

SUBMISSION ADUR LOCAL PLAN 2016
PAS LEGAL SELF-ASSESSMENT CHECKLIST

October 2016





Local Plan Legal Compliance Checklist (April 2013)

This checklist has been updated for PAS by SNR Denton. It supersedes the previous checklist and is based on **Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012**. It should be used with the Soundness Self Assessment Checklist (also updated January 2013).

Remember that the evidence you provide to support your plan should be relevant and proportionate. Please don't use this checklist as a reason to assemble more than is needed.

Glossary:

"Act" means the **Planning and Compulsory Purchase Act 2004 (as amended)**

"NPPF" means the **National Planning Policy Framework** published March 2012

"Regulations" means the **Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012**

LDS means **Local Development Scheme**

SCI means **Statement of Community Involvement**

DPD means **Development Plan Document**

Stage one: The early stages

Where the 'possible evidence' column refers to a document that will not be complete until a later stage (for example, the sustainability appraisal report), documents that will contribute to that report are relevant at the earlier stages. This way, the submitted report provides the evidence at submission, with an audit trail back to its source.

In terms of legal compliance, the main issues for the early stage are in relation to:

- planning for community engagement
- planning the sustainability appraisal (including consultation with the statutory environment consultation bodies)
- identifying significant cross boundary and inter-authority issues



planning advisory service

- ensuring that the plan rests on a credible evidence base, including meeting the Act's requirement for keeping matters affecting the development of the area under review.

Regulation 17 notes that a statement setting out which bodies and people the council invited to make representations under Regulation 18 is one of the proposed submission documents. In this tool, the term 'consultation statement' is used to describe this statement.

Section 33A of the Act (introduced by the Localism Act 2011) introduces a duty to cooperate as a mechanism to ensure that local planning authorities and other bodies engage with each other on issues which are likely to have a significant effect on more than one planning area. This pervades every stage of the plan preparation. A plan may be found unsound if a council cannot show that it has taken reasonable steps to comply with the duty.

Stage one: The beginning

<p>1. Is the DPD identified in the adopted LDS? Have you recorded the timetable for its production?</p>	<p>The Act section 15(2) and section 19(1)</p>	<p>NPPF para 153</p>		<ul style="list-style-type: none"> i. The adopted LDS at the time of commencement, publication and submission of the DPD ii. The relevant authority monitoring report (if changes need to be explained) 	<p>The Adur LDS has been updated through the Plan process to ensure an up-to-date statement of progress is available.</p> <p>These include:</p> <p>The first LDS was submitted to the Sof S in March 2005, and subsequently reviewed in 2007 and submitted to the Government Office. However the Core Strategy under production at the time was withdrawn following an exploratory meeting with the appointed Inspector. (In relation to matters raised by the Highways Agency and Environment Agency. Also at this time SEEDA raised new issues relating to housing capacity at Shoreham Harbour. Following this a new Core Strategy was embarked on. The Adur LDS 2008-2011 (May 2009) reflects this, and includes an Area Action Plan for Shoreham Harbour. A new evidence base was also developed.</p> <p>The LDS 2012-2015 was published September 2012. This reflects the decision</p>



planning advisory service

					<p>to publish a Local Plan, rather than Core Strategy, following the publication of the Draft NPPF in July 2011. (As a result the Site Allocations DPDs and Development Management DPDs indicated in earlier LDS were deleted). Indicates adoption of the Local Plan in April 2014.</p> <p>The LDS was further revised in May 2013, and reflected a revised Local Plan timetable. In terms of the Local Plan, a second Community and Stakeholder (Regulation 18) consultation was to be undertaken in June-July 2013; however, due to the need for further information in relation to the strategic sites, this was delayed until September 2013. The end date of the Local Plan was also extended to 2031, to ensure the adopted plan covers at least a 15 year period. This LDS anticipated adoption in February 2015.</p> <p>The LDS 2014 was published October 2014. Given some delays in receiving some key technical evidence the timetable was revised, and a new LDS prepared to ensure stakeholders were kept up-to-date with the</p>



