

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Contact Surname

Organisation

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

26

Policy

02: Spatial Strategy

Paragraph

Map

Other

Sound?

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Legally compliant?

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The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

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 New Monks Farm are therefore crucial to delivering the spatial 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. In this context, whilst we support the policy wording we see no reason for the sixth paragraph, which states 'Development which would result in the coalescence or loss of identity of settlements will be resisted' and therefore suggest that this is deleted. We also 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.

What changes are required to make the Plan sound ?

Suggested change: Delete sixth paragraph which states 'Development which would result in the coalescence or loss of identity of settlements will be resisted'. 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.'

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Asher

Contact Surname

Ross

Organisation

Boyer Planning

Agent's First Name

Asher

Agent's Surname

Ross

Agent's Organisation

Boyer Planning Limited

Representation No / Representor ID

15

Policy

Paragraph

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Policy 2 of the Local Plan sets out the Spatial Strategy for Adur for the period up to 2031. The strategy seeks to deliver development within the built up area boundaries of the main settlements, whilst also recognising that greenfield sites adjacent to settlement boundaries should be released in order to seek to meet the local needs.

Two greenfield extensions are identified in the Local Plan:

- New Monks Farm, Lancing; and
- West Sompting.

New Monks Farm is located adjacent to Shoreham Airfield, between the airfield and the built up area of Lancing and adjacent to the Brighton and Hove Football Academy. The development of this site reduces the gap significantly when viewed from the A27 and is located a fairly significant distance away from the station and main facilities within Lancing.

The development at West Sompting also closes the gap between settlements.

As such, both proposed allocations conflict with a further part of Policy 2, which states that "Development which would result in the coalescence or loss of identity of settlements will be resisted."

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We recognise that some greenfield sites will have to be released to meet identified needs. However, in our view, insufficient sites have been taken forward by the Council to meet these needs and further sites must be released. Our case is that land at New Salts Farm should also be released for residential (and potentially other uses as well) development. The characteristics of this site are fairly similar to those of other proposed greenfield sites, however, we would make the case that development of the site (or parts of it) are more likely to comply with the requirement to resist coalescence and loss of identity than the two other sites.

What changes are required to make the Plan sound ?

Land at New Salt Farm should be identified as a sustainable greenfield extension to Lancing, which could accommodate residential development (and potentially community uses as well). This allocation would not affect the overall spatial strategy set out in the Local Plan, as this already accepts that some greenfield sites would have to be allocated. As such, this proposed change does not affect the overall spatial strategy for Adur.

We would propose the following change to the Policy:

“It will also be necessary to release the following greenfield sites on the edge of the built up areas to ensure a supply of suitable land for development subject to the requirements of Policies 5 and 6: New Monks Farm, Lancing (residential, employment, and community uses) West Sompting (residential) New Salts Farm (residential and potentially community uses)

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

David

Contact Surname

Johnson

Organisation

Campaign to Protect Rural England (Sussex)

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

21

Policy

02: Spatial Strategy

Paragraph

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy

Detailed description as to why is the Plan unsound or not compliant

The National Planning Policy Framework states that “The purpose of the planning system is to contribute to the achievement of sustainable development” (paragraph 6) and that there are three dimensions to sustainable development: economic, social and environmental (paragraph 7). The Framework explains that ‘These roles should not be taken in isolation, because they are mutually dependent.....Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously” (paragraph 8). This makes it clear that any activity that results in detriment to one or more of these “roles” is not sustainable development.

In fact, the Framework indicates that merely not causing harm to economic, social or environmental interests is not sufficient: “Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life” (paragraph 9).

At the heart of the National Planning Policy Framework is a “presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking”. For plan-making, the Framework states that “Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change,... 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; or specific policies in this Framework indicate development should be restricted” (Paragraph 14). Also “all plans should be based upon and reflect the presumption in favour of sustainable development” (paragraph 15).

In order to “objectively assess” housing needs, the Framework requires local planning authorities to prepare a Strategic Housing Market Assessment” (SHMA) (paragraph 159). This of course is purely an assessment of need. When it comes to seeking to meet those needs through allocations of land for housing in a Local Plan, account has to be taken of environmental, infrastructure and other constraints. In accordance with paragraph 14 of the Framework, quoted above, where meeting these needs in full would lead to adverse impacts that significantly and demonstrably outweigh the benefits, or where specific policies indicate development should be restricted, it is appropriate for the local planning authority not to seek these needs in full.

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Adur's housing needs have been objectively assessed through two particular studies: the Sussex Coast SHMA and Adur's own Locally Generated Housing Needs Study. Paragraph 1.28 of the Plan explains that the main finding of the Sussex Coast SHMA is that "it was highly unlikely that the level of objectively assessed housing need required in these local authority areas can be achieved in the sub-region in the light of environmental, landscape and infrastructure constraints" (e.g. the National Park designation, river and coastal flood risk and biodiversity sites). Adur's own Locally Generated Housing Needs Study (LGHNS) identified an even higher need than the Sussex Coast SHMA. For Adur District, the Plan "seeks to deliver a package of measures over the plan period in order to work towards meeting the objectively assessed development needs of Adur as far as possible, taking into account environmental assets and constraints" (paragraph 2.2).

However, the corresponding paragraph in the Revised Draft Local Plan was more explicit, explaining that the District will not be able to meet its full housing requirement due to, inter alia, "significant flood risk issues and landscape constraints". Paragraph 2.22 of the Revised Draft Plan recognised that meeting the high level of demand in the LGHNS "would mean an extremely high level of development, with a severe impact on the Local Green Gaps, the landscape quality of Adur, biodiversity and on areas at risk of flooding".

The District Council therefore concluded at the Revised Draft Local Plan stage, rightly and justifiably in the opinion of CPRE Sussex, that it should not seek to meet its own objectively assessed needs in full. Although the Council now aims to meet the objectively assessed needs of Adur as far as possible (Objective 1 of the Proposed Submission Plan is now to deliver between 3,488 – 3,638 dwellings up to 2031 to potentially meet the lower end of the objectively assessed needs), it remains clear that "taking into account environmental assets and constraints", that it would still not be sustainable to meet the objectively-assessed needs in full.

In fact, on that very point, the delivery of this increased range of dwellings depends on the development of two greenfield sites at New Monks Farm and West Sompting (paragraph 2.22). The Spatial Strategy also relies on the allocation of land at Shoreham Airport for employment floorspace. CPRE Sussex considers that the proposed strategic development allocations at New Monks Farm and Shoreham Airport are unsound, at this time at least, and at West Sompting is unsound, for the reasons we set out in our comments on Policies 5, 6 and 7.

Accordingly, CPRE Sussex considers the Spatial Strategy as set out in Policy 2 to be unsound as it relies on the release of the sites at New Monks Farm, West Sompting and Shoreham Airport.

Enc. Flood Risk Assessment attached dt. November 2014, from Georgia Wrighton (email 01/12/14 16:00 Planning Policy), Director, Campaign to Protect Rural England (Sussex) - reference: 2146

What changes are required to make the Plan sound ?

In order to be compliant with the National Planning Policy Framework and therefore sound, the Spatial Strategy of the Local Plan needs to be revised to omit the proposed greenfield site allocation at West Sompting and to recognise that the proposed allocations at New Monks Farm and Shoreham Airport are only acceptable if it can be demonstrated that viable attenuation is possible to avoid ground/surface water flood risk to existing and new build properties.

We suggest the following amendments to Policy 2:

"If it can be demonstrated that viable attenuation is possible to avoid ground/surface water flood risk to existing and new buildings. Shoreham Airport will also be a focus for new employment floorspace.

Likewise, only if it can be demonstrated that viable attenuation is possible to avoid ground/water flood risk to existing and new build properties, the greenfield site at New Monks Farm, Lancing (residential, employment and community uses) will be released....."

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Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name Contact Surname Organisation

Agent's First Name Agent's Surname Agent's Organisation

Representation No / Representor ID

Policy Paragraph Map Other

Sound? Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

4.01 Spatial Strategy and the Local Green Gaps (ALP Policy 2)
The Lancing Green Gap/BUAB should be redefined to release small quantities of land around its periphery and the remaining gap strengthened to secure its future long term. To secure its future the new boundary should be redefined using the strongest existing physical features in the landscape, consistent with the NPPF (Chapter 9, paragraph 85) 'when defining boundaries, local planning authorities should: define boundaries clearly, using physical features that are readily recognisable and likely to be permanent'.
These are:-
 The A27 Trunk Road to the North
 The River Adur to the East
 The Mainline Railway to the South
 The consistent and well defined built up urban edge of Lancing to the West.
All further proposed development within the redefined gap should be resisted and the open space retained as a functional flood plain.

4.02 Strategic Site Allocation (ALP Policies 2, 4, 5)
The Strategic Land Allocations should be amended, as follows:-
a. The Shoreham Airport site should be removed from the strategic land allocation for employment or significantly reduced and re-orientated so that it is on the south side of the airfield, amongst the existing light industrial buildings and screened by the railway embankment to the south.

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- b. The New Monks Farm site should be restricted to development east of Marsh Barn Lane only. The L&ES states that 'The fields between the edge of the built-up area of Lancing and Marsh Barn Lane contribute little to the landscape setting of Lancing or the integrity of landscapes within the Strategic Gap' but the study goes on to describe Marsh Barn Lane as a 'natural landscape edge' and that the fields to the east of this lane form part of the central landscape of the Gap and make an important contribution to its sense of openness and 'greenness'.
- c. The Steyning Road site should be included within the strategic land allocation for housing and employment use as it is already less constrained and more readily developable than other sites already included in the Submission ALP.
- d. The Submission ALP should be amended to include a policy requiring the District to safeguard all potential available sites for future development use, given the constraints identified by the sea and the National Park on the District as a whole.
- e. A general emphasis should be placed within the Submission ALP on using more infill or back garden sites and on redeveloping existing sites with either greater density or taller buildings for housing and employment, which is the only long term sustainable solution given the constraints of the District.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name Contact Surname Organisation

Agent's First Name Agent's Surname Agent's Organisation

Representation No / Representor ID

Policy Paragraph Map Other

Sound? Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

We are supportive of the extension of the built up area boundary of Lancing as it is necessary to support the housing needs of the District. However, we consider that the Policies Map, Map 1 and Map 2 as drafted are not justified as the proposed built up area boundary alteration east of Lancing is not the most appropriate option when considered against other alternatives.

The proposed development of the site has been considered in relation to the detailed site specific Flood Risk Assessment. It has become clear that the best option to develop the land is to maintain and enhance the existing water courses through the site. As well providing a more natural hydrological solution, this approach would provide greater opportunities for ecological and landscape enhancements as part of the proposed allocation. In order to meet the upper level of housing (600) an alteration would be needed to the proposed Built up Area Boundary which is shown on the provided plan (Drawing No. DMHS/Plan1). Consequently, we find that the proposed built up area boundary is unsound when considered against the site specific flood risk issues, we also find that the Policies Map, Map 1 and Map 2 are not consistent with National Policy.

In addition, the proposed indicative location of the roundabout to serve Land at New Monks Farm (Policy 6), Shoreham Airport (Policy 7), businesses at Shoreham Airport and Lancing College is not considered to be justified as a more appropriate location would be further east along the A27 (Old Shoreham Road). This option is considered to offer a more effective approach in terms of; the highway infrastructure, needs of the employment allocation at Shoreham Airport, existing businesses at Shoreham Airport, Lancing College and the mixed use development at New Monks Farm. There should be some flexibility built in-to the Policies Map, Map 1 and Map 2 in order to enable the best roundabout solution to be delivered as detailed schemes for both allocations develop. At its current position the Policy 6 & 7 allocations would not be deliverable and

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therefore the Plan is not effective and subsequently unsound. Conversely, the location of the roundabout as shown on Drawing DMHS/Plan1 is deliverable.

Development of significant B1 space would only be viable and therefore deliverable on the basis of direct access from the A27, consequently the Policies Map, Map 1 and Map 2 should be amended to make provision for this development adjacent to the A27 as well as the revised location of the roundabout. This is also considered to be a more effective solution in terms of visual effects, as it would allow for the developments of both the roundabout and the business park to be ameliorated as part of a comprehensive landscape and design strategy.

What changes are required to make the Plan sound ?

We would seek that the Policies Map, Map 1 and Map 2 are amended as set out by the attached plan (Drawing No: DMHS/Plan1), or other suitable alternative plan to be agreed with the District Council.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Asher

Contact Surname

Ross

Organisation

Boyer Planning

Agent's First Name

Asher

Agent's Surname

Ross

Agent's Organisation

Boyer Planning Limited

Representation No / Representor ID

15

Policy

03: Housing Provision

Paragraph

Map

Other

Sound?

No

Legally compliant?

No

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

Policy 3 and the paragraphs supporting it seek to set out the housing delivery targets for Adur. The process undertaken by Adur is noncompliant with the policy set out in the NPPF and, therefore, the entire process is open to challenge.

Firstly, the NPPF at paragraph 158 requires local authorities to have an adequate, up-to-date and relevant evidence base. Paragraph 159 requires the preparation of a Strategic Housing Market Assessment (SHMA).

The SHMA that underpins the Local Plan is the November 2012 SHMA update prepared by GL Hearn. This SHMA is already out of date and is likely to be three years old by the time that the examination into the Local Plan is carried out. This puts into serious doubt the results of the SHMA.

For example, the SHMA was developed at a time when “Effective demand for market homes for sale is currently subdued (at the time of writing in 2012)” and “In 2012 the UK economy is teetering on the verge of a further recession.” (both quotes from page 17 of the SHMA). Of course, the situation has changed significantly in the past two to three years since the SHMA was written with the economy coming strongly out of the recession and house prices nearly back at their 2007 levels. We have seen a significant and sustained demand for housing that was not anticipated in the 2012 SHMA.

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Furthermore, the 2012 SHMA was based on the 2010 SNPP housing projections which have now been superseded and are out of date. The 2012 SNPP projections were issued in May 2014 and, as the Planning Practice Guidance sets out, these should be used as the basis for projecting household needs.

The later Assessment of Housing Development Needs Study: Sussex Coast HMA (April 2014) seeks to update the housing needs study (although it is not a SHMA) using the 2011 figures, so, it is as well out-of-date. Nevertheless, this suggests a range of housing requirements for Adur of between 180 to 240 new homes per annum (for comparison the 2012 SHMA suggested a figure between 186 and 215 per annum). However, the update does warn that the lower figures are likely to suppress affordable housing provision as well as economic growth. In relation to Adur, it concludes "The higher end of the range takes these factors into account, is for 240 homes per annum. This level of housing provision would support stronger delivery of affordable housing (with 15-20 additional affordable homes delivered per year relative to the lower end of the range) and provide the potential for stronger growth in labour supply (sitting within the range of housing need derived from the economic-driven scenarios)." (paragraph 3.14).

As such, it is our case that the objectively assessed need falls within the 180 to 240 new homes per annum range, however, it should be closer to 240 in order to ensure that economic growth and affordable housing provision are not harmed.

As such, we would recommend to the Inspector that the figure of 240 new homes per annum is used as the full objectively assessed housing need. As such, we consider that the housing demand figure should be 4,800 new homes.

Turning to the delivery of housing, the Council has usefully identified in Table 1 the housing delivery for the Plan period (2011 to 2031). The Council has stated that it has delivered 437 dwellings in the first three years of the Plan. This equates to around 145 dwellings per annum, which is significantly below the required delivery figures. As such, there is already a shortfall against the housing delivery figures.

Furthermore, the Council considers that 299 dwellings will be delivered through existing commitments and permissions. However, it is commonplace that not all commitments and permissions will be delivered and therefore it is standard to apply a lapse rate to these. We would use a 10% lapse rate which would reduce the number of dwellings to be delivered through this route to 260.

This approach should also apply to the 404 SHLAA dwellings identified as these are not yet subject of any application / development. This would reduce the housing delivery figure by a further 40 dwellings.

The Local Plan is also unclear about the delivery of New Monks Farm. We consider that it is prudent given the significant constraints on this site to consider the maximum deliverable on this site is 450 dwellings and not 600. This results in a further reduction of 150 dwellings.

As such, we consider that the Council can, at best, demonstrate delivery of 3,405 new homes. This equates to only 70% of the overall total requirement and is significantly below what would be expected of a Local Plan.

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What changes are required to make the Plan sound ?

Given the significant shortfall in housing delivery in Adur, we consider that further work needs to be carried out in order to assess the sites identified in the SHLAA as potential development sites. Simply ruling out sites on the basis that information about flooding / transport / landscaping has not been submitted to the satisfaction of the Council is not a sound approach.

The NPPF requires Local Plans to identify a supply of specific, developable sites. Footnote 12 sets out that developable sites should be in suitable locations for housing development and that there should be a reasonable prospect that the site is available and could be viably developed.

Land at New Salts Farm meets all of these tests. The SHLAA notes that the site could be suitable for housing development and that it should continue to be monitored. The site is available and being actively promoted for development.

In terms of constraints, there are no outstanding constraints on the site that cannot be overcome within the time period of the Plan. Most notably, the matters relating to flood risk apply to other sites being allocated and the resolution to these will also enable the development of the site.

As such, we consider that land at New Salts Farm should be allocated for development in order to assist the Council in meeting its housing requirements.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

John

Contact Surname

Fleming

Organisation

Gladman Development

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

27

Policy

03: Housing Provision

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Introduction

This letter is in response to the above consultation and provides Gladman Developments' (Gladman) representations. Gladman specialise in the promotion of strategic land for residential development with

associated community infrastructure and has considerable experience in the development industry.

Gladman understand the need for the planning system to provide local communities with homes and jobs that are required to meet Central Governments objectives and the needs of local communities.

Gladman, who operate on a national basis, have had the opportunity to become involved in a number of local plan preparation processes since the National Planning Policy Framework (the Framework) came into effect including, participation in the Examination stage and have gained significant experience as a result.

Gladman have previously made representations on the Draft Adur Local Plan in November 2013. Through previous representations Gladman raised significant concerns that the Council are not planning to meet its Objectively Assessed Need (OAN) and have failed to satisfactory undertake the requirements of the Duty to Cooperate. Gladman contend that these issues have yet to be addressed and is therefore contrary to the requirements set out in the Framework.

The Framework has been with us for over two years and the industry has had time to get to grips with its application and the need for some fundamental changes in the way in which planning operates. One such change relates to the need to significantly boost the supply of housing and how this fundamental

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requirement of the Framework should be reflected in the plan making process. The following provides an account of the issues of the Local Plan that is currently being progressed, until these issues are resolved the plan is unlikely to be found sound by an Inspector which will ultimately lead to further issues relating to housing delivery.

Housing Requirement & Assessment of Housing Development Needs Study: Sussex Coast HMA

Gladman have previously expressed concerns over the housing requirement during the Draft Adur Local Plan consultation in November 2013. Gladman note that although this figure has slightly increased, these concerns have not been fully addressed. The housing requirement that the Council has decided to progress with is still lower than the full objectively assessed need and is therefore contrary to paragraph 14 of the Framework.

Adur is recognised as part of the Sussex Coast Housing Market Area (HMA), the HMA includes, Adur, Arun, Brighton and Hove, Chichester, Lewes, Worthing and the South Downs National Park Authority. GL Hearn were commissioned by the HMA to update the demographic projections to provide an assessment of housing need up to 2031.

At present Policy 3: Housing Provision is based on a capacity based housing requirement. Gladman recognise that the Council is constrained by the South Downs National Park, however, by the Councils own account the housing requirement envisaged through the proposed submission version will not meet the full objectively assessed need (OAN) and is therefore inconsistent with paragraph 47 of the Framework.

Policy 3 states that over the plan period 2011-2031 a minimum of 3488 – 3638 dwellings will be delivered in Adur, this equates to 174-182 dwellings to be delivered per annum. Upon reviewing the Council's evidence base, it remains apparent that the proposed requirement is arbitrarily low and does not take into account the full OAN for the District. The 2014 Assessment of Housing Development Needs Study revealed a requirement ranging from 180 – 240 dwellings per year within the District, with higher levels of need supporting economic growth forecasts. The lower end of the recommended range (180 dwellings per annum) could restrict economic growth which is counter to the objectives addressed in the Local Plan, more importantly the lower range figure falls short of the OAN and would result in a shortfall of 1,162 – 1,312 dwellings against the full OAN over the plan period. The upper end of the recommended range (240 dwellings per annum) allows for the achievement of the plans objectives based on the delivery of affordable housing provision and employment growth.

Gladman contend that if the Plan is to be found sound, then housing requirement should not be considered as a range, and that the economically led projection, which provides the full OAN should provide the basis for meeting the districts housing and economic needs.

Gladman raise the Council's attention to the Inspectors initial conclusions to the Brighton and Hove City

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Council Examination. In this instance the identified need was between 16,000 – 20,000 dwellings. The Inspector found that 'Bearing in mind the Frameworks requirements should assess their full housing needs, including affordable housing, my view is that the Plan should indicate that the full objectively assessed need is the higher end of the range i.e. 20,000 new dwellings. The Inspector also stated that 'The Plan proposes a target for the provision of new housing of 11,300. This represents only 56.5% of the full objectively assessed need. Even if the lower end of the range were to be used (which for the reasons given above, I do not accept is the correct approach), the target would meet only 70.6% of the need. These figures represent a significant shortfall and substantial weight must be given to the consequent failure to meet the social dimension of sustainable development.' It was therefore considered that the Council must rigorously assess all opportunities to meet the identified need.

Adur is located within the same HMA and presents similar issues to the case outlined above. The identified target of the plan only meets 72.5% – 75.7% of the total identified need. In order to meet the requirements of the Framework the Council should identify all possible alternatives to ensure the Plan meets the full OAN.

Gladman note that the SHMA has addressed market signals as set out by Planning Practice Guidance (PPG). Gladman contend that affordability has markedly worsened since 1997 representing a 125% increase. Regardless of being in line with county levels, this should be addressed at the local level, failure to do so will undoubtedly lead to affordability trends worsening. Therefore, the Council should ensure that affordability is taken into account to deliver the full OAN.

Gladman note that the Council have recognised the need for more employment land to help redress the economic issues effecting the district. Shoreham has been recognised by the 2014 Strategic Economic Partnership (SEP) as an area of economic growth. In order to meet the demands to improve the economic ability of the district and reduce levels of outmigration, the Council should ensure that it fully addresses its housing need so that sufficient housing is provided to house the workforce required to fulfil future jobs within the district.

Gladman believe that further consideration needs to be given in relation to the proposed requirements to ensure that the Local Plan is in line with the process for determining the OAN as outlined in paragraphs 14, 152, 158 and 159 of the Framework. The Council should begin by considering its full objectively assessed housing needs, taking economic forecast into account, then test whether adverse impacts of meeting this need clearly and demonstrably justify a lower plan requirement. The Council need to consider whether any of the development constraint's affecting the District could be addressed or overcome in order to meet its housing needs in full. It should not suppress its housing requirement based on what it considers to be deliverable.

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If the Council are not seeking to deliver the full OAN they therefore need to ensure that robust and up to date evidence is provided to demonstrate why they are unable to meet this need in full.

Sustainability Appraisal

The Sustainability Appraisal (SA) undertook four potential alternatives in 2011 following the Locally Generated Housing Needs Study, of which only one alternative exceeds the OAN requirement.

The SA states at paragraph 10.4.4. 'to work towards meeting the objectively assessed development needs of Adur as far as possible, taking into account environmental constraints (most notably flood risk and landscape issues), the capacity of infrastructure and the aim of retaining Local Green Gaps to maintain the character and identify settlements within the district.' This statement is clearly inconsistent with the Framework, specifically paragraph 14, as Local Plans should meet the full OAN, not work towards meeting the identified requirement.

The Council have failed to take into consideration alternatives for affordable housing or economic growth as it was not deemed necessary or reasonable to do so. Given the identified need through the 2014 Housing Development Needs Study, the Council will need to consider all potential alternatives in order to attempt to meet the OAN before lowering the plan requirement.

Affordable Housing

The provision of affordable housing is a key priority that the Council should seek to achieve through their Local Plan. However the only way to improve affordability is to provide housing. The evidence base suggests that there is an identified need for affordable housing which needs to be addressed through the emerging Local Plan. The Local Plan currently fails to address this identified need which will ultimately lead to the Plans failure and the affordability gap will continue to deteriorate.

Specifically the 2014 Housing Development Needs Study identifies a net need for 514 affordable homes to be delivered over a 5 year period or 318 affordable homes per annum if the backlog need of 564 homes is addressed over a 19 year period. The evidence is clear in either case, that the annual affordable housing need is greater than the total annual housing requirement that the Council have chosen to progress with.

The 2014 Housing Development Needs Study states that, 'meeting this need in full through mixed affordable and market-led developments would likely require overall housing provision in excess of 1,000 homes per annum.' Local Plan housing requirements should therefore reflect the full identified need for market and affordable housing as required by paragraph 47 of the Framework. In order to deliver affordable housing and reduce the worsening affordability ratio, the Council should increase its housing requirement to exceed the OAN requirements in order to adapt to adverse market signals.

The Council need to consider adverse market signals as part of the Local Plan, a worsening trend in the housing market will require an upward adjustment to the planned housing numbers compared to those

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based on household projections. This is set out in the 'Assessment of Housing and Economic Needs' of the Planning Practice Guidance, ID 2a-02 states, 'the more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in affordability needed and, therefore, the larger the additional supply response should be.'

The need to improve the total housing requirement is also set out in PPG under ID 2A-029 which states that, 'The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in the total housing figures included in the Local Plan should be considered where it could help deliver the required number of affordable homes.'

Duty to Cooperate

Gladman are supportive of the Council's approach of working with its neighbouring authorities in the attempt to implement the successful delivery of supplying housing and economic growth across the sub region.

It is important to stress that the process outlined above in relation to determining the full OAN should be taken with full regard to the Duty to Cooperate as set out in paragraph 110 of the Localism Act. This ensures that if the needs of the authority cannot be fully met within the Council's administrative boundaries, the shortfall is then accommodated elsewhere within the HMA.

Gladman are supportive of the Council's approach in widening its area of search due to the inability of the local authorities within the HMA to make provisions to accommodate any of the Councils shortfall. With regards to the two identified authorities, Horsham District Council is still subject to the Inspectors findings following the Plans Examination and remains to be seen if the plan is found sound and East Sussex are only able to accommodate the shortfall pending future evidence. Therefore there remains uncertainty that either Local Planning Authorities will be able to accommodate any of the shortfall. In the event that these authorities are unable to accommodate the unmet need the Council should, as of now, reach out to other authorities outside of the HMA to ensure that any unmet shortfall can be addressed, this will ensure that any unmet shortfall is addressed and would fulfil the national objective to boost the supply of housing.

Countryside Landscape and Local Green Gaps

Gladman note that a significant amount of land within the authority is located within the South Downs National Park resulting in a limited amount of land available for development outside of this location. The emerging Local Plan seeks to impose both Policy 13: Adur's Countryside and Coast and Policy 14: Local Green Gaps, which may constrain otherwise sustainable development coming forward. These designations

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should not be intended to constrain and restrict otherwise sustainable development from coming forward when there is a demonstrable need for housing.

Gladman would oppose the use of local green gaps if these would serve only to act as an arbitrary tool to prevent sustainable development coming forward. In this instance we submit that new development can often be located in local gaps without leading to the physical or visual merging of settlements, eroding the sense of separation between them or resulting in the loss of openness and character. Gladman would oppose the use of strategic gaps if these would unnecessarily constrain sustainable development.

The 2012 Landscape and Ecology Study and the 2006 Urban Fringe Study provide the evidence base to the above policies, however the evidence base only assesses the Council's proposed strategic allocations and does not assess the entire landscape character of the district. Gladman therefore query whether these policies have been based on full robust evidence and whether additional allocations could come forward if additional areas are assessed.

Gladman refer again to the Brighton and Hove City Plan Examination, in which the Inspector stated 'I recognise that there are significant constraints to providing land for development, and that there are competing priorities for any land which may be available. However, given the significant shortfall in meeting housing needs, it is important that the Council rigorously assesses all opportunities to meet that need.' It is therefore vital that in order to find the Local Plan sound, the Council must rigorously assess all opportunities to meet the identified need. The Council should consider the release of additional land from these allocations in order to facilitate future sustainable development. Failure to do so could result in a declining housing market and worsening affordability ratio which will impact not only on the district but the wider HMA. Without an up to date, adopted development plan, these local plan policies carry limited weight and are not in accordance with paragraph 14 of the Framework.

Spatial Distribution

The Council should assess the spatial distribution for housing based on the findings of the evidence base, this should not be a politically driven spatial strategy. If the spatial distribution does not reflect the need and demand identified by the evidence base, then the required housing will not be delivered and the Plan will not be implemented.

Gladman are generally supportive of the Council's approach to directing development to where key services and facilities are located, growth should be distributed to settlements with established facilities, services and infrastructure, this in accordance with the key theme running throughout the Framework of promoting sustainable development. This should not however preclude development in areas that have not been identified by the Council, which could also help to sustain existing facilities and services. As the Council are unable to meet the full OAN identified by the 2014 Housing Development Needs Study, the

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

level of growth directed to each settlement should be reviewed in light of meeting a higher housing requirement in the district and its ability to accommodate sustainable, deliverable development.

Gladman note that the Council is proposing to direct development within the built up area boundaries on previously developed land and two potential strategic sites on the edge of main settlements at New Monks Farm, Lancing and West Sompting.

The Council should not prioritise brownfield development and use existing settlement boundaries as a mechanism to restrict otherwise sustainable development, if suitable alternatives on greenfield land are available for development. The Council should also be mindful that the use of Sustainable Urban Extensions are often associated with long lead in times and infrastructure requirements. The Council must be realistic in setting the housing trajectory for such sites and should not be used to artificially boost housing delivery rates.

Gladman recognise that the authority is constrained by the South Downs National Park to the north and flood risk to the south. However the Plan should provide sufficient flexibility to address situations where housing does not come forward as expected. It may be necessary to plan for the release of additional housing sites, and earlier in the plan period, to maintain a five year housing land supply. In this regard the Council should consider distributing growth to a broader range of deliverable sites that still support the Council's strategy but avoid delays that often occur when bringing such large sites forward. The Council should therefore provide a portfolio of sites to help ensure the delivery of housing across the plan period.

Conclusion

What is clear from the Framework, and from the Government's agenda to boost significantly the supply of housing, is that the premise of the whole process is the assessment and delivery of the full objectively assessed need for housing in an area unless there are adverse impacts that would significantly and demonstrably outweigh the benefits. If the process set out in the Framework and highlighted above is not followed then the Council run the real risk of the plan being found unsound and this will create significant delay and uncertainty in the process.

All of our best interests are served by your authority getting a Local Plan found sound at the earliest possible opportunity, rather than us utilising considerable resources on preparing for and attending EIPs, preparing Judicial Reviews etc. This approach will put the authority back in control of planning in their area and will give the Members comfort and certainty over the level and location of development that will take place over the lifetime of the Plan.

If you decide to progress a strategy that is contrary to your evidence base, you will be aware that early on in the process, you will need to provide a Consequences Report. These are necessary to justify any form of departure from the evidence base and to allow everyone to fully understand the consequences of following

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an alternative strategy.

Gladman have raised significant concerns over the proposed housing requirement, with reference to tests of soundness outlined in paragraph 182 of the Framework. The Local Plan does not provide a positive policy approach in a number of cases. Key areas where Gladman raise significant concern are summarised as follows:

- Objectively Assessed Need – The GL Hearn assessment updates the demographic projections of previous studies. The updated Housing Market Area assessment is not compliant with Planning Practice Guidance as it fails to adequately assess market signals for affordability and does not provide an increase in the overall provision, in order to meet the identified need.
- Housing Requirement – Gladman are concerned that the proposed housing requirement fails to reflect the true, full objectively assessed needs for the district and that it has been arbitrarily constrained.
- Affordable Housing – Gladman note that the Council's proposed housing requirement will significantly constrain the scope for addressing affordable housing needs in Adur. This supports the need for the Council to increase the overall housing requirement to ensure that the affordability gap does not continue to deteriorate.
- Duty to Cooperate – The process of determining the Council's objectively assessed need should be undertaken with full regard to the Duty to Cooperate as set out in paragraph 110 of the Localism Act. In consideration that the HMA is unable to meet Adur's needs and only two authorities have identified themselves to facilitate any unmet need, pending future evidence/adoption of their respective plans. If these two authorities cannot accomplish the Duty to Cooperate, the Council as well as the remaining authorities within the HMA should seek to widen their area of search to ensure that unmet need is delivered, in order to meet the national objective to boost significantly the supply of housing.
- Countryside and Local Green Gaps – The Council must reconsider Policies 13 and 14 of the Local Plan and ensure that they fully understand all reasonable alternatives that can be provided to ensure that the Council meets its objectively assessed need. This has already been subject to an Inspector's scrutiny with regards to the Brighton and Hove City Council Examination, therefore the Council must rigorously assess all aspects of these designations as they should not preclude otherwise sustainable development from coming forward.
- Sustainability Appraisal – The SA fails to provide a suite of alternatives. The Council have failed to assess reasonable alternatives for affordable housing or economic growth, both are key issues to the soundness of the Plan.

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Based on the above, Gladman contend that the plan fails to meet the four tests of soundness stated in paragraph 182 of the Framework, if it continues in its current form it will likely be found unsound by an Inspector.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Liz

Contact Surname

Hobden

Organisation

Brighton & Hove City Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

31

Policy

03: Housing Provision

Paragraph

Map

Other

Sound?

Yes

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

In the Adur Local Plan it is proposed that a total of, 3488-3638 dwellings can be delivered over the Plan period which equates to an annual average of 174-182 dwellings. It is noted that two sustainable greenfield urban extensions have been identified which will deliver 930 to 1080 dwellings following an assessment of a number of greenfield sites undertaken through the Sustainability Appraisal, Sequential and Exceptions Test, and other evidence studies taking into account a range of issues and constraints, including biodiversity, flood risk, and landscape (paragraph 2.21). Consequently, whilst potentially meeting the lower end of the objectively assessed need figure (3600-4800), a shortfall of 1162-1312 dwellings remain against the full objectively assessed need figure of 4800 over the Plan period. Whilst all reasonable means of maximising housing provision across the area should be pursued, the council is sympathetic to the difficulties Adur finds itself in not being able to meet its OAN in full.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Tim

Contact Surname

Holter

Organisation

Shoreham & District Ornithological Society

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

8

Policy

03: Housing Provision

Paragraph

Map

1

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Justified

Detailed description as to why is the Plan unsound or not compliant

Unsound.

Policy 2

Map 1: site allocations

Shoreham airfield – Area 3

The Ricardos industrial site and its adjacent staff car park and also all the existing airfield buildings along the south side lie outside the principle BUAB boundary. As a result they have been excluded from delineation on map 1 'Site Allocations'. This gives a misleading impression of the expanse and unimpeded continuity of the green gap and fails to show that the gap is already seriously fragmented. In reality the open, unbroken expanse of the Green Gap is far smaller than this map would lead you to believe!

If Ricardos' sites are delineated, coupled with the proposed development area '3' it would be seen that the north east corner of the gap will be almost entirely isolated from the rest of the green gap except for the river passing between and further away from the rest of the gap than it is now.

What changes are required to make the Plan sound ?

To delineate the existing airfield buildings, Ricardo's industrial site and staff car park using the brown colour in accordance with the map key.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

This will prevent misinterpretation of the extent of the green gap that remains after the proposed developments and other recent 'nibbling' at the edges of the green gap which are gradually eroding its size, openness and unimpeded expanse.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

David

Contact Surname

Johnson

Organisation

Campaign to Protect Rural England (Sussex)

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

21

Policy

03: Housing Provision

Paragraph

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy

Detailed description as to why is the Plan unsound or not compliant

CPRE Sussex considers that the proposed strategic development allocation at New Monks Farm is unsound, at this time at least, and at West Sompting is unsound, for the reasons we set out in our comments on Policies 2, 5 and 6. Accordingly, CPRE Sussex considers the Housing Provision as set out in Policy 3 to be unsound as it relies on the release of the sites at New Monks Farm and West Sompting.

