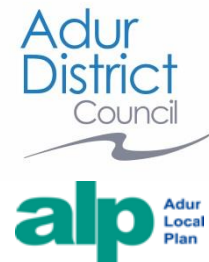


# Proposed Submission Adur Local Plan 2014



## Representation Form

Return Address:

[planning.policy@adur-worthing.gov.uk](mailto: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](http://www.adur-worthing.gov.uk). Personal contact details (address, email and phone number) will be removed from published copies of representations. Your information will be handled in accordance with Data Protection Act 1998.

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

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

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This form has two parts:

- 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="Wendy"/>	
Last name	<input type="text" value="Dowse"/>	
Organisation (where applicable)	<input type="text" value="Representing West Beach Residents Assn (formerly Hasler Estate)"/>	
Address line 1	<input type="text" value="██████████"/>	
Address line 2	<input type="text"/>	
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.	<input type="text" value="Adur Local Part 2,"/>	Paragraph No.	<input type="text" value="2.48 Biodiversity"/>
Map	<input type="text"/>	Other section (please specify)	<input type="text"/>

### 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             | <input checked="" type="checkbox"/> |
| 3.2 | Justified                       | <input checked="" type="checkbox"/> |
| 3.3 | Effective                       | <input type="checkbox"/>            |
| 3.4 | Consistent with National Policy | <input checked="" type="checkbox"/> |

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

**UNSOUND**

**2.48 Adur District Council (ADC) does not maintain watercourses or habitats within its boundaries. All watercourses must now be maintained by the riparian owners. The biodiversity habitat area proposed, known as New Monks Farm (NMF), is unlikely to be maintained by ADC, and its neglect will lead to increased flooding.**

**Approximately 10 years ago, a developer was given permission to build a golf course on the land, part of which is now to be included in NMF proposals. ADC has not monitored or controlled this development where tonnes of aggregate, mainly consisting of clay, have been dumped on the flood plain but no further progress towards a golf course has been made. This has disrupted the natural working of the flood plain and caused an increase in surface water runoff.**

- 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).**

**Adur District Council will have to reconsider the decision to make local people responsible for keeping watercourses that run through or along their properties. There are many people who are not physically able to do this.**

**If a new development of up to 600 homes is approved, it is certain that many residents will not maintain their part of a watercourse. As in other parts of the District, some residents interrupt flows with dams and weirs for their own reasons even though they have been told it causes flooding elsewhere.**

**This is an unsound policy. ADC will have to employ an organisation (eg the Wildlife Trust), or employ their own staff and this will cost money that the Council will claim it does not have**

## Part B – Representation

Please use separate sheets for each representation

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

Policy No.	<input type="text" value="Exception Test"/>	Paragraph No.	<input type="text" value="Part 5"/>
Map	<input type="text"/>	Other section (please specify)	<input type="text" value="Section 2, 8, 9, 17 &amp; Table 1."/>

### 7. 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.

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

- 8.1 Positively Prepared                      X
- 8.2 Justified                                      X
- 8.3 Effective
- 8.4 Consistent with National Policy      X

## **2. Use of Sustainable Urban Drainage Systems –**

The whole area is waterlogged for most of the winter months (environmentally October to March). The spring-line from the Chalk Downs, north of the A27, flows into the area; surface run-off from the A27 is drained into the watercourses and groundwater moves south across the whole site to the coast. During this period the many water courses here are full to capacity, the ground is at field capacity and groundwater levels in the November to March period (environmentally considered winter) are close to, or at times above, Ordnance Datum. It is self-evident that, in order to create attenuation ponds (SUDs) the maximum volume of water that may need to be contained must be known in advance. Neither WSCC nor ADC engineers have any idea of the quantity of water that is carried through, under and over the site. Neither has anyone technical knowledge of how large an area would be needed in total for such attenuation ponds or how these would work in an area of land that is already full to capacity during most winters. A built development will disrupt the natural absorption of much of the flood plain that is already overburdened with surface runoff.

