provide a suitable basis for the OAN, based on nationally-consistent assumptions, and there is no need for further adjustment. It is our view that the OAN for Adur is at least 300 household per annum.</p>

Nationally, the projections add-up to 220,000 households per year for 2011-2031. Expert commentators are generally in agreement that this figure includes an element of household formation suppression as a consequence of 30 years of planning / housing delivery failure. Some also argue that if the backlog of need accumulated since 2011 was to be addressed then nationally one would need to provide 312,000 homes per year (TCPA Tomorrow Series Paper 17: New Estimates of Housing Requirements in England, 2012 to 2037). Therefore, we consider that any possible anomaly one might see at local level relating to UPC or migration is easily outweighed by the larger issue of under-supply nationally and that the official projections probably under-record housing need. In essence, we consider that the household projections provide a conservative indication of future housing needs and we become concerned when any local authority assesses the need as being lower than the official projection.

There is also another factor to consider. According to the 2012 projections household formation in London and the South East (which covers the former Government regions of the South East and East of England) will account for 55% of all projected household formation in England – i.e. projected housing need is much greater in the South East of England than elsewhere in the UK (see TCPA Tomorrow Series Paper 17: New Estimates of Housing Requirements in England, 2012 to 2037 page 3). Despite, this, the local authorities of the South East have shown the greatest propensity to build into their OAN assessments alternative demographic scenarios that have the effect of reducing the demographic element of the assessment to below the benchmark level indicated by the official projections. Therefore, despite the greatest need arising in the South East of England, the local authorities of the south east are the least willing to plan to meet the projections. Once the unmet need is factored-in – something that is a major problem in the south east as it is in Sussex – then we have the makings of a housing disaster. We are concerned that the collective plans of the south east are failing to respond to the housing crisis.

The OAN report shows that internal migration has been the chief driver of population change in Adur (see Figure 4, page 30).

In its Objectively Assessed Need for Housing: Adur District, August 2015 report the Council sets out in Table 17 its various demographic scenarios. The Council explains in the OAN report that it considers that the 2012 SNPP may over-estimate the level of population increase for its projected plan period. Therefore, it discounts UPC by 50% to reflect its assumption that the official projection is likely to be wrong. As Table 17 illustrates, this has the effect of reducing the demographic starting point from 286 households per annum (hpa) to 276 hpa. It is important to note at this point that the official projections are not dwelling forecasts but household forecasts. 276 hpa represents the Council's favoured alternative scenario (see paragraph 3.58 of the OAN report).

The Council acknowledges in paragraph 3.25 that adjusting for UPC is a contentious area. As a matter of principle, the HBF is opposed to any adjustment for UPC whether this has a positive or negative effect on the projected need. As argued above, the marginal differences at local level are easily out-weighed by the national issue that the household projections already reflect the effect of decades of housing under-delivery. The inspector considering Arun's Local Plan also recommended against adjusting for UPC owing to a) the fact that the ONS does not support an adjustment; b) the fact that new migration data from the ONS shows that international migration has been underestimated to a statistically significant extent; and c) the need to consider the effect of the migration assumptions underpinning the London Plan (see paragraph 1.12 of the Arun Local Plan Inspector's Conclusions on the OAN, dated 2 February 2016).

We therefore consider that the demographic starting point should be no lower than the SNPP 2012 Household Projection unadjusted – i.e. 286 hpa.

One should also note at this juncture that Adur has under-performed against its old South East Plan housing target of 105 dpa since 2008. This will have had an effect on population and household formation within the district. This is further reason why the Council should not adjust the official projections.

Lastly, as previously noted above, the DCLG household projections (and supporting ONS population projections) are based on nationally consistent assumptions. Therefore, the implication of any stand-alone assessment of need, as in the case of the new OAN assessment carried out for Adur, is that if the Council is going to apply alternative demographic scenarios, then it would need to agree these scenarios with its other partner HMA authorities. This is because the effect of applying these alternative scenarios is that it may well increase the housing pressures in the other districts of the HMA. If Adur is going to assume lower migration, it is assuming that these households will have

to move somewhere else other than to Adur. In theory this means that someone else will need to compensate for Adur's assumptions. Adur should demonstrate that it has the agreement of its HMA authorities to run with its favoured scenario.

Converting a household projection to a dwelling projection: adjusting for vacancies/second homes

It is our view that this household projection should then be converted into a dwelling projection by applying an appropriate second home/ vacancy allowance in the form of a percentage adjustment. Nationally this is 3% according to the 2011 Census. The OAN report does not make an adjustment for second homes/vacancies although this is established practice. An adjustment of 3% would add 8 households to the baseline demographic projection, converting the demographic projection of 286 households per annum into a dwelling projection of 294 dpa.

This would suggest a demographic starting point that is higher than the Council's own favoured OAN of 291 dpa, even when one takes into account the Council's upward adjustment to account for labour needs and market signals.

The London influence

There is another dimension to the migration debate that needs to be considered. This is the Mayor of London's migration assumptions that underpin his new plan for London (examined as the Further Alterations to the London Plan).

This is very important. We referred to this in our previous representations in December 2014. The housing targets included in the new version of the London Plan are predicated on an assumption that the pace of outward migration from the capital will increase over the next ten years (2015-25) returning towards the sort of outward migration levels experienced prior to the recession (see Chapter 1 of the London Plan).