Enc. Flood Risk Assessment attached dt. November 2014, from Georgia Wrighton (email 01/12/14 16:00 Planning Policy), Director, Campaign to Protect Rural England (Sussex) - reference: 2146

What changes are required to make the Plan sound ?

The Housing Provision of the Local Plan needs to be revised to omit the proposed greenfield site allocation at West Sompting and to recognise that the development of New Monks Farm would only be acceptable if it can be demonstrated that viable attenuation is possible to avoid ground/water flood risk to existing and new build properties. We suggest the following rewording:
Over the period 2011 – 2031 a minimum of 2558 dwellings will be developed in Adur, as follows: 1456 within the built up area of Adur 1100 as part of the Shoreham Harbour Regeneration Area Western Arm
A further 450 - 600 may be developable at New Monks Farm if it can be demonstrated that viable attenuation is possible to avoid ground/surface water flood risk to existing and new build properties.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name	Contact Surname	Organisation
<input type="text" value="James"/>	<input type="text" value="Stevens"/>	<input type="text" value="Home Builders Federation Ltd"/>
Agent's First Name	Agent's Surname	Agent's Organisation
<input type="text"/>	<input type="text"/>	<input type="text"/>
Representation No / Representor ID		<input type="text" value="32"/>
Policy	<input type="text" value="03: Housing Provision"/>	Paragraph <input type="text" value="N/A"/>
	Map	<input type="text"/>
Other	<input type="text"/>	
Sound?	<input type="text" value="No"/>	Legally compliant? <input type="text"/>

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The housing requirement is unsound because it is unjustified. It is unjustified because the assessment of housing need provided by the Council diverges so significantly from the official DCLG household projections. The reasons for the divergence are insufficiently justified.

The plan establishes a housing requirement for a minimum of 3,488 – 3,638 dwellings from 2011 to 2031. This equates to an annual average of 174 to 182 dwellings per year over the 20 year plan period (paragraph 2.24). We note that the upper end of this range corresponds to the lower end of the range of what the Council considers represents the objectively assessed need (OAN). We doubt whether 180 dpa is representative of the OAN for the district. We will explain why.

This figure is based upon the Council's Assessment of Housing Development Needs Study: Sussex Coast HMA published in April 2014 and prepared by GL Hearn. The assessment of need includes various projections.

These projections (except for PROJ 1) are derived from a methodology deployed in an earlier study published in August 2013 entitled: Updated Demographic Projections for the Sussex Coast HMA Authorities. This is explained in paragraph 2.11 of the April 2014 report.

For Adur the report generates several scenarios for Adur. These are set out in figure 31 on page 39 of the August 2013 report. We have summarised these as:

PROJECTION	Population growth per annum	Households per annum
PROJ 1 (SNPP)	04	297

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PROJ 2 (SNPP updated)	113	141
PROJ 3 (10 year migration trends)	118	143
PROJ 4 (5 year migration trends)	194	134
PROJ A (Labour supply)	184	250
PROJ B (Labour demand)	158	200
PROJ C (Experian updated)	139	132
PROJ X (Zero net migration)	184	23
PROJ Y (Zero employment growth)	147	116

Paragraph 2.10 notes the PROJ 1 which models the exact assumptions of the most recent 2011 based SNPP and the 2011-based DCLG household projections provides the 'initial baseline position'. This projects a need for 297 dwellings per annum. The observation that PROJ 1 provides the 'initial baseline position' is consistent with the NPPG which states that the official DCLG Household Projections should serve as the starting point for the objective assessment of need. The NPPG, furthermore, considers the DCLG household projections to be robust (ID 2a-017-20140306). These provide a sound basis for the objective assessment of need although, as the guidance goes on to state, plan-makers may consider sensitivity testing specific to their local circumstances based on alternative assumptions in relation to the underlying demographic projections and household formation rates. Any local changes would need to be clearly explained and justified on the basis of established sources of robust evidence.

We note that the PROJ 1 compares to the DCLG household projections. The DCLG household projections show the following for the period 2011-2021:

	Average growth 2011-21	
	Population growth per annum	Households per annum
2008-based household projection	370	272
2011-based household projection	620	275

What is interesting about this comparison is the evidence of a large increase in population in Adur recorded by the 2011 Census compared to what had previously been projected by the 2008-based household projections using the 2001 Census as the base. Despite the steep rise in population recorded by the 2011 Census, rates of household formation are projected to remain relatively consistent with what had previously been projected. The reason for this must have something to do with issues of supply and affordability in Adur district, just as the RTPI paper cautions. Nevertheless, the last two sets of household projections - which the Government considers should serve as the starting point for the objective assessment of need – still project a level of household formation that considerably exceeds the Council's own favoured scenario - namely PROJ 2 which equates to 141 dpa (see paragraph 3.2 of the April 2014 paper). We are therefore concerned by the extent to which the Council's own modelling diverges from the official projections. It will be necessary to understand the reasons for this, and whether the Council's assumptions are justified.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Appendix 1 of the August 2013 report attempts an explanation. The report states how the migration profiles of the SNPP have been amended by the Council's consultants to account for the Mid-Year 2013 Population Projections. The report states that account has been given for the difference between the 2011-based SNPP and the Mid-Year 2013 Population Projections, although this is not altogether clear. However, the report suggests that in the case of Adur there has been an over-estimation of in-migration and an under-estimation of out-migration. The Council's baseline demographic assessment, therefore, depends quite heavily upon its modelling based upon a difference between two sets of population projections. Unfortunately the comparative migration data – the difference between PROJ 1 (the 2011-based SNPP) and the Council's PROJ 2 (SNPP Updated). Consequently, it is difficult for third-parties to assess the Council's assumptions. The NPPG advises that where any local changes to the official projections are proposed then these will have to be clearly explained and justified on the basis of established sources of robust evidence. We do not consider that appendix 1 to the August 2013 report provides this clear explanation to justify the considerable divergence from the official household projections.

Paragraph A1.7 indicates that the Council's assumptions are supported by the availability of 2010/11 migration data that was not available for the 2011-based SNPP. It states that this more recent data shows that migration has not gone back up as had been projected and so the Council considers its revised baseline position to be reasonable. This comparative data is not provided so it is difficult for third parties to judge this. Furthermore, even if this was true, we are not convinced that this is a prudent assumption for forward planning because recent migration trends will have been suppressed by a combination of recession and long-term affordability: factors that the Government is endeavouring to counter-act through the NPPF and its plan for growth. Plan-makers in the South East need to bear in mind the Mayor of London's assumptions about increased out-migration and decreased in-migration to the capital. Furthermore, in view of the housing pressures in London and other parts of the South East (including the planning decisions being made by Adur's neighbours to the north who are planning housing requirements that are very much lower than the official projections) we think that the recent migration evidence does not provide a reliable determinant for the future. Furthermore, these factors will have been considered by the DCLG in preparing the 2011-interim household projections.

As paragraph A1.4 of Appendix 1 indicates, one cannot assume with any certainty that the Council's assumptions about migration will be any more reliable than the official DCLG household projections:

"Past migration trends have been adjusted to take account of the over-or-under-recording of migration. It is not clear whether differences are due to the recording of in-or out-migration or if it impacts more on international rather than internal migration."
(our emphasis added)

The Council's reading may prove to be the more accurate forecast. Equally, the Council may be wrong. However, because the Council's projections diverge so significantly from the official projections, we consider that it would be unwise to plan on the basis that the Council's own forecast provides the more correct reading of the future than the DCLG. The Council's baseline projection of housing need of 141 dpa is only half the official household projection of 297 dpa and the Council's population forecast is almost two thirds lower (213 persons per annum) than that provided by the ONS (604 persons per annum). One needs to compare PROJ 1 and 2.

We need to bear in mind that the NPPG considers that the official projections – the DCLG household projections – to be statistically robust and should provide the starting

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point for the objective assessment of need. Moreover, the NPPG remind us that the household projections are based on nationally consistent assumptions. The DCLG household projections will provide effective projections if every planning authority adopts the projection as its starting point – they will then all add up to the national projection of 221,000 households per year to 2021. When local planning authorities adopt figures that diverge significantly from the official DCLG household projections this will begin to create difficulties for housing forecasts across the sub-region. If it is wrong in its forecasts, then Adur will create difficulties for its neighbours and other districts.

We also do not find the Council's alternative projection and its assumptions about migration to be credible in view of the recorded population growth in London and the south East. Moreover, the scale of the unmet need in London and the Mayor of London's own migration assumptions (an increase in out migration and decrease in in-migration to the Capital) all tend to point towards the official projections providing a more reliable projection of future need than the Council's "amendment of past trend data to be consistent with the new mid-year population estimates" (paragraph A1.4).

The August 2013 report also models some employment-related scenarios. All three (PROJ A-C) indicate levels of need ranging between 200 – 250 dpa (see also paragraph 3.10 of the April 2014 report). The consultants reflect upon this, hence the recommendation that the OAN probably resides between the figures of 180-240 dpa. We remain concerned that the upper end of this recommended range which already includes an adjustment for employment is still lower than the official projections while the bottom end of the range (i.e. 180 dpa) would support none of the employment scenarios. In view of Adur's aging population where one quarter of the current residents are already at retirement age (see for example page 9 of the Duty to Cooperate statement and paragraph 4.30 of the local plan) a housing requirement that is lower than the employment forecasts is concerning. If the trend for Adur to be favoured as a place of retirement continues and increases as a consequence of supply pressures experienced elsewhere in the south east and London then there is the great risk that the working age population will fall as a consequence of being priced-out of the district.

The evidence, therefore, suggests that the housing need of the district is going to be closer to the figure of 275 dpa as indicated by both the 2008 and 2011 official DCLG household projections and the Council's own PROJ 1 (297 dpa) rather than the Council's PROJ 2 with its assumptions about lower migration.

Whether the Council can accommodate this level of need is a different matter. We accept that an objectively assessed need of circa 275 dpa is likely to require cooperation with other planning authorities. Conversely it will require a fundamental rethink of the matter of densities and perhaps the removal of other planning restrictions within Adur.

The duty to cooperate

The plan is unsound with regard to the duty to cooperate.

Adur is part of the Sussex Coast HMA. This, according to the Council is the functional housing market, although there are inter-relationships with the Northern West Sussex and South Hampshire areas (see paragraph 3.24 of the Duty to Cooperate statement). As such Adur's plan forms an important component part of the overall planning strategy for the HMA. As part of the plan for the HMA, Adur will need to demonstrate what part it has played in attempting to resolve the problem of the unmet needs of the HMA, including that relating to Brighton and Lewes Councils. Over the last year and a half it has become apparent that the Sussex Coast authorities are unable to accommodate all the assessed housing need for the HMA within the HMA. Paragraph 3.25 of the DTC Statement indicates that supply could fall short by 20% of the assessed needs. While Adur

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

may be unable to assist directly, Adur, acting in conjunction with the other authorities of the HMA, is under an obligation to try and find a solution to this problem by negotiating with the planning authorities to the north. Unfortunately, the Adur plan is silent on this question. We are worried that the problem of the unmet housing needs of the HMA is being avoided. As such the Adur plan cannot be said to provide a sound component part of a wider plan for the HMA.

In view of the scale of the unmet need across the HMA, Adur's acquiescence to the recent Horsham local plan – i.e. its failure to object to that authority's plan – cannot be considered to be a credible position for the Council to have adopted. Having failed to present a unified case to persuade Horsham to provide for an element of the unmet need of the Sussex Coast HMA, Adur has closed-down the only realistic option that would allow the unmet needs of the HMA to be accommodated. Its failure to object the Horsham plan is unjustified and Adur, along with the other Sussex Coast authorities, will now have to deal with the consequences.

We are aware of the situation across the Sussex Coast authorities and the impossibility of authorities such as Brighton & Hove City and Lewes meeting their objective needs within their own boundaries. Addressing the needs of the Sussex Coast HMA will require Adur and its other HMA partners cooperating with authorities outside of the immediate coastal housing market area.

The unmet need in the case of Brighton & Hove is substantial – circa some 8,000 dwellings. The Adur plan discusses the duty to cooperate on pages 6-7 of the plan but it fails to refer to this significant strategic problem in a neighbouring authority. Adur may consider, quite reasonably, that it is not in a position to come to the assistance of Brighton, but we consider that the authorities of the HMA are obliged to act in combination to seek a solution of the capacity problems of the HMA by appealing to the authorities to the north – Horsham and Mid Sussex – to assist. The silence of Adur and the other authorities of the HMA to the plans being produced by these northerly authorities – and therefore the tacit support they have given to the Horsham and Mid Sussex plans through their silence – is unjustified.

We have considered the Memorandum of Understanding between Horsham and Adur (appendix 4 of the Duty to Cooperate Statement). This has yet to be finalised according to the DTC Statement (paragraph 3.31). The Memorandum refers to Horsham's 'headroom'. This is disputed by the HBF and other parties, on the basis that Horsham's housing requirement of 650 dpa, like Adur's, is unrealistically far adrift from the DCLG 2011 household projection. It is uncertain, therefore, whether the overall requirement for Horsham District will meet Horsham's needs entirely, let alone provide any headroom for anyone else. The examination of Horsham's plan is underway. Nevertheless, even if one assumes that some 'headroom' is available in Horsham, it has not been specifically apportioned to show which constrained authorities will benefit directly. At the same time as the Sussex Coast there is a considerable problem of unmet needs in Crawley – the unmet need judging by Crawley's latest assessment of need would be about 3,000 dwellings. Even if the entirety of the Horsham 'headroom' was allocated to support Crawley's needs this would still be insufficient to close the gap between need and supply. As such, Horsham's argument that its plan provides spare capacity to assist other districts does not bear up to scrutiny.

In the Memorandum Horsham refers to its 'constrained' neighbours (see the table on page 71). It invites these constrained neighbours to let Horsham know what the housing needs and preferences are in their area. It would be helpful if Adur had explained in the Duty to Cooperate Statement how the Sussex Coast authorities, which includes Brighton and Lewes, have responded to this request. If they have not responded to this request, then this suggests the duty has not been pursued diligently by the Sussex Coast authorities to resolve the pressing issue of the unmet needs in Brighton and Lewes.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

There is a Memorandum of Cooperation agreed with Mid-Sussex District (see paragraph 3.31 of the DTC Statement). This states that Mid-Sussex's ability to make any contribution to accommodating wider needs is contingent upon the preparation of the sustainability appraisal. It is apparent therefore that the Sussex Coast HMA authorities have not been able to secure a specific commitment from Mid-Sussex prior to Adur preparing its Regulation 19 plan.

The problem of the unmet need for the HMA remains unresolved. The plans for Brighton, Lewes, Chichester and Adur have either been examined, are at the examination stage or have reached submission stage. Therefore, the opportunity for the authorities of the Sussex Coast HMA to collectively exert pressure on the emerging plans for Horsham and Mid-Sussex has been lost.

The Adur plan is unsound. The failure of Adur to play its part in resolving the problem of the unmet need in the HMA, including its decision not to object to Horsham's plan, means that the Adur plan will have to live with the consequences. Reconsideration of the overall planning strategy now would allow Adur, Worthing, Chichester, Lewes, Arun and Brighton all to prepare new aligned plans for the HMA that will address this strategic failing.

Table 1: Housing Supply over the Local Plan Period 2011-2031

We note the housing land supply. It would be helpful if it is the Council's intention to count completions in the C2 Use Class towards the housing targets. If so, the Council will need to demonstrate how demand for C2 Uses has informed the calculation of the objective assessment of need.

We note the windfall allowance. This is quite large for the district. The Council should explain what contingency it has in case these windfalls do not materialise. A non-implementation allowance should be considered.

Good Practice guidance Note: Internal Space Standards for New Homes

We have noted the reference to this interim guidance on the Council's website. The Council states that this practice guidance will apply until internal dwelling space standards are introduced through the local plan. We have been unable to detect a policy relating to space standards in the local plan. The website also refers to an SPD. We would welcome the Council's clarification with regard to the introduction of a space standard. The Council will be aware that it can only do so through this or another local plan. If it is the Council's intention to do so linked to policy 15: quality of the built environment and public realm it should say so.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Liz

Contact Surname

Hobden

Organisation

Brighton & Hove City Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

31

Policy

04: Planning for Economic Growth

Paragraph

Map

Other

Sound?

Yes

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

It is noted that 41,000 square metres of land will be allocated for appropriate employment generating uses in Adur up to 2031 against the Employment Land Review recommendations that the Local Plan should make provision for the following scale of change in employment floorspace (in net terms) over the 2011-31 period:

- B1a/b (Office and Research and Development): Demand for an additional 15,000 to 20,000 sqm net;
- B8 (Warehouse): Demand for an additional 35,000 to 40,000 sqm net.

The City's functional economic area extends well beyond its administrative boundaries and this, together with public sector funding restraint and the new landscape for economic development, is driving co-operation with neighbouring local authorities and with the Coast to Capital LEP. The need to bring forward the regeneration of key employment sites is acknowledged in the Coastal West Sussex and Greater Brighton Local Strategic Statement the Greater Brighton City Deal and the Coast to Capital Strategic Economic Plan.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name Contact Surname Organisation

Agent's First Name Agent's Surname Agent's Organisation

Representation No / Representor ID

Policy Paragraph Map Other

Sound? Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

3.01 Policies 4, 7 & 13 - strategic site allocation of 15,000sqm of employment space on the airfield at Shoreham Airport:

a. Allocation of this site is not supported by evidence from the background studies commissioned by the Council and is inconsistent with the Submission ALP's vision and objectives (V7/O7) to protect the setting and landscape of the South Downs National Park (SDNP), river Adur and the local green gaps. The airfield lies within the Local Green Gap between Lancing and Shoreham and west of the River Adur. Future development of this site on the scale proposed would have an adverse impact on the purpose of the gap, which is to maintain openness and avoid coalescence of the settlements of Shoreham and Lancing, as set out in Policies 2 & 13. The proposal to allocate this site would significantly narrow the gap. The Urban Fringe Study 2006 (UFS) reports that 'Area 3 (Shoreham Airport) makes a significant contribution to the openness of the strategic gap. Despite the built up nature of the airport and nearby employment uses, there is little scope for further development outside of these current developed areas without prejudicing the wider open nature of the gap' (Chapter 6.28 p.53).

B. Policy 13 states that "any development in the countryside should not result in a level of activity which has an adverse impact on the character of the area'. And yet all the 5 evidence based studies concur that this site allocation will have an adverse impact.

C. The UFS 2006 concludes; 'Any major new development in the area north of the railway line [within the Lancing gap] would be readily visible when viewed from the National Park, and be visible from other parts of the gap. This would adversely affect the integrity of the gap, reduce the sense of separation between settlements, and have a negative effect on the landscape of the area'. (Chapter 6.27 Visual sensitivity P38).

D. The Landscape & Ecology Study classifies the area as having a Medium-High impact on Landscape character sensitivity. The report states the LCA is 'highly vulnerable to change' and that 'the extensive open landscape makes a strong contribution to the impression of open, extensive green space...enhancing the sense of separation between Shoreham and Lancing'. The report describes the open green landscape of the airport as being 'the focus of longer high sensitivity views from the SDNP' and that the area 'has

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

exceptionally high visual sensitivity'. The report concludes that mitigation of the visual impact of any development at this location would be very difficult.

E. Chapter 11.4.2 Sustainability Appraisal (SA) of the Adur Local Plan outlines its reasons for selecting the area in the north east of the airfield for employment allocation but states; "Development would be visually intrusive and the landscape has a low capacity to accommodate this type of development without adverse effects on the character of the landscape and the way it is perceived'.

F. NPPF also states that plans should resist development where "any adverse impacts of doing so would significantly and demonstrably outweigh the benefit, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.' In this case, all the evidence based studies have highlighted the adverse impacts on the integrity of the gap and the landscape and visual sensitivity from within the area and from key viewpoints from within the National Park. The Council should regard these adverse impacts as significantly and demonstrably outweighing the benefits, particularly when alternative sites are available, such as the Steyning Road site, which is less constrained and more deliverable (see site comparison table, appendix B).

G. 80% of the site lies within Flood Zone 3b defined as 'functional flood plain' and at a higher risk of flooding than the Steyning Road site. (See Appendix C – Lancing Gap Tidal Flood Map) NPPF paragraph 100, states that this type of land should be safeguarded from development where it is required for current and future flood management (also APL Policy 13).

H. Future use of the airfield land for development is dependent on the £25m Adur Tidal Wall Scheme (TWS) raising the existing flood risk from Category 3b to 3a before it can be properly considered. The Steyning Road site to the east of the river is already categorized within Flood Zone 3a. Therefore, under the sequential test, (NPPF paragraph 100), the proposed land allocation within the airfield should be discounted by more suitable sites such as the Steyning Road site, which is already at a lower risk of flooding. However, the Submission ALP supports the implementation of a TWS that will increase the flood risk to the Steyning Road site rather than secure and enhance its long term viability. (See Appendix D – Environment Agency Letter, confirming that their preferred strategy could be influenced.)

i. The latest Strategic Flood Risk Assessment (SFRA) final report states under paragraph 4.3.3 'recent modelling to test the effect of building the west bank Adur Tidal Walls showed that, if the walls were built along the west bank, the depth of flooding, hence risk, increases on the east bank. This information suggests that the west bank area of the Adur (including Shoreham Airport) provides a degree of storage at present and should, based on the evidence available, [still] be considered functional [flood plain]'. This is contrary to the criteria that must be met by an Exemption test, where a flood risk assessment must demonstrate that the development will be safe without increasing flood risk elsewhere and where possible will reduce flood risk overall. It is further contrary to NPPF (paragraph 100)

6

'safeguarding land from development that is required for current and future flood management'. The EA's current preferred option for the northern reach of their scheme will result in increasing the risk of flooding to the Steyning Road site (currently at a lower risk category than the Shoreham airfield) and the surrounding area of the A27/A283 interchange.

J. The Employment Land Review 2011 (ELR) site assessment rated the Shoreham Airport site inadequate for internal road access and poor for public transport provision under accessibility and poor for access to amenity. Funding for a major road infrastructure upgrade with a new roundabout at the Sussex Pad and a link road through the airfield to the site will be needed to rectify this. It would depend upon;

i. funding to facilitate these infrastructure improvements that will not be generated from piecemeal development and where wholesale development is very unlikely and delivery at all is a major risk;

ii. Access onto the A27 where vehicle traffic movements already exceeds capacity. This will be the case even if the site provides local employment because of poor pedestrian and public transport links to the airfield.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

K. The NCS report concludes that the Shoreham Airport land allocation has a negative viability and based on the Commercial Viability Appraisal (NCS. Appendix 3) would make a net development loss of just over £3M (based on zero CIL rate). Therefore, funding for the necessary transport infrastructure would have to come from either, public funding or from New Monks Farm. The NCS report casts some doubt as to how and where this funding would come from and that discussions are 'on going' as to how this will be resolved (NCS: Footnote to Chapter 6.2, p36 - Strategic Viability Appraisals and Chapter 7.14. p42 -Conclusion & CIL Rates). The Land is also subject to a section 106 agreement which restricts development for further employment uses.

What changes are required to make the Plan sound ?

4.02 Strategic Site Allocation (ALP Policies 2, 4, 5)

The Strategic Land Allocations should be amended, as follows:-

- a. The Shoreham Airport site should be removed from the strategic land allocation for employment or significantly reduced and re-orientated so that it is on the south side of the airfield, amongst the existing light industrial buildings and screened by the railway embankment to the south.
- B. The New Monks Farm site should be restricted to development east of Marsh Barn Lane only. The L&ES states that 'The fields between the edge of the built-up area of Lancing and Marsh Barn Lane contribute little to the landscape setting of Lancing or the integrity of landscapes within the Strategic Gap' but the study goes on to describe Marsh Barn Lane as a 'natural landscape edge' and that the fields to the east of this lane form part of the central landscape of the Gap and make an important contribution to its sense of openness and 'greenness'.
- C. The Steyning Road site should be included within the strategic land allocation for housing and employment use as it is already less constrained and more readily developable than other sites already included in the Submission ALP.
- D. The Submission ALP should be amended to include a policy requiring the District to safeguard all potential available sites for future development use, given the constraints identified by the sea and the National Park on the District as a whole.
- E. A general emphasis should be placed within the Submission ALP on using more infill or back garden sites and on redeveloping existing sites with either greater density or taller buildings for housing and employment, which is the only long term sustainable solution given the constraints of the District.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Contact Surname

Organisation

Brighton City (Shoreham) Airport

Agent's First Name

Nick

Agent's Surname

Green

Agent's Organisation

Savills

Representation No / Representor ID

19

Policy

04: Planning for Economic Growth

Paragraph

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

Proposed Submission Draft Adur Local Plan

We are writing in respect of the proposed submission draft version of the Adur Local Plan. We act on behalf of Brighton City (Shoreham) Airport, who own and operate Shoreham airport. Our representations relate to Shoreham Airport, which is identified as a City

Deal Growth Centre (para 2.38), and in particular to policies 4 and 7 of the Local Plan.

At the present time we consider the proposed submission plan to be unsound because one of the key strategic employment policies is undeliverable. The strategy for employment and economic development depends to a large part on development at the airport, but in its present form the Plan would render that development undeliverable. However, we believe that it would be possible to change the plan to overcome these concerns without significantly delaying the plan preparation, and we would encourage the Council to make the changes which are suggested below.

Access

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

As you are aware the owners of the airport have been having extensive and constructive discussions with the purchasers of the adjacent New Monks Farm site. Both parties would benefit from having a shared point of access, and provisional agreement has been reached that a new roundabout roughly on the boundary between the two sites would be the best place for it to be located.

We have previously expressed strong reservations about the consequences of an access too far west, if it meant closing or downgrading the existing Sussex Pad junction. This was because of the impact that would have on parties who currently rely on the Sussex Pad access, i.e. users of the airport, Northbrook College, Ricardo and Lancing College. However, we confirm that we fully support the provision of a roundabout close to the boundary of the two sites. The owners of the airport are working closely with the purchasers of New Monks Farm to agree a joint masterplan to encompass both sites and the joint access arrangements, which could form the basis of further discussions with the Council. The Local Plan proposals maps at map 2 and 4 need to be updated to reflect the agreed position of the roundabout.

Soundness

In order to be sound, the Plan needs to be deliverable, which means it needs to be:

- Positively Prepared
- Justified
- Effective
- Consistent with National Policy

We believe that the current strategy fails to meet all of these tests, and it is therefore not sound. The reasons for this are explained below.

Employment Land Supply

The draft plan seeks to allocate employment development at the airport. Policy 7 states:

“Approximately 15,000 sqm of new employment generating floorspace (both aviation and nonaviation related), including a mix of B1 (business), B2 (general industry) and B8 (storage) uses, will be provided on the north-eastern side of the Airport.”

The economic strategy is based partly on the Employment Land Review, which recommends that the plan allocates land for between 50,000 sq m and 60,000 sq m of new class B business space in the District during the plan period. This land is to be allocated at three strategic sites: Shoreham Harbour, New Monks Farm and Shoreham Airport. However, as things currently stand the plan only allocates 41,000 sq m of land between these three sites, of which 15,000 sq m would be at the airport, meaning that there is a strategic shortfall of up to 19,000 sq m of business floorspace set out in the plan.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

This is acknowledged in the draft plan at paragraph 2.45, where the proposed solution is to work with neighbouring authorities under the Duty to Cooperate to help meet the shortfall. We are not aware of what progress has been made in this regard but our understanding is that the shortfall has not been met.

Paragraph 3.37 of the Duty to Cooperate Statement states:

“Taking into account the above, whilst there may be an opportunity to address some of Adur’s unmet employment needs in authorities in Northern West Sussex, the most sustainable opportunities are those on the coast. Through City Deal and the LEP, such coastal opportunities could be provided. However, further evidence work to look at employment needs and provision across the wider area in the longer term is needed and is currently being progressed.”

We therefore understand that there remains an unresolved shortfall in supply.

Deliverability

When we submitted representations to the draft Local Plan consultation in October 2013 (copy attached), we made the case that the proposal to restrict the floorspace to 15,000 sq m at Shoreham Airport would be undeliverable because it would be financially unviable. This is particularly because of the fact that the development would need to underwrite a significant proportion of the cost of a new roundabout access onto the A27, together with other abnormal development costs. A development appraisal was submitted with the representations, which showed that, with about £2 million set aside for the roundabout access a development of 15,000 sq m would generate a developers’ profit of about 3% with a residual land value of around £2.75 million. That would not be viable.

An appraisal was also carried showing a notional 30,000 sq m development. In that case the scheme would generate a developers’ profit of over 26% and a land value of £6.875 million, which would clearly be a viable proposition.

This is all backed up by the work carried out to prepare the Council’s November 2014 Whole Plan Viability Study. That document contains a development appraisal of the Shoreham Airport site, which is appended to this letter, which contemplates 15,000 sq m of development as envisaged by the draft policy. That appraisal assumes a £2.5 million cost for the roundabout. The scenario would generate a developers’ loss of just over £3 million, which plainly points toward an unviable scheme.

It is therefore common ground between us and the Local Planning Authority that the development envisaged at the airport by draft policies 4 and 7 of the plan would be unviable. The allocation is a key part of the Local Plan strategy, which is already weakened by a shortfall in overall identified supply. If development at the airport cannot come forward because it is not viable, that would leave the Local Plan a further 15,000 sq m adrift of its employment land requirements, leaving it with only 26,000 sq m out of a requirement of 50-60,000

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

sq m.

This is clearly an unsound position.

Enc October 2013 submissions
LPA Whole Plan Viability Appraisal extract

What changes are required to make the Plan sound ?

Paragraph 21 of the NPPF states:

“In drawing up Local Plans, local planning authorities should:

set out a clear economic vision and strategy for their area which positively and proactively

encourages sustainable economic growth;

set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;”

In this case we believe that the draft plan fails to meet this objective. The allocation at Shoreham Airport is clearly unviable, and this is common ground. Moreover the plan as a whole fails to deliver sufficient employment land to meet anticipated needs over the plan period. If the allocation at the airport were to be increased to 30,000 sq m, which was originally accepted by the planning authority, it would achieve two things:

1. The allocation would become viable and deliverable; and
2. The Local Plan would contain sufficient employment land to meet identified strategic needs.

There is a third benefit to be derived from the proposed changes. If the development at the airport can be made to be viable, it will enable the access roundabout from the A27 to be delivered, which will ‘unlock’ the bulk of the New Monks Farm site, which is also a strategic housing site. Without the ability of the airport to fund a proportion of the roundabout, it is unlikely that the access can be delivered by the New Monks Farm development alone.

We believe that 30,000 sq m development can take place at the airport, part of which would be close to the new access roundabout, without having an unacceptable impact on the landscape.

We therefore propose that policies 4 and 7 are amended to provide for up to 30,000 sq m of development at the airport. We also propose that map 4 is amended to allow development adjacent to the A27, and to show the position for the new access adjacent to the ownership boundary with New Monks Farm.

Enc October 2013 submissions

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

LPA Whole Plan Viability Appraisal extract

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

David

Contact Surname

Johnson

Organisation

Campaign to Protect Rural England (Sussex)

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

21

Policy

04: Planning for Economic Growth

Paragraph

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy

Detailed description as to why is the Plan unsound or not compliant

CPRE Sussex considers that the proposed strategic development allocations at New Monks Farm and Shoreham Airport are unsound, at this time at least, for the reasons we set out in our comments on Policies 5 and 7.

Accordingly, CPRE Sussex considers the economic growth strategy as set out in Policy 4 to be unsound as it relies on the release of the sites at New Monks Farm and Shoreham Airport.

Enc. Flood Risk Assessment attached dt. November 2014, from Georgia Wrighton (email 01/12/14 16:00 Planning Policy), Director, Campaign to Protect Rural England (Sussex) - reference: 2146

What changes are required to make the Plan sound ?

Policy 4 and its supporting text should recognise that the proposed strategic development allocations at New Monks Farm and Shoreham Airport will only be acceptable if it can be demonstrated that viable attenuation is possible to avoid ground/surface water flood risk to existing and new build properties.

We suggest the following amendment to Policy 4:

“To facilitate.....16,000.....iin Adur up to 2031 at Shoreham Harbour Regeneration Area.

In addition, if it can be demonstrated that viable attenuation is possible to avoid ground/surface water flood risk to existing and new buildings, an additional approximate 25,000 sq.m will be allocated for appropriate employment generating uses in Adur up to 2031 at the following locations:

☒ Shoreham Airport (approximately 15,000 sqm)

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

New Monks Farm (approximately 10,000sqm)

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Mark

Contact Surname

Milling

Organisation

Lancing College

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

9

Policy

05: New Monks Farm

Paragraph

Map

2

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified

Detailed description as to why is the Plan unsound or not compliant

Lancing College is of the opinion that the Proposed Submission Adur Local Plan is unsound.

A roundabout as proposed at New Monks Farm (see map 2 on the page 36 and para 2.49) would not achieve the stated requirement in paragraph 2.50 which states "it will be essential to ensure that safe and improved pedestrian, cycle and equestrian access across the A27 to the South Downs National Park is provided".

A roundabout this far west will not provide any access for pedestrians, bicycles or horses from Shoreham to the South Downs National Park which makes the plan unsound.

The proposed left-out access arrangement for the Sussex Pad junction will not work for Lancing College and will harm it financially and jeopardise our ability to maintain one of Adur's most valuable landmarks.

We thus restate our earlier submitted position that the Sussex Pad junction must remain in place to provide access in both directions to and from the A27 and to provide pedestrians, cycle and equestrian access to the South Downs National Park. We would need to see an alternative solution which provides these solutions before we could support any change in the current junction. I believe that the Airport is working on an alternative workable solution with New Monks Farm which we would need to see and approve.

What changes are required to make the Plan sound ?

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

We thus restate our earlier submitted position that the Sussex Pad junction must remain in the place to provide access in both direction to and from the A27 and to provide pedestrian, cycle and equestrian access to the South Downs National Park. We would need to see an alternative solution which provides these solutions before we could support any change in the current junction. I believe that the Airport is working on an alternative workable solution with New Monks Farm which we would need to see and approve.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Peter

Contact Surname

Rainier

Organisation

DMH Stallard LLP

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

38

Policy

05: New Monks Farm

Paragraph

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Effective, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

We support the general provision of this allocation which is considered necessary in order to meet the assessed housing needs for the District. However, we consider that as drafted it is not effective nor positively prepared. In order to meet the significant development costs for providing a new roundabout off the A27, as well as other transport improvement costs and the provision of significant drainage infrastructure, the development would only be viable and therefore deliverable on the basis of providing 600 dwellings. A restriction where only 450 dwellings could be delivered would not be viable or deliverable and therefore the plan would not be effective or sound. The basis for proposing a range of dwellings where only the upper figure would be achievable subject to impacts on biodiversity and landscape is not considered to be a positively prepared Policy. The Local Plan and Housing (Duty to Co-Operate) Study 2013 indicates that the level of housing delivered by the plan is not sufficient to meet the needs of the District. The Housing (Duty to Co-Operate) Study 2013 indicates that the Council's Objectively Assessed Housing Need is in the range of 3,600 to 4,800 whilst the Local Plan makes provision for only a range of 3,488 – 3,668. The housing supply set out by Policy 3 of the Local Plan is therefore only effective and therefore sound on the basis that 600 dwellings are provided on land at New Monks Farm. Consequently, it is considered that as drafted the plan is not positively prepared as the delivery of only 450 dwellings at New Monks Farm would mean that the housing needs of the District would not be met, even in the circumstances where all other housing land identified by the Local Plan is delivered which we consider to be very unlikely. The provision for 10,000 sq. m of 'appropriate employment generating space' is not considered to be positively prepared, the intended meaning of 'appropriate' is not defined anywhere in the Plan and in our view should include some provision for both office, light industrial, storage, leisure and retail (non-food) to ensure sufficient flexibility to meet each of these market demands and therefore viability and deliverability of the proposed allocation.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Please refer to DMHS/Plan 1 - Amendment Policies Map for New Monks Farm.

What changes are required to make the Plan sound ?