## **8. Reduce the Pollution and Risk of Pollution to land, air and water –**

This paragraph does not address pollution of water. The existing homes to the west of this site suffered two weeks of pollution due to storm water entering the foul sewer in winter 2012/13. The same thing is now happening to homes on Hasler Estate (now known as West Beach Estate). The lack of gradient across the whole flood plain (approximately 1 : 2000), creates a problem for Southern Water Services when dealing with foul drainage and storm sewers. The subsoil is permanently saturated making an unstable environment for pipework. Building at NMF will create the potential for more pollution to existing and new homes.

## **9. Changing Climate & Extreme Weather –**

Glib reference to 'mitigation' does not hide the fact that existing homes to the west and Hasler Estate on the southern edge of the flood plain already suffer flooding that is gradually becoming more serious. The construction of Brighton & Hove Albion Football Club's training facility on part of the flood plain was approved without reference to local residents' concerns. The 'mitigation' measures that were required for the site have not worked and local football clubs that were encouraged to use the playing pitches have been turned away because the ground is waterlogged. This cannot be said to be a 'Community Benefit' in these circumstances. Neither Brighton & Hove Football Club nor Adur District Council would issue a guarantee against third party flooding in spite of this being required by planning legislation. The Shoreham Tidal Walls Scheme will not have any effect on NMF area, it is currently flooded from raised groundwater levels, surface run off and spring flow from the Chalk Downs north of the A27.

**17. To Avoid, Reduce and Manage the Risk from all sources of flooding to and from the development –** The serious nature of flooding in the area has been admitted but the Developer's Consultants should not be depended upon to assess flooding risks and suggest mitigation measures. Consultants for development companies frequently write their reports in favour of their paymasters. Brighton & Hove Albion's consultants convinced ADC that their plans were sound, but already, in its first winter season, pitches are waterlogged. The Environment Agency is not allowed to comment on this Plan. WSCC has commissioned a drainage survey of the whole area from CH2MHill (formerly Halcrow), due in February 2015, but Adur Local Plan will have been submitted before the results of that survey are known. In spite of Freedom of Information requests, local residents, whose homes will be most affected, have not been allowed to see the report from developers of NMF.

The serious risk of flooding if this development is allowed to go ahead is admitted by the Authors of this document. However the phrase 'a significant level of detail needs to be provided at the Local Plan stage' obviously does not refer to this Adur Local Plan, 2014. Rather, it suggests that ADC is prepared to allow the developer's consultants to put forward their own explanation about how flood risks can be 'mitigated' at Planning Permission stage. 'Mitigate' means 'to make less severe' (Collins English Reference Dictionary), and having homes flooded 'less severely' is not an acceptable option. Assessment in greater detail by appropriately qualified people from WSCC, ADC, Environment Agency or elsewhere is essential should this site continue to be included in Adur Local Plan.

**Table 1 Analysis of local plan site/allocations.**

This table shows New Monks Farm (NMF) as not having a change to its flood zone designation on completion of the Adur Tidal Walls scheme. This is correct: the Scheme will not improve the area's liability to flood. However, in section 9, reference is made to the Tidal Walls scheme as improving the flood risk at NMF.

**Adur Local Plan quotes:**

4.128

The National Planning Policy Framework requires that flood risk has been properly taken into account to avoid inappropriate development in areas at risk of flooding. The Local Plan must demonstrate that the development will be safe for its lifetime, the residual risks of flooding to people and property can be managed.

4.129

Where sites have passed the sequential test, they have been assessed against the objectives of the Sustainability Appraisal to determine whether the sustainability benefits to the community outweigh flood risk as part of the Exceptions Test.

The sites that demonstrate these wider benefits and have also shown that flood risk on the site can be managed without increasing flood risk elsewhere have been allocated in this plan.

We consider that 4.128 and 4.129 have not been adequately considered and are dangerously incorrect in assumptions made.

The entire area between the A27 in the north and the A259 in the south is flood plain and each winter it is at field capacity with surface water several centimetres deep in addition. This water comprises spring flow from the Chalk Downs, surface run off from both major roads and groundwater that flows north-south to the coast, enhanced by incoming tidal water twice daily. Adur District Council has not demonstrated due diligence when considering its existing residents directly to the west of NMF who have already experienced considerable flooding problems of various types, nor to the residents of West Beach Estate (formerly Hasler Estate), who are suffering increased flooding since Brighton & Hove Albion Football Club constructed its training ground on the flood plain. Further development can only make the situation worse with no engineering measures available that can guarantee flood protection for existing homes and the proposed new development.