The Mayor of London's new plan and its OAN is based on an expectation that there will occur increased outward-migration from London and decreased inward-migration into London over the plan period 2015-2025. This is the Mayor's demographic Central Variant as described in paragraph 1.10C of the London Plan. The Mayor, under this scenario, assumes that household formation will be 16,000 households fewer than the official projections owing to lower net migration. The inspector accepted that this was a reasonable assumption for the Mayor to make (see paragraph 20 of the inspector's report) although he cautioned the GLA that it ought to engage urgently with the authorities of the south east as this assumption "is also likely to be material to the preparation of local plans outside London." For this reason, evidence of cooperation with the London boroughs will be important.

There is also the question of the unmet need in London which will have an influence on the south east. This is at least 7,000 dwellings per annum and may be greater still because some of the London boroughs who are bringing forward new local plans after the examination of the London Plan are maintaining that they are unable to meet the new London Plan benchmark requirements. Southwark is an example. It maintains that it is unable to meet the London Plan requirement of 3,000 dpa. It says it can only accommodate 2,000 dpa. Similarly, Croydon Council has just consulted on the fact that it is only able to accommodate 31,765 new dwellings compared to an OAN of 47,564 (for the plan period 2014-2036). These large undersupplies will fuel out-migration from London.

The question of migration is a concern to the HBF. While the Mayor of London has calculated his housing need on an assumption that many more households will leave London most local planning authorities outside of London are assuming that fewer households will come or (at best) that the trend will remain stable. The upshot of this is that no-one is taking responsibility for these migrants. They're either being passed around, or ignored altogether.

We also have noted the following statement from the Housing Minister, Brandon Lewis as reported in the Evening Standard on 1 December 2015:

Evening Standard, p. 6, 01-12-15

Housing minister: People must decide if they can afford to live in London

Housing minister Brandon Lewis has said that people in London need to make a ‘judgement call’ about whether they can afford to live in the capital. The MP said the government must be ‘up front’ about the thousands of people unable to afford rising rents and house prices in central London, but added that plans to build 200,000 new starter homes and boost the Help-to-Buy loan scheme were a ‘game-changer’.

This statement from the Government indicates that it expects that we will see increased outward migration from London to elsewhere as people are forced, as well as volunteer, to leave London to find more affordable places to live. Therefore, it seems more likely than unlikely that migration will be higher than the trend-based 2012 household projection. As we have argued, the official projections, therefore, may present a conservative picture. Ideally – if not as a matter of sound planning practice – the local authorities outside of London would need to compensate for these decisions and/or demographic assumptions.

The inspector considering the recent Arun Local Plan has recommended that migration from London is another reason why it may be unwise to adjust for UPC in the case of Arun Council who made a similar argument as Adur (see paragraph 1.12 of the Arun Local Plan Inspector’s Conclusions on the OAN, dated 2 February 2016).

We are not suggesting a specific adjustment for London in the case of Adur, but increased migration from London into Adur and decreased out migration from Adur to London compared to past trends, is more likely rather than less likely over the plan period. This is a further reason why adjusting the demographic projections for Adur for lower migration is unwarranted and why the unadjusted official 2012 SNPP projection of 286 households per annum, plus a vacancy allowance of 3%, is probably a more reliable forecast for the future., i.e. 294 dpa.

#### The economy

The Council has made an upward adjustment to the demographic baseline of 5 dpa to account for employment needs. We support the adjustment but consider that this should be made to our recommended demographic starting- point figure of 294 dpa. This would result in a figure of 299 dpa, or rounded-up to 300 dpa.

#### Market signals

The council has made an adjustment of 10 dpa to account for market signals. This is too small. We note that affordability in Adur is bad when one compares lower quartile house prices to lower quartile earnings. Figure 30 shows that unaffordability has doubled since 1997, with lower quartile house prices to lower quartile earnings rising from 4.29 in 1997 to 9.64 in 2013. We note that the Local Plan Expert Group (LPEG) has recommended that when the ratio exceeds 8.7 a market signals uplift adjustment of 25% should be applied to the demographic baseline. The LPEG’s recommendations have yet to be endorsed by Government, but we consider that the Council should consider an uplift of at least 20%.

#### Affordable housing

The OAN report has assessed the affordable housing need to be for 233 dpa. This figure exceeds the total planned supply of 180 dpa and represents about 80% of the overall OAN.

The extent of the affordable housing need in the district speaks to the housing crisis as it is being experienced in Adur. A high affordable housing need is testament to planning failure: it is evidence that the regional and local planners got their predictions about housing need wrong in the past. If earlier plans had been right with their housing predictions, then there the affordable housing need would be very much lower. Planners need to reflect upon how successful or unsuccessful they were at predicting the future in the past and then compensate for failings in their new plans.

The size of the affordable housing need is another strong argument why the Council is wrong to depress the demographic starting point.

The Council is unjustified in adopting a lower projection because the affordable housing need is so great. It indicates the extent housing crisis in the district.