The policy should be amended to be more positively framed, as suggested below:

- “600 dwellings subject to provision of a detailed landscape strategy and ecological enhancement scheme
- 10,000 sq. m of employment generating floorspace which could include elements of office, light industrial, warehouse, leisure or retail (non-food). The provision of leisure or retail (non-food) space should be accepted, if necessary for viability of the scheme. “

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Contact Surname

Organisation

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

12

Policy

05: New Monks Farm

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Effective

Detailed description as to why is the Plan unsound or not compliant

The end of the policy refers to “all elements” being delivered through S106 or planning conditions, but it is unclear whether this is actually intended to relate to all elements outlined within the policy or is related to the phasing of development. As written this causes confusion and potentially repeats other parts within the same policy that also refer to CIL and S106.

What changes are required to make the Plan sound ?

It is suggested that either a minor addition to add clarity, or the removal of the earlier mention to CIL/S106 could ensure the policy is robust.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Bill

Contact Surname

Freeman

Organisation

Lancing Manor SE Residents Network

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

13

Policy

05: New Monks Farm

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

Lancing Manor SE Residents Network is an organisation which represents over 250 residents in North Lancing located in the quadrant immediately south east of the Manor roundabout on the A27 between Grinstead Lane and the A27.

This Network is a member of the Adur Floodwatch Group and fully supports the comments on soundness of the Adur Plan as shown below as submitted by that group.

There are major concerns that further development in the Lancing Gap on the allocations of the Adur Plan for New Monks Farm and the Airport will seriously heighten the flood risk with the increasing onset of climate change.

The report below highlights the very recent flooding issues of this area which this Network has consistently communicated to Adur DC both at council meetings and during formal consultation periods.

Irrespective of these concerns, these allocations still persist in the plan and at this consultation stage, it is evident that the authority still has no proven method for mitigation and management of the surface and groundwater outcomes from the proposed allocations, relying upon the developer who has failed to provide this since April 2014.

Rather than repeat all the points outlined in the Adur Floodwatch submission below, we strongly support those comments and confirm that this Network feels that to comply with NPPF requirements and West Sussex County Council the lead drainage authority, a full understanding of ground and surface water flows together with the proposed

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

mitigation methods for the sites in the Lancing Gap should be made before this plan is even submitted for Government approval.

.....

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

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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 01/12/ 14, this will be too late for that scrutiny and comment.

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

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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

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

Extract from WSCC 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, WSCC 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

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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.

What changes are required to make the Plan sound ?

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

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Bill

Contact Surname

Freeman

Organisation

Adur Floodwatch Group

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

11

Policy

05: New Monks Farm

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

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.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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 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, WSCC 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.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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.

What changes are required to make the Plan sound ?

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

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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 are permitted to accompany its submission to Government.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

David

Contact Surname

Johnson

Organisation

Campaign to Protect Rural England (Sussex)

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

21

Policy

05: New Monks Farm

Paragraph

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy

Detailed description as to why is the Plan unsound or not compliant

When commenting on the Revised Draft Local Plan CPRE Sussex objected to the allocation of the strategic site at New Monks Farm for a number of reasons, including flooding issues.

Paragraph 2.53 of the Local Plan explains that “The site is predominantly located in Flood Zone 3a with parts in Flood Zones 1 and 2. However it has, in accordance with the guidance set out in the National Planning Policy Framework, passed both the sequential and exceptions tests. Parts of the site are at risk from surface water flooding, particularly the northern section, and the site is also susceptible to ground water flooding. Any application will have to demonstrate that current flood risk from all sources is mitigated, that flood risk to other areas is not increased and that where possible flood risk overall is reduced. The developer will need to work with Adur District Council, West Sussex County Council and the Environment Agency.” This is reflected in Policy 5.

However, CPRE Sussex notes that West Sussex County Council, as Lead Local Flood Authority, expressed concerns at the allocation of major sites within the high flood risk zones 3a and 3b, especially New Monks Farm and Shoreham Airport, when commenting on the Revised Draft Local Plan. The County Council accepted that these sites passed the Sequential Test (due to a lack of available developable land outside of flood risk areas) and Part 1 of the Exception Test but considered that it had yet to be proven that Part 2 of the Exception Test could be definitively passed at this stage.

The County Council explained that in order to meet the requirements of Part 2 of the Exception Test as set out in the National Planning Policy Framework and associated guidance, the Local Plan should demonstrate (WSSC emphasis) 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 County Council noted that the Strategic Flood Risk Assessment (SFRA) 2012 does not include the level of detail required that is set out in paragraph 8 of the Technical Guidance to the NPPF to demonstrate that Part 2 can be met according to paragraph 102 of the NPPF at the Local Plan stage.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

The County Council accepted that that the majority of this detail should be provided at the application stage but pointed out that the Planning Practice Guidance (then in draft form, but now finalised) indicated that this should also be done at the Local Plan stage. As Lead Local Flood Authority, the County Council stated that “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”.

However, notwithstanding these concerns expressed by the Lead Local Flood Authority, the District Council is still proposing that all of the responsibility for demonstrating that flood risks from all sources can be mitigated without worsening flood risk elsewhere lies with the developer. Although CPRE Sussex understands that the County Council has since given approval to this allocation, CPRE Sussex still considers that the District Council is abdicating its responsibilities under the National Planning Policy Framework and its associated guidance.

In addition, CPRE Sussex has 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 submitted with these representations, but the conclusions of the Assessment include:

☒ The EA Floodmap shows the sites to be located within Flood Zone 3b, 3a, 2 and 1, and the sites do not appear to benefit directly from the presence of defences to the required standard for planning.

☒ The Worthing and Adur SFRA shows:

- New Monks Farm: surface water flooding event close to east of the site, numerous sewer, groundwater and fluvial flooding events in north west of site.

☒ Modelled surface water flooding shows all of the sites to be affected by predicted surface water ponding.

☒ With significant surface water flooding predicted in the north of the New Monks Farm site and along Old Shoreham Road and around the numerous drains and tributaries across all three sites.

☒ The Worthing and Adur SFRA shows areas of Intermediate Susceptibility to surface water flooding across all three sites.

☒ Numerous anecdotal records of flooding have been provided, including photographic evidence and anecdotal evidence suggests the following combined flood mechanisms occur:

- surface water flooding occurs in these areas as surface water cannot drain into the ground because of very high groundwater levels;

- surface waters cannot discharge into ditches and tributaries that ultimately drain in the River Adur when tidal levels are high (i.e. tide locking occurs).

☒ Given the underlying geology, it is clear that most areas are going to be unsuitable for infiltration SUDS and all developments will need to be connected to mains drainage. The sustainability of the infrastructure requirements of draining potentially hundreds of new homes, plus commercial space and associated roads and car parking into mains drainage may be questionable.

☒ In addition, further investigation will be required into any built construction or land re-profiling which could affect overland flow routes or surface water flood conveyance routes across the sites.

☒ Further investigation is also recommended into the access and egress arrangements for the sites given the historical flooding records and potential for surface water flooding of the site access routes and adjacent roads.

☒ The SFRA has highlighted ‘significant’ risks of groundwater flooding in the allocation areas.

☒ There is a spring line at the base of the South Downs, where the Chalk aquifer dips below a cover of low permeability superficial deposits. There is firm evidence of groundwater emergence along this geological boundary (which is also, roughly, along the route of the A27). Emergence of groundwater here already causes local flooding issues. In addition, the superficial deposits can be seen to communicate tidal and river levels inland.

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☒ To date the modelling and strategic flood risk assessments take into account each flood mechanism as an isolated event. Convergence of several flood drivers (e.g. high groundwater levels plus high rainfall) may combine to cause unanticipated levels of flooding.

It is clear from this Assessment that there is still significant uncertainty over the ability to develop the strategic site at New Monks Farm (and the strategic sites at West Sompting and Shoreham Airport) without encountering substantive flooding problems and quite possibly, exacerbating flooding problems elsewhere (flooding is not constrained to the proposed development area: whatever is developed in the north of the Lancing-Shoreham Gap will impact the drainage for the whole flood plain area – upstream and downstream, particularly West Beach, which will be at further risk of flooding from displaced surface water).

CPRE Sussex is aware that West Sussex County Council has commissioned CM2MHill (Halcrow) to undertake a complete study of the surface and groundwater flows across the Lancing Gap with flow and capacity measurements. We understand that this report will not be available until the Spring of 2015 and that it 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 allocations in the Adur Local Plan.

CPRE Sussex considers that the submission of the Local Plan would be premature until this report is available and its conclusions can be used to inform the Plan's policies and proposals, particularly the allocations of strategic sites at New Monks Farm and Shoreham Airport.

CPRE Sussex further considers that in the absence of this report and any further work undertaken by the District Council, and with the conclusions of the CPRE Sussex Assessment, the Council has failed to demonstrate that development at New Monks Farm would achieve clause V9 of the Local Plan's Vision – that 'flood risk will have been greatly reduced through..... the careful consideration of the location of new development' – and, critically as regards the soundness of the Plan, that it would not be contrary to paragraph 100 of the National Planning Policy Framework, which states "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere" and that Part 2 of the Exception Test can be met according to paragraph 102 of the NPPF.

Accordingly, CPRE Sussex does not consider the allocation of land at New Monks Farm, at this time at least, to be sound.

Enc. Flood Risk Assessment attached dt. November 2014, from Georgia Wrighton (email 01/12/14 16:00 Planning Policy), Director, Campaign to Protect Rural England (Sussex) - reference: 2146

What changes are required to make the Plan sound ?

CPRE Sussex believes that the correct procedure would be not to submit the Local Plan until the conclusions and recommendations of the CM2MHill Report are published (and publicly available) with, if necessary revisions to the Plan to take account of these conclusions and recommendations. If the Council nevertheless proposes to submit the Plan before the CM2MHill Report is published, Policy 5 and its supporting text should be revised to make it clear that the development of the New Monks Farm strategic site will only be acceptable if this Report demonstrates that viable attenuation is possible to avoid ground/surface water flood risk to existing and new build properties (i.e., if this Report demonstrates that viable attenuation is not possible, the development of the site will not be acceptable. It should then be deleted from the Plan as a main modification). We suggest the following amendment: "If it can be demonstrated that viable attenuation is possible to avoid ground/surface water flood risk to existing and new build properties, land at New Monks Farm....."

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

05: New Monks Farm

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

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. Whilst we note that the wording of Policy 5 New Monks Farm Lancing has been altered in response to our previous representations, we still seek clarification on some of the detail. For example, the policy states that certain outcomes will be delivered as part of a landscape strategy/green infrastructure strategy. Are these outcomes part of a delivery towards the findings of the proposed Green

Infrastructure Strategy Supplementary Planning Document to be devised by Adur District Council, or a green infrastructure strategy specific to the development? This is unclear in the current policy wording. We welcome the incorporation of wording to ensure that a site wide landscape and ecological management plan is produced and implemented as part of the development. 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 inline 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 inclusion of 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 Adur DC's proposed green infrastructure network.

What changes are required to make the Plan sound ?

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Peter

Contact Surname

Rainier

Organisation

DMH Stallard LLP

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

38

Policy

05: New Monks Farm

Paragraph

Map

2

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified

Detailed description as to why is the Plan unsound or not compliant

We are supportive of the extension of the built up area boundary of Lancing as it is necessary to support the housing needs of the District. However, we consider that the Policies Map, Map 1 and Map 2 as drafted are not justified as the proposed built up area boundary alteration east of Lancing is not the most appropriate option when considered against other alternatives.

The proposed development of the site has been considered in relation to the detailed site specific Flood Risk Assessment. It has become clear that the best option to develop the land is to maintain and enhance the existing water courses through the site. As well providing a more natural hydrological solution, this approach would provide greater opportunities for ecological and landscape enhancements as part of the proposed allocation. In order to meet the upper level of housing (600) an alteration would be needed to the proposed Built up Area Boundary which is shown on the provided plan (Drawing No. DMHS/Plan1). Consequently, we find that the proposed built up area boundary is unsound when considered against the site specific flood risk issues, we also find that the Policies Map, Map 1 and Map 2 are not consistent with National Policy.

In addition, the proposed indicative location of the roundabout to serve Land at New Monks Farm (Policy 6), Shoreham Airport (Policy 7), businesses at Shoreham Airport and Lancing College is not considered to be justified as a more appropriate location would be further east along the A27 (Old Shoreham Road). This option is considered to offer a more effective approach in terms of; the highway infrastructure, needs of the employment allocation at Shoreham Airport, existing businesses at Shoreham Airport, Lancing College and the mixed use development at New Monks Farm. There should be some flexibility built in-to the Policies Map, Map 1 and Map 2 in order to enable the best roundabout solution to be delivered as detailed schemes for both allocations develop. At its current position the Policy 6 & 7 allocations would not be deliverable and

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

therefore the Plan is not effective and subsequently unsound. Conversely, the location of the roundabout as shown on Drawing DMHS/Plan1 is deliverable.

Development of significant B1 space would only be viable and therefore deliverable on the basis of direct access from the A27, consequently the Policies Map, Map 1 and Map 2 should be amended to make provision for this development adjacent to the A27 as well as the revised location of the roundabout. This is also considered to be a more effective solution in terms of visual effects, as it would allow for the developments of both the roundabout and the business park to be ameliorated as part of a comprehensive landscape and design strategy.

What changes are required to make the Plan sound ?

We would seek that the Policies Map, Map 1 and Map 2 are amended as set out by the attached plan (Drawing No: DMHS/Plan1), or other suitable alternative plan to be agreed with the District Council.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Robert

Contact Surname

Thornton

Organisation

Thornton Architecture & Design

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

34

Policy

05: New Monks Farm

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Policy 5 - Strategic Site Allocations of housing and employment at New Monks Farm.

A. Allocation of this site is not supported by evidence from the background studies commissioned by the Council and is inconsistent with the Submission ALP's vision and objectives (V7/O7) to protect the setting and landscape of the South Downs National Park (SDNP), river Adur and the local green gaps. The site lies within the Local Green Gap between Lancing and Shoreham. Future development of this site on the scale proposed would have an adverse impact on the purpose of the gap, which is to maintain openness and avoid coalescence of the settlements of Shoreham and Lancing, as set out in ALP Policy 2 & 13. The proposal to allocate this site would significantly narrow the gap. The ALP (paragraph 2.47) recognises the sensitivity of this site and states that 'Mash Barn Lane is a natural landscape 'edge' and that the fields to the east of this lane form part of the central landscape of the Gap and make an important contribution to its sense of openness and 'greenness'.' (LES) Any development beyond the 'natural landscape edge' of Marsh Barn Lane should be resisted. The ALP states in paragraph 3.45 that the boundaries to Local Green Gaps should follow physical features on the ground. Not to do so would also be inconsistent with NPPF Chapter 85 when defining boundaries by 'using physical features that are readily recognisable and likely to be permanent'.

B. The majority of the site is Grade 1 agricultural land. Allocation of this land for development is inconsistent with NPPF Chapter 11, 'Conserving and enhancing the natural environment' (paragraphs 109, 110 and 112). Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality. The UFS and SA for the Steyning Road site confirm the site as having a lower agricultural land quality when compared to New Monks Farm (see appendix B – site comparison table). Furthermore, plans should allocate land with the least environmental or amenity value and protect valued landscapes and soils. The ALP recognises that Policy 5 (Allocation of land at New Monks Farm) has some potential for conflict with a number of environmental objectives regarding biodiversity, historic environment, countryside, pollution and flood risk.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

7

c. Access to the site will require major road improvements including a new roundabout at the Sussex Pad and link road to the site along the northern border of the green gap. The requirements for such major infrastructure further constrain delivery of this site.

D. The northern part of this site is located adjacent to the noisy A27 trunk road. The ALP states that a noise assessment and appropriate mitigation may be required. Yet the conclusions of the Sustainability Appraisal for the Steyning Road site states that the proximity of the A27 is a reason for excluding it from housing allocation, even though the noise will not impact the site to the same extent as at New Monks Farm because of the road's elevation.

What changes are required to make the Plan sound ?

4.02 Strategic Site Allocation (ALP Policies 2, 4, 5)

The Strategic Land Allocations should be amended, as follows:-

a. The Shoreham Airport site should be removed from the strategic land allocation for employment or significantly reduced and re-orientated so that it is on the south side of the airfield, amongst the existing light industrial buildings and screened by the railway embankment to the south.

b. The New Monks Farm site should be restricted to development east of Marsh Barn Lane only. The L&ES states that 'The fields between the edge of the built-up area of Lancing and Marsh Barn Lane contribute little to the landscape setting of Lancing or the integrity of landscapes within the Strategic Gap' but the study goes on to describe Marsh Barn Lane as a 'natural landscape edge' and that the fields to the east of this lane form part of the central landscape of the Gap and make an important contribution to its sense of openness and 'greenness'.

c. The Steyning Road site should be included within the strategic land allocation for housing and employment use as it is already less constrained and more readily developable than other sites already included in the Submission ALP.

d. The Submission ALP should be amended to include a policy requiring the District to safeguard all potential available sites for future development use, given the constraints identified by the sea and the National Park on the District as a whole.

e. A general emphasis should be placed within the Submission ALP on using more infill or back garden sites and on redeveloping existing sites with either greater density or taller buildings for housing and employment, which is the only long term sustainable solution given the constraints of the District.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Hannah

Contact Surname

Hyland

Organisation

Environment Agency

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

6

Policy

05: New Monks Farm

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

We are pleased to see the inclusion of paragraph 2.58 in the supporting text. This reflects the advice we have provided you regarding Withy Patch. We support the policy wording and in particular the references to the range of sources of flood risk affecting the site and the requirements for development to seek opportunities to reduce flood risk elsewhere.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Heidi

Contact Surname

Clarke

Organisation

Sport England

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

1

Policy

05: New Monks Farm

Paragraph

Map

Other

Sound?

No

Legally compliant?

Left Blank

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

Adur Local Plan – Part 2

With regard Part 2, Strategic Allocations of the Local Plan, Sport England in wish to comment on Policy 5 New Monks Farm (450-600 homes) and Policy 6: Land at West Sompting (480 dwellings). The policy for both allocations requires open space and recreation areas and provision for formal sports, in accordance with Council standards.

The Council have provided a standards paper published in March 2014. However the standards paper does not advise what is required in relation to playing pitches or formal built sports facilities as it focuses on parks and gardens, natural and semi-natural green space, amenity green space, provision for children and young people, allotments, cemeteries, civic space and green corridors. Consequently, there is no link from the Local Plan strategic allocation policies to the identified need for playing pitches. Sport England is aware of the playing pitch strategy undertaken by KKP on behalf of the Council. Sport England are not commenting on the robustness of the study but can advise it does not appear to have followed Sport England's methodology. The playing pitches identified as needed in the PPS were not carried across into the standards paper or the Local Plan therefore it is unclear what sports provision is required for each strategic allocation of housing and how the provision can be delivered.

With regards the use of standards, the Playing pitch strategy and open space study can make reference to standards but should only be used as a benchmarking tool and should be caveated as such. Standards should not be used to formulate Local Plan policy. A standards based policy approach was advocated by the old PPG17, however, this is no longer considered a robust policy approach to achieving investment into sport because of paragraph 204 of the NPPF and introduction of the CIL regulations. Sport England consider that if a thorough Playing Pitch Strategy was produced, the action plan should link future provision to strategic housing allocations. The same would apply

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

for built sports facilities. As a result of the above, the policy is not considered robust in compliance with paragraph 73 of the NPPF.

Paragraph 73 of the NPPF states:

Planning policies should be based on robust and up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

Currently Sport England do not consider this to be justified as it is not based on proportionate evidence that has then informed the Local Plan Policies.

What changes are required to make the Plan sound ?

Provided in Section 4

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Paul

Contact Surname

Roelich

Organisation

New Monks Farm Development Ltd

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

20

Policy

05: New Monks Farm

Paragraph

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy, Justified

Detailed description as to why is the Plan unsound or not compliant

1 BACKGROUND

1.1 These submissions are made on behalf of the landowner of New Monks Farm (NMF). Representations to the Revised Draft Adur Local Plan were outlined in a letter dated 7th November 2013 and are attached as Appendix 1. Comments were directed to RD Policy 5 New Monks Farm (NMF) including Map 4, RD Policy 7 Shoreham Airport including Map 7, RD Policy 13 Adur's Countryside and Coast, all references to Shoreham Airport proposed access to A27 within the Draft Local Plan and all references to Green Gaps within the Draft Local Plan.

1.2 The November 2013 representations raised a number of concerns on the soundness of the above policies and a summary of these with reference to NMF are set out below:

☒ RD Policy 5 New Monks Farm and Map 4. There was general support for the policy and the range of proposed development uses.

☒ Whilst there was no objection to providing a Landscape/Green Infrastructure Strategy - this is referenced in the policy with limited, if any, mention of it within the supporting text.

☒ The Preliminary Ecological Appraisal 2012 for the site states that it is not subject to any statutory or non-statutory nature conservation designations. There was concern that this part of the policy was not clear about the elements that are to be protected and/or enhanced and why.

☒ Para 2.57 within the draft Local Plan stated that the most important biodiversity habitats are the network of streams and ditches. Support is given only to the references made to the streams and ditches being safeguarded and enhanced.

☒ Objection was raised to the reference to development respecting the landscape of the Lancing-Shoreham by Sea Local Green Gap (see below). The essence of a Green Gap

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

(to which an objection was made) is to prevent towns coalescing. It is not a landscape based policy.

☒ Whilst there was support for a school being located at NMF, this is subject to the Council proving the need for it, how it will be funded and importantly, how and when it will be delivered.

☒ An objection was raised to the current wording of 'a Country Park and informal recreation' and a request was made that this is amended to 'a Country Park, informal and potentially formal recreation'.

☒ An objection was raised to all references to Green Gaps within the Draft Local Plan.

☒ An objection was raised to all references to an improved access to the A27 at the Airport.

2. CHANGES TO POLICY 5 NEW MONKS FARM

2.1 It is noted that Policy 5 has been amended following representations to the Draft Local Plan version. However, the concerns outlined in the submissions dated November 2013 have not been taken into account in any substantive way although the following are noted:

☒ Reference to development respecting the landscape of the Lancing – Shoreham-by-Sea Local Green Gap and the South Downs National Park has been amended to read: Development must respect the landscape of the surrounding countryside and the South Downs National Park.

☒ It is also noted that amendments have been made to Map 2 to remove the annotations within the site. The Country Park area is not included within the key but is situated within the countryside policy area.

3. CHANGES TO OTHER RELEVANT POLICIES

3.1 It is noted that changes to the Shoreham Airport Map 4 have been made and the roundabout option is not shown. However, changes to the policy relating to the need for new access arrangements onto the A27 from the airport in order to serve the proposed development have not changed.

3.2 With regard to paragraph 2.77 - whilst it has been changed to provide preference to the roundabout access to New Monks Farm, this still remains confusing and does not provide clarity as to the option that will be delivered.

3.3 It is noted that a new policy - Policy 14 Local Green Gaps has been introduced.

4. WHY THE SUBMISSION ADUR LOCAL PLAN IS NOT SOUND

4.1 The NPPF states that to be sound, a local plan 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.

4.2 Due to the provisions within Policy 5 on NMF, Policy 7 on Shoreham Airport and Policies 13 and 14 on Adur's Countryside and Coast/Local Green Gaps, the Plan is not justified or consistent with national policy for the following reasons:

The Plan is not Justified

4.3 The Local Plan contains Policy 7 on Shoreham Airport. Whilst Map 4 does not show a new junction or roundabout to the Airport, the policy states that significant improvements will be required on the A27 Sussex Pad junction to accommodate new development. Paragraph 2.77 also states that an alternative access (a new roundabout at the Sussex Pad junction) is retained as a contingency option. We consider that insufficient supporting evidence has been provided to support this and the option has not

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

been progressed to demonstrate that it is a deliverable or effective safe solution. This is in contrast to the westerly proposal positioned on land at New Monks Farm, which is well advanced with the Highways Agency and deliverable from both a land ownership and technical perspective. We therefore retain our original objection to all references within the Local Plan to an improved access to the A27 at the Airport as this is not a justified strategy.

4.4 With regard to Policy 5 on New Monks Farm, no justification has been given for the need for a school and how the development of such will be managed and delivered. There is no detail on why NMF is the right location for a school, the nature of the organisation(s) likely to develop the school nor is there a contingency in place for the future of land reserved for the school should it not come forward. The policy should refer to dual use of playing fields and the opportunities for formal recreational space provided by the school. On this basis, we do not consider the school proposal to be justified.

The Plan is not consistent with National Policy

4.5 The Local Plan contains elements that are not consistent with national policy. Where this has happened, there is no sound rationale for departing from national policy.

4.6 The concern is that the Plan still refers to Local Green Gaps (Policy 14). These types of policies are no longer supported within the National Planning Policy Framework. Paragraph 76 of the NPPF states that local communities, through local and neighbourhood plans, should be able to identify for special protection green areas of particular importance to them. The NPPF does not support the retention of Local Green Gaps. The area within which the proposed Country Park sits should be defined as Local Green Space as set out in the NPPF. Allocating the entire Green Gap as a Local Green Space is not appropriate and not in line with the NPPF. The NPPG covering Local Green Space designation states that this should only be used where the green area concerned is not an extensive tract of land. Consequently blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name

4.7 Our view is that formal recreation is an appropriate use within a Local Green Space and the Country Park should be designated as such. The supported uses should therefore include formal and informal recreational. Should the Council wish to retain the Local Green Gap policy and the Countryside policy, these should make provision for some formal recreational use. The NPPF states that local policy for managing development within a Local Green Space should be consistent with the policy for Green Belts. Paragraph 81 states:

Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

5. VIABILITY ASSESSMENT

5.1 It is noted that limited detailed input was fed into the Viability Assessment by the landowner of NMF. However, it is clear from the November 2014 Whole Plan & Community Infrastructure Level Viability Assessment that NMF is viable and deliverable. The landowner of NMF is willing to take part in detailed discussions regarding the viability reports for NMF (options 1 and 2) and has made it clear that the development proposals for the site can initially and if necessary accommodate the total costs of the new junction access onto the A27. The Viability Assessment should be amended to take this into account.

5.2 As established above the development at New Monks Farm would generate revenue that could initially cover the total cost of the new junction to the A27. It is expected (but not relied upon) that cross funding will be forthcoming from agencies and initiatives, due to the wider benefit delivered to the road networks. Also beneficiaries of this new access may be required to contribute towards the overall costs.

5.3 On balance we do not consider that the increase in costs will remove the entire viability margin but the costs in relation to both options are significant. We would welcome detailed discussions in due course regarding site specific costs as some of those included in the report will require scrutinising and we may challenge these. The

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

major areas are as follows:

- ☒ Flood risk mitigation
- ☒ Third party land costs
- ☒ Legal agreements
- ☒ Finance calculations
- ☒ Abnormal building foundation costs
- ☒ Services infrastructure
- ☒ Country Park establishment, management and maintenance costs

A number of appendices are attached to the representation.

What changes are required to make the Plan sound ?

2. CHANGES TO POLICY 5 NEW MONKS FARM

2.1 It is noted that Policy 5 has been amended following representations to the Draft Local Plan version. However, the concerns outlined in the submissions dated November 2013 have not been taken into account in any substantive way although the following are noted:

- Reference to development respecting the landscape of the Lancing – Shoreham-by-Sea Local Green Gap and the South Downs National Park has been amended to read: Development must respect the landscape of the surrounding countryside and the South Downs National Park.
- It is also noted that amendments have been made to Map 2 to remove the annotations within the site. The Country Park area is not included within the key but is situated within the countryside policy area.

3. CHANGES TO OTHER RELEVANT POLICIES

3.1 It is noted that changes to the Shoreham Airport Map 4 have been made and the roundabout option is not shown. However, changes to the policy relating to the need for new access arrangements onto the A27 from the airport in order to serve the proposed development have not changed.

3.2 With regard to paragraph 2.77 - whilst it has been changed to provide preference to the roundabout access to New Monks Farm, this still remains confusing and does not provide clarity as to the option that will be delivered.

3.3 It is noted that a new policy - Policy 14 Local Green Gaps has been introduced.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Mike

Contact Surname

Glennon

Organisation

County Councillor for Lancing

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

2

Policy

05: New Monks Farm

Paragraph

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Justified

Detailed description as to why is the Plan unsound or not compliant

With the obvious community resistance to development on the flood plain, particularly at New Monks Farm and the north eastern corner of the airport, I feel that the result of the CH2MHill hydrographical study must be considered before there is any further progress with the plan as it stands.

What changes are required to make the Plan sound ?

Currently, the scientific evidence underpinning the assumptions that New Monks Farm land is suitable for building on is incomplete.

That is why the CH2MHill hydrographical study is being undertaken.

I believe we should await the outcome of that study before progressing the Adur Local Plan further.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Wendy

Contact Surname

Dowse

Organisation

West Beach Residents Assn (formerly Hasler Estate)

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

7

Policy

05: New Monks Farm

Paragraph

2.48

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Consistent with National Policy, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

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.

What changes are required to make the Plan sound ?

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

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

not have

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Peter

Contact Surname

Rainier

Organisation

DMH Stallard LLP

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

38

Policy

05: New Monks Farm

Paragraph

2.57 & 2.58

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Effective, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

As set out by our comments in respect of the Policies Map, it is our opinion that the best location for the roundabout is in the vicinity of the Withy Patch Gypsy and Traveller site. The development of a roundabout in this location would require the existing Gypsy and Traveller site to be moved to an alternative location with space for accommodating this to be provided on adjacent land. Proposals for the relocation of Gypsy and Traveller Sites is supported by Policy 25 which indicates the loss of an existing site would be refused unless the proposal complies with other policies and a suitable replacement is found. However, as drafted it is considered that Paragraphs 2.57 and 2.58 and Policy 5 does not reflect the potential need to relocate this site in order to meet the development needs of the Shoreham Airport and New Monks Farm allocations. If it is not possible to relocate the existing Gypsy and Traveller Site the best solution in terms of providing a deliverable access could not be provided and as such these paragraphs and Policy are not justified and the plan is not sound as currently drafted.

Please refer to DMHS/Plan 1 - Amendment Policies Map for New Monks Farm.

What changes are required to make the Plan sound ?

Paragraphs 2.57 and 2.58, and Policy 5 should be amended to reflect the potential requirement to re locate the existing Gypsy and Traveller site at Withy Patch. Policy 5 should be amended to state that in the case that the best position for a new roundabout is decided to be at Withy Patch, land for provision of a replacement Gypsy and Traveller site should be provided on adjacent land.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name Contact Surname Organisation

Agent's First Name Agent's Surname Agent's Organisation

Representation No / Representor ID

Policy Paragraph Map Other

Sound? Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Representation 2014:

The Ricardo position with regard to the ALP has not changed from our previous input at the last round.

The arguments regarding the roundabout location (Sussex pad junction improvement) are also well stated in the recent Savills letter of 29 sept 14.

We want to see an agreed location of the junction as far east as is possible and the broad agreement to include all the key stakeholders as before:

- Airport land owners and lessors (represented by Geoff Egan)
- Airport operators (BCAL)
- Ricardo
- Lancing College
- Northbrook College
- New Monks farm

If Ricardo needs to release land it owns north of the A27 near the Sussex Pad to enable the solution to be advanced (probably for the North end of the pedestrian/cyclist/

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

equine bridge access to the Coombe Road, then we will find a sensible way to do this.

As part of the wider detailed design solution, we would welcome a step change in sustainable transport links on the south side of the junction (bus and cycles in particular). Wider transport matters such as A27 and improved rail connectivity and journey times are probably best addressed in other forums.

The above is in the public interest for reasons including the following:

- More rapid regeneration
- Deliverability
- Better National Park access
- Use of public funds – objections and appeals in planning enquiries and examinations are time consuming and expensive

We look forward to working with you and the other parties to achieve the above.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name Contact Surname Organisation

Agent's First Name Agent's Surname Agent's Organisation

Representation No / Representor ID

Policy Paragraph Map Other

Sound? Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

WITHDRAWN see 2016 Representation

This site, Land at West Sompting, has the lowest flood risk of the proposed allocations. We are also pleased that this site provides opportunities to deliver ecological enhancements through links to the Teville Stream Restoration Project and that the policy makes reference to a conservation area north of the existing Cokeham Brooks SNCI as part of the Landscape Green Infrastructure Strategy.

However, the policy as drafted includes specific reference that developers would need to work with the Environment Agency. As the flood risk associated with the site is mostly related to surface and groundwater flooding we do not consider this specific requirement necessary and would wish to see it removed.

What changes are required to make the Plan sound ?

WITHDRAWN see 2016 Representation

Remove specific reference to the Environment Agency from the policy text.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Andy

Contact Surname

Collins

Organisation

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

4

Policy

06: Land at West Sompting

Paragraph

Map

Other

Sound?

No

Legally compliant?

Left Blank

The Plan is unsound because it is not:

Effective, Justified

Detailed description as to why is the Plan unsound or not compliant

Whilst the plan acknowledges pre-existing traffic issues on the stretch of the A27, access to the West Sompting site will be predominantly by car.

Its proximity to the A27 will in most cases be the primary appeal for residents, especially as it has also been identified in the plan that 87% of all in-migrants are from the Brighton area, strongly suggesting that these are property-value related moves, and people will commute on the A27 to Brighton.

This stretch of the A27 does not just have traffic issues, it has, daily, traffic issues that feature in national traffic reports, and the location of the West Sompting Development, and proposed vehicular access to it, will mean the majority of traffic will be either using the already choked A27, or using the backstreets as a way of 'beating' the queues, these are quiet residential streets not fit for this use. The traffic calming measures already in use in West Street do slow traffic, but increase congestion in this area, making access for local residents extremely hard at peak times. Increasing the traffic calming measures, as proposed, will only increase congestion, and resident frustration, both for existing, and potentially new residents.

Historically, for longer distance movement along the south coast, the M25 in combination with the M2, M20, M23 / A23, A3 / A3(M) and M3 has provided an attractive alternative to the actual south coast route of A259, A27 and M27. In 2002 an offpeak journey between Margate and Southampton via the M25 was 2 hours 30 minutes, and via the coastal route using the A259, A27 and M27 was 3 hours 50 minutes. The reason why the coastal route is so much slower than the M25 alternative, is largely due to a series of bottlenecks on the A27. These include Chichester, Arundel, Worthing and Polegate. South Coast Corridor Multi-Modal Study

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

The possibility of a bypass has often been discussed since 1967, even getting as far as passing the inspector's report at a public inquiry, the plan was dropped in 1996 due to costs.

Because of all the delays along its route, according to West Sussex County Council, the A27 is the most unreliable all purpose trunk road in England. See West Sussex Transport Plan 2011-2026

The success of the plan in this area depends entirely on the road network surrounding it, and the slim acknowledgement of these issues underplays its importance. This should be the first consideration, not the last. For example, the proposed main access from Dankton Lane is referred to as 'The A27/ Dankton Lane junction will require further investigation'. How can this be counted as a considered evaluation?

Long standing issues with this stretch of the A27 mean that the development will cause detrimental effect, without question, and measures to resolve this need to be considered and approved for the plan to be viable. This plan does nothing to resolve this; in fact it covers it in only the vaguest terms.

It is because of this failure to clearly state what traffic management will be implemented, and its effects, that I believe this plan is unsound.

What changes are required to make the Plan sound ?

Whilst an incredibly complex subject in itself, the traffic conditions on this specific stretch of the A27 need to be resolved.

http://www.westsussex.gov.uk/leisure/getting_around_west_sussex/roads_and_pathways/plans_and_projects/major_projects/chichester_area_and_a27_transp.aspx

As identified in the above, before this development proceeds in West Sompting, The Department for Transport needs to complete its study first on the A27 Corridor Feasibility Study, taking place between 2015-2019.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

David

Contact Surname

Johnson

Organisation

Campaign to Protect Rural England (Sussex)

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

21

Policy

06: Land at West Sompting

Paragraph

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy

Detailed description as to why is the Plan unsound or not compliant

Paragraph 2.70 of the Local Plan explains that “The site lies predominantly within Flood Zone 1 with small areas in Flood Zone 2, 3a and 3b. Parts of the site are at risk from surface water flooding, particularly the southernmost part. The site is also susceptible to ground water flooding. The site layout will be expected to direct development away from the areas most at risk and appropriate mitigation measures will be required to reduce all forms of flood risk across the site. A Flood Risk Assessment will be required at the planning application stage and this will need to show that not only can flood risk be mitigated on site but that flood risk will not be worsened elsewhere. Opportunities to improve flood risk in the area should also be sought where possible.” This is reflected in Policy 6.

