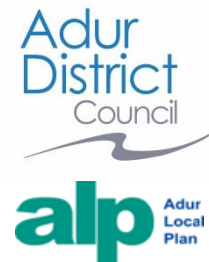


Proposed Submission Adur Local Plan 2014



Representation Form

Return Address:

planning.policy@adur-worthing.gov.uk


Or:

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

Or hand in at:

- Adur Civic Centre, Ham Road, Shoreham-by-Sea, BN43 6PR or
- Portland House, 44 Richmond Road, Worthing, BN11 1HS

**Please return to Adur District Council by 5pm on 1st December 2014
Late representations will not be considered.**

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

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

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

This form has two parts:

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

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

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

Personal Details

First name	<input type="text" value="Bill"/>	
Last name	<input type="text" value="Freeman"/>	
Organisation (where applicable)	<input type="text" value="Adur Floodwatch Group"/>	
Address line 1	<input type="text" value="██████████"/>	
Address line 2	<input type="text" value="██████"/>	
Address line 3	<input type="text" value="██████████"/>	
Post Code	<input type="text" value="████████"/>	Telephone <input type="text" value="██████████"/>
Email address	<input type="text" value="██████████████████"/>	

Agent's Details (if applicable)

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

Part B – Representation

Please use separate sheets for each representation

1. Which part of the Adur Local Plan does this representation relate to?

Policy No. Paragraph No.

Map Other section
(please specify)

2. Do you consider the Adur Local Plan to be: (tick as appropriate)

2.1 Legally Compliant Yes No

2.2 Sound Yes No

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

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

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

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

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

3.1 Positively Prepared

3.2 Justified

3.3 Effective

3.4 Consistent with National Policy

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

The comments which follow represent the concerns of the Adur Floodwatch Group which is a consortium of residents associations and residents across the whole of the Adur District. This includes Lancing Manor SE, West Beach (Hasler), Sompting, Barfield Park, Mash Barn Estate and Shoreham. The consortium also includes 14 county, district and parish councillors who strongly support the many concerns of very high risk of surface, ground water, river and coastal flooding which are predominant in this district.

During the last 2 winters the Adur District has experienced many well documented flooding and drainage events due to prolonged wet weather with high ground and surface water levels and very high tides and river levels which have particularly affected North and South Lancing, Sompting and Shoreham, particularly locations around the proposed allocation areas within the Lancing Gap.

If required, this information is available for scrutiny.

Specifically, residents' considerable concerns on ground and surface water issues have been well represented to the authority that further development in the flood plain 3a/3b areas of the area will put the community at even greater risk from flooding and these areas should be not included in the Adur Plan

At a meeting on the 12/11/14 with the technical and planning officers of the Adur District Council and a technical officer of the lead drainage authority, West Sussex CC, Adur Floodwatch Group learned that absolutely no understanding was yet in place for an identified method of surface and ground water attenuation for the 100 years lifetime guarantee of no risks to third party properties or new builds, in particular for the allocated New Monks Farm and Shoreham Airport developments.

Paragraph 102 of the NPPF clearly states that any site in stage 2 of the sequential test over 1 hectare must have a full flood risk assessment to validate the inclusion of a site for allocation and meet the above guarantee.

This has not been carried out and at that meeting on the 12/11/14 it was confirmed that since April 2014, the District Council is still waiting for answers to questions from New Monks Farm Developments/Capita who will be seeking to develop that site if approved in the plan. The updated proposal from the developer was due in June 2014 and is still not available as at 12.11.14.

Recorded minutes of the above meeting are available.

The answers to particular questions from the latter companies requested by Adur DC include provision of the ground/surface water mitigation methods being proposed.

We have been told that the developer's proposal so far is to build up the

land for this site and construct on made-up materials for up to 600 homes and 10,000 sq m of business development (with all the risks to stability of the new builds/infrastructure which such construction can cause) and fails to cover management of surface water and ground water flows. The Environment Agency positively confirms that surface water drainage from built up roads and infrastructure causes 3rd party flooding problems.

The New Monks Farm/Golf course and Airport areas have a greater than 75% risk of flooding from ground water to which at this stage there has been no consideration before allocation of these areas into the Plan.

Of considerable concern is the making up of a 'golf course' over many years which is located in 3a & 3b high risk areas. Part of the NMF proposed development of 600 homes is planned on this site, This has been backfilled with many thousands of tons of so called 'inert materials'. There appears to have been no monitoring of these activities the volumes of backfill, the materials used (as agreed in the approved application), the impacts on the environment and ground and surface water effects.

The Adur cabinet member hosting the Plan at the Full Council meeting when submission of the Plan was approved, worryingly described the 'golf course' site as an 'inert tip'. When questioned by councillors about the NPPF guarantee of no third party increased flood risk for the NMF development, the member refused to say this would be possible.