We note in paragraph 4.40 that the Council maintains that the net affordable housing need will fall to just 141 dwellings, but we fail to understand the basis for this figure (see also paragraph 5.54 of the OAN report). The Council appears to be arguing that the net affordable housing need will fall from 233 dpa to 141 dpa because of re-lets. Firstly, the Council would need to have evidence to back-up this rate of re-lets to show that this is typical. Secondly, the scale of the undersupply compared to the OAN would suggest that it would be hard for people to find alternative accommodation with the market sector (owner occupation and private rented sector) because overall supply will nowhere near be keeping pace with the need. Supply, after all in the new Local Plan, will only be 180 dpa compared to a need for at least 290 dpa. This means that it is unlikely that affordability is going to improve. The OAN report acknowledges that affordability is poor in the district owing to the low wages of the residents (paragraph 6.27). The Council may be aware of the Eastleigh inspector's querying of the re-let assumption (see paragraph 29 of the Eastleigh Local plan Inspector's Preliminary Conclusions on Housing Needs and Supply and Economic Growth, 28 November 2014).

The Council's response to the affordable housing question is inadequate. A greater increase in supply is warranted than the 10 dpa adjustment proposed in the market signals element of the assessment. As above, we have recommended an uplift of 20% on the baseline demographic need to account for market signals and the affordable housing need.

We recognise that the uplift of 20% we have suggested to address market signals and the affordable housing need is a somewhat academic point given the land supply constraints across the district. Nevertheless, the assessment of the OAN is the first stage in a strict two part process of plan making (evidence followed by policy), and it is necessary to arrive at an objective view about the likely size of the housing need without more subjective supply-side considerations distorting this assessment. Knowing what the OAN is will be important to inform cross-border planning through the duty to cooperate.

## Conclusion

It is noticeable that even after the Council's positive adjustments for the economy and market signals, it still comes up with an OAN that is lower than the official projections. This is because the Council has adopted of a more depressed starting point. This is not uncommon practice among local authorities in the wider south east. Many local authorities in the south east are running projections that assume lower migration than the official projections even if the Mayor of London is assuming increased out-migration. The risk, however, is that if the Council is wrong about its assumptions about UPC and migration, and the official projection actually provides a more reliable forecast of population over the plan period, then the Council will be undersupplying against projected housing need. The Council may be right with its projections. Only time will tell. However, as we have previously argued, given that commentators consider that the official projections already reflect the effect of suppression as a consequence of historic housing undersupply, the efficacy of an adjustment at local level is cancelled out by the bigger national problem.

For this reason, and given the uncertainties, the HBF would tend to defer to the 2012 SNPP of 286 dpa as being representative of the demographic starting point for the district. We consider it is necessary to add an allowance for market signals of at least 20% to help improve affordability generally and facilitate the supply of more affordable homes.

This addresses the question of the OAN. We accept that this discussion is largely an academic one since the Council maintains that it is only able to accommodate an average of 180 dpa. The scale of the shortfall is serious and the shortfall in Adur adds to the major undersupply across the rest of the West Sussex Coast HMA. It is therefore necessary to scrutinise the land supply in more detail and to question the efficacy of some of the restrictions being cited by the Council.



Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
50	Raakhee	Patel	Sport England
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
1			

Relates to Policy
N/A

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
Yes

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
N/A

Changes required
N/A

I support the plan
Thank you for consulting Sport England on the above consultation.
Following the council's earlier discussions with Sport England in the email dated 18th November 2014 with regards Proposed Submission Adur Local Plan (2016), Sport England has considered the council's subsequent amendments in relation to sports provision in its proposed submission document and is pleased to support them as sound.

Representation No	Contact First Name	Contact Surname	Organisation
49	Rebecca	Bishop	Natural England
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
28			

Relates to Policy
N/A

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
N/A

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
N/A

Changes required
N/A

I support the plan
Thank you for consulting Natural England on your Notification of Publication.
I note that we have previously provided comments in relation to the above Local Plan and the New Monks Farm site (our reference 174029) and I confirm that we have no additional comments to make.
Due to the current pressure of consultations on landuse proposals, plans and appeals, I have not been able to spend the time I would have wished to review and comment on your Notification of Publication.
If there are issues I have not covered, please let me know and I will respond as quickly as possible. If discussion would be helpful, please give me a call.

Representation No	Contact First Name	Contact Surname	Organisation
47		Nelson	South Downs National Park Authority
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
44			

Relates to Policy	Relates to Paragraph
N/A	N/A

Relates to Map	Relates to Other
N/A	N/A

Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
N/A

Changes required
N/A

I support the plan
Having reviewed the proposed amendments to the Adur Local Plan with Tim Slaney I can confirm that we have no further comments to make.