planning advisory service

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					<p>anticipated timetable. (A full list of changes from the previous version may be found at paragraph 5.13 of the LDS 2014): http://www.adur-worthing.gov.uk/media/media,98763,en.pdf</p> <p>The LDS 2016-2018 was published January 2016. The timetable for the Local Plan was revised to take account of delays in key pieces of technical evidence and the need for a further Regulation 18 consultation. The LDS was then revised again in August 2016 to take account of a revised Shoreham Harbour JAAP timetable and revised submission for the Adur Local Plan (September 2016). (A full list of changes can be found at paragraph 5.12 of the LDS 2016). http://www.adur-worthing.gov.uk/adur-ldf/local-development-scheme/</p>
2. How will community engagement be programmed into the	The Act section 19(3) Regulation 18	NPPF paras 150, 155 and 157	If the SCI is up-to-date, use that. If not set out any changes to community	i. The SCI ii. The project plan for the DPD	The first SCI: http://www.adur-worthing.gov.uk/media/media,98764,en.pdf was adopted in 2006 and guided the early stages of consultation on the Adur Local Plan including the Adur Housing and



planning advisory service

<p>preparation of the DPD?</p>			<p>engagement as a result of changes in legislation.</p>		<p>Employment Options 2011 and the Draft Adur Local Plan 2012. An updated SCI: http://www.adur-worthing.gov.uk/media/media,105544,en.pdf was adopted at the end of 2012 to conform with the Town and Country Planning (Local Planning) (England) Regulations 2012. Consultation undertaken since the adoption of the new SCI has been informed by the principles and overarching approach set out in the adopted SCI.</p>
<p>3. Have you considered the appropriate bodies you should consult?</p>	<p>Regulation 18</p>	<p>NPPF paras 4.25 -4.26</p>	<p>Regulation 2 defines the general and specific consultation bodies.</p> <p>The possible evidence may duplicate each other. Only use what you need to.</p>	<ul style="list-style-type: none"> i. The SCI ii. Reports and decisions setting out the approach to specific and general consultation bodies iii. Consultation statement 	<p>Appendix 1 of the Adur & Worthing Statement of Community Involvement 2012: http://www.adur-worthing.gov.uk/adur-ldf/statement-of-community-involvement/ (click on the above SCI link: page 27. Appendix1 – Statutory Consultation Bodies) Appendix 1 lists all the statutory consultees that must be consulted as part of the production of a Development Plan Document.</p> <p>The Adur Local Plan (2016) Statement of Consultation sets out the Specific Consultation Bodies that were consulted at each stage of the Local Plan process.</p>



planning advisory service

<p>4. How you will co-operate with other local planning authorities, including counties, and prescribed bodies, to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?</p>	<p>The Act section 33A(1)(a) and (b), section 33A(3)(d) (e) & (4)</p> <p>The Act Section 20(5)(c)</p> <p>Regulation 4</p>	<p>NPPF paras 178 to 181 (which comprise the guidance referred to in the Act section 33A(7))</p> <p>Under NPPF Para 182, to be 'Effective' a plan should be based on effective joint working on cross-boundary strategic priorities.</p> <p>Strategic priorities are listed at NPPF Para 156</p>	<p>Section 33A (4) defines a "strategic matter".</p> <p>Under section 33A(6) the required engagement includes considering joint approaches to the plan making activities (including the preparatory activities) and considering whether to agree joint local development documents under section 28.</p> <p>The bodies prescribed by</p>	<p>i. Reports and decisions setting out the approach to be taken</p> <p>ii. Consultation statement</p>	<p>The Duty to Co-operate Statement sets out the strategic cross boundary issues and all the duty to co-operate activities (including a log of meetings, workshops and actions) which have taken place throughout the preparation of the Local Plan as well as outcomes.</p> <p>The Adur Local Plan Statement of Consultation 2016 sets out the Specific Consultation Bodies that were consulted at each stage of the Local Plan process.</p>