Residents believe the latter site is now full of compacted materials of an indiscriminate nature which will be affecting ground and surface water flows to the detriment of the area drainage and exacerbation of flood risk.

Even greater concern – the NMF/Capita report so far submitted, and upon which Adur DC has made inclusion of NMF in the Plan, is not available for public scrutiny. At the meeting on the 12/11/14, residents were informed that this report is the property of the developer and not for public scrutiny.

This makes any residents' comment absolutely impossible on the soundness of the scheme and its drainage solutions against risks of flooding from ground and surface water.

The council officers at the meeting on 12 /11/14 stressed that the above requirements will be addressed at the application stage if the allocations are approved. The community believes that without a full drainage assessment of all types of water flows to validate these allocations, they should not be included in the plan's submission to Government.

He (the council planning officer) did indicate, however, that there must be a finished up report from the developer to address all these outstanding issues by the time the plan is submitted in April 2015. Also, it is only fair that the public should have access to the report for scrutiny. Unfortunately, with the technical consultation terminating on the 1st December 2014, this will be too late for that scrutiny and comment.

Despite the NPPF requirement above and lack of methods for mitigation of flood risk, Adur members have already given full council approval to the plan for submission to Government without this vital information.

In ground/surface water drainage terms this is a very fragile area as demonstrated by the many problems over the last 2 years. The ditch network across the 2 miles of the Lancing Gap has only a fall rate of 1:2000 and much of the 3b area is at Ordnance Datum level. The tidal outfall at the Shoreham sluice gates at Shoreham is inadequate by not releasing enough watercourse outfall, because of lack of gradient, especially prior to tidal lock times also badly hampered by a grill which is not adequately maintained

WSSC lead drainage authority, as indicated in their Autumn 2013 public consultation response to Adur DC, strongly confirm these concerns as follows:-

Extract from WSSC Consultation – Autumn 2013

Flood Risk

The County Council as Lead Local Flood Authority (LLFA) fully supports the Vision and Objectives relating to flood risk set out in the revised draft Local Plan. However, there are concerns regarding the allocation of major sites within the high risk flood zones 3a and 3b, especially Shoreham Airport and New Monks Farm. These sites are not only currently known to be at risk from fluvial and tidal flooding, but also from surface water and groundwater flooding, as well as flooding from foul sewers. Whilst it is accepted that these sites pass the Sequential Test (due to lack of available developable land outside of flood risk areas) and Part 1 of the Exception Test (the benefits of sustainable development outweighing the negatives),

it is the view of the County Council that it has yet to be proven that Part 2 of the Exception Test can be definitively passed at this stage. In order to meet the requirements of Part 2 of the Exception Test as set out in the National Planning Policy Framework (NPPF) and associated guidance, the Local Plan should *demonstrate* that the development will be safe for its lifetime, the residual risks of flooding to people and property (including the likely effects of climate change) are acceptable and can be satisfactorily managed. The Strategic Flood Risk Assessment (SFRA) 2012 does not include the level of detail required that is set out in paragraph 8 of Technical Guidance to the National Planning Policy Framework to demonstrate that Part 2 can be met according to paragraph 102 of the NPPF at the Local Plan Stage. Whilst it is accepted that the majority of this detail should be provided at the application stage, with Site Specific Flood Risk Assessments, the current draft NPPF guidance (online on the planning portal) also indicates that this should be done at the Local Plan stage. Adur District Council should ensure that it is satisfied that it has been demonstrated that flood risk issues at Shoreham Airport and New Monks Farm *can* be technically and practically overcome to meet Part 2 of the Exception Test, as well as assessing proposed mitigation measures in greater detail at the application stage to ensure that they *have* been overcome.

Despite the above consultation advice a year ago, as a statutory consultee, WSSC has since given approval to this allocation even though there has been absolutely no indication within the plan for mitigation of ground & surface water issues within the Lancing Gap. This considerable

inconsistency of comment and intent by the lead drainage authority is difficult to understand.

Overall, the local authority simply has ignored all these flagged up concerns, despite the required policy of localism and listening to the community. See 1100 letters/emails of concern in the Autumn 2013 public consultation.

It has failed to carry out ground and surface water flood risk assessments totally for the Lancing Gap and the Sompting/Worthing Gap, despite the lead drainage authority concerns and advice that these should be carried out at the plan stage to comply with the NPPF Para 102.

The Brighton & Hove training complex which was completed in July 2014 is immediately south of the NMF allocation within the Lancing Gap. Pre construction borehole readings across this 55 acre site indicated that with tidal effects at times of high tides, ground water levels rose to within 70 cm of the surface. This was before deep excavation for 14 pitches for an internal, recycling drainage system where the excavation would have penetrated the clay layer holding down ground water flows. The same applied to the large buildings constructed on the site.