Representation No	Contact First Name	Contact Surname	Organisation
63	Caroline	West	WSCC (Officer Level Comments)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
23			

Relates to Policy
N/A

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
Whole Plan

Sound?
Left Blank

Legally compliant?
Left Blank

Unsound because not
N/A

Why unsound or not compliant
<p>This note sets out officer level comments upon the proposed submission documents, highlighting key issues and suggesting changes the County Council is requesting be made to the Local Plan prior to its adoption by Adur District Council.</p> <p>Flood risk</p> <p>The County Council, in its role as the Lead Local Flood Authority (LLFA), support the Vision and Objectives relating to flood risk set out in the Draft Local Plan and will continue to work with the District Council following earlier detailed comments made in the preparation of the Local Plan.</p> <p>The County Council has advised that, as shown in the Adur Strategic Flood Risk Assessment, some of the allocated development sites are within areas of known flood risk. As required by the National Planning Policy Framework, the allocated sites must meet the Sequential Test and Parts 1 and 2 of the Exception Test. We set out previously that the LPA appeared to be satisfied that existing flood risk issues at all allocated sites, including the New Monks Farm strategic site, could be technically and practically mitigated at a housing level of 600. The County Council reviewed the submitted evidence and found no reason why the sites would not meet the Sequential and Exception Tests. The District Council will need to be satisfied that any flood risk due to the additional landfill/land raise that will reduce the flood plain in the area can be sufficiently mitigated. The County Council will continue to work with and advise the District Council on the site specific flood risk assessment elements of the exceptions tests for all allocated sites.</p> <p>The Lancing Surface Water Management Plan (SWMP) was produced in 2015 to understand the causes of flooding and identify any capital improvements or ongoing maintenance needed to reduce the impacts of flooding to people and infrastructure. The SWMP is an important evidence-based document and gives a better understanding of local flood mechanisms and provides technical recommendations for local flood risk management. It is welcomed that it has been referenced in the revised Adur Local Plan.</p> <p>Any new development should leave space for suitable and adequate drainage arrangements within the boundaries of the site, follow the appropriate drainage hierarchy as set out in the new CIRIA SuDS Manual (C753) and not increase off site flood risk.</p>

All technical evidence relating to flood risk on proposed site allocations within the Local Plan should be considered and published when the Local Plan is submitted for examination.

S106/CIL/Planning conditions references in policies

The strategic site policy references how infrastructure is expected to come forward but this excludes reference to the use of S278 agreements, which are likely to be used to secure developer contributions. This is particularly relevant to delivery of a new roundabout on the A27 which, based on experience elsewhere in the County, may be more appropriately secured through a S278 agreement.

Changes required
N/A

I support the plan
N/A

Representation No	Contact First Name	Contact Surname	Organisation
72			Landstone Ltd
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
17	Sam	Sykes	ECE Planning

Relates to Policy
N/A

Relates to Paragraph
N/A

Relates to Map
N/A

Relates to Other
Omission Site: Land at Hasler (Old Salts farm)

Sound?
No

Legally compliant?
Left Blank

Unsound because not
Effective, Justified, Positively Prepared

Why unsound or not compliant
<p>1. Preamble</p> <p>1.1. This report has been produced on behalf of Landstone Ltd in support of their representations to Adur District Council in response to the Council’s consultation on the Amendments to the Proposed Submission Adur Local Plan 2016.</p> <p>1.2. The Council’s consultation forms the latest stage of the preparation leading up to the examination process for the Adur Local Plan which, once adopted will form the basis of the Council’s Development Plan. The Amendments to the Proposed Submission Adur Local Plan 2016 consultation is seeking comments on the amendments to the Proposed Submission Adur Local Plan 2014. This follows a round of Regulation 18 consultation carried out in 2015 / 2016 relating to proposed changes to the strategic allocation of New Monks Farm.</p> <p>1.3. Representations made in this report should be read in conjunction with those previous representations made by ECE Planning on behalf of Landstone Ltd, and in relation to the Land at Hasler (Old Salts Farm). It is considered that in order to plan positively to meet the District’s social and economic needs over the plan period the Land at Hasler (Old Salts Farm) should be taken forward as a strategic housing allocation in the Proposed Submission Draft Adur Local Plan 2014, or the Amended Submission version (2016). However, these representations provide additional justification in support of the allocation of the site for future residential development within the emerging Adur Local Plan</p> <p>1.4. A full evidence base has been published in support of the strategic vision, allocations and policies within the Proposed Submission Adur Local Plan 2016. Elements of the evidence base have been updated since the Proposed Submission Adur Local Plan 2014 was published for consultation.</p> <p>1.5. This document examines the Amendments to the Proposed Submission Adur Local Plan 2016 and the evidence base that supports it. Reflecting the important role of the Adur Local Plan in meeting the objectively assessed housing need, particular focus is given to the examination of the objectively assessed housing need and the allocation of sites to meet this need. Changes to the plan and evidence base have been made in this regard since the Proposed Submission Adur Local Plan 2014 was published.</p> <p>1.6. Consistent with National planning policy and guidance, these representations to the Amendments to the Proposed Submission Adur Local Plan 2016, as well as the evidence base upon which it has been prepared, are based upon those tests of soundness as outlined in Paragraph 182 of the Framework as follow:</p> <p>Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;</p>

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

1.7. The representations and recommendations have therefore been assessed against these tests of soundness, with conclusions drawn.

1.8. It is explained within this representation in further detail that the Plan is currently considered not to meet the tests of soundness in relation to being:

- positively prepared – not meeting the objectively assessed housing need
- justified – not being the most appropriate when compared to reasonable alternatives
- Effective – not being deliverable over its period

## 2. Introduction

2.1. The National Planning Policy Framework ('The Framework') and the National Planning Practice Guidance (NPPG) establish the basis against which the Proposed Submission Adur Local Plan should be prepared, as well as those 'tests of soundness' that the emerging Local Plan must comply with. In this regard, fundamental to the preparation and examination of the Adur Local Plan, is the identification of the objectively assessed development needs of the District, and the adoption of suitable and effective 'spatial strategy' to meet these needs. The delivery of the objectively assessed housing need should also be supported by the allocation of suitable, available and deliverable sites for future residential development.