**9. 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).**

**We do not consider the area known as New Monks Farm (NMF) is suitable for any development as shown in Adur Local Plan. Moreover, Adur District Council has not demonstrated in this document that it has satisfactorily addressed any of the severe flood issues from which it admits the area suffers. The Local Authority has an extremely limited area in which to consider development and should be talking to neighbouring Authorities about spreading the required housing across Worthing, Horsham and Brighton where flooding is less likely or where new and existing residents can be protected against the risk.**

## **Part B – Representation**

**Please use separate sheets for each representation**



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

Policy No.  Paragraph No.

Map  Other section (please specify)

**10. 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.**

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

11.1 Positively Prepared

11.2 Justified

11.3 Effective

11.4 Consistent with National Policy

**Paragraph 102 of the National Planning Policy Framework (NPPF)** requires that Part 2 of the Exception Test is met at the Local Plan stage. Therefore, the Adur Local Plan should demonstrate that the development will be safe for its lifetime and that it will not increase flood risk to existing properties. Site Specific Flood Risk Assessment should have been included in the Adur Local Plan because these sites are known to be at risk currently from fluvial, surface water and groundwater flooding as well as flooding from foul sewers. In addition, groundwater across the whole area is increased by high tides every day and especially at periods of Spring Tides. Therefore, in periods of significant rainfall such as the winters of 2012/13 and 2013/14, there is no additional capacity in the flood plain or its many watercourses. Gradient is approximately 1:2000 so much of the water cannot drain out through the sluice at Saxon Kennels and remains static across the whole area. In addition, the sluice gates are not adequately maintained and the grills are frequently clogged. Existing properties in the area both west and south of New Monks Farm (NMF) experience flooding in gardens because roof run-off cannot drain into soakaways. At West Beach Estate, (formerly Hasler Estate), roads flood severely because they too drain to soakaway. Recently, homes at West Beach Estate have come close to foul sewer flooding that is becoming a greater threat since the B & HA construction at NMF.

The NPPF states:

For the Exception Test to be passed:

- 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.

Both elements of the test will have to be passed for development to be allocated or permitted.

In 2013, West Sussex County Council responded to the Adur Local Plan with concerns regarding the allocation of major sites within the high risk flood zones 3a and 3b, including New Monks Farm. WSCC stated that the site was 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. It was the view of the County Council that it had still to be proven that Part 2 of the Exception Test could be definitively passed as the Plan then stood.

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 County Council stated that 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 WSCC document stated that ADC should be satisfied that it has been demonstrated that flood risk issues at NMF can be technically and practically overcome to meet Part 2 of the Exception Test. We the residents of West Beach, as well as the combined Residents Associations around the Lancing Brooks Flood Plain, do not feel that Adur D.C. has so demonstrated. Furthermore, we do not believe that there is any currently known solution, either technical or practical, that can overcome the multiple flooding problems in order to meet Part 2 of the Exception Test.

**10. 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).**

**We do not consider the area known as New Monks Farm (NMF) is suitable for any development. Adur District Council has not demonstrated in this document that it has satisfactorily addressed any of the flood issues from which it admits the area suffers.**

**The NMF area should not be included in the Adur Local Plan because it does not comply with the NPPF Exception Test (shown above).**

**The entire area between the A27 in the north and the A259 in the south is flood plain and each winter it is full of water from spring flow from the Chalk Downs, surface run off from both roads and groundwater that flows south to the coast enhanced by tidal inflow twice daily and with an increase to the latter at periods of Spring Tides every 4 weeks.**

**12. 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.

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

**If the Inspector considers it an advantage to speak with people who have practical knowledge of the area known as Lancing Brooks Flood Plain and with particular regard to the proposed development of New Monks Farm on the north west part of that Flood Plain, representatives of West Beach Residents Association and representatives from other Residents Associations around the area would be more than happy to attend and answer questions.**

**14. 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.**