CPRE Sussex has 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 submitted with these representations, but the conclusions of the Assessment include:

☒ The EA Floodmap shows the sites to be located within Flood Zone 3b, 3a, 2 and 1, and the sites do not appear to benefit directly from the presence of defences to the required standard for planning.

☒ The Worthing and Adur SFRA shows:

- Land to the west of Sompting: fluvial flooding event in north east corner of site, groundwater flooding events in north west corner of site, surface water event in south eastern corner of site.

☒ Modelled surface water flooding shows all of the sites to be affected by predicted surface water ponding.

☒ With significant surface water flooding predicted in the north of the New Monks Farm site and along Old Shoreham Road and around the numerous drains and tributaries across all three sites.

☒ The Worthing and Adur SFRA shows areas of Intermediate Susceptibility to surface water flooding across all three sites.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

☒ Numerous anecdotal records of flooding have been provided, including photographic evidence and anecdotal evidence suggests the following combined flood mechanisms occur:

- surface water flooding occurs in these areas as surface water cannot drain into the ground because of very high groundwater levels;

- surface waters cannot discharge into ditches and tributaries that ultimately drain in the River Adur when tidal levels are high (i.e. tide locking occurs).

☒ Given the underlying geology, it is clear that most if not all of the allocated areas are going to be unsuitable for infiltration SUDS and all developments will need to be connected to mains drainage. The sustainability of the infrastructure requirements of draining potentially hundreds of new homes, plus commercial space and associated roads and car parking into mains drainage may be questionable.

☒ In addition, further investigation will be required into any built construction or land re-profiling which could affect overland flow routes or surface water flood conveyance routes across the sites.

☒ Further investigation is also recommended into the access and egress arrangements for the sites given the historical flooding records and potential for surface water flooding of the site access routes and adjacent roads.

☒ The SFRA has highlighted 'significant' risks of groundwater flooding in the allocation areas.

☒ There is a spring line at the base of the South Downs, where the Chalk aquifer dips below a cover of low permeability superficial deposits. There is firm evidence of groundwater emergence along this geological boundary (which is also, roughly, along the route of the A27). Emergence of groundwater here already causes local flooding issues. In addition, the superficial deposits can be seen to communicate tidal and river levels inland.

☒ To date the modelling and strategic flood risk assessments take into account each flood mechanism as an isolated event. Convergence of several flood drivers (e.g. high groundwater levels plus high rainfall) may combine to cause unanticipated levels of flooding.

It is clear from this Assessment that there is still significant uncertainty over the ability to develop the strategic site at West Sompting (and the strategic sites at New Monks Farm and Shoreham Airport) without encountering substantive flooding problems and quite possibly, exacerbating flooding problems elsewhere.

CPRE Sussex therefore considers that development at West Sompting would not achieve clause V9 of the Local Plan's Vision – that 'flood risk will have been greatly reduced through..... the careful consideration of the location of new development' – and would be contrary to paragraph 100 of the National Planning Policy Framework, which states 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.'

Accordingly, CPRE Sussex does not consider the allocation of land at West Sompting to be sound.

Enc. Flood Risk Assessment attached dt. November 2014, from Georgia Wrighton (email 01/12/14 16:00 Planning Policy), Director, Campaign to Protect Rural England (Sussex) - reference: 2146

What changes are required to make the Plan sound ?

The strategic development site allocation at West Sompting should be removed from the Local Plan.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Contact Surname

Organisation

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

26

Policy

06: Land at West Sompting

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Third Paragraph (fourth bullet).

The requirement for formal open space in this location against alternatives has not been thoroughly tested, nor has the impact this would have on the site's housing capacity. The need for formal open space and the delivery options for this within and beyond district boundaries should be assessed thoroughly before such a requirement could be progressed as an option. The social / economic impact of any reduction in housing capacity at the site would also need to be assessed to justify such a proposal. In the absence of such evidence we would suggest the current wording is changed. Options should be explored by the Council to identify specific deliverable projects to fund in the area as proven necessary.

Seventh paragraph

Paragraph 204 of the NPPF sets out the tests that all planning obligations must meet. To acknowledge these tests we suggest that the following amendment to the text is made.

What changes are required to make the Plan sound ?

Third Paragraph (fourth bullet):

The words 'provision for formal sports' is replaced by 'if provision necessary a financial contribution towards the provision of formal sports in accordance with Council standards.'

Seventh paragraph:

Add 'where necessary' after the word 'addressed'.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name Contact Surname Organisation

Agent's First Name Agent's Surname Agent's Organisation

Representation No / Representor ID

Policy Paragraph Map Other

Sound? Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Justified

Adur Local Plan – Part 2

With regard Part 2, Strategic Allocations of the Local Plan, Sport England in wish to comment on Policy 5 New Monks Farm (450-600 homes) and Policy 6: Land at West Sompting (480 dwellings). The policy for both allocations requires open space and recreation areas and provision for formal sports, in accordance with Council standards.

The Council have provided a standards paper published in March 2014. However the standards paper does not advise what is required in relation to playing pitches or formal built sports facilities as it focuses on parks and gardens, natural and semi-natural green space, amenity green space, provision for children and young people, allotments, cemeteries, civic space and green corridors. Consequently, there is no link from the Local Plan strategic allocation policies to the identified need for playing pitches. Sport England is aware of the playing pitch strategy undertaken by KKP on behalf of the Council. Sport England are not commenting on the robustness of the study but can advise it does not appear to have followed Sport England’s methodology. The playing pitches identified as needed in the PPS were not carried across into the standards paper or the Local Plan therefore it is unclear what sports provision is required for each strategic allocation of housing and how the provision can be delivered.

With regards the use of standards, the Playing pitch strategy and open space study can make reference to standards but should only be used as a benchmarking tool and should be caveated as such. Standards should not be used to formulate Local Plan policy. A standards based policy approach was advocated by the old PPG17, however, this

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

is no longer considered a robust policy approach to achieving investment into sport because of paragraph 204 of the NPPF and introduction of the CIL regulations. Sport England consider that if a thorough Playing Pitch Strategy was produced, the action plan should link future provision to strategic housing allocations. The same would apply for built sports facilities. As a result of the above, the policy is not considered robust in compliance with paragraph 73 of the NPPF.

Paragraph 73 of the NPPF states:

Planning policies should be based on robust and up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

Currently Sport England do not consider this to be justified as it is not based on proportionate evidence that has then informed the Local Plan Policies.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Stella

Contact Surname

Lewis

Organisation

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

10

Policy

06: Land at West Sompting

Paragraph

Map

Other

Sound?

No

Legally compliant?

No

The Plan is unsound because it is not:

Justified

Detailed description as to why is the Plan unsound or not compliant

I am totally opposed to plan for yet more houses in Sompting in Loose Lane area:

1. We will soon have concrete from Brighton to Bognor Regis.
2. The area is used for arable farming as we are already short of food stalls.
3. A27 road systems at Sompting West Street are already choc-a-block with too much traffic.
4. Water is already in short supply in area – we can not take more houses.
5. Worthing Hospital at Southlands and Doctors are overworked already.
6. Schools are at bursting point.

This building has got to stop, as the brakes put on the greed of Developers. It really amounts to the 'Rape' of Sussex open spaces and countryside.

Once lost, the land, fields and countryside can never be reclaimed.

What changes are required to make the Plan sound ?

You need to look for a Brownfield site as recommended by CPRE (Council for Protection of Rural England) plenty around if you look. Do we in Sompting in Sussex want to live in a never ending mass of concrete-urban sprawl. Please stop the Greed and land grabbing. You will have to go elsewhere for housing – away from the overcrowded South. Another point is, that there are not enough jobs in this area already.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Description as to why the Plan is sound/supported

Contact First Name

David

Contact Surname

Porter

Organisation

Sompting Parish Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

18

Policy **06: Land at West Sompting**

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Effective

Detailed description as to why is the Plan unsound or not compliant

The evidence given of the air quality testing study of existing engine running standing traffic in West Street from The Marquis westwards due to the congestion caused by the existing traffic calming and the diverting traffic from the A27 when congested, indicates that it is not a significant problem and can be reduced through traffic controlling measures. However as West Street will be the main exit route westwards the air quality level can only reduce and the traffic congestion problems increase if the development occurs and be more detrimental for those residents living in that stretch of road.

What changes are required to make the Plan sound ?

As the traffic emerging from the southern site being allocated will use West Street to travel west wards as the roads leading to the A27 will not be used due the traffic congestion on A27, the need for considering air quality and traffic congestion reduction should be incorporated within any off-site traffic impacts required under this policy. It is also considered by taking any of the measures suggested by the study would not be effective in resolving the traffic impact not only of West Street but on the neighbouring road network. West Sussex County Council with the developer should be required to consider the traffic impact resulting from the development using a far wider road network than that being considered by the policy and this road network be stated.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

David

Contact Surname

Porter

Organisation

Sompting Parish Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

18

Policy

06: Land at West Sompting

Paragraph

Map

3

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Effective

Detailed description as to why is the Plan unsound or not compliant

The Map 3 indicates a strip of countryside designation between the boundary of the southern site and the proposed extension to SNCI. It is not clear why this is and could be seen as an opportunity in the future for an access road leading to the area south of the allocated development site. It is also unclear whether there is to be footpath connections made from the allocated site to the extension.

What changes are required to make the Plan sound ?

The map and the policy should make clear the status of the strip of land and safeguard its position by designation. It would be easier and less confusing especially in the future, to move the extension boundary over to the boundary of the allocated site thus removing the strip.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

David

Contact Surname

Porter

Organisation

Sompting Parish Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

18

Policy

06: Land at West Sompting

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Effective

Detailed description as to why is the Plan unsound or not compliant

This policy has named roads within paragraph 2. Assuming that no traffic from the southern site will use Test Road, Hamble Road but must have direct junction connection with West Street, the roads of Dankton Lane and Church Lane must also be named. If the assumption is wrong then other roads must be stated or the words of the policy changed to consider a wider traffic study.

What changes are required to make the Plan sound ?

As the traffic emerging from the sites being allocated will use West Street to travel west wards as the roads leading to the A27 will not be used due the traffic congestion on A27, the need for Dankton Lane, Church Lane and others if traffic from the site is to use Test Road and Hamble Road must be considered and should be incorporated within any off-site traffic impacts required under this policy.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

David

Contact Surname

Porter

Organisation

Sompting Parish Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

18

Policy

06: Land at West Sompting

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Effective

Detailed description as to why is the Plan unsound or not compliant

This policy has not indicated a school travel plan to the village school in Whitestyles Road.

What changes are required to make the Plan sound ?

With the increased number of school children going to the village school management of school runs needs to be incorporated within the policy. This should be a separate listed requirement.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

David

Contact Surname

Porter

Organisation

Sompting Parish Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

18

Policy

06: Land at West Sompting

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Effective

Detailed description as to why is the Plan unsound or not compliant

This policy has indicated an enhancement of the traffic calming scheme in West Street. The existing measures do not work, causing congestion, a reduction in air quality and the wording of the policy does not take into account that the measures will be in the Sompting Conservation Area.

What changes are required to make the Plan sound ?

As the existing traffic calming measures do not work, any enhancement that will be forthcoming through this policy will not change the current situation and its impact on the environment of West Street. Any thoughts of isolating West Street for further traffic calming is wrong as the impact study must consider the wider area and all affected residential roads. Thus the wording of the policy requires changing.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Contact Surname

Organisation

Persimmon Homes South Coast Ltd

Agent's First Name

Will

Agent's Surname

Cobley

Agent's Organisation

Turley

Representation No / Representor ID

26

Policy

06: Land at West Sompting

Paragraph

2.72

Map

Other

Sound?

Yes

Legally compliant?

Yes

The Plan is unsound because it is not:

Detailed description as to why is the Plan 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.

What changes are required to make the Plan sound ?

Paragraph 2.72 re-worded to state: There is potential for certain aspects of the West Sompting allocation – for example, design and the layout of open spaces – to be addressed through this process.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

David

Contact Surname

Porter

Organisation

Sompting Parish Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

18

Policy

06: Land at West Sompting

Paragraph

N/A

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Effective

Detailed description as to why is the Plan unsound or not compliant

This policy has indicated that the developers are to deliver a community growing space/orchard. However, it is not clear why this area is included within the allocated development site and has seemingly reduced the size of Malthouse Meadows, the current open space designated as a site for nature conservation without separate consultation apart from the general Local Plan consultation. Also there is no requirement for a long term management plan identifying any stakeholder partnership and the role of that partnership.

What changes are required to make the Plan sound ?

If Malthouse Meadows area has been reduced in size to accommodate the allocated site and the community orchard this should have been consulted on as a separate change to the existing open space provision. From the policy map it is unclear whether the open space of Malthouse meadows is to be designated as an open space and retained as such. It is also unclear how the orchard is to be accessed by the community and if it is to be linked with Malthouse Meadows. It is also unclear whether the residents wish to have an orchard. Both areas must be managed for the future maintenance etc by a long term management plan with a stakeholder partnership identified. The areas are bounded by established flint walls and the retention and maintenance of those walls must be included with any plan. Thus the wording of the policy requires changing. If separate consultation had been undertaken there may have been an interest in having allotments identified instead or as part of the orchard which would reduce the District's deficiency. If that is the case in the mind of the Council it should make this clear by changing the wording of "A community growing space/orchard" within the policy. Malthouse Meadows (its fullest area) must be retained and designated as open space on any policy maps. It may be that this area should be designated as a community asset and so restrict any future re-designation or use for development.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Description as to why the Plan is sound/supported

Contact First Name

David

Contact Surname

Porter

Organisation

Sompting Parish Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

18

Policy 06: Land at West Sompting

Paragraph N/A

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Effective

Detailed description as to why is the Plan unsound or not compliant

This policy has indicated that the developers are to safeguard and enhance the Cokeham Brooks SNCI. No guidance by experts has been included within the wording.

What changes are required to make the Plan sound ?

The enhancement and safeguarding of the SNCI should not be left to the developer without guidance from experts. Thus the wording of the policy requires changing.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

David

Contact Surname

Porter

Organisation

Sompting Parish Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

18

Policy

06: Land at West Sompting

Paragraph

N/A

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Effective

Detailed description as to why is the Plan unsound or not compliant

This policy has indicated that the developers are to deliver a nature conservation area north of the existing Cokeham Brooks SNCI. However, there is no requirement for a long term management plan identifying any stakeholder partnership and the role of that partnership.

What changes are required to make the Plan sound ?

The conservation area must be managed for the future maintenance etc by a long term management plan with a stakeholder partnership identified. Thus the wording of the policy requires changing.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

David

Contact Surname

Porter

Organisation

Sompting Parish Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

18

Policy

06: Land at West Sompting

Paragraph

N/A

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Effective

Detailed description as to why is the Plan unsound or not compliant

This policy has indicated that the developers are to undertake mitigating measures addressed by a Flood Risk Assessment. There is no requirement for a long term management plan for any measures to be taken identifying any stakeholder partnership and the role of that partnership.

What changes are required to make the Plan sound ?

Having flood prevention measures whether on or off site must be managed for the future maintenance etc by a long term management plan with a stakeholder partnership identified. Thus the wording of the policy requires changing.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

06: West Sompting

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The Sussex Wildlife Trust feels that this strategic allocation further erodes the green gaps between Worthing and Sompting. However we do welcome the addition of the further 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. We would like the policy to be improved to uphold the ethos of the NPPF section 109 in looking for net gains in biodiversity from all aspects of a development. Words to this effect would make the policy more robust. 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.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Contact Surname

Organisation

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

19

Policy

07: Shoreham Airport

Paragraph

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

Proposed Submission Draft Adur Local Plan

We are writing in respect of the proposed submission draft version of the Adur Local Plan. We act on behalf of Brighton City (Shoreham) Airport, who own and operate Shoreham airport. Our representations relate to Shoreham Airport, which is identified as a City Deal Growth Centre (para 2.38), and in particular to policies 4 and 7 of the Local Plan.

At the present time we consider the proposed submission plan to be unsound because one of the key strategic employment policies is undeliverable. The strategy for employment and economic development depends to a large part on development at the airport, but in its present form the Plan would render that development undeliverable. However, we believe that it would be possible to change the plan to overcome these concerns without significantly delaying the plan preparation, and we would encourage the Council to make the changes which are suggested below.

Access

As you are aware the owners of the airport have been having extensive and constructive discussions with the purchasers of the adjacent New Monks Farm site. Both parties would benefit from having a shared point of access, and provisional agreement has been reached that a new roundabout roughly on the boundary

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

between the two sites would be the best place for it to be located.

We have previously expressed strong reservations about the consequences of an access too far west, if it meant closing or downgrading the existing Sussex Pad junction. This was because of the impact that would have on parties who currently rely on the Sussex Pad access, i.e. users of the airport, Northbrook College, Ricardo and Lancing College. However, we confirm that we fully support the provision of a roundabout close to the boundary of the two sites. The owners of the airport are working closely with the purchasers of New Monks Farm to agree a joint masterplan to encompass both sites and the joint access arrangements, which could form the basis of further discussions with the Council. The Local Plan proposals maps at map 2 and 4 need to be updated to reflect the agreed position of the roundabout.

Soundness

In order to be sound, the Plan needs to be deliverable, which means it needs to be:

- Positively Prepared
- Justified
- Effective
- Consistent with National Policy

We believe that the current strategy fails to meet all of these tests, and it is therefore not sound. The reasons for this are explained below.

Employment Land Supply

The draft plan seeks to allocate employment development at the airport. Policy 7 states:

“Approximately 15,000 sqm of new employment generating floorspace (both aviation and nonaviation related), including a mix of B1 (business), B2 (general industry) and B8 (storage) uses, will be provided on the north-eastern side of the Airport.”

The economic strategy is based partly on the Employment Land Review, which recommends that the plan allocates land for between 50,000 sq m and 60,000 sq m of new class B business space in the District during the plan period. This land is to be allocated at three strategic sites: Shoreham Harbour, New Monks Farm and Shoreham Airport. However, as things currently stand the plan only allocates 41,000 sq m of land between these three sites, of which 15,000 sq m would be at the airport, meaning that there is a strategic shortfall of up to 19,000 sq m of business floorspace set out in the plan.

This is acknowledged in the draft plan at paragraph 2.45, where the proposed solution is to work with neighbouring authorities under the Duty to Cooperate to help meet the shortfall. We are not aware of what progress has been made in this regard but our understanding is that the shortfall has not been met.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Paragraph 3.37 of the Duty to Cooperate Statement states:

“Taking into account the above, whilst there may be an opportunity to address some of Adur’s unmet employment needs in authorities in Northern West Sussex, the most sustainable opportunities are those on the coast. Through City Deal and the LEP, such coastal opportunities could be provided. However, further evidence work to look at employment needs and provision across the wider area in the longer term is needed and is currently being progressed.”

We therefore understand that there remains an unresolved shortfall in supply.

Deliverability

When we submitted representations to the draft Local Plan consultation in October 2013 (copy attached), we made the case that the proposal to restrict the floorspace to 15,000 sq m at Shoreham Airport would be undeliverable because it would be financially unviable. This is particularly because of the fact that the development would need to underwrite a significant proportion of the cost of a new roundabout access onto the A27, together with other abnormal development costs. A development appraisal was submitted with the representations, which showed that, with about £2 million set aside for the roundabout access a development of 15,000 sq m would generate a developers’ profit of about 3% with a residual land value of around £2.75 million. That would not be viable.

An appraisal was also carried showing a notional 30,000 sq m development. In that case the scheme would generate a developers’ profit of over 26% and a land value of £6.875 million, which would clearly be a viable proposition.

This is all backed up by the work carried out to prepare the Council’s November 2014 Whole Plan Viability Study. That document contains a development appraisal of the Shoreham Airport site, which is appended to this letter, which contemplates 15,000 sq m of development as envisaged by the draft policy. That appraisal assumes a £2.5 million cost for the roundabout. The scenario would generate a developers’ loss of just over £3 million, which plainly points toward an unviable scheme.

It is therefore common ground between us and the Local Planning Authority that the development envisaged at the airport by draft policies 4 and 7 of the plan would be unviable. The allocation is a key part of the Local

a

Page 3

Plan strategy, which is already weakened by a shortfall in overall identified supply. If development at the airport cannot come forward because it is not viable, that would leave the Local Plan a further 15,000 sq m adrift of its employment land requirements, leaving it with only 26,000 sq m out of a requirement of 50-60,000 sq m.

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This is clearly an unsound position.

Enc October 2013 submissions
LPA Whole Plan Viability Appraisal extract

What changes are required to make the Plan sound ?

Paragraph 21 of the NPPF states:

“In drawing up Local Plans, local planning authorities should:

set out a clear economic vision and strategy for their area which positively and proactively

encourages sustainable economic growth;

set criteria, or identify strategic sites, for local and inward investment to match the strategy and to

meet anticipated needs over the plan period;”

In this case we believe that the draft plan fails to meet this objective. The allocation at Shoreham Airport is clearly unviable, and this is common ground. Moreover the plan as a whole fails to deliver sufficient employment land to meet anticipated needs over the plan period. If the allocation at the airport were to be increased to 30,000 sq m, which was originally accepted by the planning authority, it would achieve two things:

1. The allocation would become viable and deliverable; and
2. The Local Plan would contain sufficient employment land to meet identified strategic needs.

There is a third benefit to be derived from the proposed changes. If the development at the airport can be made to be viable, it will enable the access roundabout from the A27 to be delivered, which will ‘unlock’ the bulk of the New Monks Farm site, which is also a strategic housing site. Without the ability of the airport to fund a proportion of the roundabout, it is unlikely that the access can be delivered by the New Monks Farm development alone.

We believe that 30,000 sq m development can take place at the airport, part of which would be close to the new access roundabout, without having an unacceptable impact on the landscape.

We therefore propose that policies 4 and 7 are amended to provide for up to 30,000 sq m of development at the airport. We also propose that map 4 is amended to allow development adjacent to the A27, and to show the position for the new access adjacent to the ownership boundary with New Monks Farm.

Enc October 2013 submissions
LPA Whole Plan Viability Appraisal extract

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Andrew

Contact Surname

Swayne

Organisation

Shoreham Airport Consultative Committee

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

40

Policy

07: Shoreham Airport

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Refer to previous comments regarding Revised Draft Adur Local Plan 2013 which were as follows:

APPROACH:

As per previous consultations, the Committee has no comment on housing matters as it is outside its remit other than noting that housing is required for local residents who would work in the employment space.

Our response is principles based, noting that various parties will have detailed views on specific points.

KEY POINTS:

- We are fully committed to the principle of the airport being a commercially viable, growing and active airport.
- Any on airport development must respect the above and not degrade that ability to operate all three runways and their support infrastructure to meet current and future regulations.
- To that end all future developments including road infrastructure which supports the airport must ensure they meet the same requirements.
- To enable employment growth on the airport land it is essential that road and flood defence infrastructure is in place prior to significant developments being open. In our view these are all very overdue.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

- It is essential that all water displacement issues for the airport and the sites to its west are addressed so that a holistic solution is provided as part of the whole provision of infrastructure.
- We support the idea of development of land on the NE corner of the airport, but are concerned that the land allocation for employment has significantly reduced on the airport and in other parts of Adur. Without sufficient land allocation for employment across the District we are concerned that the economic growth needed will be constrained.
- We would encourage the 15000m2 allocation being increased with environmentally sensitive design.
- We support the work being done to secure early progress on flood defences as part of the Great Brighton City Deal and the ideas behind the Shoreham Growth Hub.
- With regards to the need to upgrade the Sussex Pad Junction, which is essential for the hub to be viable and to encourage more airport users and visitors, we make the following comments:
 - East west access on both sides of the junction is essential for both the needs of the Airport, Northbrook staff and students and Ricardo as well as those of Lancing College and others using the Coombes Road and for access to the National Park.
 - The junction needs to be as far east as is possible, noting runway approach issues and design constraints of the dome and travellers site - complex and long access roads will materially increase inconvenience to airport users and visitors and reduce development viability.
- We wish to see improved sustainable transport access to the airport and would support an on airport bus route and also note the need for west bound cycle routes along the A27 into Worthing which need to be in place as soon as possible - both these would reduce parking pressure on the airport. Improved pedestrian access to the South east corner is also needed for the many students and other users who come from Shoreham.
- Improved access to the A259 is also needed.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Robert

Contact Surname

Thornton

Organisation

Thornton Architecture & Design

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

34

Policy

07: Shoreham Airport

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

3.01 Policies 4, 7 & 13 - strategic site allocation of 15,000sqm of employment space on the airfield at Shoreham Airport:

a. Allocation of this site is not supported by evidence from the background studies commissioned by the Council and is inconsistent with the Submission ALP's vision and objectives (V7/O7) to protect the setting and landscape of the South Downs National Park (SDNP), river Adur and the local green gaps. The airfield lies within the Local Green Gap between Lancing and Shoreham and west of the River Adur. Future development of this site on the scale proposed would have an adverse impact on the purpose of the gap, which is to maintain openness and avoid coalescence of the settlements of Shoreham and Lancing, as set out in Policies 2 & 13. The proposal to allocate this site would significantly narrow the gap. The Urban Fringe Study 2006 (UFS) reports that 'Area 3 (Shoreham Airport) makes a significant contribution to the openness of the strategic gap. Despite the built up nature of the airport and nearby employment uses, there is little scope for further development outside of these current developed areas without prejudicing the wider open nature of the gap' (Chapter 6.28 p.53).

B. Policy 13 states that "any development in the countryside should not result in a level of activity which has an adverse impact on the character of the area'. And yet all the 5

evidence based studies concur that this site allocation will have an adverse impact.

C. The UFS 2006 concludes; 'Any major new development in the area north of the railway line [within the Lancing gap] would be readily visible when viewed from the National Park, and be visible from other parts of the gap. This would adversely affect the integrity of the gap, reduce the sense of separation between settlements, and have a negative effect on the landscape of the area'. (Chapter 6.27 Visual sensitivity P38).

D. The Landscape & Ecology Study classifies the area as having a Medium-High impact on Landscape character sensitivity. The report states the LCA is 'highly vulnerable to change' and that 'the extensive open landscape makes a strong contribution to the impression of open, extensive green space...enhancing the sense of separation between Shoreham and Lancing'. The report describes the open green landscape of the airport as being 'the focus of longer high sensitivity views from the SDNP' and that the area 'has

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

exceptionally high visual sensitivity'. The report concludes that mitigation of the visual impact of any development at this location would be very difficult.

E. Chapter 11.4.2 Sustainability Appraisal (SA) of the Adur Local Plan outlines its reasons for selecting the area in the north east of the airfield for employment allocation but states; "Development would be visually intrusive and the landscape has a low capacity to accommodate this type of development without adverse effects on the character of the landscape and the way it is perceived'.

F. NPPF also states that plans should resist development where "any adverse impacts of doing so would significantly and demonstrably outweigh the benefit, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.' In this case, all the evidence based studies have highlighted the adverse impacts on the integrity of the gap and the landscape and visual sensitivity from within the area and from key viewpoints from within the National Park. The Council should regard these adverse impacts as significantly and demonstrably outweighing the benefits, particularly when alternative sites are available, such as the Steyning Road site, which is less constrained and more deliverable (see site comparison table, appendix B).

G. 80% of the site lies within Flood Zone 3b defined as 'functional flood plain' and at a higher risk of flooding than the Steyning Road site. (See Appendix C – Lancing Gap Tidal Flood Map) NPPF paragraph 100, states that this type of land should be safeguarded from development where it is required for current and future flood management (also APL Policy 13).

H. Future use of the airfield land for development is dependent on the £25m Adur Tidal Wall Scheme (TWS) raising the existing flood risk from Category 3b to 3a before it can be properly considered. The Steyning Road site to the east of the river is already categorized within Flood Zone 3a. Therefore, under the sequential test, (NPPF paragraph 100), the proposed land allocation within the airfield should be discounted by more suitable sites such as the Steyning Road site, which is already at a lower risk of flooding. However, the Submission ALP supports the implementation of a TWS that will increase the flood risk to the Steyning Road site rather than secure and enhance its long term viability. (See Appendix D – Environment Agency Letter, confirming that their preferred strategy could be influenced.)

i. The latest Strategic Flood Risk Assessment (SFRA) final report states under paragraph 4.3.3 'recent modelling to test the effect of building the west bank Adur Tidal Walls showed that, if the walls were built along the west bank, the depth of flooding, hence risk, increases on the east bank. This information suggests that the west bank area of the Adur (including Shoreham Airport) provides a degree of storage at present and should, based on the evidence available, [still] be considered functional [flood plain]'. This is contrary to the criteria that must be met by an Exemption test, where a flood risk assessment must demonstrate that the development will be safe without increasing flood risk elsewhere and where possible will reduce flood risk overall. It is further contrary to NPPF (paragraph 100) 'safeguarding land from development that is required for current and future flood management'. The EA's current preferred option for the northern reach of their scheme will result in increasing the risk of flooding to the Steyning Road site (currently at a lower risk category than the Shoreham airfield) and the surrounding area of the A27/A283 interchange.

J. The Employment Land Review 2011 (ELR) site assessment rated the Shoreham Airport site inadequate for internal road access and poor for public transport provision under accessibility and poor for access to amenity. Funding for a major road infrastructure upgrade with a new roundabout at the Sussex Pad and a link road through the airfield to the site will be needed to rectify this. It would depend upon;

i. funding to facilitate these infrastructure improvements that will not be generated from piecemeal development and where wholesale development is very unlikely and delivery at all is a major risk;

ii. Access onto the A27 where vehicle traffic movements already exceeds capacity. This will be the case even if the site provides local employment because of poor pedestrian and public transport links to the airfield.

K. The NCS report concludes that the Shoreham Airport land allocation has a negative viability and based on the Commercial Viability Appraisal (NCS. Appendix 3) would make a net development loss of just over £3M (based on zero CIL rate). Therefore, funding for the necessary transport infrastructure would have to come from either, public

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funding or from New Monks Farm. The NCS report casts some doubt as to how and where this funding would come from and that discussions are 'on going' as to how this will be resolved (NCS: Footnote to Chapter 6.2, p36 - Strategic Viability Appraisals and Chapter 7.14. p42 -Conclusion & CIL Rates). The Land is also subject to a section 106 agreement which restricts development for further employment uses.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Andrew

Contact Surname

Swayne

Organisation

Ricardo plc

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

30

Policy

07: Shoreham Airport

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Representation 2014:

The Ricardo position with regard to the ALP has not changed from our previous input at the last round.

The arguments regarding the roundabout location (Sussex pad junction improvement) are also well stated in the recent Savills letter of 29 sept 14.

We want to see an agreed location of the junction as far east as is possible and the broad agreement to include all the key stakeholders as before:

- Airport land owners and lessors (represented by Geoff Egan)
- Airport operators (BCAL)
- Ricardo
- Lancing College
- Northbrook College
- New Monks farm

If Ricardo needs to release land it owns north of the A27 near the Sussex Pad to enable the solution to be advanced (probably for the North end of the pedestrian/cyclist/equine bridge access to the Coombe Road, then we will find a sensible way to do this.

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As part of the wider detailed design solution, we would welcome a step change in sustainable transport links on the south side of the junction (bus and cycles in particular). Wider transport matters such as A27 and improved rail connectivity and journey times are probably best addressed in other forums.

The above is in the public interest for reasons including the following:

- More rapid regeneration
- Deliverability
- Better National Park access
- Use of public funds – objections and appeals in planning enquiries and examinations are time consuming and expensive

We look forward to working with you and the other parties to achieve the above.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Hannah

Contact Surname

Hyland

Organisation

Environment Agency

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

6

Policy

07: Shoreham Airport

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

We are pleased to see that our previous comments regarding the Adur Tidal Walls scheme have been taken on board.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Paul

Contact Surname

Roelich

Organisation

New Monks Farm Development Ltd

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

20

Policy

07: Shoreham Airport

Paragraph

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy, Justified

Detailed description as to why is the Plan unsound or not compliant

1 BACKGROUND

1.1 These submissions are made on behalf of the landowner of New Monks Farm (NMF). Representations to the Revised Draft Adur Local Plan were outlined in a letter dated 7th November 2013 and are attached as Appendix 1. Comments were directed to RD Policy 5 New Monks Farm (NMF) including Map 4, RD Policy 7 Shoreham Airport including Map 7, RD Policy 13 Adur's Countryside and Coast, all references to Shoreham Airport proposed access to A27 within the Draft Local Plan and all references to Green Gaps within the Draft Local Plan.

1.2 The November 2013 representations raised a number of concerns on the soundness of the above policies and a summary of these with reference to NMF are set out below:

☒ RD Policy 5 New Monks Farm and Map 4. There was general support for the policy and the range of proposed development uses.

☒ Whilst there was no objection to providing a Landscape/Green Infrastructure Strategy - this is referenced in the policy with limited, if any, mention of it within the supporting text.

☒ The Preliminary Ecological Appraisal 2012 for the site states that it is not subject to any statutory or non-statutory nature conservation designations. There was concern that this part of the policy was not clear about the elements that are to be protected and/or enhanced and why.

☒ Para 2.57 within the draft Local Plan stated that the most important biodiversity habitats are the network of streams and ditches. Support is given only to the references made to the streams and ditches being safeguarded and enhanced.

☒ Objection was raised to the reference to development respecting the landscape of the Lancing-Shoreham by Sea Local Green Gap (see below). The essence of a Green Gap

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(to which an objection was made) is to prevent towns coalescing. It is not a landscape based policy.

☒ Whilst there was support for a school being located at NMF, this is subject to the Council proving the need for it, how it will be funded and importantly, how and when it will be delivered.

☒ An objection was raised to the current wording of 'a Country Park and informal recreation' and a request was made that this is amended to 'a Country Park, informal and potentially formal recreation'.

☒ An objection was raised to all references to Green Gaps within the Draft Local Plan.

☒ An objection was raised to all references to an improved access to the A27 at the Airport.

2. CHANGES TO POLICY 5 NEW MONKS FARM

2.1 It is noted that Policy 5 has been amended following representations to the Draft Local Plan version. However, the concerns outlined in the submissions dated November 2013 have not been taken into account in any substantive way although the following are noted:

☒ Reference to development respecting the landscape of the Lancing – Shoreham-by-Sea Local Green Gap and the South Downs National Park has been amended to read: Development must respect the landscape of the surrounding countryside and the South Downs National Park.

☒ It is also noted that amendments have been made to Map 2 to remove the annotations within the site. The Country Park area is not included within the key but is situated within the countryside policy area.

3. CHANGES TO OTHER RELEVANT POLICIES

3.1 It is noted that changes to the Shoreham Airport Map 4 have been made and the roundabout option is not shown. However, changes to the policy relating to the need for new access arrangements onto the A27 from the airport in order to serve the proposed development have not changed.

3.2 With regard to paragraph 2.77 - whilst it has been changed to provide preference to the roundabout access to New Monks Farm, this still remains confusing and does not provide clarity as to the option that will be delivered.

3.3 It is noted that a new policy - Policy 14 Local Green Gaps has been introduced.

4. WHY THE SUBMISSION ADUR LOCAL PLAN IS NOT SOUND

4.1 The NPPF states that to be sound, a local plan 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.

4.2 Due to the provisions within Policy 5 on NMF, Policy 7 on Shoreham Airport and Policies 13 and 14 on Adur's Countryside and Coast/Local Green Gaps, the Plan is not justified or consistent with national policy for the following reasons:

The Plan is not Justified

4.3 The Local Plan contains Policy 7 on Shoreham Airport. Whilst Map 4 does not show a new junction or roundabout to the Airport, the policy states that significant improvements will be required on the A27 Sussex Pad junction to accommodate new development. Paragraph 2.77 also states that an alternative access (a new roundabout at the Sussex Pad junction) is retained as a contingency option. We consider that insufficient supporting evidence has been provided to support this and the option has not

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

been progressed to demonstrate that it is a deliverable or effective safe solution. This is in contrast to the westerly proposal positioned on land at New Monks Farm, which is well advanced with the Highways Agency and deliverable from both a land ownership and technical perspective. We therefore retain our original objection to all references within the Local Plan to an improved access to the A27 at the Airport as this is not a justified strategy.