planning advisory service

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
			section 33A (1) (c) are set out at Regulation 4(1).		
5. How you will co-operate with any local enterprise partnerships (LEP) or local nature partnerships (LNP) to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?	<p>The Act section 33A(1)(c) and section 33A(9), section 33A(3)(d) and (e)</p> <p>The Act section 20(5) (c).</p> <p>Regulation 4</p>	NPPF paras 178 to 181	<p>Section 33A (4) defines a "strategic matter". Strategic priorities are listed at NPPF Para 156.</p> <p>Regulation 4(2) prescribes LEPs and LNPs for the purposes of section 33A (9).</p> <p>Under section 33A (6) the required engagement includes consulting on</p>	<p>i. Reports and decisions setting out the approach to be taken.</p> <p>ii. Consultation statement</p>	<p>The Coast to Capital Local Enterprise Partnership has been consulted at various stages of the Adur Local Plan and has been involved via a number of mechanisms including meetings with planning officers at Adur District Council the Coastal West Sussex & Greater Brighton Strategic Planning Board, via the Greater Brighton City Deal and the Planning Advisory Service Duty to Co-operate workshops at Horsham District Council. Greater detail is provided in the Duty to Co-operate Statement which accompanies the Adur Local Plan. The Strategic Economic Plan (SEP) produced in 2014 for the LEP reflects the growth aspirations of the draft Adur Local Plan with respect to the key employment opportunities at Shoreham Harbour and Shoreham Airport and the delivery of key flood defences and transport infrastructure to help deliver these sites as well as new housing. Meetings and email exchanges took place between the LEP representative and officers at Adur District Council.</p>



planning advisory service

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
			joint approaches to relevant activities.		The Sussex Local Nature Partnership was established in 2012 (when considerable progress had been made on the Local Plan). However some of the constituent bodies were already on the consultation database for the Local Plan and therefore have had opportunities to be involved the development of the document.
6. Is baseline information being collected and evidence being gathered to keep the matters which affect the	The Act section13	NPPF paras 158 - 177		<ul style="list-style-type: none"> i. Documents dealing with collection of baseline information ii. Relevant technical studies iii. The annual monitoring report 	<p>Baseline information is being collected and updated through the Sustainability Appraisal of the Adur Local Plan.</p> <p>http://www.adur-worthing.gov.uk/adur-local-plan-2016/#amendments-to-the-adur-local-plan-2016-and-associated-documents</p> <p>Community Profile of Adur & Worthing 2014: http://www.adur-worthing.gov.uk/media/media,123248,en.pdf</p> <p>A number of relevant technical studies have</p>



planning advisory service

development of the area under review?					<p>been produced as background evidence. These have helped to ensure the baseline information remains up-to-date.</p> <p>These studies are available on the Council's website.</p>
7. Is baseline information being collected and evidence being gathered to set the framework for the sustainability appraisal?	The Act section 19(5)	<p>NPPF paras 165 and 167</p> <p>Strategic Environmental Assessment Guide, chapter 5</p>		<p>i. Sustainability report scoping document</p> <p>ii. Sustainability appraisal report</p>	<p>A Scoping Report was produced for the Sustainability Appraisal in 2011 which set out all the relevant baseline information for the district.</p> <p>The baseline information in the Scoping Report has been updated for every iteration of the SA as the Plan has progressed.</p> <p>http://www.adur-worthing.gov.uk/media/media,98761,en.pdf</p>
8. Have you consulted the statutory environment consultation bodies for five weeks on the scope and	Regulations 9 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.	<p>NPPF paras 165 and 167</p> <p>SEA Guide chapter 3</p>	The Strategic Environmental Assessment consultation bodies are also amongst the 'specific consultation bodies' which	Copies of the consultation letters sent to and any responses from the bodies	Natural England, the Environment Agency and English Heritage were amongst a number of bodies consulted on the scope of the SA in 2011.



planning advisory service

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
level of detail of the environmental information to be included in the sustainability appraisal report?			are defined in Regulation 2).		



planning advisory service

Stage two: Plan preparation - frontloading phase

Information assembled during this phase contributes to:

- showing that the procedures have been complied with
- demonstrating cooperation with statutory cooperation bodies
- developing alternatives and options and appraising them through sustainability appraisal and against evidence.

The council should record actions taken during this phase as they will be needed to show that the plan meets the legal requirements. They will also show that a realistic and reasonable approach has been taken to plan preparation.