2.2. A key element of the Adur Local Plan is setting out the strategic housing policies including a housing target and housing allocations. The current strategy for delivery of housing is a mixture of brownfield and windfall sites within the built-up-area of the existing communities (1429 dwellings ) as well as the following strategic housing allocations, amended since the 2014 version of the Local Plan:

New Monks Farm 600 dwellings

West Sompting 480 dwellings

Shoreham Harbour 1100 dwellings

2.3. In total, this equates to 3,609 new homes over the plan period. This is significantly lower than the updated objectively assessed housing need (OAN) of the district.

2.4. Those representations contained within this report, and the recommendations that it makes, focus on both the Council's evidence base in relation to the identification of a robust and justified housing need, and the strategy that is adopted to guide future residential development within the District.

2.5. Further to our previous representation in supporting the allocation of the Land at Hasler for future residential development, the information provided within this document seeks to address the mitigation of flood risk, landscape impact and ecology concerns. It is considered that the additional information provided allows Adur District Council to plan strategically for the delivery of adequate residential development within the District through the allocation of the Land at Hasler within the Adur Local Plan.

2.6. The requirement for Local Planning Authorities to plan strategically for the delivery of adequate residential development to meet the locally identified housing need is explicit within the National Planning Policy Framework, which states at Paragraph 156:

Local planning authorities should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver:

- The homes and jobs needed in the area;
- the provision of retail, leisure and other commercial development;
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

2.7. The Framework requires the Local Plan to achieve these strategic priorities 'over an appropriate time scale, preferably a 15-year time horizon' and to 'take account of longer term requirements' (Para 157, NPPF).

2.8. It is considered that the allocation of Land at Hasler (Old Salts Farm) to accommodate future residential development (over the medium term development - dependant on the timing for the delivery of the Adur Tidal Walls) would therefore be consistent with the explicit obligations contained within the Framework. In failing to plan strategically for the delivery of adequate housing throughout the 15 year plan period, the existing Draft Adur Local Plan cannot be considered sound.

### 3. Objectively Assessed Housing Need

3.1. At the heart of the National Planning Policy Framework (NPPF) is a significant emphasis on the delivery of a wider choice of high quality homes, to be realised through the presumption in favour of sustainable development.

3.2. To achieve the delivery of a wide range of quality homes which meet local need, the NPPF places an explicit requirement that Local Planning Authorities (LPAs) must identify the locally generated housing need and, plan positively to accommodate this need through the establishment of a valid 5-year housing land supply.

‘To boost significantly the supply of housing, local planning authorities should:

- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period

- identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land’

(Paragraph 47, NPPF, emphasis added)

3.3. Consequently, the identification of the locally arising need within Adur and, the allocation of adequate housing land throughout the District to meet this need over the plan period, are fundamental in the preparation of the Adur Local Plan. It is our considered opinion, as with our previous representations to the Local Plan, that the Council is still failing to meet the identified housing need within the District over the plan period.

3.4. The Locally Generated Housing Needs Survey (2014) established the need within the District as 3,600 – 4,800 new dwellings over the plan period (180-240 per annum). This has since been revised through the Objectively Assessed Need for Housing: Adur District (2015) report which identified a significantly higher housing need figure of 5820 dwellings or 291 dwellings per annum.

3.5. As set out in Section 2 of this document, the Adur Local Plan (2016) seeks to deliver only 3,609 dwellings over the plan period or just 180 dwellings per annum. It is clear that the amended housing target identified within the Adur Local Plan 2016 document is significantly below the housing need identified within the Objectively Assessed Need for Housing: Adur District study (2015).

3.6. Despite previous representations to Adur District Council, the approach has been to maintain the position to provide for fewer dwellings than identified by the (amended and increased) Objectively Assessed Need figure. It is strongly contended that the Adur Local Plan 2016 fails to comply with the Framework and does not plan positively for the delivery of adequate housing to meet the locally arising housing need within the District. In this respect, allocation of the site at Old Salts Farm would aid in the delivery of much needed housing over the plan period.

3.7. Constrained Authorities such as Adur must be rigorous in ensuring that they maximise sites for housing delivery. This point was recognised by the Planning Inspector conducting the Brighton & Hove City Plan Examination who concluded in her letter dated 13th December 2013 that ‘...it is important that the Council rigorously assesses all opportunities to meet that need’ and ‘...I would need to be satisfied that the Council had left no stone unturned in seeking to meet as much of this need as possible’ (refer to Appendix D for the Inspectors letter).

3.8. The Council’s approach to allocating land has not given adequate weight to the substantial housing needs of the district and the obligation to meet this housing need in full. In this regard, it is our view that the Council has not been rigorous enough in its assessment of development opportunities such as the land at Hasler / Old Salts Farm.