4.4 With regard to Policy 5 on New Monks Farm, no justification has been given for the need for a school and how the development of such will be managed and delivered. There is no detail on why NMF is the right location for a school, the nature of the organisation(s) likely to develop the school nor is there a contingency in place for the future of land reserved for the school should it not come forward. The policy should refer to dual use of playing fields and the opportunities for formal recreational space provided by the school. On this basis, we do not consider the school proposal to be justified.

The Plan is not consistent with National Policy

4.5 The Local Plan contains elements that are not consistent with national policy. Where this has happened, there is no sound rationale for departing from national policy.

4.6 The concern is that the Plan still refers to Local Green Gaps (Policy 14). These types of policies are no longer supported within the National Planning Policy Framework. Paragraph 76 of the NPPF states that local communities, through local and neighbourhood plans, should be able to identify for special protection green areas of particular importance to them. The NPPF does not support the retention of Local Green Gaps. The area within which the proposed Country Park sits should be defined as Local Green Space as set out in the NPPF. Allocating the entire Green Gap as a Local Green Space is not appropriate and not in line with the NPPF. The NPPG covering Local Green Space designation states that this should only be used where the green area concerned is not an extensive tract of land. Consequently blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name

4.7 Our view is that formal recreation is an appropriate use within a Local Green Space and the Country Park should be designated as such. The supported uses should therefore include formal and informal recreational. Should the Council wish to retain the Local Green Gap policy and the Countryside policy, these should make provision for some formal recreational use. The NPPF states that local policy for managing development within a Local Green Space should be consistent with the policy for Green Belts. Paragraph 81 states:

Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

5. VIABILITY ASSESSMENT

5.1 It is noted that limited detailed input was fed into the Viability Assessment by the landowner of NMF. However, it is clear from the November 2014 Whole Plan & Community Infrastructure Level Viability Assessment that NMF is viable and deliverable. The landowner of NMF is willing to take part in detailed discussions regarding the viability reports for NMF (options 1 and 2) and has made it clear that the development proposals for the site can initially and if necessary accommodate the total costs of the new junction access onto the A27. The Viability Assessment should be amended to take this into account.

5.2 As established above the development at New Monks Farm would generate revenue that could initially cover the total cost of the new junction to the A27. It is expected (but not relied upon) that cross funding will be forthcoming from agencies and initiatives, due to the wider benefit delivered to the road networks. Also beneficiaries of this new access may be required to contribute towards the overall costs.

5.3 On balance we do not consider that the increase in costs will remove the entire viability margin but the costs in relation to both options are significant. We would welcome detailed discussions in due course regarding site specific costs as some of those included in the report will require scrutinising and we may challenge these. The

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major areas are as follows:

- ☒ Flood risk mitigation
- ☒ Third party land costs
- ☒ Legal agreements
- ☒ Finance calculations
- ☒ Abnormal building foundation costs
- ☒ Services infrastructure
- ☒ Country Park establishment, management and maintenance costs

A number of appendices are attached to the representation.

What changes are required to make the Plan sound ?

2. CHANGES TO POLICY 5 NEW MONKS FARM

2.1 It is noted that Policy 5 has been amended following representations to the Draft Local Plan version. However, the concerns outlined in the submissions dated November 2013 have not been taken into account in any substantive way although the following are noted:

- ☒ Reference to development respecting the landscape of the Lancing – Shoreham-by-Sea Local Green Gap and the South Downs National Park has been amended to read: Development must respect the landscape of the surrounding countryside and the South Downs National Park.
- ☒ It is also noted that amendments have been made to Map 2 to remove the annotations within the site. The Country Park area is not included within the key but is situated within the countryside policy area.

3. CHANGES TO OTHER RELEVANT POLICIES

3.1 It is noted that changes to the Shoreham Airport Map 4 have been made and the roundabout option is not shown. However, changes to the policy relating to the need for new access arrangements onto the A27 from the airport in order to serve the proposed development have not changed.

3.2 With regard to paragraph 2.77 - whilst it has been changed to provide preference to the roundabout access to New Monks Farm, this still remains confusing and does not provide clarity as to the option that will be delivered.

3.3 It is noted that a new policy - Policy 14 Local Green Gaps has been introduced.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Tim

Contact Surname

Holter

Organisation

Shoreham & District Ornithological Society

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

8

Policy

07: Shoreham Airport

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Justified

Detailed description as to why is the Plan unsound or not compliant

Area 3 (Map 1: site allocations map P 24 of Part Two)

15,000 sq. mtrs. Allocated to 'employment space' in the north eastern corner of Shoreham Airport.

Unsound selection of site for development.

With over-wintering Regionally (Sussex) important numbers of BAP red-listed Lapwings roosting/loafing/foraging activities concentrated in this least busy and least disturbed riverine corner of the airfield, ornithologically this is the worst possible place for a development proposal of any location that could have been selected around or near the airfield.

Ecology within the airfield that could be damaged is sparse apart from the airfield's riverine ornithological value in which respect the worst possible decision has been made in selecting Area 3 for development.

Research which ought to have supported this claim is either flawed or has not been conducted as recommended by Shiels Flynn the ecological consultants.

Shiels Flynn's Ecological Report conducted in Summer 2012 expresses the likelihood of this riverine grassland having over-wintering habitat of importance to birds and particularly red-listed Lapwings. They also refer to the 'supporting role' function of the habitat in relation to the Adur Estuary SSSI.

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The Ecological Report recommends further research regarding wintering birds and the SSSI relationship. A further clue in this respect is in an RSPB letter of 31st October 2012 (attached).

As a result of not pursuing further relevant and accurate research, despite the good intentions in respect of ecology expressed in the 'vision' sections of the plan, the damaging ornithological implications of this development choice have not been revealed and therefore not taken into consideration. After further research/surveys the Ecological Reports submitted would require amendment in several places. Most particularly this affects the site recommendations made within the Ecological Report which, as a consequence, may not recommend Area 3 as a possibility for development. Also this would render the Local Plan Policy 7: paragraphs 2.76 and 2.84 below incorrect.

Please see comment below concerning incorrect evidence supplied by the Sussex Biodiversity Records Centre which possibly influenced the decision to not obtain further surveys.

Besides the RSPB letter, resort to information available from the British Trust for Ornithology would have revealed the wetland birds issue. BTO's records are estuary wide or based on one kilometre squares so it would be necessary to drill down to a local information level for the precise impact on the airfield and the 15,000 sq.mtrs. Area concerned. This could be provided by the BTO monthly WeBS count volunteer which is me since early 2013 and Jim Glover, an RSPB official, for the preceding 25 years who has offered to confirm in writing. (I did make a representation in the previous rounds)

Inclusion of Shields Flynn's Ecological Reports within the plan without amendment to include over-wintering usage of Area 3; its relationship to the SSSI and presence of Regional (Sussex) important numbers of red-listed Lapwings in winter presents a misleading/inaccurate picture of the ecological/ornithological impact rendering the Local Plan very unsound.

Alternative and less damaging 'employment floor space' areas are possible elsewhere around or near the airfield.(see section 5)

The Plan paragraphs etc. concerned and our comments follow and then summarising comment:

Policy 7:

General:

Para 2.85: Existing section 52 agreement.....restricting development. This will be amended.....

What is the value to the local community and environment of an agreement if the council can amend it to suit themselves or government requirements! Amendment means development in areas previously protected that are sensitive to the impact on the Green Gap, landscape, historic character, visual impairment and on ecology.

Para 2.76: There is potential for (the proposed development) without significant impact (on various sensitive characteristics)....

This paragraph omits biodiversity/natural environment but this is included under 'Key issues to be addressed':

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Para 2.84: ...next to SSSI and 'MAY' provide a supporting role in terms of wintering/wading birds. It is essential that any development....does not impact on the SSSI ...and opportunities taken to improve the SSSI....and biodiversity within the airport itself.....

May is incorrect and both paragraphs would need alteration once recommended surveys are conducted. RSPB letter of 31 October 2012 confirms the winter presence of Lapwing.

The airfield, particularly the east side adjacent to the river, and principally the least disturbed north east corner, the subject of this representation, are important winter and high tide roosting, loafing and foraging areas for wetland birds. This natural riverine grassland habitat which is not included in any nature designations is next to Adur Estuary SSSI and has a supporting role relationship with it. Any development along the east side of the airfield will interfere with the supporting role relationship by placing obstacles between the two areas. I.e. placing obstacles in the wildlife corridor.

The specific importance of the north east corner for wintering wetland birds is not revealed by evidence submitted within the plan and is, therefore, a flaw making the plan unsound.

Policy 7: Summary

Mitigation measures will be required. Opportunities for ecological enhancement should be sought....

Buffering and green roofing will apply to other locations but will not help with the Area 3 ornithological issue. I do not think that green roofs would be used by wetland birds that would normally use riverine arable/grassland and grazing meadows/grazing marsh.

Supporting evidence:

Landscape & Ecology Study

Landscape & Ecological Surveys of Key Sites within the Adur District

Main Report (Sheils Flynn Nov 2012)

4. Ecological Assessment

4.2 Priorities for conservation (Page 18/19)

4th paragraph: Depending upon the significance of anticipated environmental effects....it may be necessary to seek... screening....Environmental Impact Assessment....further surveys

Pre-dating the Ecological report and included in the plan documents is an 'Adur Habitat Regulations Assessment(HRA) Sept 2011'. Also an addendum of September 2014.

These reports dismisses any need for screening in respect of sites with European designation: Ramsar, Special Areas of Conservation, Special Protection Areas. Such areas in Sussex are too far away to be affected by the local proposals.

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What is needed and suggested in the Ecological Report are surveys concerning local impact as the Airfield is next to an SSSI. Not found therefore unsound

5. Indicative Development Principles (page 52)

5.1 Potential Allocation Sites

Shoreham Airport

Ecological Issues

...the site is adjacent to...SSSI (nationally important....)...and MAY provide a supporting role in terms of wintering/wading birds. MAY is incorrect.

Figure 16d – map on page 55

See 2.84 above

The ecological green arrowed network links and comments are made without knowledge of the link with the airfield. Therefore inclusion without alteration is unsound

Development principles (page 56 last two bullet points)

The only parts of the site where development could be accommodated....

Of the areas suggested by Shiels Flynn subject to visual mitigation measures. Area 3 is the least attractive site as it is closely visible from Mill Hill (in the National Park) and riverbank public rights of way. Had further recommended ornithological research been conducted, in view of the importance of this corner to birds and green roof mitigation unlikely to be helpful, it is possible that Shiels Flynn would not have included this area for recommendation when other areas are possible locally. This uncertainty renders the plan unsound. Area 3 needs to be withdrawn for the ornithological reasons stated. Inclusion unsound.

Other alternative sites are mapped (see section 5 below)

Shoreham Airport

Preliminary Ecological Appraisal Sheils Flynn (Sept 2012)

Records of Protected and BAP Species (page 14)

3.8 SxBRC ...supplied records...within 2 km...

I have not seen the 2012 record provided but it may be just as misleading as a list in appendix 3 prepared in Nov 2013: 'Sussex Notable Bird List'. This appears to cover the whole of Sussex rather than the area of concern. Many of the listed birds may not usually be found around the lower Adur and do not nest there. However, regarding the bird of greatest concern in my representation due to the numbers present, Lapwing, the supplied record is entirely unhelpful and incorrect for our area. Firstly, I am not aware of breeding Lapwings in the immediate area. Secondly, and more importantly, this report does not record their winter presence in Adur. Whatever purpose these reports served is therefore unsound and publication of the latter is questionable.

Birds:

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3.11, 3.12 & 3.13 lists birds reported. Please note that Gulls tend not to be reported as they are commonplace in this coastal location. However, throughout the year there can be large flocks loafing on the airfield, particularly in adverse weather and the concentration is in the quiet north east corner.

3.14: ...however, gull and wader species MAY potentially use the large area of grassland... for foraging, loafing and roosting during periods of high tide in the Adur estuary. 'May' is incorrect rendering reliance on this paragraph unsound. Lapwing present during the winter half of the year can be found on the airfield at high tide and may be present at other tidal heights.

Table 3 (page 19)

Breeding birds ...Grassland MAY provide a supporting role...over-wintering species...in particular Lapwing.
MAY is incorrect as above. Unsound

Table 4 (page22)

Features of district importance: Improved grassland ... provides ...roosting etc...over-winter and during high tide periods for wading species associated with Adur Estuary SSSI, such as Lapwing..... Further surveys will also help to determine the degree of support ...to...SSSI.

Footnote 9, draws upon the BTO monthly Wetland Birds Surveys (WeBS), provided by Paul James of Sussex Ornithological Society. This reveals the Lapwing population in the Adur Estuary reporting area is of Regional (Sussex) importance. Without local consultation Paul James would be unable to confirm this applies to the airfield or Area 3 specifically.

Other waders and wetland birds besides Lapwing can also be found in the airfield roosts over-winter and during severe weather conditions.

Evaluation Summary (page 27)

4.7:The site assumes its greatest ecological value by providing a secondary and supporting role to the adjacent Adur Estuary SSSI.....Lapwing.....a further survey will help determine the importance this supporting role has in terms of the integrity of Adur Estuary SSSI.

Other evidence (i.e. not found within the plan documents):

RSPB responded to the first consultation. Their 31 October 2012 letter is attached. This confirms the winter presence of red-listed Lapwing. It also recommends reducing the original 30,000sq.mtrs proposal by half to a location in the south and maintaining the (north end) grassland habitat that is currently of value to birds.

West Sussex County Council information panel found locally

West Sussex County Council information panel on the Downslink long distance path east of The Old Toll Bridge and within 100 metres of the airfield's north eastern corner

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draws attention to the over-wintering presence of Lapwings on the airfield as a notable feature for the passer-by to observe.

Summary on behalf of Shoreham & District Ornithological Society

In the opinion of the Society, in the absence of specific ornithological surveys being conducted across the winter period (October to March) to confirm the probabilities alluded to by Sheils Flynn and confirmed by the RSPB letter coupled with a failure within the Local Plan to acknowledge or publish the existence of regionally important numbers of Lapwing present, let alone other waders and wetland birds, the plan as submitted is unsound.

The Sussex Biodiversity Records Centre record included is misleading and should not be included unless corrected.

It is unsound to include Shiels Flynn's reports without updating to show the correct ornithological status and reflect this in their choice of sites to recommend.

Further investigation would have revealed Area 3 to be the most valuable sector within the airfield for birds and must be saved from development and conserved in its riverine improved grassland state. It has an ornithological supporting role relationship with the adjacent river SSSI. It is the least disturbed part of the airfield and, as a result, the regular focus of roosting/foraging/loafing birds some of regional importance. This is not confirmed within the Local Plan. Unsound.

Perhaps it could be said there is plenty more airfield grassland left for the Lapwings and other species. The other areas are busy with airfield operations and would be even busier and even more prone to disturbance if the total open grassland area is reduced/concentrated beside the increased activity stemming from new development. If the remaining birds including the numerous starlings were forced to concentrate elsewhere than the north eastern corner this could result in an aviation problem of more regular occurrence than now.

Contrary to County Council highlighting the Lapwing presence It seems the local councils concerned with this site and plan may be casting a blind eye to the ornithological concerns.

What changes are required to make the Plan sound ?

Soundness:

Conduct additional ecological surveys to include local consultation concerning the ornithological and SSSI related unacceptable development proposals for this North East corner of the airfield.

Publish an amended Ecological Report within the plan and reflect the findings within the main plan documents.

Withdraw the proposal for Area 3 from the Local Plan.

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Locate new 'employment space' elsewhere on the edge of the built up area.

Shiels Flynn's Ecological Report in figure 16f (page 58) maps two alternative locations for development considered as possibly acceptable in a visual context subject to mitigation by 'greening' methods:

- Land north of the airfield between Ricardos staff car park and the A27 which may appeal to Ricardos for expansion. Subject to a survey this is unlikely to impact upon wetland birds.
- Land in the south eastern corner next to existing airport buildings, a southern portion of the original 30,000sq.mtrs proposal (as RSPB letter). This is adjacent to the SSSI so not ideal but is next to the busiest part of the airport. This is the worst case alternative.

There must be other less ornithologically detrimental alternatives along the southern and western sides of the Green Gap bordering the existing built up area although those with other issues to support may object.

(Observation!: Any alternative outside the airfield boundary will probably not suit either Brighton & Hove and Worthing Councils who are freehold owners of the airfield or Adur Council as I believe they will both wish to be in a position to approve planning permission for the speculative property developer owner of leasehold title to the airfield. The development profit will fund repairs to the rapidly decaying grade two listed Art Deco terminal building which is an obligation under the terms of the lease acquired for a nominal sum and subject to a £1million default clause in respect of the repairs.

The councils appear to be in a strangle-hold over this issue as the problem could fall back on them upon default and insolvency.

Is this vested interest unjustifiably influencing these Councils' wish to create development opportunities within the airfield and contrary to the section 52 agreement?)

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Elizabeth

Contact Surname

Robinson

Organisation

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

37

Policy

07: Shoreham Airport

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Consistent with National Policy

Detailed description as to why is the Plan unsound or not compliant

Full details of my objection were sent in my letter dated 20/11/2013

They are not repeated here but I would ask them to be available to the Inspector. I reserve the right to add to them when details of the Inquiry are available and any further modifications are published.

Details of the earlier comments are still relevant though they now apply to re-numbered Policy 7 and Map 4.

These proposals are considered Unsound because they conflict with NPPF Policy in relation to Heritage Assets.

The previous rep received during consultation on the Revised Draft Adur Local Plan 2013 is as follows:

I wish to OBJECT to the major business allocation proposed in Policy 7 and (Plan) Map 6 of the Draft Adur District Plan. I write as a local resident.

CURRENT SITUATION.

Because the Airport is a large open area between the Adur and Lancing, the public paths and embankments along the river enjoy a pleasant outlook to the West. This is appreciated by visitors and residents. I personally take great pleasure in walking beside the river and over the Toll Bridge and these are the areas that I treat as my local park.

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Walks beside the river are used by large numbers of people. The area is one of the most accessible, attractive public spaces in the vicinity.

The views can be appreciated by users of the A283 in both directions and westwards on the Upper Shoreham Road. Pub goers sit out at the front of the Amsterdam and Red Lion, which are venues for visitors, especially from the adjacent Downsway Trail.

The views and the walks are a characteristic feature of the Old Shoreham Conservation Area which extends both sides of the Upper Shoreham Road and includes the Eastern riverside and the approach to the Toll Bridge.

I particularly enjoy bird watching beside the river and the many overwintering birds are a special attraction. Some, notably Lapwings, use the grass areas of the airport as winter feeding grounds.

There is a great contrast between the open outlook over the Airport and the busy industrial area developed by Ricardo P.L.C to the north of the Toll Bridge.

It is a fact that the freehold of the Airport is still owned by Worthing and Brighton/Hove Councils. These authorities could therefore have a financial interest in the outcome of the major business allocation proposed in Policy 7.

Of course, Adur Council is independent of the two freeholders. However, the Planning Department of Adur has moved to Worthing and the two councils have merged to the extent that, for some time, they have shared a Chief Executive and other functions. Their identity is 'Worthing and Adur Councils'.

I know that the Toll Bridge is Listed Grade II and its setting is therefore sensitive. It is also important that the area east of the river is the Old Shoreham Conservation area, as mentioned. This includes the land up to the eastern footing of the Toll Bridge and the embankment, as far as the river shore, as well as housing and the medieval Church of St Nicolas.

The South Downs National Park is immediately to the north of the A27 and there are views from it over the airport. I also visit places in the Park, such as Mill Hill and Lancing Clump, from times to time and know that these views would be made less attractive if the major business allocations shown in Policy 7 was implemented.

ILLUSTRATIONS.

Several photographs are included to show various views towards the site affected by the major business allocation proposed in policy 7. The positions are marked on Map 2 (attached as e-mail PDF only).

Photos 1-3 are a sequence along the Upper Shoreham Road from the junction with St Nicolas Lane (1) to Connaught Avenue (2) and the riverside (3). Locations 2-5 are in the Old Shoreham Conservation Area. They show the view west over the Airport. Appendix 1 shows how the alignment of the Upper Shoreham Road leads towards the major

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

business allocation proposed in policy 7 site.

Photos 4 and 5 are taken from the approach to the Toll Bridge from the east. They are both from the western end of the Conservation Area which is where the listed Bridge begins.

Photo 4 looks southwest from the southern side of the Bridge over the airport towards the major business allocation proposed in policy 7.

Photo 5, from north side of the Bridge and due north of the point used for photo 4, looks northwest towards Ricardo's.

These photographs demonstrate what I am concerned could happen to the views west over the airport, south of the Bridge, if business development happens. The example of Ricardo's shows how the western side of the river, south of the Toll Bridge, could look from the east.

CONCLUSION.

I am asking for the major business allocation proposed in policy 7 to be removed from the Draft Plan and the land sought to be found elsewhere in the District. That should be discussed separately but it is clear that there are other possibilities.

The Policy as it stands raises many questions including:

a) What would the actual impact on views over the site be? I have put forward my concerns and it is noticeable that there are no professional visualisations of the impacts, only verbal assurances to 'minimise' impacts, not that they will be acceptable.

B) How would the (S52) agreement need to be altered to allow the site to be released and what are the implications of that?

C) Who stands to benefit from the release and are there valid grounds for 'enabling development' here?

D) What are the realistic alternatives to releasing this site and what would their impacts be in comparison?

E) What is the most appropriate new junction design on the A27 and where would it be?

F) Is the flood prevention scheme practical, and funded and when might it happen?

Most significantly, the major business allocation proposed in policy 7 would bring about major damage to the local public amenities, including the settings of the Toll Bridge and land in the Old Shoreham Conservation Area, important designated Heritage Assets.

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I therefore ask you to remove the major business allocation proposed in policy 7 from the next version of the Local Plan.

What changes are required to make the Plan sound ?

The policy should be deleted and re-written without the industrial development site in the NE corner of the Airport.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Bill

Contact Surname

Freeman

Organisation

Lancing Manor SE Residents Network

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

13

Policy

07: Shoreham Airport

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

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.

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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.

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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

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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 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, WSCC 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.

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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.

What changes are required to make the Plan sound ?

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

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name Contact Surname Organisation

Agent's First Name Agent's Surname Agent's Organisation

Representation No / Representor ID

Policy Paragraph Map Other

Sound? Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Liz

Contact Surname

Hobden

Organisation

Brighton & Hove City Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

31

Policy

07: Shoreham Airport

Paragraph

Map

Other

Sound?

Yes

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

It is noted that an allocation for up to 15,000 sq m of employment land is proposed at the north east corner of the Airport. Supporting text at paragraph 2.76 indicates that: 'without significant impacts on the open character of the area between Shoreham and Lancing and key views to and from the South Downs National Park, as well as Airport operations. However, this is dependent on new development being sensitively designed and sited.' The principle of providing additional opportunities for employment land at the airport is supported given the potential for regeneration benefits to the wider area. However, as the joint freeholder we would draw the Council's attention to a covenant in the lease which states:

"During at least the first 35 years of the term not to build on any runway or any part thereof or any replacement runway and to run and manage the premises or the appropriate part or parts thereof by providing airport facilities and services together with associated facilities or commercial operations that benefit Shoreham Airport or benefit from the operation of Shoreham Airport..."

Consideration should be given to the inclusion of wording in the policy to clarify that development of the north east corner of the site should not jeopardise the runway use and airport operations.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name Contact Surname Organisation

Agent's First Name Agent's Surname Agent's Organisation

Representation No / Representor ID

Policy Paragraph Map Other

Sound? Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

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.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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 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, WSCC 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.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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.

What changes are required to make the Plan sound ?

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

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

07: Shoreham Airport

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The Sussex Wildlife Trust still hold concerns about the suitability of this site for development given its important role as flood zone 3b (functional flood plain) and the acknowledged need for ecological mitigation if this area is developed. We still believe that the policy should go further in its wording to say 'ecological enhancements will be sought through all aspects of development on this site'.

However we are pleased to see the explanatory text taking on board our suggestions of green roofs to take into account visual sensitivities of the landscape, biodiversity opportunities and possible flood alleviation.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

David

Contact Surname

Johnson

Organisation

Campaign to Protect Rural England (Sussex)

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

21

Policy

07: Shoreham Airport

Paragraph

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy

Detailed description as to why is the Plan unsound or not compliant

When commenting on the Revised Draft Local Plan CPRE Sussex objected to the allocation of the strategic site at Shoreham Airport for a number of reasons, including flooding issues.

Paragraph 2.80 of the Local Plan explains that “Shoreham Airport is currently located within Flood Zone 3b (functional floodplain). The airport is at risk from tidal and fluvial flooding and has a high susceptibility to groundwater flooding. There are also potential surface water flooding issues but these are less significant. The construction of the Shoreham Adur Tidal Walls Project led by the Environment Agency will reduce the likelihood of tidal and fluvial flooding at the airport and would result in a change to the Flood Zone of the airport from 3b to 3a (high probability). This change will facilitate the allocation of approximately 15,000 sqm of employment floorspace at Shoreham Airport to be constructed. The allocation is therefore dependent on the construction of the Tidal Walls. Technical approval has now been received for the Shoreham Adur Tidal Walls Project and the Environment Agency has secured funding to start the detailed design phase of the scheme. The Tidal Walls Scheme is not anticipated to be completed until approximately 2017 but the improvement of flood defences adjacent to the airport is likely to be undertaken as one of the early phases of this scheme.” This is reflected in Policy 7.

However, CPRE Sussex notes that West Sussex County Council, as Lead Local Flood Authority, expressed concerns at the allocation of major sites within the high flood risk zones 3a and 3b, especially New Monks Farm and Shoreham Airport, when commenting on the Revised Draft Local Plan. The County Council accepted that these sites passed the Sequential Test (due to a lack of available developable land outside of flood risk areas) and Part 1 of the Exception Test but considered that it had yet to be proven that Part 2 of the Exception Test could be definitively passed at this stage.

The County Council explained that in order to meet the requirements of Part 2 of the Exception Test as set out in the National Planning Policy Framework and associated guidance, the Local Plan should demonstrate (WSSC emphasis) that the development will be safe for its lifetime, the residual risks of flooding to people and property

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

(including the likely effects of climate change) are acceptable and can be satisfactorily managed.

The County Council noted that the Strategic Flood Risk Assessment (SFRA) 2012 does not include the level of detail required that is set out in paragraph 8 of the Technical Guidance to the NPPF to demonstrate that Part 2 can be met according to paragraph 102 of the NPPF at the Local Plan stage.

The County Council accepted that the majority of this detail should be provided at the application stage but pointed out that the Planning Practice Guidance (then in draft form, but now finalised) indicated that this should also be done at the Local Plan stage. As Lead Local Flood Authority, the County Council stated that “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”.

CPRE Sussex acknowledges that Policy 7 prevents any development on the proposed allocated site until the relevant section of the Shoreham Adur Tidal Walls on the west bank has been completed. However, we note that this would only reduce the categorisation of the site from “functional floodplain” (3b) to “high probability of flooding” (3a) rather than protect the site from flooding at all.

In addition, CPRE Sussex has 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 submitted together with these representations, but the conclusions of the Assessment include:

☒ The EA Floodmap shows the sites to be located within Flood Zone 3b, 3a, 2 and 1, and the sites do not appear to benefit directly from the presence of defences to the required standard for planning.

☒ The Worthing and Adur SFRA shows:

- Shoreham Airport: sewer flooding event on site.

☒ Modelled surface water flooding shows all of the sites to be affected by predicted surface water ponding.

☒ With significant surface water flooding predicted in the north of the New Monks Farm site and along Old Shoreham Road and around the numerous drains and tributaries across all three sites.

☒ The Worthing and Adur SFRA shows areas of Intermediate Susceptibility to surface water flooding across all three sites.

☒ Numerous anecdotal records of flooding have been provided, including photographic evidence and anecdotal evidence suggests the following combined flood mechanisms occur:

- surface water flooding occurs in these areas as surface water cannot drain into the ground because of very high groundwater levels;

- surface waters cannot discharge into ditches and tributaries that ultimately drain in the River Adur when tidal levels are high (i.e. tide locking occurs).

☒ Given the underlying geology, it is clear that most if not all of the allocated areas are going to be unsuitable for infiltration SUDS and all developments will need to be connected to mains drainage. The sustainability of the infrastructure requirements of draining potentially hundreds of new homes, plus commercial space and associated roads and car parking into mains drainage may be questionable.

☒ In addition, further investigation will be required into any built construction or land re-profiling which could affect overland flow routes or surface water flood conveyance routes across the sites.

☒ Further investigation is also recommended into the access and egress arrangements for the sites given the historical flooding records and potential for surface water flooding of the site access routes and adjacent roads.

☒ The SFRA has highlighted ‘significant’ risks of groundwater flooding in the allocation areas.

☒ There is a spring line at the base of the South Downs, where the Chalk aquifer dips below a cover of low permeability superficial deposits. There is firm evidence of

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

groundwater emergence along this geological boundary (which is also, roughly, along the route of the A27). Emergence of groundwater here already causes local flooding issues. In addition, the superficial deposits can be seen to communicate tidal and river levels inland.

☒ To date the modelling and strategic flood risk assessments take into account each flood mechanism as an isolated event. Convergence of several flood drivers (e.g. high groundwater levels plus high rainfall) may combine to cause unanticipated levels of flooding.

It is clear from this Assessment that there is still significant uncertainty over the ability to develop the strategic site at New Monks Farm (and the strategic sites at West Sompting and Shoreham Airport) without encountering substantive flooding problems and quite possibly, exacerbating flooding problems elsewhere (flooding is not constrained to the proposed development area: whatever is developed in the north of the Lancing-Shoreham Gap will impact the drainage for the whole flood plain area – upstream and downstream, particularly West Beach, which will be at further risk of flooding from displaced surface water).

CPRE Sussex is aware that West Sussex County Council has commissioned CM2MHill (Halcrow) to undertake a complete study of the surface and groundwater flows across the Lancing Gap with flow and capacity measurements. We understand that this report will not be available until the Spring of 2015 and that it 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 allocations in the Adur Local Plan.

CPRE Sussex considers that the submission of the Local Plan would be premature until this report is available and its conclusions can be used to inform the Plan's policies and proposals, particularly the allocations of strategic sites at New Monks Farm and Shoreham Airport.

CPRE Sussex further considers that in the absence of this report and any further work undertaken by the District Council, and with the conclusions of the CPRE Sussex Assessment, the Council has failed to demonstrate that development at New Monks Farm would achieve clause V9 of the Local Plan's Vision – that 'flood risk will have been greatly reduced through..... the careful consideration of the location of new development' – and, critically as regards the soundness of the Plan, that it would not be contrary to paragraph 100 of the National Planning Policy Framework, which states "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere" and that Part 2 of the Exception Test can be met according to paragraph 102 of the NPPF.

Accordingly, CPRE Sussex does not consider the allocation of land at Shoreham Airport, at this time at least, to be sound.

Enc. Flood Risk Assessment attached dt. November 2014, from Georgia Wrighton (email 01/12/14 16:00 Planning Policy), Director, Campaign to Protect Rural England (Sussex) - reference: 2146

What changes are required to make the Plan sound ?

CPRE Sussex believes that the correct procedure would be not to submit the Local Plan until the conclusions and recommendations of the CM2MHill Report are published (and publicly available) with, if necessary revisions to the Plan to take account of these conclusions and recommendations. If the Council nevertheless proposes to submit the Plan before the CM2MHill Report is published, Policy 7 and its supporting text should be revised to make it clear that the development of the Shoreham Airport strategic site will only be acceptable if this Report demonstrates that viable attenuation is possible to avoid ground/surface water flood risk to existing and new build properties (i.e., if this Report demonstrates that viable attenuation is not possible, the development of the site will not be acceptable. It should then be deleted from the Plan as a main modification). We suggest the following amendment to Policy 7: If it can be demonstrated that viable attenuation is possible to avoid ground/surface water flood risk to existing and new buildings, land at Shoreham Airport.....".

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Description as to why the Plan is sound/supported

Contact First Name

Matt

Contact Surname

Breeze

Organisation

East Sussex County Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

35

Policy

08: Shoreham Harbour

Paragraph

Map

Other

Sound?

Left Blank

Legally compliant?

Left Blank

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Government policy set out in the NPPF requires existing, planned and potential wharf facilities to be safeguarded for minerals imports. The County Council considers that it is important to maintain capacity for aggregate imports at Shoreham Harbour and has in the past expressed concern over the potential loss of wharfage as a result of Port regeneration plans. East Sussex County Council does however anticipate that joint working established through the Statement of Common Ground (signed earlier in 2014) should enable a satisfactory resolution of this matter prior to adoption of the regeneration plans.

East Sussex County Council also has the following minor comments of clarification on paragraph 2.100 in the Proposed Submission Adur Local Plan 2014:

- The correct year of adoption for the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan is 2013
- The policy referred to in this plan should be WMP 15

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

08: Shoreham Harbour

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

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 improvements made to the draft policy, which now includes recognition that 'All development will be required to protect and enhance the areas important environmental assets and wildlife habitats...' However we must reemphasise that along with seeking on site biodiversity gains inline with section 109 of the NPPF, the policy must consider off site biodiversity gains.

The policy includes a priority to enhance connections between Shoreham town centre and Shoreham beach. There should therefore be 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.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Heidi

Contact Surname

Clarke

Organisation

Sport England

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

1

Policy

08: Shoreham Harbour

Paragraph

Map

5

Other

Sound?

Left Blank

Legally compliant?

Left Blank

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Further comments

Adur Local Plan – Part 3

Shoreham Harbour Regeneration Area: Key 5 Southwick Waterfront and Fishersgate on Map 5 includes a playing field. At this stage Sport England can advise that it would not support the loss of the playing field unless one of the exceptions applied in Sport England's policy 'A Sporting Future for the Playing Fields of England which is online at www.sportengland.org/planningforsport

The Local Plan advises that an open Space SPD will be produced by the Council to address open space provision in further detail. Sport England would welcome consultation on the production of this document.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Michael

Contact Surname

Bottomley

Organisation

CEMEX UK Properties Ltd ('CEMEX')

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

33

Policy

08: Shoreham Harbour

Paragraph

2.96

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Paragraph 2.96

CEMEX therefore supports paragraph 2.96, which states that there is a strong commitment from the Partnership to ensure that any release of sites is backed up by an accompanying strategy which minimises impact on existing business operations and retains local firms and associated jobs in the area. If any residential development is located adjacent to operational wharves, then mitigation measures must be incorporated into the design of new development to provide acceptable levels of residential amenity and allow the continued operation of the CEMEX site.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Michael

Contact Surname

Bottomley

Organisation

CEMEX UK Properties Ltd ('CEMEX')

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

33

Policy

08: Shoreham Harbour

Paragraph

2.97

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Paragraph 2.97

In order to be compliant with NPPF Paragraph 143, paragraph 2.97 of the draft plan should be amended to read In the long term it is essential to ensure that the initial phases of development do not compromise the operations of businesses...!.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Hannah

Contact Surname

Hyland

Organisation

Environment Agency

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

6

Policy 08: Shoreham Harbour

Paragraph N/A

Map

Other WITHDRAWN see 2016 Representation

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Justified

Detailed description as to why is the Plan unsound or not compliant

WITHDRAWN see 2016 Representation

In general we are supportive of this policy and have been working closely with the Shoreham Harbour partnership in preparing the Joint Area Action Plan. We are pleased to see reference to high environmental standards and the need for ecological enhancements and flood defences along the Western Harbour Arm.

However, given the historic uses in this area land contamination is likely to be a significant issue for new development. To ensure the policy is effective and fully justified we would recommend that additional criteria are included in the policy.

What changes are required to make the Plan sound ?

WITHDRAWN see 2016 Representation

We recommend that reference to land contamination is added within paragraph 11 of policy 8 alongside local noise and air quality.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Liz

Contact Surname

Hobden

Organisation

Brighton & Hove City Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

31

Policy

08: Shoreham Harbour Regeneration Area

Paragraph

Map

Other

Sound?

Yes

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

BHCC is already working with Adur District on the Joint Area Action Plan for Shoreham Harbour and welcomes the inclusion of the aims of the JAAP in the Local Plan. We look forward to a continuation of cooperation between the authorities on this issue.