Stage two: Plan preparation

<p>1. Have you notified:</p> <ul style="list-style-type: none"> • the specific consultation bodies? • the general consultation bodies that have an interest in the subject of the DPD and invited them to make representations about its contents? 	<p>Regulation 18(1) and (2)(a) (b)</p>	<p>NPPF paras 159 – 173</p>	<p>Specific and general consultation bodies are defined in Regulation 2.</p>	<ul style="list-style-type: none"> i. Consultation statement ii. Copies of documents consulting these bodies iii. Record of discussions iv. Copies of representations made v. A brief statement setting out the reasons why any bodies have been omitted from or included in consultation 	<p>The Statement of Consultation 2016 all stages of consultation undertaken.</p> <p>http://www.adur-worthing.gov.uk/alp-submission-2016/</p>
<p>2. Are you inviting representations from</p>	<p>Regulation 18(1) and</p>	<p>NPPF paras 159</p>		<ul style="list-style-type: none"> i. Consultation statement 	<p>The Statement of Consultation 2016 sets out how</p>



planning advisory service

<p>people resident or carrying out business in your area about the content of the DPD?</p>	<p>(2)(c)</p>	<p>– 173</p>		<ul style="list-style-type: none"> ii. Copies of documents consulting these persons iii. Record of discussions iv. Copies of representations made 	<p>consultation has been undertaken on the Local Plan.</p> <p>http://www.adur-worthing.gov.uk/alp-submission-2016/</p> <p>The Council’s Consultees Database contains all the bodies and individuals that have been consulted and/or responded during the Local Plan process.</p> <p>Records of their representations can also be found on the Council’s website in the following locations:</p> <p>Summary of responses to Draft Adur Local Plan Consultation 2012</p> <p>http://www.adur-worthing.gov.uk/media/media,111437,en.pdf</p>
<p>3. Are you engaging with stakeholders responsible for delivery of the strategy?</p>	<p>Regulation 18</p>	<p>NPPF para 155</p>	<p>NPPF paras 160-171 4.29 give examples of relevant bodies which should be consulted.</p>	<ul style="list-style-type: none"> i. Consultation statement ii. Copies of documents consulting these people iii. Record of discussions 	<p>There has been continuous engagement with the statutory consultees, landowners/developers and infrastructure providers during the preparation of the Local Plan.</p> <p>Infrastructure Delivery Plan has been prepared in consultation with delivery agencies and made</p>



planning advisory service

Activity					Evidence provided
					available for consultation alongside the Local Plan.
4. Are you taking into account representations made?	Regulation 18(3)	NPPF para 155	Evidence from participation is part of the justification. Show how you have taken representations into account.	<ul style="list-style-type: none"> i. Consultation statement ii. Any reports on the selection of alternatives and options for the DPD 	<p>The Adur Statement of Consultation 2016 shows how representations informed the development of the Local Plan.</p> <p>http://www.adur-worthing.gov.uk/alp-submission-2016/</p>
5. Does the consultation contribute to the development and sustainability appraisal of alternatives?	<p>The Act section 19(5)</p> <p>Regulations 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF paras 165 – 168</p> <p>SEA Guide, chapter 3</p>		<ul style="list-style-type: none"> i. Consultation statement ii. Any reports on the selection of alternatives and options for the DPD iii. Sustainability appraisal report 	<p>The Adur Local Plan Statement of Consultation 2016 shows how the consultation has informed the development of alternatives.</p> <p>A full Sustainability Appraisal was carried out throughout the preparation of the Local Plan and was consulted on.</p> <ul style="list-style-type: none"> ➤ Report: http://www.adur-worthing.gov.uk/media/media,127802,en.pdf ➤ Non-Technical Summary: http://www.adur-worthing.gov.uk/media/media,127801,en



planning advisory service

Activity					Evidence provided
					<p>.pdf</p> <p>➤ Technical Appendices: http://www.adur-worthing.gov.uk/media/media,127800,en.pdf</p>
<p>6. Is the participation:</p> <ul style="list-style-type: none"> • following the principles set out in your SCI? • integrating involvement with the sustainable community strategy? • proportionate to the scale of issues involved in the DPD? 	<p>The Act section19(3)</p>	<p>NPPF para 155</p>		<p>i. Consultation Statement</p> <p>ii. The SCI</p> <p>iii. The relevant sustainable community strategies</p>	<p>The Statement of Consultation shows that public involvement was carried out following the approach set out in the Statement of Community Involvement: http://www.adur-worthing.gov.uk/alp-submission-2016/</p> <p>‘waves ahead’: http://www.wavesahead.org.uk/</p> <p>Adur & Worthing’s Sustainable Community Strategy was prepared by the Local Strategic Partnership of public, voluntary and business sector interests. The vision and strategy was consulted upon and reflects the views of as many people who live and work in the areas as possible. The Local Plan takes forward the four priorities for change identified in ‘waves ahead’.</p>
<p>7. Are you keeping a record of:</p>	<p>The Act section20(3)</p>	<p>NPPF paras 158</p>	<p>You will need to submit a</p>	<p>i. Consultation statement</p>	<p>Adur District Council keeps an ongoing record of the individuals and bodies invited to make</p>