It has been observed that this Autumn (2014) the complex, which is now fully operational, is experiencing drainage issues already. Levels of wet weather have nowhere reached those experienced in the last two winters, so the position will not improve when further, long periods of wet weather occur. Grass pitches have become waterlogged and the community has learned from members of teams due to play there that games have been cancelled or diverted to other pitches in the area. It has been observed and can be confirmed by Adur Technical that the club has been pumping out water into the neighbouring area to help resolve on site drainage issues.

This is exactly why the community objected to that development because of the effect on ground & surface water drainage for the whole area upstream and downstream of the complex. These concerns were ignored by Adur DC who still approved the scheme.

Downstream of the new football complex, although not acknowledged by the local authority, because of disruption of surface/ground water flows by the complex (which all drain southwards), these have worsened the situation for the West Beach Estate to the south of the area. This location has to contend with regular high tide flooding from tidal influences as well as those from ground and surface water. It has experienced increased levels of flooding during and since the construction of the football complex.

Although a prospective development area called Old Salts Farm has been omitted from the allocations in the plan because of the frequent flooding issues of that southernmost area, the plan fails to appreciate any development infill, particularly 600 homes/overall 25,000 sq m of business development on NMF/the Airport, will affect the drainage ditch system and groundwater containment of the whole of the Lancing Gap and will cause increased flood risk both up and

downstream irrespective of the exclusion of the Old Salts Farm site.

This is particularly the case as there is absolutely no understanding of the attenuation/mitigation methods for ground and surface water flows and indeed the volumes of the capacities and flows – and particularly when there are extended periods of wet weather with the very high water levels as experienced in winters 2012/13, 2013/14 which will inevitably increase with climate change.

Ends./

(Continue on a separate sheet if necessary)

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

(You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested or revised wording of any policy or supporting text. Please be as precise as possible).

Suggested Actions

After Winter 2012/13, drainage and inundated sewer problems which caused over £100k in remedial costs, the lead drainage authority WSCC commissioned CH2MHill (Halcrow) to undertake a complete study of the surface and ground water flows across the Lancing Gap with flow and capacity measurements. The report will be available in the Spring of 2015 and will propose solutions to stabilise and improve the drainage of the area for conditions which currently exist, taking no account of future developments arising from the Adur Plan.

When raised at the full council meeting (to approve Government submission), the cabinet member hosting the plan called this study 'an alleged study' and obviously had no knowledge of this vital piece of work and its importance to the plan.

(Despite requests from the Adur Floodwatch Group and residents associations individually and a number of concerned councillors that the council await this data and submit to Government 6 months later, at both the planning and full council meetings, both committees disregarded this request and approved for publication and submission.)

Suggested Actions

Firstly, this residents' network believes that Adur DC should await the outcome of the CH2MHill study, its data on capacities for ground and surface water flows into, within and out from the Lancing Gap and its recommendations for stabilisation of the area's drainage before progressing the plan further.

Secondly, to comply with the NPPF, and as recommended by WSCC in Autumn 2013, they should also ensure they have complete information on the attenuation methods NMF Developments are proposing so they can be measured against the CH2MHill data to validate or invalidate the allocation of New Monks Farm/Golf Course and the Shoreham Airport allocation into the plan.

Thirdly, if it is then shown that viable attenuation is not possible to avoid ground/surface water flood risk to existing and new build properties, these sites should be excluded from the plan and further discussion with neighbouring authorities and identification of a greater number of low flood risk, brown field sites should be strenuously pursued to accommodate the shortfall in housing targets. Also, because of the geographical limitations of the district, housing supply numbers should be reviewed downwards and lower revised figures negotiated with Government.

Fourthly, in the interests of Freedom of Information, the developer's report must become available for public scrutiny and comment before the plan is submitted to Government and comments from the community on this be permitted to accompany its submission to Government.

Ends./

(Continue on separate sheet if necessary)

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

No, I wish to communicate through written representations

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

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

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

Residents have been very concerned about allocations in the Plan and what their implications are for heightened flood risk for the area.

Despite what has been said at meetings, the spirit of localism has been completely ignored by the district council and residents believe that sufficient due diligence in terms of flood risk to existing properties has not been practised in the preparation of the plan. The comments above illustrate those concerns.

The Adur Floodwatch Group wishes to show the Inspector tangible proof of the problems being experienced around the area and to put its case that these high risk allocations do create greater flood risks for the community and are not sustainable within the Plan so far presented.

Ends./

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

- When the Plan has been submitted for Examination
- When the recommendations from the Examination have been Published
- When the Local Plan has been adopted

What happens next?

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

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

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

Thank you for making representations.