We would support the setting up of measures such as those described in Paragraph 4.76 to reduce the negative effects on amenity and air quality caused by HGVs accessing the Harbour.

The City Council welcomes the acknowledgement in the Plan that the Harbour is regionally important for the landing, processing and handling of minerals. The importance of marine dredged aggregates is expected to increase for Brighton & Hove and East Sussex over the forthcoming years as permitted on-shore reserves are depleted. The importance of Shoreham Harbour in securing a steady supply of aggregates to support building activity and economic growth in the city is therefore likely to increase. Due to the importance of the provision and safeguarding of minerals wharfage, the JAAP partners, together with South Downs National Park Authority and East Sussex County Council have signed a Statement of Common Ground (SOCG). The purpose of the SOCG is to underpin effective cooperation and collaboration between the partners in addressing strategic cross-boundary issues as they relate to planning for minerals infrastructure and safeguarding in Shoreham Harbour.

Wharf capacity is safeguarded under Policy WMP15 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (not WMP14 as stated), and the Plan was adopted in 2013, not 2012. The emerging East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan specifically identifies wharves at the harbour as safeguarded under Policy WMSP9 of the recent Consultation Draft, and this will be the mechanism for assessing the impact on wharf capacity at the Brighton & Hove section of the Port from any development proposals in this area. As a result development proposals affecting minerals wharves are required to demonstrate that there is no net loss of capacity for handling minerals within the port as an impact of new development. A similar policy is likely to be included within the emerging West Sussex Minerals Local

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Plan. It is also important that any development on sites proximate to the wharves does not prejudice their ability to continue to operate.

The City Council is proposing an amendment to the Shoreham Harbour Policy (DA8) in the Brighton & Hove City Plan to reflect opportunities for large scale, low carbon energy technologies at the Harbour particularly the opportunities to utilise waste heat arising from activities at the Harbour. Adur District Council is a partner with the City Council in the development of studies to investigate opportunities for a heat network anchored at Shoreham Harbour therefore it will be important that any opportunities identified by this work are supported by Plan policies. Consideration should be given to the inclusion of wording in the Adur Local Plan similar to that used by the City Council within DA8 Shoreham Harbour and reproduced below:

3.112 The Brighton & Hove Energy Study has identified particular potential for District Heating networks in and around Shoreham Harbour within a long list of priority areas. Development within the long-list of priority areas will be encouraged to consider low and zero carbon decentralised energy and in particular heat networks and required to either connect where a suitable system is in place, or would be at the time of construction, or design systems so that they are compatible with future connection to a network. The potential will be further investigated during the preparation of the JAAP

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Michael

Contact Surname

Bottomley

Organisation

CEMEX UK Properties Ltd ('CEMEX')

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

33

Policy

08: Shoreham Harbour Regeneration Area

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

CEMEX Shoreham

CEMEX has an active interest in the formulation of planning policy in the Shoreham area, and owns one site in this area (see attached plan). The address of the site is as follows:

Hall's Wharf Basin Road North

Shoreham BN41 1DN

CEMEX is a global supplier of cement, ready mixed concrete and aggregates, with operations in more than 50 countries. The site is operational and provides wharf facilities essential for the supply of aggregates to East Sussex and across the South East. Deloitte have previously submitted representations on the Adur Draft Local Plan in October 2012 and the Shoreham Harbour Area Action Plan in April 2014.

Policy 8: Shoreham Harbour Regeneration Area

It is noted that Policy 8 identifies the harbour as a broad area for change with the introduction of a wider mix of uses within the Character Areas designated by the emerging Shoreham Harbour AAP.

CEMEX's asset is designated as a safeguarded wharf, which is shown as Halls Wharf on Draft Map 6. Paragraph 2.100 of the emerging Local Plan states that minerals wharves are safeguarded under Policy 40 of the West Sussex Minerals Local Plan (2003).

CEMEX have serious concerns regarding the proposed introduction of residential developments into this area. Despite the proposed policies which aim to ensure that any new residential development will not negatively impact the wharf uses, residential land uses are entirely incompatible with the current port heavy industrial use and the area should remain in exclusively commercial use. CEMEX has previously had established commercial operations in other locations in the UK severely compromised due to the

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

introduction of neighbouring residential developments; these have then led to noise complaints that severely restricted operational hours and overall viability of the site. The continuation of recognised economic functions in the area is important for the local economy and new residential development should not be allowed to impact this existing use. CEMEX contends that introducing residential uses has the potential to be contrary to NPPF paragraph 143, which states (under 'Facilitating the Sustainable Usage of Minerals') that in preparing Local Plans, local planning authorities should "safeguard existing... wharfages and associated storage, handling and processing facilities'.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Liz

Contact Surname

Hobden

Organisation

Brighton & Hove City Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

31

Policy

12: Southwick and Fishersgate

Paragraph

Map

Other

Sound?

Yes

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

It is noted the site known as Eastbrook allotments is identified as having potential for mixed use development. In principle this is welcomed by the BHCC as the adjoining Local Planning Authority. The existing allotments will be retained but the site provides some

development opportunities which could include some residential (south-western part of site – subject to suitable access), employment uses (B1 and B8), training and educational facilities as well as open space, allotments and a small-scale community use. Potential uses will be explored in more detail through a development brief and no doubt with BHCC as landowner.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Asher

Contact Surname

Ross

Organisation

Boyer Planning

Agent's First Name

Asher

Agent's Surname

Ross

Agent's Organisation

Boyer Planning Limited

Representation No / Representor ID

15

Policy

13: Adur's Countryside and Coast

Paragraph

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

Policy 13 seeks to protect all land outside the Built Up Area Boundary from any development. However, there does not appear to be any assessment in the Policy as to the quality of the countryside and what contribution that land makes. This is effectively a blanket protection to all areas outside the built up areas, which does not conform to the policies of the NPPF as this is not based on any evidence.

It is unclear from the wording of the Policy why this area is designated and the purpose of it. There is no basis in landscape terms, protection of settlement identity or any other matter that supports this blanket Policy.

What changes are required to make the Plan sound ?

Policy 13 should be re-written on the basis of sound evidence (if there is any) to support the protection of important land that plays a role in either landscape or other areas.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Robert

Contact Surname

Thornton

Organisation

Thornton Architecture & Design

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

34

Policy

13: Adur's Countryside and Coast

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

3.01 Policies 4, 7 & 13 - strategic site allocation of 15,000sqm of employment space on the airfield at Shoreham Airport:

a. Allocation of this site is not supported by evidence from the background studies commissioned by the Council and is inconsistent with the Submission ALP's vision and objectives (V7/O7) to protect the setting and landscape of the South Downs National Park (SDNP), river Adur and the local green gaps. The airfield lies within the Local Green Gap between Lancing and Shoreham and west of the River Adur. Future development of this site on the scale proposed would have an adverse impact on the purpose of the gap, which is to maintain openness and avoid coalescence of the settlements of Shoreham and Lancing, as set out in Policies 2 & 13. The proposal to allocate this site would significantly narrow the gap. The Urban Fringe Study 2006 (UFS) reports that 'Area 3 (Shoreham Airport) makes a significant contribution to the openness of the strategic gap. Despite the built up nature of the airport and nearby employment uses, there is little scope for further development outside of these current developed areas without prejudicing the wider open nature of the gap' (Chapter 6.28 p.53).

B. Policy 13 states that "any development in the countryside should not result in a level of activity which has an adverse impact on the character of the area'. And yet all the evidence based studies concur that this site allocation will have an adverse impact.

C. The UFS 2006 concludes; 'Any major new development in the area north of the railway line [within the Lancing gap] would be readily visible when viewed from the National Park, and be visible from other parts of the gap. This would adversely affect the integrity of the gap, reduce the sense of separation between settlements, and have a negative effect on the landscape of the area'. (Chapter 6.27 Visual sensitivity P38).

D. The Landscape & Ecology Study classifies the area as having a Medium-High impact on Landscape character sensitivity. The report states the LCA is 'highly vulnerable to change' and that 'the extensive open landscape makes a strong contribution to the impression of open, extensive green space...enhancing the sense of separation between Shoreham and Lancing'. The report describes the open green landscape of the airport as being 'the focus of longer high sensitivity views from the SDNP' and that the area 'has exceptionally high visual sensitivity'. The report concludes that mitigation of the visual impact of any development at this location would be very difficult.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

E. Chapter 11.4.2 Sustainability Appraisal (SA) of the Adur Local Plan outlines its reasons for selecting the area in the north east of the airfield for employment allocation but states; “Development would be visually intrusive and the landscape has a low capacity to accommodate this type of development without adverse effects on the character of the landscape and the way it is perceived’.

F. NPPF also states that plans should resist development where “any adverse impacts of doing so would significantly and demonstrably outweigh the benefit, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.’ In this case, all the evidence based studies have highlighted the adverse impacts on the integrity of the gap and the landscape and visual sensitivity from within the area and from key viewpoints from within the National Park. The Council should regard these adverse impacts as significantly and demonstrably outweighing the benefits, particularly when alternative sites are available, such as the Steyning Road site, which is less constrained and more deliverable (see site comparison table, appendix B).

G. 80% of the site lies within Flood Zone 3b defined as ‘functional flood plain’ and at a higher risk of flooding than the Steyning Road site. (See Appendix C – Lancing Gap Tidal Flood Map) NPPF paragraph 100, states that this type of land should be safeguarded from development where it is required for current and future flood management (also APL Policy 13).

H. Future use of the airfield land for development is dependent on the £25m Adur Tidal Wall Scheme (TWS) raising the existing flood risk from Category 3b to 3a before it can be properly considered. The Steyning Road site to the east of the river is already categorized within Flood Zone 3a. Therefore, under the sequential test, (NPPF paragraph 100), the proposed land allocation within the airfield should be discounted by more suitable sites such as the Steyning Road site, which is already at a lower risk of flooding. However, the Submission ALP supports the implementation of a TWS that will increase the flood risk to the Steyning Road site rather than secure and enhance its long term viability. (See Appendix D – Environment Agency Letter, confirming that their preferred strategy could be influenced.)

i. The latest Strategic Flood Risk Assessment (SFRA) final report states under paragraph 4.3.3 ‘recent modelling to test the effect of building the west bank Adur Tidal Walls showed that, if the walls were built along the west bank, the depth of flooding, hence risk, increases on the east bank. This information suggests that the west bank area of the Adur (including Shoreham Airport) provides a degree of storage at present and should, based on the evidence available, [still] be considered functional [flood plain]’. This is contrary to the criteria that must be met by an Exemption test, where a flood risk assessment must demonstrate that the development will be safe without increasing flood risk elsewhere and where possible will reduce flood risk overall. It is further contrary to NPPF (paragraph 100) ‘safeguarding land from development that is required for current and future flood management’. The EA’s current preferred option for the northern reach of their scheme will result in increasing the risk of flooding to the Steyning Road site (currently at a lower risk category than the Shoreham airfield) and the surrounding area of the A27/A283 interchange.

J. The Employment Land Review 2011 (ELR) site assessment rated the Shoreham Airport site inadequate for internal road access and poor for public transport provision under accessibility and poor for access to amenity. Funding for a major road infrastructure upgrade with a new roundabout at the Sussex Pad and a link road through the airfield to the site will be needed to rectify this. It would depend upon;

i. funding to facilitate these infrastructure improvements that will not be generated from piecemeal development and where wholesale development is very unlikely and delivery at all is a major risk;

ii. Access onto the A27 where vehicle traffic movements already exceeds capacity. This will be the case even if the site provides local employment because of poor pedestrian and public transport links to the airfield.

K. The NCS report concludes that the Shoreham Airport land allocation has a negative viability and based on the Commercial Viability Appraisal (NCS. Appendix 3) would make a net development loss of just over £3M (based on zero CIL rate). Therefore, funding for the necessary transport infrastructure would have to come from either, public funding or from New Monks Farm. The NCS report casts some doubt as to how and where this funding would come from and that discussions are ‘on going’ as to how this will

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

be resolved (NCS: Footnote to Chapter 6.2, p36 - Strategic Viability Appraisals and Chapter 7.14. p42 -Conclusion & CIL Rates). The Land is also subject to a section 106 agreement which restricts development for further employment uses.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

John

Contact Surname

Fleming

Organisation

Gladman Development

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

27

Policy

13: Adur's Countryside and Coast

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Gladman note that a significant amount of land within the authority is located within the South Downs National Park resulting in a limited amount of land available for development outside of this location. The emerging Local Plan seeks to impose both Policy 13: Adur's Countryside and Coast and Policy 14: Local Green Gaps, which may constrain otherwise sustainable development coming forward. These designations should not be intended to constrain and restrict otherwise sustainable development from coming forward when there is a demonstrable need for housing.

Gladman would oppose the use of local green gaps if these would serve only to act as an arbitrary tool to prevent sustainable development coming forward. In this instance we submit that new development can often be located in local gaps without leading to the physical or visual merging of settlements, eroding the

sense of separation between them or resulting in the loss of openness and character. Gladman would oppose the use of strategic gaps if these would unnecessarily constrain sustainable development.

The 2012 Landscape and Ecology Study and the 2006 Urban Fringe Study provide the evidence base to the above policies, however the evidence base only assesses the Council's proposed strategic allocations and does not assess the entire landscape character of the district. Gladman therefore query whether these policies have been based on full robust evidence and whether additional allocations could come forward if additional areas are assessed.

Gladman refer again to the Brighton and Hove City Plan Examination, in which the Inspector stated 'I

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

recognise that there are significant constraints to providing land for development, and that there are competing priorities for any land which may be available. However, given the significant shortfall in meeting housing needs, it is important that the Council rigorously assesses all opportunities to meet that need.' It is therefore vital that in order to find the Local Plan sound, the Council must rigorously assess all opportunities to meet the identified need. The Council should consider the release of additional land from these allocations in order to facilitate future sustainable development. Failure to do so could result in a declining housing market and worsening affordability ratio which will impact not only on the district but the wider HMA. Without an up to date, adopted development plan, these local plan policies carry limited weight and are not in accordance with paragraph 14 of the Framework.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name Contact Surname Organisation

Agent's First Name Agent's Surname Agent's Organisation

Representation No / Representor ID

Policy Paragraph Map Other

Sound? Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

1 BACKGROUND

1.1 These submissions are made on behalf of the landowner of New Monks Farm (NMF). Representations to the Revised Draft Adur Local Plan were outlined in a letter dated 7th November 2013 and are attached as Appendix 1. Comments were directed to RD Policy 5 New Monks Farm (NMF) including Map 4, RD Policy 7 Shoreham Airport including Map 7, RD Policy 13 Adur's Countryside and Coast, all references to Shoreham Airport proposed access to A27 within the Draft Local Plan and all references to Green Gaps within the Draft Local Plan.

1.2 The November 2013 representations raised a number of concerns on the soundness of the above policies and a summary of these with reference to NMF are set out below:

- ② RD Policy 5 New Monks Farm and Map 4. There was general support for the policy and the range of proposed development uses.
- ② Whilst there was no objection to providing a Landscape/Green Infrastructure Strategy - this is referenced in the policy with limited, if any, mention of it within the supporting text.
- ② The Preliminary Ecological Appraisal 2012 for the site states that it is not subject to any statutory or non-statutory nature conservation designations. There was concern that this part of the policy was not clear about the elements that are to be protected and/or enhanced and why.
- ② Para 2.57 within the draft Local Plan stated that the most important biodiversity habitats are the network of streams and ditches. Support is given only to the references made to the streams and ditches being safeguarded and enhanced.
- ② Objection was raised to the reference to development respecting the landscape of the Lancing-Shoreham by Sea Local Green Gap (see below). The essence of a Green Gap

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

(to which an objection was made) is to prevent towns coalescing. It is not a landscape based policy.

☒ Whilst there was support for a school being located at NMF, this is subject to the Council proving the need for it, how it will be funded and importantly, how and when it will be delivered.

☒ An objection was raised to the current wording of 'a Country Park and informal recreation' and a request was made that this is amended to 'a Country Park, informal and potentially formal recreation'.

☒ An objection was raised to all references to Green Gaps within the Draft Local Plan.

☒ An objection was raised to all references to an improved access to the A27 at the Airport.

2. CHANGES TO POLICY 5 NEW MONKS FARM

2.1 It is noted that Policy 5 has been amended following representations to the Draft Local Plan version. However, the concerns outlined in the submissions dated November 2013 have not been taken into account in any substantive way although the following are noted:

☒ Reference to development respecting the landscape of the Lancing – Shoreham-by-Sea Local Green Gap and the South Downs National Park has been amended to read: Development must respect the landscape of the surrounding countryside and the South Downs National Park.

☒ It is also noted that amendments have been made to Map 2 to remove the annotations within the site. The Country Park area is not included within the key but is situated within the countryside policy area.

3. CHANGES TO OTHER RELEVANT POLICIES

3.1 It is noted that changes to the Shoreham Airport Map 4 have been made and the roundabout option is not shown. However, changes to the policy relating to the need for new access arrangements onto the A27 from the airport in order to serve the proposed development have not changed.

3.2 With regard to paragraph 2.77 - whilst it has been changed to provide preference to the roundabout access to New Monks Farm, this still remains confusing and does not provide clarity as to the option that will be delivered.

3.3 It is noted that a new policy - Policy 14 Local Green Gaps has been introduced.

4. WHY THE SUBMISSION ADUR LOCAL PLAN IS NOT SOUND

4.1 The NPPF states that to be sound, a local plan 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.

4.2 Due to the provisions within Policy 5 on NMF, Policy 7 on Shoreham Airport and Policies 13 and 14 on Adur's Countryside and Coast/Local Green Gaps, the Plan is not justified or consistent with national policy for the following reasons:

The Plan is not Justified

4.3 The Local Plan contains Policy 7 on Shoreham Airport. Whilst Map 4 does not show a new junction or roundabout to the Airport, the policy states that significant improvements will be required on the A27 Sussex Pad junction to accommodate new development. Paragraph 2.77 also states that an alternative access (a new roundabout at the Sussex Pad junction) is retained as a contingency option. We consider that insufficient supporting evidence has been provided to support this and the option has not

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

been progressed to demonstrate that it is a deliverable or effective safe solution. This is in contrast to the westerly proposal positioned on land at New Monks Farm, which is well advanced with the Highways Agency and deliverable from both a land ownership and technical perspective. We therefore retain our original objection to all references within the Local Plan to an improved access to the A27 at the Airport as this is not a justified strategy.

4.4 With regard to Policy 5 on New Monks Farm, no justification has been given for the need for a school and how the development of such will be managed and delivered. There is no detail on why NMF is the right location for a school, the nature of the organisation(s) likely to develop the school nor is there a contingency in place for the future of land reserved for the school should it not come forward. The policy should refer to dual use of playing fields and the opportunities for formal recreational space provided by the school. On this basis, we do not consider the school proposal to be justified.

The Plan is not consistent with National Policy

4.5 The Local Plan contains elements that are not consistent with national policy. Where this has happened, there is no sound rationale for departing from national policy.

4.6 The concern is that the Plan still refers to Local Green Gaps (Policy 14). These types of policies are no longer supported within the National Planning Policy Framework. Paragraph 76 of the NPPF states that local communities, through local and neighbourhood plans, should be able to identify for special protection green areas of particular importance to them. The NPPF does not support the retention of Local Green Gaps. The area within which the proposed Country Park sits should be defined as Local Green Space as set out in the NPPF. Allocating the entire Green Gap as a Local Green Space is not appropriate and not in line with the NPPF. The NPPG covering Local Green Space designation states that this should only be used where the green area concerned is not an extensive tract of land. Consequently blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name

4.7 Our view is that formal recreation is an appropriate use within a Local Green Space and the Country Park should be designated as such. The supported uses should therefore include formal and informal recreational. Should the Council wish to retain the Local Green Gap policy and the Countryside policy, these should make provision for some formal recreational use. The NPPF states that local policy for managing development within a Local Green Space should be consistent with the policy for Green Belts. Paragraph 81 states:

Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

5. VIABILITY ASSESSMENT

5.1 It is noted that limited detailed input was fed into the Viability Assessment by the landowner of NMF. However, it is clear from the November 2014 Whole Plan & Community Infrastructure Level Viability Assessment that NMF is viable and deliverable. The landowner of NMF is willing to take part in detailed discussions regarding the viability reports for NMF (options 1 and 2) and has made it clear that the development proposals for the site can initially and if necessary accommodate the total costs of the new junction access onto the A27. The Viability Assessment should be amended to take this into account.

5.2 As established above the development at New Monks Farm would generate revenue that could initially cover the total cost of the new junction to the A27. It is expected (but not relied upon) that cross funding will be forthcoming from agencies and initiatives, due to the wider benefit delivered to the road networks. Also beneficiaries of this new access may be required to contribute towards the overall costs.

5.3 On balance we do not consider that the increase in costs will remove the entire viability margin but the costs in relation to both options are significant. We would welcome detailed discussions in due course regarding site specific costs as some of those included in the report will require scrutinising and we may challenge these. The

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

major areas are as follows:

- ☒ Flood risk mitigation
- ☒ Third party land costs
- ☒ Legal agreements
- ☒ Finance calculations
- ☒ Abnormal building foundation costs
- ☒ Services infrastructure
- ☒ Country Park establishment, management and maintenance costs

A number of appendices are attached to the representation.

What changes are required to make the Plan sound ?

2. CHANGES TO POLICY 5 NEW MONKS FARM

2.1 It is noted that Policy 5 has been amended following representations to the Draft Local Plan version. However, the concerns outlined in the submissions dated November 2013 have not been taken into account in any substantive way although the following are noted:

- ☒ Reference to development respecting the landscape of the Lancing – Shoreham-by-Sea Local Green Gap and the South Downs National Park has been amended to read: Development must respect the landscape of the surrounding countryside and the South Downs National Park.
- ☒ It is also noted that amendments have been made to Map 2 to remove the annotations within the site. The Country Park area is not included within the key but is situated within the countryside policy area.

3. CHANGES TO OTHER RELEVANT POLICIES

3.1 It is noted that changes to the Shoreham Airport Map 4 have been made and the roundabout option is not shown. However, changes to the policy relating to the need for new access arrangements onto the A27 from the airport in order to serve the proposed development have not changed.

3.2 With regard to paragraph 2.77 - whilst it has been changed to provide preference to the roundabout access to New Monks Farm, this still remains confusing and does not provide clarity as to the option that will be delivered.

3.3 It is noted that a new policy - Policy 14 Local Green Gaps has been introduced.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name Contact Surname Organisation
Asher Ross Boyer Planning

Agent's First Name Agent's Surname Agent's Organisation
Asher Ross Boyer Planning Limited

Representation No / Representor ID 15

Policy 14: Local Green Gaps Paragraph Map Other

Sound? No Legally compliant? Yes

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

Policy 14 seeks to introduce green gaps. However, the area covered by these green gaps is exactly the same as Policy 14 which designated the land as countryside. There is absolutely no justification for designating the same land with two restrictive designations, whilst both policies seek to have the same role, i.e. to offer a blanket protection against any development.

It is clear that this Policy fails all the tests of soundness as it is not justified and replicates another Policy, and is not a positive policy as it provides a blanket restriction on development contrary to the requirements of the NPPF.

What changes are required to make the Plan sound ?

Delete Policy 14.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

15: Quality of the built environment, public realm

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

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, inline with paragraph 118 of the NPPF. The policies 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.

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:

'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 Section 53.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

18: The Energy Hierarchy

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The Sussex Wildlife Trust welcomes a policy that take steps to ensure development proposals contribute to the UK Governments legally binding commitments to reduce carbon emissions enshrined in the Climate Change Act 2008. 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.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

James

Contact Surname

Stevens

Organisation

Home Builders Federation Ltd

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

32

Policy

18: The Energy Hierarchy

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The policy is unsound because it is inconsistent with Government policy.

The Council cannot require that applicants adhere to its energy hierarchy. How an applicant will meet the current and future requirements of Part L of the Building Regulations will be a matter for him/her to decide. The Council cannot prescribe how this is achieved. This is no longer a planning matter but a matter for Building Control. This is made clear in the Written Ministerial Statement on the Building Regulations issued on the 13 March 2014.

We also refer the Council to the Government's response to its consultation on its approach to zero carbon homes entitled: Next steps to zero carbon homes – Allowable Solutions, July 2014. In its conclusions the Government is clear that the most appropriate route by which house builders achieve the energy efficiency standards is a matter for the developer to decide (see paragraph 8).

The Council cannot require that applicants incorporate on-site renewable energy measures. How a developer meets the Building Regulations will be a matter for him/her to decide. This could include the use of on-site renewables; equally it may not.

Applicants are not required to justify the method they wish to adopt. This is not a planning matter.

What changes are required to make the Plan sound ?

The policy should be deleted.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

James

Contact Surname

Stevens

Organisation

Home Builders Federation Ltd

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

32

Policy

19: Sustainable Design

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The policy is unsound because it is inconsistent with Government policy and is unjustified in terms of viability.

We note that the Council requires compliance with Code 4. In view of the Government's intentions regarding the Housing Standards Review we recommend that the Council reconsiders its approach.

We note the results of the Viability Assessment once Code 4 is modelled (see page 34 of the Viability Assessment, November 2014). In the yellow band, this shows that viability margins fall to perilously low levels. Once the cost of Lifetime Homes has been factored-in, as the Council has chosen to omit, then this will erode viability into the negative (Lifetime Homes, according to the DCLG costs on average £1,500 per dwelling). One also needs to bear in mind that the Viability Assessment is predicated on S106 costs not exceeding £1,000 per dwelling. This seems highly unrealistic.

In the light of this information, we do not consider that the case has been made for a rate of 30% affordable housing.

However, it is difficult, however, for third parties to analyse the results properly because the appendices of the report providing the actual costs, including the strategic site assessments and the Shoreham Harbour viability assessment, have not been made available to accompany the Regulation 19 consultation.

What changes are required to make the Plan sound ?

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Hannah

Contact Surname

Hyland

Organisation

Environment Agency

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

6

Policy

19: Sustainable Design

Paragraph

N/A

Map

Other

WITHDRAWN see 2016 Representation

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Justified

Detailed description as to why is the Plan unsound or not compliant

WITHDRAWN see 2016 Representation

Whilst we are supportive of the intention of this policy to require high standards of water efficiency we recommend that in order to future proof the policy reference to the Code for Sustainable Homes is removed and replaced with the specific water efficiency standard.

As you have highlighted in paragraph 4.20 the Government's Housing Standards Review aims to either retire or make voluntary the Code for Sustainable Homes (CSH). Local Authorities will no longer be able to require CSH compliance as part of a development.

It is proposed that housing standards, including water efficiency measures, will be managed through Building Regulations. We support the intention to seek the tighter level of water efficiency of 110 litres/person/day and recommend that this figure is specifically referred to in the text of Policy 19. This value is similar to the current requirement under Code 4 of CSH which sets a standard of 105l/p/d internal water use. The Building Regulations refers to both internal and external water use.

What changes are required to make the Plan sound ?

WITHDRAWN see 2016 Representation

We recommend that reference to Level 4 of the Code for Sustainable Homes with regard to water efficiency is removed and replaced with the requirement for new

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

development to be designed and built to achieve water use of 110 litres/person/day.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

James

Contact Surname

Stevens

Organisation

Home Builders Federation Ltd

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

32

Policy

20: Decentralised Energy&Stand alone EnergySch

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The policy is unsound because it is contrary to stated government policy on energy in residential development.

The Council will need to have regard to recent legislation, plus the Housing Standards Review and the recent Ministerial Statement on the Building Regulations, plus Supporting Note. How developers go about achieving the energy efficiency elements of the Building Regulations will be a matter for them to decide. The Council cannot prescribe anymore how these standards are achieved, or require applicants to justify the approach they have taken. This is no longer a planning matter.

In April 2014, the Government's Deregulation Bill proposed to delete from the Planning and Energy Act 2008 the clause relating to local energy efficiency standards. The Act would retain provision for local authorities to require a proportion of energy used in a development to be energy from renewable and low carbon sources. However, the clauses refer to renewable and low carbon energy sourced in the locality of the development, not necessarily directly from the housing development (on site renewables). The applicant therefore has the discretion to decide the most appropriate way for him to meet the energy targets in the Building Regulations. This may include off site renewable, it may not. The Council should have regard to the direction of Government policy.

Therefore, requiring applicants to justify their approach to achieving carbon reduction by having regard to the Council's energy hierarchy is contrary to national policy and regulation and is unnecessary.

Energy Statements

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

The requirement that applicants provide energy statements is contrary to national policy. It will be up to the developer to decide how he complies with the Building Regulations and for the work to be approved by the Building Control department of the Council. The Council cannot stipulate how the relevant regulatory requirements are achieved. This is no longer a planning matter.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

James

Contact Surname

Stevens

Organisation

Home Builders Federation Ltd

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

32

Policy

21: Housing Mix and Quality

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

We note the requirement for Lifetime Homes. It is unclear from the Viability Assessment that accompanies the local plan whether this has been included as a policy cost. Section 4 of the report does refer to this as a cost but we are unclear how this has been accounted for. The report states that “the construction cost rates adopted are considered to cover the costs of adopting ‘Lifetime Homes’. This is unusual as BICS costs, which are based on typical build costs, will not reflect the costs associated with the higher standards required by Lifetime Homes. The cost of building Lifetime Homes is indicated by the DCLG in its document entitled assessing the Cost of Lifetime Homes Standards (DCLG, July 2012). Page 22 of the report assesses that the cost of building to Lifetime Homes standards is as follows (figures rounded):

2 bed terrace £1,394

3 bed terrace (example 1) £2,966

3 bed terrace (example 2) £ 586

4 bed semi £1,153

The average cost is £1,525 per dwelling. We would suggest that a cost of £1,500 would provide a more reliable indicator of the average cost of complying with this policy and we consider that this figure should be factored into the viability assessment to ensure the deliverability of the plan. The costs will be greater for flats. As a significant component of the future supply will take the form of flats it is necessary for the Council to factor in these increased costs.

The Council will need to include this cost as part of its assessment in order to be sure that the plan is capable of sustaining this local policy requirement.

What changes are required to make the Plan sound ?

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

John

Contact Surname

Fleming

Organisation

Gladman Development

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

27

Policy

22: Affordable Housing

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The provision of affordable housing is a key priority that the Council should seek to achieve through their Local Plan. However the only way to improve affordability is to provide housing. The evidence base suggests that there is an identified need for affordable housing which needs to be addressed through the emerging Local Plan. The Local Plan currently fails to address this identified need which will ultimately lead to the Plans failure and the affordability gap will continue to deteriorate.

Specifically the 2014 Housing Development Needs Study identifies a net need for 514 affordable homes to be delivered over a 5 year period or 318 affordable homes per annum if the backlog need of 564 homes is addressed over a 19 year period. The evidence is clear in either case, that the annual affordable housing need is greater than the total annual housing requirement that the Council have chosen to progress with.

The 2014 Housing Development Needs Study states that, 'meeting this need in full through mixed affordable and market-led developments would likely require overall housing provision in excess of 1,000 homes per annum.' Local Plan housing requirements should therefore reflect the full identified need for market and affordable housing as required by paragraph 47 of the Framework. In order to deliver affordable housing and reduce the worsening affordability ratio, the Council should increase its housing requirement to exceed the OAN requirements in order to adapt to adverse market signals.

The Council need to consider adverse market signals as part of the Local Plan, a worsening trend in the

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

housing market will require an upward adjustment to the planned housing numbers compared to those based on household projections. This is set out in the 'Assessment of Housing and Economic Needs' of the Planning Practice Guidance, ID 2a-02 states, 'the more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in affordability needed and, therefore, the larger the additional supply response should be.'

The need to improve the total housing requirement is also set out in PPG under ID 2A-029 which states that, 'The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in the total housing figures included in the Local Plan should be considered where it could help deliver the required number of affordable homes.'

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Tom

Contact Surname

Ormesher

Organisation

National Farmers Union

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

3

Policy

22: Affordable Housing

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Consistent with National Policy

Detailed description as to why is the Plan unsound or not compliant

In the vast majority of cases, proposals for residential dwellings on agricultural holdings will be to accommodate farm workers and will be undertaken at direct cost to the farm business. Investment in farm workers accommodation creates a fixed asset entailing only limited capital gains. This is because the development is primarily brought forward to maintain the future operational requirement of the farm enterprise and in many cases will be subject to an Agricultural Occupancy Condition. Under these circumstances the creation of a new agricultural dwelling would not attract the kind of financial returns usually associated with commercial house building, and would have been constructed in the absence of any other suitable affordable housing in the local area.

With a rapidly growing population, the pressures on land-use are greater than ever before and in a time of food shortage and rising costs for consumers; farmers need to become more productive within sustainable limits. For agriculture to achieve greater productivity within sustainable limits, it will be essential that developments including all agriculture buildings and structure's, agriculturally tied buildings and any barn conversions are able to gain planning permission easily and without any additional costs. As agricultural workers dwellings are often brought forward in place of otherwise unavailable affordable housing, combined with a strategic need to maintain the viability of the business; it is inappropriate to require further additional support of affordable housing for these developments, as this could make the workers accommodation unaffordable from the outset. Put simply, farm workers dwellings constructed privately by a farm business function as affordable housing where none is otherwise available in the local area, and an affordable housing contribution would essentially see farmers having to pay twice when they are simply trying to service their own business need. It is our suggestion that seeking affordable housing contributions on farm developments would be inconsistent with the following Sections of the National Planning Policy Framework:

NPPF 20 "To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business". In adding additional cost burden on businesses looking to either expand or simply remain operational, particularly where the equity value of the development is neutral due to its operational necessity; we

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

suggest that charging an affordable housing contribution does not help achieve economic growth or proactively meet the development needs of business as per this section of NPPF.

NPPF 21 “Investment in business should not be over-burdened by the combined requirements of planning policy expectations”. In serving their own need for affordable housing and having to pay a contribution to other affordable housing; we believe this is a double payment. In this context the policy creates an additional burden on farm businesses, compared to other types of development proposal that would only have to contribute once.

NPPF 28 “Planning policies should support economic growth in rural areas in order to create jobs and prosperity by..... promoting the development and diversification of agricultural and other land-based rural businesses”. We believe that the affordable housing contribution will act as a barrier to economic growth of agricultural businesses. For the reasons stated above we believe that Policy 22 is inconsistent with national policy. In addition we believe that it is not appropriate to ask farm businesses to pay twice for affordable housing, and in this context Policy 22 is not justified.

What changes are required to make the Plan sound ?

We suggest that agricultural developments should be exempt from payment of an affordable housing contribution, and the policy should be re-worded to reflect this.

It is our suggestion that the final line of Policy 22 should be re-worded in the following manner, to include the underlined text:

“This policy will apply to all types of residential development, including conversions and changes of use, with the exception of those demonstrated as being required for rural farmworker and forestry dwellings. Where it is feasible, the affordable housing should be integrated throughout the development.”

In exempting farm workers dwellings from this policy, we believe that this avoids the double payment risk and would therefore make the Local Plan sound with reference to NPPF Paragraph 182.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Tom

Contact Surname

Ormesher

Organisation

National Farmers Union

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

3

Policy

22: Affordable Housing

Paragraph

Map

Other

Sound?

No

Legally compliant?

Left Blank

The Plan is unsound because it is not:

Consistent with National Policy, Justified

Detailed description as to why is the Plan unsound or not compliant

In the vast majority of cases, proposals for residential dwellings on agricultural holdings will be to accommodate farm workers and will be undertaken at direct cost to the farm business. Investment in farm workers accommodation creates a fixed asset entailing only limited capital gains. This is because the development is primarily brought forward to maintain the future operational requirement of the farm enterprise and in many cases will be subject to an Agricultural Occupancy Condition. Under these circumstances the creation of a new agricultural dwelling would not attract the kind of financial returns usually associated with commercial house building, and would have been constructed in the absence of any other suitable affordable housing in the local area.