3.9. Without the allocation of the Land at Hasler, the failure of Adur District Council to plan proactively for the delivery of adequate housing, it is our view that the Adur Local Plan will be found unsound at examination.

3.10. Furthermore, consideration of the OAN and housing trajectory show significant reliance on Shoreham Harbour for housing delivery over the medium term. The Council



have identified a considerable proportion of housing coming forward at Shoreham Harbour in the medium term which is not considered to be realistic.

3.11. There are considerable concerns over the deliverability and viability of Shoreham Harbour with constraints related to infrastructure provision including:

- Flood Defences – the development 968 dwellings (1100 over the entire plan period) on the Western Harbour Arm will require significant investment in flood defence provision along the entire stretch of the site. There are delivery concerns related to the complex pattern of landownership and the difficulty in phasing for a flood defence to close off the entire flood cell without increasing the risk of flooding elsewhere. As set out in the Infrastructure Delivery Plan (IDP 2016) accompanying the Adur Local Plan, a significant shortfall of funding exists for flood defence provision.
- Transport Mitigation – the provision of high density development will have a significant impact on the transport infrastructure in the area and significant infrastructure investment, as set out in the IDP, is required. Again, a significant funding shortfall exists with some items such as the 'Package of site specific travel behaviour initiatives' yet to be costed.
- Primary Education - The Adur IDP states that a new primary school onsite or within close proximity of the site is required yet this has not yet been identified within the plan or IDP.

3.12. In addition to the significant costs associated with infrastructure are other associated viability and deliverability considerations. Contaminated land is a significant risk for the site which could increase costs appreciably. There are also numerous businesses located on the Western Harbour Arm that would require relocating, again at significant cost. Land is required to achieve this relocation and there is currently no clear and robust land assembly strategy setting this out.

3.13. When considering these constraints it is hard to gauge how Shoreham Harbour can be delivered within the short - medium term as set out in the Adur Local Plan. The current housing trajectory (Figure 1 – taken from the Adur AMR 2015) shows Shoreham Harbour coming forward at the end of the 5 year period with a delivery rate of 179 homes per dwellings over a five year period.

3.14. It is considered that this high level of annual completions of predominantly flatted development is not reasonable in the short to medium timescales.

3.15. Such a level of development would flood the local market for flatted development over a short period of time and would therefore be unattractive for any developer.

3.16. Given the above constraints, it is highly unlikely that the site will be developed in the short – medium term with delivery only likely to come forwards at the end of the plan period.

3.17. As such, it is considered that the Land at Hasler / Old Salts Farm could aid in housing delivery in the medium term (dependant entirely upon the timescales for the delivery of the Adur Tidal Walls – a scheme, it should be added, which is much further advanced than the flood defence strategy for the Western Harbour Arm). This would significantly aid the Council in delivery of housing to fill the gap that is likely to be created by delivery of Shoreham Harbour in the latter part of the plan period and realistically beyond this.

3.18. In this respect, the Adur Local Plan, as currently drafted, cannot be considered to be effective in terms of being deliverable over the plan period or justified when considered against reasonable alternative options for development. On this last point, other sites in the district have potential to be delivered with less impact / need for infrastructure provision than development of Shoreham Harbour and can come forward earlier in the plan period.

#### 4. Mitigation of Flood Risk

4.1. It is acknowledged that the Land at Hasler (Old Salts Farm) currently forms part of the 'functional floodplain' associated with fluvial and tidal flooding of the nearby River Adur. Consequently, the residential development of the site cannot occur until such time as suitable flood mitigation and attenuation measures can be implemented.

4.2. The implementation of such appropriate flood mitigation and attenuation measures along the banks of the River Adur and within the site, will provide the dual benefits of reducing the flood risk to existing properties within the District, as well as unlocking the potential for significant areas of previously undeveloped land to accommodate future residential development. The Shoreham Tidal Walls Project is one such project that, when completed, will significantly reduce tidal and fluvial flood risk across the District, unlocking future residential opportunities.

4.3. The Shoreham Tidal Walls Project benefits from an established delivery mechanism lead by the Environment Agency as well as West Sussex County Council that will ensure the project is delivered via an agreed and funded timetable.

4.4. As the first stage of implementation, the Adur Planning Committee resolved to grant permission for the Adur Tidal Walls scheme at its planning committee on 14 March 2016. As acknowledged within the Proposed Submission Adur Local Plan, the implementation of the Shoreham Tidal Walls Project 'would result in the site no longer acting as 'functional floodplain' consequently, the provision of the Shoreham Tidal Walls Project will unlock large areas of greenfield land for future residential development.

4.5. It is considered that the Land at Hasler (Old Salts Farm) represents such a site which, following the implementation of the Shoreham Tidal Walls Project and appropriate flood attenuation measures can come forward as a significant residential development opportunity within the District. As previously identified, it is expected that the short-term completion of the Shoreham Tidal Walls Project (circa 2016) will facilitate the residential development of the Land at Hasler within the medium to long term of the Adur Local Plan period (2011-31).

4.6. It should be acknowledged that the Shoreham Tidal Walls Project, that is to enable to future residential development of the Land at Hasler (Old Salts Farm), will also facilitate the Shoreham Harbour Redevelopment on which Adur District Council are reliant for the delivery of up to 1,050 homes over the plan period. It is our considered opinion that this establishes that the Council has demonstrated the strategic and proactive planning required to allocate significant future residential development opportunities current restricted by Flood Risk.