With a rapidly growing population, the pressures on land-use are greater than ever before and in a time of food shortage and rising costs for consumers; farmers need to become more productive within sustainable limits. For agriculture to achieve greater productivity within sustainable limits, it will be essential that developments including all agriculture buildings and structure's, agriculturally tied buildings and any barn conversions are able to gain planning permission easily and without any additional costs. As agricultural workers dwellings are often brought forward in place of otherwise unavailable affordable housing, combined with a strategic need to maintain the viability of the business; it is inappropriate to require further additional support of affordable housing for these developments, as this could make the workers accommodation unaffordable from the outset. Put simply, farm workers dwellings constructed privately by a farm business function as affordable housing where none is otherwise available in the local area, and an affordable housing contribution would essentially see farmers having to pay twice when they are simply trying to service their own business need. It is our suggestion that seeking affordable housing contributions on farm developments would be inconsistent with the following Sections of the National Planning Policy Framework:

NPPF 20 "To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business". In adding additional cost burden on businesses looking to either expand or simply remain operational, particularly where the equity value of the development is neutral due to its operational necessity; we

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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NPPF 21 “Investment in business should not be over-burdened by the combined requirements of planning policy expectations”. In serving their own need for affordable housing and having to pay a contribution to other affordable housing; we believe this is a double payment. In this context the policy creates an additional burden on farm businesses, compared to other types of development proposal that would only have to contribute once.

NPPF 28 “Planning policies should support economic growth in rural areas in order to create jobs and prosperity by..... promoting the development and diversification of agricultural and other land-based rural businesses”. We believe that the affordable housing contribution will act as a barrier to economic growth of agricultural businesses. For the reasons stated above we believe that Policy 22 is inconsistent with national policy. In addition we believe that it is not appropriate to ask farm businesses to pay twice for affordable housing, and in this context Policy 22 is not justified.

What changes are required to make the Plan sound ?

We suggest that agricultural developments should be exempt from payment of an affordable housing contribution, and the policy should be re-worded to reflect this.

It is our suggestion that the final line of Policy 22 should be re-worded in the following manner, to include the underlined text:

“This policy will apply to all types of residential development, including conversions and changes of use, with the exception of those demonstrated as being required for rural farmworker and forestry dwellings. Where it is feasible, the affordable housing should be integrated throughout the development.”

In exempting farm workers dwellings from this policy, we believe that this avoids the double payment risk and would therefore make the Local Plan sound with reference to NPPF Paragraph 182.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

James

Contact Surname

Stevens

Organisation

Home Builders Federation Ltd

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

32

Policy

22: Affordable Housing

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The rates for affordable housing are unsound because they are unjustified as they are not supported by the evidence.

We note that the study allows for only £1,000 per dwellings for S106 site specific mitigation. This seems low, especially when a nil CIL needs to be set for the Shoreham regeneration area. Shoreham Harbour is expected to provide 970 units so this would mean a total of £970,000. The Council will need to reconcile this with its Infrastructure Plan. We note on page 39 of the Viability Assessment that the Shoreham Harbour sites is £26.7 million in the red for residential. The ability of Shoreham Harbour to make any contribution to affordable housing is doubtful. We note that paragraph 6.10 of the report makes this observation.

The £1,000 for the residual S106 also seems very unrealistic when one notes that the Viability Assessment (November 2014) considers that nearly all the other building construction costs associated with various local plan policies will have been covered by the standard development costs associated with the generic BICS costs per square metre. This is not the approach followed by other viability models. Because the BICS costs tend not reflect the cost of new local plan policies, such as Lifetime Homes, biodiversity and Green Infrastructure we are not convinced that the Council can rely of BICS costs to avoid assessing the cost implications of its desired local plan policies.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Hannah

Contact Surname

Hyland

Organisation

Environment Agency

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

6

Policy

24: Provision for Gypsies and Travellers

Paragraph

Map

Other

WITHDRAWN see 2016 Representation

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy

Detailed description as to why is the Plan unsound or not compliant

WITHDRAWN see 2016 Representation

We support the inclusion of the criteria in this policy that sites should not be located in an area of high flood risk (flood zone 3) and consider that this is compliant with the NPPF. However, the policy goes on to state that “where satisfactory flood risk mitigation measures are proposed, however, development may be considered”.

Paragraph 100 of the NPPF states that “inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk”. It should be noted that Caravans and mobile homes intended for permanent residential use are defined as highly vulnerable. Table 3, paragraph 067 of the Planning Practice Guidance confirms that this type of development should not be permitted in Flood Zone 3, regardless of the introduction of flood risk mitigation measures.

We therefore consider that as drafted this section of the Policy is not compliant with the NPPF and Planning Practice Guidance.

We understand the specific issues regarding the potential development at Wither Patch. However, Policy 5 and paragraph 2.58 would ensure that any future development of this site would not take place until land raising takes the site out of Flood Zone 3.

What changes are required to make the Plan sound ?

WITHDRAWN see 2016 Representation

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

We recommend the removal of the final sentence in bullet point 5 – “Where satisfactory flood risk mitigation measures are proposed however, development may be considered”.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name Contact Surname Organisation

Agent's First Name Agent's Surname Agent's Organisation

Representation No / Representor ID

Policy Paragraph Map Other

Sound? Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Draft Policy 26 identifies three employment sites which are protected for Class B Uses. As drafted the policy provides no flexibility to adapt to potential changes in the economy or the needs of existing businesses and in this respect it is contrary to the spirit of the National Planning Policy Framework.

In particular, the policy fails to recognise that non-B Class uses can have employment generating benefits (in some cases significant benefits) as recognised elsewhere within the Local Plan (e.g. paragraph 2.43).

Accordingly, this part of the policy should be re-drafted to include similar criteria to those relating to non-site specific re-use of employment land and buildings (second part of the policy) to maximise employment opportunities over the plan period.

In relation to criterion(i), as drafted, the criterion makes reference to 'employment generating activities'. The use of this phrase is conflicts with the purpose of the policy which is to protect sites for Class B uses. Employment generating uses, as acknowledged elsewhere within the Plan include non-B Class uses. The criterion should be amended so that reference is made to B Class Uses. The Criterion should however acknowledge that alternative employment generating uses will be favourably considered in light of the premises/land no longer being suitable or viable for B Class uses.

What changes are required to make the Plan sound ?

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Description as to why the Plan is sound/supported

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

27: The Visistor Economy

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

This policy could reflect the Council's aim to deliver objective 6 by recognising the importance of the District's natural capital in attracting visitors to the area. We suggest that this policy be amended to refer to opportunities to increase the awareness and respect of biodiversity by visitors to Adur District. While this policy encourages minimising the impact on the environment, there is scope to include enhancements for any future tourist developments. This would be in line with the NPPF paragraph 118.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

James

Contact Surname

Stevens

Organisation

Home Builders Federation Ltd

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

32

Policy

29: Transport and Connectivity

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The policy requires applicants to adhere to the 'most up-to-date' car parking and cycle parking standards without specifying what these are in the plan. This is contrary to paragraphs 153 and 154 of the NPPF.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Liz

Contact Surname

Hobden

Organisation

Brighton & Hove City Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

31

Policy

29: Transport and Connectivity

Paragraph

Map

Other

Sound?

Yes

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

The policy approach on Transport and Connectivity in the Adur Local Plan provides strong links to priorities in Brighton & Hove City Plan in relation to transport policy. This is particularly welcome in relation to a coastal sustainable transport system, effective cycle networks and reducing the need to travel.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

29: Transport and Connectivity

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

We would like to see join up between transport, connectivity and the potential to deliver transport links via the multifunctional benefits of green infrastructure, in the form of green footpaths and cycleways. The policy should also include wording to resist the paving over of front gardens for private parking, in recognition of the biodiversity and connectivity value of these spaces in urban areas (NPPF section 53).

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name	Contact Surname	Organisation
<input type="text" value="Hannah"/>	<input type="text" value="Hyland"/>	<input type="text" value="Environment Agency"/>

Agent's First Name	Agent's Surname	Agent's Organisation
<input type="text"/>	<input type="text"/>	<input type="text"/>

Representation No / Representor ID

Policy Paragraph Map Other

Sound? Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

We support the inclusion of this policy which will ensure development is phased with the provision of necessary infrastructure. This is particularly relevant given the flood risk issues across the District.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

James

Contact Surname

Stevens

Organisation

Home Builders Federation Ltd

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

32

Policy

30: Delivering Infrastructure

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The policy is unsound because it is ineffective and unjustified.

The Council will need to explain how the underlying assumption in its Viability Assessment that developments will contribute just £1,000 per dwelling by way of S106 squares with the requirement of the policy 30 that S106 arrangements will need to be continued after the adoption of the CIL in order to secure site specific infrastructure delivery.

The Council will need to demonstrate how contributions amounting to just £1,000 per dwelling will support the requirements of its Infrastructure Plan

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

30: Delivering Infrastructure

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

We welcome the recognition of green infrastructure within the section 4.84 and feel the policy has the potential to deliver considerable growth in natural capital for the district. 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.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

31: Green Infrastructure

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

We are pleased to see the continued recognition of green infrastructure in the proposed submission plan and particularly the inclusion of a commitment to a Green Infrastructure Strategy SPD by Adur District Council. We encourage the Council to ensure that this SPD 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.

As with our last submission, the Trust does feel that this policy needs to go further to say that all developments will be required to demonstrate how they contribute to the Green Infrastructure Strategy of Adur District Council, particularly given the council's commitment to producing an SPD. The policy wording should require 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.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name	Contact Surname	Organisation
<input type="text" value="Hannah"/>	<input type="text" value="Hyland"/>	<input type="text" value="Environment Agency"/>

Agent's First Name	Agent's Surname	Agent's Organisation
<input type="text"/>	<input type="text"/>	<input type="text"/>

Representation No / Representor ID

Policy Paragraph Map Other

Sound? Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Hannah

Contact Surname

Hyland

Organisation

Environment Agency

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

6

Policy

32: Biodiversity

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

We support the inclusion of this policy.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

32: Biodiversity

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The Sussex Wildlife Trust welcomes the inclusion of this policy within the revised draft 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. 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: 'The planning system should contribute to and enhance the natural and local environment by: recognising the wider benefits of ecosystem services' NPPF, Para 109. '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, Para 114.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

John

Contact Surname

Lister

Organisation

Natural England

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

28

Policy

32: Biodiversity

Paragraph

N/A

Map

Other

Part 2

Sound?

Yes

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Although Policy 32 (Biodiversity) is fit for purpose and the plan should be read "as a whole"; some reference to that policy would be helpful where development sites (such as Monks Farm, Shoreham Airport), should consider and address potential impact on the Adur Estuary SSSI.

Description as to why the Plan is sound/supported

It is my view that the Plan is sound and responds well to issues relating to the natural environment..

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Contact Surname

Organisation

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

12

Policy

33: Open Space, Recreation and Leisure

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Effective

Detailed description as to why is the Plan unsound or not compliant

At the end of the first paragraph the policy states that "Where not possible or necessary to provide open space on site, contributions will be required to provide or improve open space off-site." It is not clear from this as to which system this is intended to be done through, CIL or S106.

What changes are required to make the Plan sound ?

Clarification over the system for collecting contributions would be helpful to ensure the policy is robust.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

James

Contact Surname

Stevens

Organisation

Home Builders Federation Ltd

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

32

Policy

33: Open Space, Recreation and Leisure

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The policy is unsound because it is unjustified.

It is unclear how applicants can afford these requirements given that the Viability Assessment assumes only £1,000 per dwelling. It appears that the Council is not proposing that open space is paid for by the CIL. Therefore, it will need to set out the costs of delivering this policy in its Infrastructure Plan

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Heidi

Contact Surname

Clarke

Organisation

Sport England

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

1

Policy

33: Open Space, Recreation and Leisure

Paragraph

Map

Other

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Consistent with National Policy

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Adur Local Plan – Part 4

Sport England would suggest the following changes to Policy 33: Open Space, Recreation and Leisure in order to reflect the criteria set out in Paragraph 74 of the NPPF:

- Sport England would recommend that it change the first criterion to 'An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements' to ensure that a thorough assessment is undertaken.
- Furthermore Sport England recommends the removal of paragraph three in policy 33 which permits the loss of open space for essential infrastructure. The loss of open space should still go through the criteria set out in Paragraph 74 of the NPPF. If there are no alternative sites available for the essential utilities infrastructure then at least the loss resulting from the essential infrastructure would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. In essence this third paragraph of Policy 33 is superfluous to requirements and it is not considered to accord with Paragraph 74 of the NPPF.
- Policy 33 has omitted the third criterion of Paragraph 74 of the NPPF which states the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss. Sport England consider this should be included because it permits the loss of playing field only when alternative sports provision is being provided where the needs of which clearly outweigh the loss. The current Policy 33 does not allow for this situation.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Currently Sport England do not consider Policy 33 to be in accordance with Paragraph 74 of the NPPF.

Description as to why the Plan is sound/supported

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

We note that this policy has been amended since the last round of public consultation and no longer contains a commitment to an Open Spaces SPD. Given that the new policy wording also suggest that 'should the need arise some open space would be considered for essential infrastructure development', we suggest that Adur DC renew their commitment to an open spaces SPD in this policy so that future decisions about the potential loss of open spaces can be adequately assessed at a planning application stage.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Ross

Contact Surname

Anthony

Organisation

The Theatres Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

5

Policy

34: Planning for Sustainable Communities

Paragraph

Map

Other

Sound?

Yes

Legally compliant?

Yes

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

The Theatres Trust can now support Policy 34: Planning for Sustainable Communities, as the term 'Social and community facilities' includes cultural buildings and the policy now reflects guidance in Para 70 of the NPPF in relation to the safeguarding of valued community and cultural facilities.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Hannah

Contact Surname

Hyland

Organisation

Environment Agency

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

6

Policy

35: Pollution and Contamination

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

We are pleased to see that our previous comments have been taken on board and are supportive of the policies wider coverage to include the water environment, and the requirement for contaminated land investigations.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Liz

Contact Surname

Hobden

Organisation

Brighton & Hove City Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

31

Policy

35: Pollution and Contamination

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

The acknowledgement at paragraph 4.111 of Brighton & Hove's AQMA is welcomed. The Brighton & Hove AQMA, which includes the A259, immediately borders Adur, and any proposals that could alter traffic flows and routeing arrangements should bear in mind the potential impact on the AQMA. This is particularly relevant to the routeing arrangements of HGVs and other vehicles serving Shoreham Harbour.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Hannah

Contact Surname

Hyland

Organisation

Environment Agency

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

6

Policy

36: Water Quality and Protection

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

We fully support the inclusion of this policy and are pleased that previous comments and recommendations have been taken on board.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Hannah

Contact Surname

Hyland

Organisation

Environment Agency

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

6

Policy

37: Flood Risk and Sustainable Drainage

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

We fully support the inclusion of this policy and consider it will be effective in ensuring flood risk in the District is reduced.
If you would like to discuss any aspects of our representation in more detail please contact me.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Asher

Contact Surname

Ross

Organisation

Boyer Planning

Agent's First Name

Asher

Agent's Surname

Ross

Agent's Organisation

Boyer Planning Limited

Representation No / Representor ID

15

Policy

N/A

Paragraph

1.34

Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

The plan is unsound as it does not include land at New Salts Farm as a new strategic allocation to meet the identified housing need. The Local Plan acknowledges that the housing supply identified in the Plan does not meet the full objectively assessed need. As such, the Council must consider all sites and seek to meet the housing requirement.

Land at New Salts Farm can deliver housing post 2017 once the flood defence works are complete. This is well within the Plan period, as we estimate that houses could be completed in 2019/20, which would assist the Council in identifying a five year supply of housing land (a position which the Council is not currently able to do).

What changes are required to make the Plan sound ?

Allocating land at New Salts Farm would assist the Council in meeting their housing requirements, both in the short term (i.e. up to five years) and in the medium to long term.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

John

Contact Surname

Fleming

Organisation

Gladman Development

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

27

Policy

N/A

Paragraph

N/A

Map

Other

Sustainability Appraisal

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The Sustainability Appraisal (SA) undertook four potential alternatives in 2011 following the Locally Generated Housing Needs Study, of which only one alternative exceeds the OAN requirement. The SA states at paragraph 10.4.4. 'to work towards meeting the objectively assessed development needs of Adur as far as possible, taking into account environmental constraints (most notably flood risk and landscape issues), the capacity of infrastructure and the aim of retaining Local Green Gaps to maintain the character and identify settlements within the district.' This statement is clearly inconsistent with the Framework, specifically paragraph 14, as Local Plans should meet the full OAN, not work towards meeting the identified requirement.

The Council have failed to take into consideration alternatives for affordable housing or economic growth as it was not deemed necessary or reasonable to do so. Given the identified need through the 2014 Housing Development Needs Study, the Council will need to consider all potential alternatives in order to attempt to meet the OAN before lowering the plan requirement.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Robert

Contact Surname

Thornton

Organisation

Thornton Architecture & Design

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

34

Policy

N/A

Paragraph

N/A

Map

Other

Objections to the exclusion of the Steyning Road site (I

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Objections to the exclusion of the Steyning Road site (Land between Steyning Road and the river Adur) size: 2.48 hectares, from the strategic land allocation

a. In terms of justification the Local Authority has commissioned a number of studies to help inform their decision making in the preparation of the Local Plan: these include the Urban Fringe Study 2006, Landscape & Ecology Study 2012 and site specific Sustainability Appraisals (SA). The conclusions of all these reports provide clear evidence to support the allocation of the Steyning Road site ahead of the proposed site allocations at New Monks Farm, Sompting and Shoreham Airport. (See Appendix B – Sites Comparison Table) Therefore, the ALP has not demonstrated that it has adopted the most appropriate strategy, when considered against all the reasonable alternatives, by its exclusion of the Steyning Road site, as the UFS suggests:

The UFS Conclusions Chapter 8 p84.

- i. Based on the sequential approach and standard sustainability objectives, those sites which would logically come forward first are likely to be those that;
- ii. Do not have significant landscape or environmental impacts
- iii. Are easier to deliver, not requiring significant infrastructure or complicated design and site assembly
- iv. Are more accessible in terms of services and transport
- v. are less liable to flooding

b. The report concluded that there were 10 sites overall which the landscape assessment suggested had potential as development sites. These sites fell into two main categories; sites with lower impacts and more constrained sites, which included the larger sites (including the area of New Monks Farm). Among the lower impact sites is the Steyning Road site, which the report concluded 'would be best suited to employment uses'. The report further states that 'the sites identified in this report are believed to be better alternatives to development [than] elsewhere in the Gap and urban rural fringe', including the area for strategic allocation of employment land at the airport, which was discounted at an earlier stage in the assessment process.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

C. Despite the UFS's suggestion that a 'high quality employment use may be appropriate in such a key gateway site' and that it 'would function well as an employment area', the ELR failed to include this site within its scope of consideration. The ELR concludes that 'the quality of sites assessed [within its report] is sub-standard', and that 'there is a need to identify additional high quality sites to meet market demand'. The Steyning Road site is one such site, which should have been included within the ALP.

D. The LES concluded the site has a 'medium-low' impact for overall visual sensitivity and the UFS assessed the site as having a 'low contribution to the landscape' and 'low importance to the strategic gap. This is the lowest rating of all the sites assessed. (See Appendix B – Sites Comparison Table) The site is cut off from the gap by the natural boundary of the river Adur to its west and the Ricardo industrial site and described in the UFS as having

'tenuous visual relationship' with the rest of the gap and by the LES as being 'disconnected' from the gap. The site's exclusion from the local green gap would be consistent with NPPF Chapter 85, where local authorities should:

i. ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;

ii. Not include land which it is unnecessary to keep permanently open;

iii. Where necessary identify in their plans areas of safeguarded land between the urban area and the green belt, in order to meet longer-term development needs stretching well beyond the plan period;

iv. Define boundaries clearly using physical features that are readily recognisable and likely to be permanent.

E. The site has a 'relatively enclosed character' (Landscape & Ecology Study p.19) due to the steep slopes of the cuttings surrounding the junction to the north and east, the dominant structure of the raised junction itself and the raised flood embankment topped with vegetation to the west. Consequently, the Steyning Road site does not afford any meaningful views of the site other than by "low sensitivity viewers" from the A27 flyover itself, when travelling at speed and the A283 where it runs along the side of the site. (See Appendix E – Landscape Views).

F. The UFS graded the agricultural land quality and environmental impact as both 'low'. (See Appendix B – Sites Comparison Table) Therefore, inclusion of this land in the Local Plan's strategic site allocation would be consistent with NPPF where plans should allocate land with the least environmental or amenity value (Chapter 11, Conserving and enhancing the natural environment, paragraph 110).

G. The site is not reliant on significant transport infrastructure and consistent with the NPPF Chapter 4. 'Promoting sustainable transport' in that it can demonstrate the need to travel can be minimised by the use of sustainable transport modes, due to its location beside the existing bus route along Steyning Road. The site is also immediately bounded to its west by a national cycle route and footpath that connects with the town centre. The town centre and railway station are both located 1.3km away. (See Appendix B – Sites Comparison Table)

h. Site Access – the site adjoins the Steyning Road. Minimal work would be required in widening the road to provide a vehicle waiting lane for turning and for the 30mph limit to be moved closer to the A27 roundabout junction. The Employment Land Review 2011 (conclusions 7.20) identified the need for sites with good and immediate access to the A27 trunk road: 'The accessibility of the current portfolio of sites to the strategic road network is a key concern. Thought needs to be given to the allocation of land close to and with good access from the A27 in particular, to support the local economy' – The Steyning Road site is ideally located just to the south of the A27/A283 interchange.

i. The site is currently located mostly in Flood Zone 3a, with a small area in 3b, broadly the same as the allocated site of New Monks Farm and significantly less constrained than the allocated site of Shoreham Airport, which is categorized as functional floodplain 3b. (See Appendix F – Flood Risk Assessment). The Environment Agency are currently working with the site promoters to bring forward a scheme that would afford greater protection of the southern half of this site, which is considered by the site's promoters as suitable for up to 50 housing units. This is subject to certain conditions being met (See Appendix D – Environment Agency Letter) including delivery of wider opportunities and benefits where possible. Given that the ALP has highlighted the scarcity of unconstrained land for development within the District as a whole and that it is not able to

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

meet its own objectively assessed housing needs target, it seems of paramount importance to safeguard this site for future development.

J. Development of this site would be consistent with the NPPF on sustainable development bringing economic, social and environmental benefits to the district.

Economic:

i. The Adur Employment Land Review 2011 noted that the supply of land and premises for employment in the district is very constrained and on the whole of relatively poor quality. The Steyning Road site was identified by the UFS as land that would function well as an employment area and that it would be suitable for development for high quality employment use.

ii. Development at this site would be consistent with NPPF (chapter 2, 'Ensuring the vitality of town centres, paragraph 23) for allocation of appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available, and if sufficient edge of centre sites cannot be identified, set policies for meeting the identified needs in other accessible locations that are well connected to the town centre.

Social:

iii. Supporting the community by providing economic benefits and/or housing needs.

iv. Development of the site could provide better access to the river embankment and the open spaces of the green gap, National Park and coast by linking to the existing cycle way and footpath.

Environmental:

v. The site could contribute to the costs of building the TWS and improvements to the A27/A283 roundabout.

vi. Extended TWS could provide more salt marsh along the river embankment.

vii. Accessible location linked to the town centre by footpath and cycle way; close to the railway station and the main trunk road of the A27; served by existing bus route into Shoreham along Steyning Road.

K. NPPF chapter 6 – 'Delivering a wide choice of high quality homes', (paragraph 47) local authorities should '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% to ensure choice and competition in the market for land.

This site is more deliverable and relatively unconstrained when compared to the preferred ALP site allocations.

L. This site is no more constrained by traffic noise or pollution associated with the A27 and A283 than proposed site allocations at Sompting, New Monks Farm, Ropetackle North and Shoreham Harbour. All such sites would be subject to noise impact studies and mitigation through design. In each of these cases the APL is prepared to accept that site design and layout can be used to mitigate against the impacts of noise. Therefore, the Steyning Road site should not be excluded from the strategic site allocation for housing on the basis of noise, where similar measures could be used. Furthermore the site's promoters are currently working with the EA on a flood defence scheme that would require a reduction in the A283's speed limit alongside the site from 60 to 30, thereby reducing noise & pollution.

M. Recent consultation with WSCC Highways and the Environment Agency shows that the EA's proposed tidal wall defence across the Steyning Road site (see Appendix G) cannot be delivered without residential development fronting the raised A283 over the TWS (see Appendix H) in order to justify its design:-

i. For the TWS to be build the A283 needs to rise up over it. The vertical change in road alignment to cross over this defence has been designed based on a road speed of 30mph.

ii. WSCC Highways will not accept a change in road speed unless it can be shown that the nature of the road already influences low driver speeds.

iii. Residential frontage onto the highway is accepted as a major influence on driver speeds, as accepted by WSCC Highways.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Contact First Name

Elizabeth

Contact Surname

Cleaver

Organisation

Highways Agency

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

42

Policy

N/A

Paragraph

N/A

Map

Other

General

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

As you will be aware, today the Transport Secretary and Chief Secretary to the Treasury announced the Road investment strategy. This changes one of the main assumptions behind the Local Plan in terms of the A27 Trunk Road. Please can we arrange a meeting to discuss how this announcement affects the Adur Local Plan?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

N/A

Paragraph

N/A

Map

Other

Part 3 – Policies for Places

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

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 now contains a policy to recognise the importance of the local green gaps within Adur. In particular policies 13 and 14 look to deliver objective 6 of the plan which highlights Adur District Council's commitment to adding to their natural capital. We recognise that within the plan there are policies relating to biodiversity, but we would welcome greater recognition of the Council's commitment to deliver objective 6 in these areas with specific reference to biodiversity and/or natural capital in these policies.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Angela

Contact Surname

Gemmill

Organisation

Marine Management Organisation

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

41

Policy

N/A

Paragraph

N/A

Map

Other

General

Sound?

Left Blank

Legally compliant?

Left Blank

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

I can confirm that MMO has no comments to submit in relation to this consultation further to those made during an early stage of the consultation and submitted on 8th November 2013.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name Contact Surname Organisation

Agent's First Name Agent's Surname Agent's Organisation

Representation No / Representor ID

Policy Paragraph Map Other

Sound? Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Southern Water provides water and wastewater services to Adur. We made representations to the previous versions of the Local Plan and are pleased that these have been addressed in the current version of the document.

We would like to suggest a minor amendment for the sake of clarity. The table on page 178 indicates that Southern Water delivers its strategic infrastructure through s106 and CIL. However, this type of infrastructure is planned and funded through the water industry's price review process. In terms of local infrastructure, we would enter into direct agreements with developers, facilitated by planning policies and planning conditions, to secure contributions towards site-specific infrastructure.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Contact Surname

Organisation

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

Policy

Paragraph

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

(See attached report)

1. Preamble

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 Proposed Submission Adur Local Plan 2014.

1.2. The Council's consultation forms the latest stage of the preparation and examination process for the Adur Local Plan 2014 which, once adopted will form the basis of the Council's Development Plan, and replace the existing Adur Local Plan 1996. Consequently, those 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).

1.3. The purpose of the Adur Local Plan 2014, is to identify the 'spatial strategy' that is to form the basis of the Council's strategic vision for the future development of the District up to 2031. The Local Plan will also provide strategic allocations to meet the objectively assessed housing, employment, leisure and infrastructure needs within the District. Therefore, those policies and principles within the Adur Local Plan will be used in the consideration of planning applications.

1.4. A full evidence base has been published in support of the strategic vision, allocations and policies adopted within the Proposed Submission Adur Local Plan 2014.

1.5. On the basis of the evidence base that has been prepared in support of the Adur Local Plan 2014, the strategic vision and those policies and allocations contained within the Proposed Submission Adur Local Plan 2014, seek to guide the broad distribution of future residential development that is to meet the objectively assessed housing need

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

within the District.

1.6. Therefore, this report and those representations that it supports, examines at length the Proposed Submission Adur Local Plan 2014, as well as the evidence base that has prepared in support of the Council's Local Plan. Reflecting the important role of the Proposed Submission Adur Local Plan 2014 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.

1.7. Consistent with National planning policy and guidance, these representations to the Proposed Submission Adur Local Plan 2014, 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:

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

Representations – Adur District Council 6

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

1.9. This report, and the representations that it supports, should be read in conjunction with our clients previous representations to Adur District Council in relation to the Council's emerging Local Plan in November 2013, and June 2014. As with these previous representations, this report will focus on the suitability of the following site for future residential development within the Proposed Submission Adur Local Plan 2014.

Land at Hasler (Old Salts Farm)

1.10. This report should be considered in full in conjunction with that information provided in the accompanying forms which, in combination for the representations submitted in response to the Council's consultation on the Proposed Submission Local Plan 2014.

Representations – Adur District Council 7

2. Introduction

2.1. Adur District Council's consultation on the Proposed Submission Adur Local Plan 2014, to which this report makes representations on behalf of Landstone Ltd, forms a key part of the preparation of the Council's Local Plan, and identifies the 'spatial strategy', allocations of land and general policies that will guide the future development of the District. The strategy adopted within the Proposed Submission Adur Local Plan 2014, seeks to meet the objectively assessed needs within the District, including housing need.

2.2. The Proposed Submission Adur Local Plan, if adopted, will form the central pillar of the Adur Local Development Plan, identifying the spatial distribution of future development within the District. Therefore these representations rigorously assess the Proposed Submission Adur Local Plan, as well as the evidence base prepared in support, against those 'tests of soundness' identified within National policy and guidance.

2.3. Therefore, in light of its role in meeting locally identified needs, these representations to the Council's consultation on the Proposed Submission Adur Local Plan 2014, seek to assess the objectively assessed development and infrastructure needs upon which it is based, as well as the residential allocations that it promotes.

2.4. Consequently, the assessment of the consultation document (and supporting evidence base) against the 'tests of soundness' provide an indication of the soundness and legal compliance of the Proposed Submission Adur Local Plan 2014.

2.5. The National Planning Policy Framework ('The Framework') and the recently published 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. In this regard, fundamental to the

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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.

2.6. Furthermore, emerging Proposed Submission Adur Local Plan must be assessed against the backdrop of those identified failures of the Council's existing Development Plan to meet objectively assessed housing need.

2.7. Therefore it is against this backdrop of the Council's previous failures to identify the robust and justified housing need within the District or, plan proactively to meet this need, that this report has been prepared.

2.8. 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 of future residential development within the District.

Representations – Adur District Council 8

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, which should 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 deliverable¹¹ 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 persistent 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)

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 identified within our previous representations to the Local Plan that the Proposed Submission Adur Local Plan 2014 fails to plan positively to meet the identified housing need within the District and throughout the plan period.

3.4. The Locally Generated Housing Needs Survey (LGNHS) establishes the need within the District as 4,590 dwellings (including 1,050 at Shoreham Harbour) between 2011 and 2028 (270/annum). Discounting those 1,050 dwellings that are to be provided within the Shoreham Harbour redevelopment, it is considered that the Proposed Submission Adur Local Plan 2014 must plan proactively for the delivery of 4,160 dwellings within the District (2011-2031) at 208 dwellings per annum.

3.5. Contrary to the locally identified housing need of 208 dwellings per annum, the Proposed Submission Adur Local Plan 2014 identifies two housing target options that are significantly lower than this identified need. The Proposed Submission Adur Local Plan 2014, plans for just 1,747 – 1,897 dwellings (excluding Shoreham Harbour) or 94 dwellings per annum over the plan period.

3.6. It is therefore clear that the housing target identified and planned for within Proposed Submission Adur Local Plan 2014, is significantly below the housing need identified

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

within the LGHNS, even if the existing Affordable Housing deficit of 564 dwellings is not considered.

Representations – Adur District Council 9

3.7. Despite our previous representations to the Adur Local Plan, the Council have maintained their position that the Proposed Submission Adur Local Plan is to provide for just 1,747 – 1,897 dwellings (excluding Shoreham Harbour) at 94 dwellings per annum over the plan period.

3.8. It is therefore strongly contended that the Proposed Submission Adur Local Plan 2014 fails to comply with the National Planning Policy Framework and does not plan positively for the delivery of adequate housing to meet the locally arising housing need within the District.

3.9. The justification provided within the Proposed Submission Adur Local Plan for such a departure from the identified housing need cannot be supported. It is strongly contended that Arun District Council must adopt a more proactive and positive approach in overcoming the physical constraints on the delivery of residential development within the District to meet identified need.

3.10. We therefore strongly contend that, in line with the objectives of the National Planning Policy Framework, Adur District Council must adopt a proactive a positive approach in overcoming physical constraints on the delivery of residential development to meet identified need. ‘When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.’ (Paragraph 99, NPPF).

3.11. On the evidence provided within the Proposed Submission Adur Local Plan, as well as the Council’s response to our previous representations (Appendix A), it is strongly contended that the Proposed Submission Adur Local Plan 2014 fails to both meet the locally identified housing need and, plan proactively for the delivery of adequate housing throughout the plan period. Instead it is considered that while the Adur Local Plan provides for the medium to long term delivery of housing at the Shoreham Harbour development, the Local Plan fails to plan beyond the short-term elsewhere.

3.12. On this basis it is considered that the Council’s failure to allocate the Land at Hasler (Old Salts Farm) for future residential development in the medium to long term cannot be justified. The site has the potential to yield a significant portion of housing numbers required to meet the explicitly identified need within the District over the plan period.

3.13. It is acknowledged within the Adur Local Plan that the Shoreham Tidal Walls Scheme is to be implemented ‘would result in the site no longer acting as ‘functional floodplain’.’ Consequent, it is therefore our considered view that following the delivery of the Shoreham Tidal Walls Scheme (short-term delivery), the Land at Hasler harbours potential to deliver medium to long term residential development over the plan period.

3.14. Overall, the Proposed Submission Adur Local Plan 2014 must be considered in light of the requirement for Adur District Council to plan proactively for the delivery of adequate high quality homes to meet the objectively assessed housing need over the plan period.

3.15. The allocation of the Land at Hasler (Old Salts Farm) for future residential development must therefore be considered in light of this requirement and, the ability of the site to provide for the medium to long term residential development. Consequently, without the allocation of the Land at Hasler, Adur District Council have failed to plan proactively for the delivery of adequate housing, within the District. Therefore, the Proposed Submission Adur Local Plan sound be found unsound as it has not been positively prepared.

Representations – Adur District Council 10

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.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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. It is our understanding, gained through continued discussions with relevant Officer's at Adur District Council, that the delivery mechanism for the Shoreham Tidal Walls Project which has been initiated will ensure the delivery of the project no later than circa 2016.

4.4. 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. Our client therefore welcomes the opportunity to engage with Adur District Council 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.

4.8. However, on the basis of the Council's current Proposed Submission Adur Local Plan 2014, and the exclusion of the Land at Hasler (Old Salts Farm) for future residential development, it is strongly contended that the Proposed Submission Adur Local Plan 2014 is unsound, as it is not justified.

Representations – Adur District Council 11

5. Landscape

5.1. Whilst the Land at Hasler (Old Salts Farm), as identified below (Figure 1), 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.

Figure 1 - Site Location

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

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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. Therefore, it is concluded that, in light of the objectively assessed housing need within the District, the Land at Hasler (Old Salts Farm) should be allocated within the Proposed Submission Adur Local Plan 2014 for future residential development.

Representations – Adur District Council 12

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.

Representations – Adur District Council 13

7. Conclusions

7.1. Overall it is considered that the Proposed Submission Adur Local Plan 2014 fails to reflect or comply with the objectives of the National Planning Policy Framework. The failure of the Proposed Submission Adur Local Plan 2014 to comply with the National Planning Policy Framework stems primarily from the Council not positively or proactively planning to meet the locally identified housing need as indicated in the Locally Generated Housing Needs Survey (LGHNS).

7.2. The failure of the Local Plan to meet the identified housing need has been further compounded by the Councils unjustified decision not to allocate the land at Hasler for residential development despite, the significant flood alleviation works to be undertaken as part of the Shoreham Tidal Walls Scheme or, the requirement within the NPPF for Local Planning Authorities to plan for development in areas which can be developed through use of suitable adaption measures.

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.

7.4. 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.

7.5. We wish to be kept fully informed in relation to the future progress of the Proposed Submission Adur Local Plan 2014 and, request to make formal representations at the Examination in Public.

Appendix A

Letter from Adur District Council (1 September 2014)

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

What changes are required to make the Plan sound ?

Please see above.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

N/A

Paragraph

N/A

Map

Other

Part 2

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

We note that the housing number has increased from the draft plan proposal of 2797-2947 to 3488-3638 in Policy 3 of the current proposed submission. We question the suitability of this increase given the considerable pressure on the natural environment already demonstrated by the housing within the draft plan. Given this proposed increased of housing numbers over the lifetime of the plan, we remind Adur District Council that the allocation of strategic areas for development and strategic delivery policies should always be informed by data related to the functioning of ecological networks at a landscape scale and underpinned by up to date, site specific data.

This is inline with the guidance from the NPPF:

'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.' section 11 'Planning policies and decisions should be based on up-to-date information about the natural environment and other characteristics of the area...' section 165.

The Sussex Wildlife Trust is concern that the plan has not taken this aspect of NPPF guidance into full consideration when formulating its plans.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Laura

Contact Surname

Brook

Organisation

Sussex Wildlife Trust

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

25

Policy

N/A

Paragraph

N/A

Map

Other

Part 1

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The plan sets out 11 vision statements. We are disappointed that the proposed submission has failed to include a vision relating to the biodiversity of the District. We would like this section contain a vision statement that clearly sets out the District's need to create an increase in natural capital to ensure that growth is sustainable. The plan states that the vision statements are evidence based. A clear assessment of the green infrastructure and use of ecosystem services within the District is essential to ensure that their importance is recognised in the vision of the District.

We note that there has been 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.

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.'

We also question whether objective 3 and 11 are mutually achievable. The plan suggests in objective 3 that to regenerate Adur... they will seek to (c) achieve strategic development at monks farm... While 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

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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 monk's farm for development and the level of development that is feasible on this site.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Contact First Name

Norman

Contact Surname

Webster

Organisation

Mid Sussex District Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

24

Policy

N/A

Paragraph

N/A

Map

Other

General

Sound?

Left Blank

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

We are happy to support your Local Plan and would be pleased to continue to cooperate proactively and in partnership with your Council as we prepare our own revised District Plan for intended submission to the Secretary of State next year.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Caroline

Contact Surname

West

Organisation

West Sussex County Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

23

Policy

N/A

Paragraph

N/A

Map

Other

General

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The Proposed Submission Adur Local Plan 2014 sets out a strategy for development in Adur up to 2031, seeking to achieve a balance in meeting needs for development while striving to protect and enhance the character and features of Adur. Following the current period for representations (Regulation 19 of the 2012 Town & Country Planning (Local Planning) (England) Regulations) Adur District Council is intending to submit the Local Plan to the Secretary of State in March 2015. A public examination heard by an independent Planning Inspector is expected to be held in June 2015.

☒

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.

Education

As set out in previous comments to the Local Plan, a site for a 1form of entry (fe) school with the possibility to expand to 2fe is required. This is based on a consideration of the strategic sites and allocation for smaller developments within the built up area of Adur. Land for a new primary school site required as part of the New Monks Farm development for both the lower and upper levels of development proposed is supported, however the policy currently identifies only 1ha of land is required, an area up to 2ha would be required if 2fe were needed. Therefore, additional text is requested for bullet point 4 of Policy 5 to read '1 hectare of land to accommodate a 1form entry new primary school' and the supporting text of paragraph 2.46 be amended to include the following at the end of the second sentence '1hectare required for a 1form entry new primary school with additional land amounting to 1 hectare made available for the school to expand to 2 forms of entry if required'.

As outlined in the IDP, a further primary school site may be required as part of the Shoreham Harbour strategic allocation. This will depend on the capacity available to expand

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

existing schools in the local area. It is requested that under paragraph 6 of Policy 8 the following additional wording is added 'Educational provision will be considered and suitable provision offsite or onsite will be provided'.

Flood risk

WSCC as the Lead Local Flood Authority (LLFA) support the Vision and Objectives relating to flood risk set out in the plan and will continue to work with the Local Planning Authority following earlier detailed comments made in the preparation of the Local Plan.

WSCC 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. The LPA appear to be satisfied that existing flood risk issues at all allocated sites (but especially the Shoreham Harbour, Shoreham Airport and New Monks Farm strategic sites) could be technically and practically mitigated. WSCC have reviewed the submitted evidence and can find no reason why the sites would not meet the Sequential and Exception Tests as set out. WSCC will continue to work with and advise the LPA on the site specific flood risk assessment elements of the exceptions tests for all allocated sites.

It is acknowledged that the Adur Local Plan has been developed without knowledge of the outcomes of the Lancing Surface Water Management Plan, currently being developed for WSCC. The SWMP covers a wider area than the proposed strategic sites in the Local Plan and when complete in early 2015, will offer a better understanding of local flood mechanisms and provide technical recommendations for local flood risk management. The SWMP evidence is likely to feed into the consideration of any planning applications (and possible planning conditions) for sites allocated within the Local Plan in this area. It is unlikely to affect the sequential or exceptions tests undertaken as part of the Local Plan process.

All technical evidence relating to flood risk for the allocation of sites within the Local Plan should be considered and Published for Submission of the Local Plan.

Heritage

There are welcome references to the historic environment, as well as to key surveys and reports through the Local Plan, including within the strategic allocation policies and supporting text. However, whilst Policy 17 covers all Heritage Assets it does not specifically mention scheduled ancient monuments. As their status (according to NPPF paragraph 132) is considered to be the equivalent of listed buildings of Grade I or II* status – i.e. the highest ranking – it is requested that this be amended. It is also noted that the Policies Map includes SSSIs and SNCIs however does not show heritage assets such as Scheduled Ancient Monuments. In the context of the acknowledged sensitivity of introducing a new A27 roundabout in possible proximity to a scheduled monument it is requested that these be clearly identified.

Minerals and Waste

Paragraph 1.6 correctly makes reference to both Minerals and Waste Local Plans in West Sussex, therefore in the interest of clarity an amendment to footnote 5 on page 4 should be made to read 'West Sussex Minerals Local Plan 2003. The County Council have prepared a Waste Local Plan jointly with the South Downs National Park Authority, adopted April 2014, and are currently preparing a new Minerals Local Plan, jointly with the National Park Authority.'

Paragraph 1.7 refers only to safeguarded mineral allocations and resources, however the Waste Local Plan 2014 also safeguards allocated sites and permitted capacity.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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. 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.'

In order to ensure the document is factually correct it is requested that '2003' is added to the end of paragraph 1.20 and footnote 8 on page 6 is removed.

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.

Rights of Way

Considering the previous comments made and the importance of sustainable travel and linkages it is requested that additional wording is added to Policy 6 and its supporting text. We 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 'New pedestrian and cycle networks should integrate with existing routes as far as possible.' be added into the supporting text at paragraph 2.65 to ensure consistency with other policies in the document, Key Issue 7 and Vision and Objective 8 of the Plan.

Paragraph 3.43 should be amended to remove the last sentence which refers to the route being protected by rights of way legislation to ensure the document is factually correct.

Transport

West Sussex County Council supported the additional transport work undertaken as suggested in previous comments, in line with the removal of the Hasler site allocation proposal. 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.

Policy 8 paragraph 10, requires amended wording in order to reflect the preparation of the Transport Strategy, as set out in paragraph 2.101. It is requested that the wording of paragraph 10 be amended to read 'A Transport Strategy for Shoreham Harbour is being produced to support the Shoreham Harbour Joint Area Action Plan to mitigate impacts on the highway network and to promote sustainable travel behaviours. Development in this location must be in accordance with this Transport Strategy.'

What changes are required to make the Plan sound ?

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Description as to why the Plan is sound/supported

Contact First Name

Sarah

Contact Surname

Whelan

Organisation

Equality and Human Rights Commission

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

39

Policy

N/A

Paragraph

N/A

Map

Other

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The Commission does not have the resources to respond to all consultations, but will respond to consultations where it considers they raise issues of strategic importance.

Local and other public authorities have obligations under the Public Sector Equality Duty (PSED) in the Equality Act 2010 to consider the effect of their policies and decisions on people sharing particular protected characteristics. We provide advice for public authorities on how to apply the PSED, which is an on-going legal obligation and must be complied with as part of the planning process. Thus, the PSED is the mechanism through which public authorities involved in the planning process should consider the potential for planning proposals to have an impact on equality for different groups of people. To assist, you will find our technical guidance here.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Michael

Contact Surname

Bottomley

Organisation

CEMEX UK Properties Ltd ('CEMEX')

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

33

Policy

N/A

Paragraph

N/A

Map

Other

Appendix 4

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Appendix 4: Shoreham Harbour Regeneration - Viability and Deliverability Progress Update

Paragraph 13 states that minerals wharf capacity at Shoreham Harbour makes a significant contribution to meeting the needs for aggregate imports in to the sub-region. CEMEX supports the inclusion of this statement which recognises the importance of wharfs and is in accordance with NPPF paragraph 143.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Contact Surname

Organisation

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

12

Policy

N/A

Paragraph

N/A

Map

Other

Duty to Cooperate Statement - Para 3.22

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

The third bullet point under this paragraph covers extension of the membership of the Board to include Brighton and Hove and Lewes. However if this is going to be included then it needs to be revised.

Brighton were part of the Coastal West Sussex and Greater Brighton Strategic Planning Board formed in 2012, after issues of governance resulted from the need to achieve the place based approach of the intended Local Strategic Statement. It was in 2013 that Lewes were invited to become formal members of the Board rather than simply being observers, as had previously been the case. More recently Mid Sussex requested to be considered for membership on the Board and this was agreed, due to already being part of the Greater Brighton Economic Board. This should also be included within the document.

What changes are required to make the Plan sound ?

It is suggested that the third bullet point under this paragraph is removed and a new paragraph is inserted to cover how membership of the Board and Partnership have expanded.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Clare

Contact Surname

Gibbons

Organisation

Southern Water

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

36

Policy

N/A

Paragraph

N/A

Map

Other

Infrastructure Delivery Plan

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

We also take the opportunity to point out that pages 74 and 80 of the Infrastructure Delivery Plan should refer to both the 'Water distribution system' and 'Wastewater sewerage system'.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name Contact Surname Organisation

Agent's First Name Agent's Surname Agent's Organisation

Representation No / Representor ID

Policy Paragraph Map Other

Sound? Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

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,

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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.

What changes are required to make the Plan sound ?

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.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Peter

Contact Surname

Rainier

Organisation

DMH Stallard LLP

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

38

Policy

N/A

Paragraph

N/A

Map

Policies Map

Other

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified

Detailed description as to why is the Plan unsound or not compliant

We are supportive of the extension of the built up area boundary of Lancing as it is necessary to support the housing needs of the District. However, we consider that the Policies Map, Map 1 and Map 2 as drafted are not justified as the proposed built up area boundary alteration east of Lancing is not the most appropriate option when considered against other alternatives.

The proposed development of the site has been considered in relation to the detailed site specific Flood Risk Assessment. It has become clear that the best option to develop the land is to maintain and enhance the existing water courses through the site. As well providing a more natural hydrological solution, this approach would provide greater opportunities for ecological and landscape enhancements as part of the proposed allocation. In order to meet the upper level of housing (600) an alteration would be needed to the proposed Built up Area Boundary which is shown on the provided plan (Drawing No. DMHS/Plan1). Consequently, we find that the proposed built up area boundary is unsound when considered against the site specific flood risk issues, we also find that the Policies Map, Map 1 and Map 2 are not consistent with National Policy.

In addition, the proposed indicative location of the roundabout to serve Land at New Monks Farm (Policy 6), Shoreham Airport (Policy 7), businesses at Shoreham Airport and Lancing College is not considered to be justified as a more appropriate location would be further east along the A27 (Old Shoreham Road). This option is considered to offer a more effective approach in terms of; the highway infrastructure, needs of the employment allocation at Shoreham Airport, existing businesses at Shoreham Airport, Lancing College and the mixed use development at New Monks Farm. There should be some flexibility built in-to the Policies Map, Map 1 and Map 2 in order to enable the best roundabout solution to be delivered as detailed schemes for both allocations develop. At its current position the Policy 6 & 7 allocations would not be deliverable and

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

therefore the Plan is not effective and subsequently unsound. Conversely, the location of the roundabout as shown on Drawing DMHS/Plan1 is deliverable.

Development of significant B1 space would only be viable and therefore deliverable on the basis of direct access from the A27, consequently the Policies Map, Map 1 and Map 2 should be amended to make provision for this development adjacent to the A27 as well as the revised location of the roundabout. This is also considered to be a more effective solution in terms of visual effects, as it would allow for the developments of both the roundabout and the business park to be ameliorated as part of a comprehensive landscape and design strategy.

What changes are required to make the Plan sound ?

We would seek that the Policies Map, Map 1 and Map 2 are amended as set out by the attached plan (Drawing No: DMHS/Plan1), or other suitable alternative plan to be agreed with the District Council.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Asher

Contact Surname

Ross

Organisation

Boyer Planning

Agent's First Name

Asher

Agent's Surname

Ross

Agent's Organisation

Boyer Planning Limited

Representation No / Representor ID

15

Policy

N/A

Paragraph

N/A

Map

Other

Objective 3

Sound?

No

Legally compliant?

Yes

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

Objective 3 sets out that "To regenerate Adur through ensuring a range of employment opportunities and through new sustainable development opportunities. In particular, regeneration will seek to..."

Three development sites / opportunities are proposed in the Local Plan, including Shoreham Harbour; Shoreham Airport; and New Monks Farm. We do not challenge these developments, although we note that there is not full support for some of these sites.

However, we consider that a further site, i.e. New Salts Farm should be included as a site which will assist the regeneration of the area.

New Salts Farm is located in a highly sustainable location in close proximity to services and with access to a choice of transport modes.

The development of this site (or parts of it) could assist in meeting the housing need in the area as well as complement other developments in the area.

What changes are required to make the Plan sound ?

Insert an additional point to Objective 3:

(d) Achieve strategic development at New Salts Farm, delivering housing and jobs (through the construction process) and creating social, economic, and infrastructure

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

improvements.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name Contact Surname Organisation
Asher Ross Boyer Planning

Agent's First Name Agent's Surname Agent's Organisation
Asher Ross Boyer Planning Limited

Representation No / Representor ID 15

Policy N/A Paragraph N/A Map Other Objective 1

Sound? No Legally compliant? Yes

The Plan is unsound because it is not:

Consistent with National Policy, Effective, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

Objective 1 is set out as “To deliver between 3488 - 3638 dwellings up to 2031 to contribute to meeting objectively-assessed needs in Adur in terms of type, size and tenure.”

However, this objective is non-compliant with paragraph 47 of the NPPF which requires Local Plans to meet the full objectively assessed needs for both market and affordable housing in their area. Whilst the NPPF in paragraph 47 does set out that meeting these needs has to be consistent with policies set out in it, it is clear that councils have to make every effort to meet the identified needs in their area.

Failure to do so without any sound evidence would render the Plan unsound.

An objective which does not seek to meet the full objectively assessed needs in the area falls well short of the requirements of the NPPF.

Paragraph 157 of the NPPF sets out what is regarded as the ‘crucial’ role of Local Plans. One of these is that plans should plan positively for development required in the area. We would contend that the Local Plan as proposed is not a positive plan which seeks to meet development needs of the area. The Plan does not consider the implications of not meeting the needs of the local population and therefore is not a positive plan.

There are sites within Adur that are available and deliverable, and can bring forward new housing. In addition, constraints such as flooding, which have been identified, can be mitigated.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

What changes are required to make the Plan sound ?

Objective 1 should be amended so that the housing delivery figures meet the full need. This is the only sound option open to the Council.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Wendy

Contact Surname

Dowse

Organisation

West Beach Residents Assn (formerly Hasler Estate)

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

7

Policy

N/A

Paragraph

N/A

Map

Other

Exception Test

Sound?

No

Legally compliant?

Left Blank

The Plan is unsound because it is not:

Consistent with National Policy, Justified, Positively Prepared

Detailed description as to why is the Plan unsound or not compliant

Sections 2, 8, 9, 17 & Table 1 of the Exception Test

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.

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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

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

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.

What changes are required to make the Plan sound ?

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.

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Bryan

Contact Surname

Turner

Organisation

Worthing Borough Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

29

Policy

N/A

Paragraph

N/A

Map

Other

Duty to Cooperate

Sound?

Yes

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Adur District Local Plan: Duty to Co-operate

Thank you for inviting Worthing Borough Council to comment on the Proposed Submission Adur Local Plan 2014.

Background and Partnership Working

The Duty to Co-operate now places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. Every effort should be made to secure the necessary cooperation on strategic cross boundary matters before a Plan is submitted for examination.

With the 'Duty' in mind, you will be very aware that there are perhaps not many better examples of partnership working than Adur District Council and Worthing Borough Council. In 2007 the two authorities took the decision to work in partnership. In 2008 a single senior officer team was created and since that time all services have become joint teams. The provision of joint services has led to significant savings and efficiencies.

Planning Policy has been no exception to this change and a single team of officers, under one Planning Policy Manager, work on Development Plan documents for both

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Worthing and Adur. There are many benefits for this arrangement in terms of resources, procurement and the sharing of evidence. Furthermore, joint documents such as the Statement of Community Involvement have been published and this is a trend that is likely to continue in the future.

This joint working has resulted in a detailed and thorough understanding of key planning issues for officers, and indeed Members, across both authority areas. Despite this awareness, it is considered important that, for two reasons, Worthing Borough Council should make comment on the Adur Local Plan. Firstly, and in line with the requirements of the 'Duty', the letter helps to highlight the close working relationship that is in place between the authorities and an awareness of the limited development opportunities across both areas. Secondly, it allows for Worthing BC to summarise the very significant housing and economic needs in the Borough. Given the very limited opportunities for future development in and around Worthing, this information helps to demonstrate the strong likelihood that Worthing will not be able to meet its own needs let alone consider the potential for meeting any additional needs arising from Adur or other neighbouring authorities.

Housing Provision needs

It is understood that the Assessment of Housing Development Needs Study of April 2014 (undertaken for the Sussex Coast Housing Market Area) indicated that the objectively assessed housing need for Adur between 2011 and 2031 is 180-240 homes pa. This represents the upper figure in the range of 180 and 240. In terms of delivery, the Proposed Submission Adur Local Plan 2014 indicates between 174 and 182 homes per annum over this period. Whilst the upper figure potentially meets the lower end of the needs range, there is a shortfall of 1162-1312 dwellings (58-65 dwellings per annum) when measured against the upper end of the needs range.

The work that Adur has undertaken to assess the potential of the district to accommodate new housing (including the Strategic Housing Land Availability Assessment, the Sustainability Appraisal of the Adur Local Plan, the Adur & Worthing Strategic Flood Risk Assessment and the Adur Landscape and Ecology Study) appears comprehensive and is appreciated. It is also understood that there is very limited land within the district to accommodate further development, in part due to environmental constraints, as well as the location of the South Downs National Park to the north and the sea to the south. The capacity constraints to providing new housing development in Adur are highlighted in the Coastal West Sussex Housing study – Duty to Co-operate study of 2013. The wider constraints of the coast are also highlighted in the CWS Local Strategic Statement. Worthing Borough Council is satisfied that, as set out in your evidence, Adur District Council has positively tested options for growth and that the development strategy set out in your Plan represents the most realistic, sustainable and deliverable option for growth in your District.

Worthing

With regard to Worthing, the adopted Core Strategy (2011) seeks to deliver a total of 4,000 dwellings to 2026 (200 dwellings/year) which was the requirement set for the Borough within the South East Plan. This is a figure that takes into account the lack of opportunities for any more significant growth in and around Worthing and as such, the key focus of the local strategy is regeneration. There was never any suggestion that this level of development would meet all of Worthing's housing needs. Through the Annual Monitoring Report the Council has been able to demonstrate that against the requirements of the Core Strategy the Borough has met (and often surpassed) the 200 dwelling a year delivery requirement.

It is recognised that the significant changes made to the planning system, in particular, how each authority must now assess its housing needs, means that a full review of the local policy position in Worthing is now required. The Assessment of Housing Development Needs Study of April 2014 indicates that objectively assessed needs for Worthing is

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

between 500 and 600 dwellings per year and further work to provide more information on this will be published in early 2015. The outcomes of this work will help to inform the timetable for the full Plan review to be set out within a revised Local Development Scheme. This will be prepared for consideration by Members in early 2015.

A full and positive review of the Worthing SHLAA is currently being undertaken and careful consideration has been given, in the first instance, to opportunities on previously developed sites within the built up area boundary. Work will then continue to assess the potential of the small number of greenfield opportunities around the borough. Although the complete SHLAA review has yet to be finalised, it is clearly apparent that opportunities to deliver new housing are extremely limited.

Even though the development potential of every opportunity in and around Worthing will be positively tested, there is still no realistic or sustainable prospect of ever being able to identify sufficient housing sites to completely meet Worthing's objectively assessed housing need. Even if every realistic opportunity were to be developed, the lack of available land and other constraints will mean that there would still be a significant shortfall.

To highlight this, the Coastal West Sussex Housing study – Duty to Co-operate study of 2013 notes that Worthing is a relatively small local authority and that the urban area is sandwiched between the sea to the south and the South Downs National Park to the north. Most of the land outside of the built-up area to the north of the town falls within the South Downs National Park. Development potential is also affected by two river flood zones, and significant congestion on the A259 and the A27 which runs as a single carriageway road through much the Borough. The study concludes that whilst further work is needed, 'it is unlikely that delivery of more than 250 homes per annum over a sustained period can realistically be achieved in the Borough.'

Given that it is highly likely that Worthing will be unable to meet its own objectively assessed needs, it is also highly probable that it will be unable to assist Adur in meeting its housing provision needs.

Given this position, and in line with the requirements of the Duty to Co-operate Worthing Council is currently working closely with Adur District Council and other local authorities within West Sussex which are within or abut the housing market area to address housing needs under the duty to co-operate. Strategic issues including housing needs will continue to be considered through the framework of the Coastal West Sussex and Greater Brighton Strategic Planning Board (and its Local Strategic Statement 2013); the Greater Brighton City Deal as well as through the Coast to Capital Local Economic Partnership.

Economic

It is understood that the 2014 Employment Land Review for Adur indicates that the Adur Local Plan should make provision for between 15,000 and 20,000 sqm net floorspace for offices and research and development and between 35,000 and 40,000 for warehousing over the 2011 and 2031 period in addition to 18,750 sq m of employment floorspace to be relocated from Shoreham Harbour and provided elsewhere within Adur. However, due to capacity constraints (as referred to above in relation to housing - i.e. Adur's size and location, flood risk and landscape quality), the Local Plan can only allocate 41,000 sqm of floorspace for employment generating uses (not specifically B class uses). As above for housing, Adur is unlikely to be able to meet its own employment floorspace needs.

As such, it is appreciated that Adur is unlikely to be able to assist Worthing in meeting its economic floorspace needs. However, both our authorities should benefit from the

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

wider regeneration and growth aspirations within the LEP area and we are working together to ensure that mutual sustainable advantages are gained to benefit our communities. This would encompass jobs, skills and training. As with housing, active and ongoing evidence gathering and strategy development on the wider economic needs - will continue to be considered through the framework of the Coastal West Sussex and Greater Brighton Strategic Planning Board; the Greater Brighton City Deal as well as through the Coast to Capital Local Economic Partnership.

Worthing

The Worthing Core Strategy indicates a need to provide 780,000 sq ft of industrial and warehousing floorspace and 240,000 sq ft of office space up to 2026. Monitoring reveals that this amount is unlikely to be provided if current completion rates continue. Furthermore, changes made to planning policy at the national level have increased pressures on employment land in the borough from residential uses. In response to this, a recent Worthing Employment Land Review Update (Dec 2013) concluded that the Council's protectionist policy towards the retention of employment land is still valid and that there will continue to be a need to deliver additional employment land to help achieve economic growth.

As part of the full review of the Council's Core Strategy, a new Employment Land Review will be commissioned. This will provide more robust and up-to-date information on the type, scale and tenure of employment needs. This in turn will help to inform consideration of the location of this employment land within Worthing and within the context of the duty to co-operate. As above in relation to housing, there are significant constraints to meeting new development needs including the size and location of the Borough and a large part of the area falling within the South Downs National Park. Due to the scarcity of available sites to deliver new employment needs, co-operation with neighbouring local planning authorities will be required.

Because it is highly likely that Worthing will be unable to meet its own employment floorspace needs, it is also highly probable that it will be unable to assist Adur in meeting its economic needs. However, as referred to above, both our authorities should benefit from the wider regeneration and growth aspirations within the LEP area and work together to secure this. Worthing is currently working with other local authorities within West Sussex to address employment and economic floorspace needs under the duty to co-operate. Strategic issues including employment and economic needs will continue to be considered through the framework of the Coastal West Sussex and Greater Brighton Strategic Planning Board; the Greater Brighton City Deal as well as through the Coast to Capital Local Economic Partnership.

Summary

The above concludes that Worthing Borough Council is unable to assist Adur in meeting any of its unmet housing and economic needs given our own shortfalls although we wish you every success with your Local Plan. It is also apparent from the evidence, that Adur cannot meet any of Worthing's likely shortfalls. In line with our partnership working arrangements we have been engaging and co-operating with Adur DC throughout all stages of our respective plans and we look forward to continuing this positive relationship.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Liz

Contact Surname

Hobden

Organisation

Brighton & Hove City Council

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

31

Policy

N/A

Paragraph

N/A

Map

Other

Duty to Cooperate

Sound?

Yes

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Adur is an adjacent authority to Brighton & Hove and the issue of housing requirements crosses our respective boundaries. The City Council considers that housing and other issues (including transport, employment, Gypsy and Travellers sites) are sub regional in nature and consequently best dealt with through effective co-operation at a strategic level as well as by discussions between individual authorities.

A Housing Duty to Co-operate Study was commissioned by the local authorities of Adur, Arun, Brighton & Hove, Chichester, Lewes and Worthing within the Coastal West Sussex Housing Market Area (HMA) together with the South Downs National Park Authority.

The Study concluded that an objective assessment of housing need for the city would fall between 800–1000 dwellings per annum or 16,000–20,000 dwellings to 2030. An update to this Study produced in April 2014 saw the objectively assessed need for Brighton & Hove increase to 900-1200 dwellings per annum or 18,000-24,000 dwellings to 2030.

Based on the physical capacity and significant constraints of the city, the housing target set out in the draft Brighton & Hove City Plan Part 1 was 11,300 new dwellings by 2030. This equated to an annual average provision of 565 dwellings over the plan period (2010–2030). Following the examination of the City Plan, the Planning Inspector required further work to explore all opportunities to increase the housing target as she considered that the council should seek to meet the higher level of the objectively

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

assessed housing need. This further work included a revised assessment of the potential of the urban fringe for housing. The outcome of this work potentially increases the housing target for the City to 13,200 homes or 660 dwellings per annum (2010-2030). This change was approved by the city council's Policy and Resources Committee on 16 October 2014 and is currently out to consultation (until 16 December).

Brighton & Hove is subject to very significant constraints on the ability of the city to physically accommodate all new development needed within the city, particularly due to the sea to the south and the South Downs National Park to the west, north and east. The revised City Plan's housing target for a minimum of 13,200 new homes reflects the capacity and availability of land/sites in the city, the need to provide for a mix of homes to support the growth and maintenance of sustainable communities, the need to make provision in the city for other essential development, and the need to respect the historic, built and natural environment of the city.

The proposed housing target means that Brighton & Hove is some way short of being able to meet its own objectively assessed full housing requirement and as such, through Duty to Co-operate is required to contact other authorities for assistance in meeting its shortfall.

The city council recognises that housing provision is a key cross-boundary issue within the sub-region with many other authorities having significant challenges in meeting their objectively assessed needs. Ongoing cooperation with Adur District and other authorities within West Sussex and elsewhere is welcomed to address housing and other strategic planning issues. It is important that all reasonable means of maximising housing provision across the area are pursued.

It can be confirmed that constructive discussions and joint work has taken place between both authorities in particular through the sub-regional groupings of Coastal West Sussex Planning Board, the Greater Brighton Economic Board and the Local Enterprise Partnership. This work is positive and ongoing, for example a review of the agreed Local Strategic Statement is currently underway.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Danny

Contact Surname

Trussler

Organisation

Rabbit Waste Management Limited

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representer ID

14

Policy

N/A

Paragraph

N/A

Map

Other

General

Sound?

Yes

Legally compliant?

Yes

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Robert

Contact Surname

Thornton

Organisation

Thornton Architecture & Design

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

34

Policy

N/A

Paragraph

N/A

Map

Other

General

Sound?

No

Legally compliant?

The Plan is unsound because it is not:

N/A

Detailed description as to why is the Plan unsound or not compliant

1.00 INTRODUCTION

1.01 This statement of representation, in respect of the Submission Adur Local Plan (ALP), has been prepared by Thornton Architecture + Design on behalf of Cobbetts Developments Ltd and its Directors (CDL), who together own the Steyning Road site (also referred to as 'The Gateway site').

1.02 This representation takes the ALP Policies individually and as a whole in each of its objections as to the SOUNDNESS of the Plan and how these objections relate to specific sites within the Lancing local green gap named below;

1.03 Sites within the Lancing Strategic Green Gap (please refer to the map attached to email from Robert Thornton dt 01/12/14 11:34 Planning Policy Folder).

1. Monks Farm – Strategic site allocation for Housing & employment
2. Shoreham Airport – Strategic site allocation for Employment
3. Steyning Road – Proposed site allocation for Housing & employment

2.00 The key objections as to the SOUNDNESS of the Proposed Submission Adur Local Plan (DLP) are:-

☒ Not consistent with NPPF: the plan does not consistently meet all its obligations under the National Planning Policy Framework (NPPF); and specifically, it does not 'positively seek opportunities to meet the development needs of [the] area' (NPPF 14). This is amply demonstrated within the "Objections to the exclusion of the Steyning Road site", highlighted later in this representation;

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

- ⓧ Not positively prepared: the plan does not fully meet the objectively assessed housing or employment needs of the District. There will be a shortfall of around 87 dwellings per year over the plan period. Furthermore, the Council will not be able to demonstrate that it has made every effort to meet its full housing needs or that it has properly considered all reasonable alternatives by excluding the Steyning Road site, which when measured against the same evidence based criteria as all the other strategic land allocations is the least constrained overall (see appendix B – Site comparison table);
- ⓧ Not justified: the plan has not presented robust or credible evidence to support the allocations of strategic housing and employment at Shoreham Airport or New Monks Farm nor presented robust or credible evidence to discount the Steyning Road site;
- ⓧ Not consistent: the plan has not been consistent in its evaluation of the evidence based studies, or fair in representing their conclusions, when assessing all reasonable options for strategic land allocations, instead, preferring to favour a small number of larger sites, despite their obvious and significant constraints. (see appendix B – site comparison table) By doing so the APL sacrifices large areas of the Lancing Local Green Gap at far too high a cost financially, environmentally and visually for the benefit presumed;
- ⓧ Not deliverable: the background evidence to the plan shows that there are considerable delivery risks associated with the allocation of land at Shoreham Airport due to the dependency of the TWS, the timescale and funding of which is not guaranteed. There are also considerable delivery risks, based on economic viability, with the site dependent on a large amount of infrastructure, including a new roundabout and internal access road to be shared with the proposed new land allocation at New Monk Farm.
- ⓧ Not deliverable: Further delivery risks are evident with Shoreham Harbour, also described by the NCS as having a negative viability, due to complicated site assembly and significant abnormal costs, including: decontamination; transport infrastructure; flood risk mitigation; and relocation of existing businesses to appropriate alternative sites within the district and neighbouring districts. The NCS concludes that Shoreham Harbour has a negative viability which based on the Commercial and Residential Viability Appraisals (combined) would make a net development loss of more than £10M (based on zero CIL rate). According to the NCS report the viability of the Shoreham Harbour is therefore dependant on future government funding (Ref. NCS Chapter 6.10. p38) which would be reasonable to conclude cannot be relied upon.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

Contact First Name

Patrick

Contact Surname

Warner

Organisation

Brighton & Hove Bus & Coach Company

Agent's First Name

Agent's Surname

Agent's Organisation

Representation No / Representor ID

22

Policy

N/A

Paragraph

N/A

Map

Other

General

Sound?

Legally compliant?

The Plan is unsound because it is not:

Detailed description as to why is the Plan unsound or not compliant

Commercial Solutions to Local Authority's Sustainable Transport Aims with a fresh approach to partnership working.

With our highway infrastructure often creaking under increasing volumes of traffic and concerns about deteriorating air quality growing, we understand that if every desirable road scheme in the country was able to be funded and approved, it would still not be long before traffic flows increased and roads became full once again. Whilst some of the worst areas with heavy congestion, high levels of pollution and poor safety records will inevitably end up seeing investment, most people now recognise that simply building new roads is not a viable long term solution on its own.

People are being encouraged to think about the journeys they are making and reconsider the most appropriate way to get there. Whilst cars are essential for some, many others can and should consider walking, cycling and using public transport as alternatives to the car and local authorities are highlighting this in their planning development policies up and down the land to varying degrees.

Our businesses provide high quality bus services to thousands of passengers everyday across four counties from our head office in the city of Brighton & Hove. Our services stretch eastwards to Eastbourne on the East Sussex Coast up through Lewes and Uckfield to Tunbridge Wells in West Kent, up through Woldingham, Caterham, Selsdon, Redhill, Sutton, Epsom and Dorking in Surrey, down to Horsham and Worthing in West Sussex and most places in between including the busy industrial and travel centres of Crawley and Gatwick.

Our multiple award winning operators, Brighton & Hove Bus & Coach Company and Metrobus Limited set a benchmark standard in quality bus services and have been most successful at giving people a real choice about the mode of transport they use where our partnerships with local authorities and major employers have been strongest. We have one of the most modern fleets in the country with the latest technologies to reduce emissions whilst adding user friendly features such as fully DDA compliant easy access, talking buses and visual next stop information, increasing numbers of buses providing free Wi-Fi and our staff are highly trained at meeting the needs of our customers.

Proposed Submission Adur Local Plan 2014 Representations Report - Policy Order

We recognise the continued pressure local government faces to reduce spending with many councils, having to face the reality of finding tens of millions of pounds worth of spending reductions in the short to medium term future. We also recognise that with the exception of City or Unitary authorities, seeking input from a highway or transport specialist officer, often means approaching a different authority for input. So we want to help take some of the strain by working with councils and applicants of major residential and commercial developments to find commercial solutions wherever possible that meet the sustainable transport aims of local government whilst meeting the needs and exceeding the expectations of the travelling public.

What are we offering?

- To work with all stakeholders (developers, major employers, council officers, elected representatives and residents groups) to look at planning applications either prior to being submitted or at the outline application stages to see what the potential needs for public transport solutions are.
- To work with all stakeholders to identify improvements to the highway infrastructure that will be required to provide a quality bus service that picks passengers up and puts them down in a safe and convenient location.
- To work with all stakeholders to identify areas where funding may be made available to upgrade the user experience by providing inviting bus stop furniture and real time information systems.
- To look at the likely directional flow of people to see what investment may be required to provide a good bus service option, including checking available seating capacity on any existing services that we operate where developments may take place.
- To look at the possibility of extending existing routes or introducing new services to provide links to proposed developments either on a fully commercial basis or with some kick start funding if required.
- A commitment to market the sustainable travel choices to new residents, employers and employees of proposed developments along with free travel for a trial period on any bus services that we provide to these locations in an effort to help them make the right choices when they first move there which we know from experience is a time when it is most likely going to be easy to consider new choices.

Our aim is for this partnership approach to become enshrined in local development policies and for councils to actively encourage developers to engage with us at the earliest possible stage as well thought out sustainable travel options will surely make applications more attractive and likely to be approved for construction.

Finally as a number of councils are moving through the process of preparing and adopting local development plans for the medium to long term, we thought it might be helpful to provide a text that can be copied and pasted into such plan documents which demonstrate the commitment to partnership working that has been set out in this document. Feel free to use this or something similar:

‘This Council will through partnership working, involve public transport providers at the earliest stage and introduce developers to them in order to ensure that viable sustainable transport options are designed in to every major proposal of residential and industrial developments where possible. This proven method of partnership working will seek to deliver attractive travel features such as high quality bus stop infrastructure, timetable and real time information, the provision of frequent bus services operated by high quality easy access buses and free bus travel for potential passengers for a limited trial period to enable them to see how easy it is to consider changing to public transport’.

What changes are required to make the Plan sound ?

Description as to why the Plan is sound/supported