4.7. With the completion of the Shoreham Tidal Walls Project due within the early part of the Adur Local Plan period (circa 2016) and, the alleviation of the tidal and flood risk to the Land at Hasler, it is hoped that Adur District Council once again demonstrate such a strategic and proactive plan led strategy for the delivery of adequate housing over the plan period.

4.8. Adur District Council and the Environment Agency have raised further concern regarding Surface Water and Ground Water issues (including concerns regarding saline intrusion). It is our view that a technical solution to overcome these issues is possible. The Council has also made reference to flooding in the locality. It is our understanding that a great deal of progress has been made clearing blocked ditches to overcome localised issues relating to surface water flooding.

4.9 Our client therefore considers that in order to maximise the identification of sites for housing the opportunity should be taken by Adur District Council to discuss mitigation measures and the technical solutions to enable the allocation of the Land at Hasler for residential development within the Proposed Submission Adur Local Plan, through the establishment of a proactive and strategic plan led strategy.

4.10. By not including the Land at Hasler / Old Salts Farm, the Council has not maximised the ability to deliver new housing in the district and fail the test of soundness in terms of justifying the most appropriate strategy for delivering growth over the plan period.

## 5. Landscape

5.1. Whilst the Land at Hasler (Old Salts Farm), as identified below (Figure 22), has not previously been developed, and therefore represents a greenfield site, we strongly contend that the site is of no particular landscape value and, therefore the future residential development of the site is appropriate.

5.2. This conclusion has been drawn on the basis of the apparent landscape value associated with the site, its role within the wider setting of Arun District and, its relationship with the existing built up area.

5.3. The Land at Hasler performs a limited role in forming the landscape character of the local area and the setting of Adur District Council, with the site bound to the south, west and south-east by the existing built up area and the railway to the north, resulting in an insular site.

5.4. Consequently with its future residential development representing a logical extension of the existing built up area, it is considered that the future residential development of the Land at Hasler would represent the logical extension of the existing Hasler estate.

5.5. Overall it is concluded that the Land at Hasler is not of particular landscape value and, therefore the future residential development of the site that incorporates appropriate mitigation measures, will not have an adverse impact on the setting of the District.

5.6. The visual sensitivity of the landscape in this area is rightly identified as low and medium-low according to the Adur Landscape and ecological surveys of key sites within the Adur District Report (2012). This report also identified the landscape character sensitivity as being medium – low and medium. Overall the site was considered to be of medium and medium / low landscape sensitivity. This assessment was confirmed in the Assessment of landscape sensitivity Adur Local Plan area report (2016).

5.7. It should be noted that the landscape sensitivity classification of the Land at Hasler Estate / Old Salts Farm is similar to that of the New Monks Farm site (medium – low)

and development in this location would have less impact on landscape sensitivity than the West Sompting site (identified as medium and medium / high landscape sensitivity).

5.8. In conclusion, in light of the objectively assessed housing need within the District, the Land at Hasler (Old Salts Farm) is considered of low landscape quality and should be allocated within the Amendments to the Proposed Submission Adur Local Plan 2016 for future residential development.

5.9. A Tree Preservation Order has recently been issued on a group of trees on the site. An objection was raised by our client at the time of issuing this order with a tree survey being carried out in support of the objection. This tree survey identified all trees as falling within the C-category of moderate quality but low value with the majority having a lifespan of 20+ years.

5.10. In addition, the TPO Objection Letter submitted to the Council concluded with the following points:

- Most of the trees within the site are not now, nor likely to be, significantly visible from any public area.
- The two woodlands fail to make any individual impact and are of no particular or special value.
- The two woodlands fail to make any significant impact on the wider landscape of the neighbourhood.

5.11. These observations are still relevant. However, given the TPO has been issued, it is our view that a development onsite would be possible with appropriate tree enhancement measures. To safeguard the amenity that the trees are considered to afford, a strategy for replacement where appropriate would ensure that any loss of the poor quality existing trees would be more than offset by appropriate replacement.

## 6. Ecology

6.1. It is strongly contended that the allocation of the Land at Hasler (Old Salts Farm) and, therefore the future residential development of site, will have no adverse impact with regards to ecology.

6.2. This conclusion has been drawn on the basis of the understanding that the site is not of significant ecological value and, that appropriate mitigation measures can be incorporated within any future residential development that ensure that any ecological impact can be minimised.

6.3. It is therefore expected that any future residential development of the Land at Hasler will be supported by a full ecological survey which, will inform the mitigation strategy that will be implemented to facilitate the development of the site.

## 7. Conclusions

7.1. Overall it is considered that the Amendments to the Proposed Submission Adur Local Plan 2016 fails to reflect or comply with the objectives of the National Planning Policy Framework. The Local Plan fails, significantly, to meet the locally identified housing need figure as indicated in the Objectively Assessed Need for Housing: Adur District (2015) report.

7.2. As set out in this representation, it is considered that the plan does not meet the tests of soundness for the following reasons:

- positively prepared – not meeting the objectively assessed housing need
- justified – not being the most appropriate approach when compared to reasonable alternatives
- effective – not being deliverable over the plan period

7.3. Our client is keen to proactively and positively explore the residential development of the land at Hasler and discuss solution to overcome the remaining physical constraints. It is acknowledged that flood issues remain a concern to the Council and the Environment Agency and the landowners wish to agree how these could be overcome through discussion with the Council and responsible bodies, particularly in light of progression with the Adur Tidal Walls scheme.

7.4. The key environmental issues such as those relating to ecology and landscape can be overcome through suitable design and appropriate mitigation measures.

7.5. We therefore hope that Adur District Council will reconsider their housing needs position and decision not to allocate the Land at Hasler for residential development and engage proactively and positively in bringing the site forward to meet the locally identified housing need arising in the District.

7.6. We wish to be kept fully informed in relation to the future progress of the Adur Local Plan and, request to make formal representations at the Examination in Public.

\* Figure 1: Adur Housing Trajectory (Adur AMR 2015 – to view please see full representation).

Changes required

N/A

I support the plan

N/A

Representation No

53

Contact First Name

Marguerite

Contact Surname

Oxley

Organisation

Environment Agency

Representor ID

6

Agent's First Name

Agent's Surname

Agent's Organisation

Relates to Policy

N/A

Relates to Paragraph

N/A

Relates to Map

N/A

Relates to Other

Whole Plan

Sound?

Yes

Legally compliant?

Left Blank

Unsound because not

N/A

Why unsound or not compliant

N?A

Changes required

N/A

I support the plan

Thank you for the opportunity to comment on your Amendments to the Proposed Submission Local Plan (2016). We are pleased that the work that we have done with you over the last few years has been reflected in the Plan and overall we are supportive of it.

Due to these latest amendments, we are able to withdraw the following 4 previous Unsound Representations: Policy 6 - Land at West Sompting; Policy 8 - Shoreham Harbour; Policy 19 Sustainable Design and Policy 24 – Provision for Gypsies, Travellers and Travelling Showpeople.

Representation No	Contact First Name	Contact Surname	Organisation
70	Laura	Brook	Sussex Wildlife Trust (late representation)
Representor ID	Agent's First Name	Agent's Surname	Agent's Organisation
25			

Relates to Policy	Relates to Paragraph
N/A	N/A
Relates to Map	Relates to Other
N/A	Whole Plan
Sound?	Legally compliant?
Left Blank	Left Blank

Unsound because not
N/A

Why unsound or not compliant
<p>Following our comments on previous consultations of the Draft Local Plan, we are encouraged to see that some amendments have been made to imbed the importance of the natural environment into the Local Plan. However the Sussex Wildlife Trust is concerned to see that wording to deliver protection to biodiversity in some policies has been struck out. Therefore we question the soundness of the Adur Local Plan. We do not believe that the plan is consistent with national policy or that it sufficiently performs its environmental role of:</p> <p>‘contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy’ National Planning Policy Framework (NPPF) Paragraph 7.</p> <p>The Sussex Wildlife Trust feel that a strong commitment to a Green Infrastructure Strategy SPD is imperative to ensure that the growing demand on natural capital can be assessed, especially given the high housing numbers suggested in the plan. We also encourage Adur DC to commit to an ecosystem services SPD to support sustainable development. Mapping of ecosystem services is still an emerging process, but great advances have been made in a short time. Given the suggested lifetime of the plan and the council’s recognition within the plan that there needs to be growth in natural capital (Objective 6), a commitment to this approach must be taken.</p> <p>In connection to the above point, we also make the following comments in relation to the Infrastructure Development Plan (IDP) that now forms part of the evidence base of the proposed submission local plan:</p> <p>The Sussex Wildlife Trust welcomes the inclusion of a document that considers forward planning for needs such as Green Infrastructure. We are keen that Green infrastructure projects have the opportunity to progress as favourably as other projects with clear associated costing. Improving the level of detail with in the IDP will give these projects a better chance of being considered for inclusion when money from CIL is distributed. The IDP will be an open working document and therefore we would like to see the inclusion of projects that ensure that areas such as Shoreham Beach LNR have resources to maintain a management plan. This could help to adequately address issues of increased visitor pressure, which may result from the proposals in Policy 8.</p>

We feel that there needs to be stronger recognition of the need for net gains to biodiversity within the Plan, As it stands, we feel that the plan fails to sufficiently balance the three dimensions to sustainable development: economic, social and environmental. These roles are mutually dependent with no one dimension taking precedent over the other two (NPPF paragraphs 7 and 8). It is not acceptable to disregard the potential environmental impact of site allocations due to concerns over viability.

At New Monks Farm, no evidence has been presented to suggest that potential impacts of the higher level of development on the hydrology and riparian habitats on the site can be adequately avoided or mitigated. We advocate a more joined up approach to ensure no adverse impacts and overall net gains to nature (NPPF paragraphs 9 and 109), particularly in relation to natural flood defences.

That said the Sussex Wildlife Trust recognises the importance of a plan led system as opposed to a developer led process. Therefore we hope that our comments are used constructively to make certain that the Adur Local Plan properly plans for the natural capital needed within the District and ensures that any development is truly sustainable.

Changes required
N/A

I support the plan
N/A