planning advisory service

<ul style="list-style-type: none"> the individuals or bodies invited to make representations? how this was done? the main issues raised? 	Regulation 17	- 171	statement of representations under Regulation 22 (1) (c): see Submission stage below. Regulation 35 deals with the availability of documents and the time of their removal.	<ul style="list-style-type: none"> ii. Reports by the council on the consultation iii. Copies of representations and relevant correspondence iv. Technical reports on the engagement process 	<p>representations through its Consultees Database as well as those who have responded to consultations.</p> <p>The Adur Statement of Consultation 2016 sets out the specific consultation bodies that were invited to make representations and the specific consultation bodies that responded at each stage of the Local Plan process.</p> <p>Adur District Council also keeps a record of all the representations received for each stage of consultation on the Local Plan.</p> <p>Copies of representations made during the 2012 Local Plan consultation can be found in the following location: http://www.adur-worthing.gov.uk/adur-ldf/adur-local-plan/#draft-adur-local-plan-2012</p>
8. Are you inviting representations on issues that would	The Act section 33A(1)(a) (b)	NPPF paras 178 to 181	Section 33A (3) (d) and (e) requires	<ul style="list-style-type: none"> i. Consultation statement ii. Reports by 	Adur District borders Worthing Borough, Brighton & Hove City, the South Downs National Park, Horsham District and Arun



planning advisory service

<p>have significant impacts on both your areas from another local planning authority? Or county issues from an affected county council that is not a planning authority? Or significant cross-boundary issues and strategic priorities of a body prescribed under Section 33A (1) (c)?</p>	<p>and (c), section 33A(3)(d) & (e) section 33A(4) section 33A(9) The Act section 20 (5)(c)</p>		<p>cooperation on significant cross-boundary issues before and during plan preparation. Section 33A (2) requires you to engage constructively, actively and on an ongoing basis.</p>	<p>the council on the consultation iii. Copies of representations and relevant correspondence iv. Technical reports on the engagement process</p>	<p>District. The Council has undertaken constructive engagement on strategic planning matters with these planning authorities. The Council has consulted neighbouring local planning authorities at all stages of the Local Plan's preparation. The Duty to Cooperate Statement being submitted alongside the Local Plan sets out some of the meetings held and strategic matters discussed. http://www.adur-worthing.gov.uk/alp-submission-2016/</p>
<p>9. Are you inviting representations on cross-boundary issues and strategic priorities from a local enterprise partnership (LEP) or a local nature partnership (LNP)?</p>	<p>The Act section 33A (1) (c) and Section 33A (9). The Act section 20(5)</p>	<p>NPPF paras 178 to 181</p>	<p>Section 33A (3) (d) and (e) requires cooperation on significant cross-boundary issues before and during plan preparation.</p>	<p>i. Consultation statement ii. Reports by the council on the consultation iii. Copies of representations</p>	<p>The Coast to Capital Local Enterprise Partnership has been consulted at various stages of the Adur Local Plan and has been involved via a number of mechanisms including meetings with planning officers at Adur District Council the Coastal West Sussex & Greater Brighton Strategic Planning Board, via the Greater Brighton City Deal and the Planning Advisory Service Duty to Co-operate workshops at Horsham District Council. Greater</p>



planning advisory service

	(c). Regulation 4		Section 33A (2) requires you to engage constructively, actively and on an ongoing basis.	ns and relevant correspondence iv. Technical reports on the engagement process	detail is provided in the Duty to Co-operate Statement which accompanies the Adur Local Plan. The Strategic Economic Plan (SEP) recently produced in 2014 for the LEP reflects the growth aspirations of the draft Adur local Plan with respect to the key employment opportunities at Shoreham Harbour and Shoreham Airport and the delivery of key flood defences and transport infrastructure to help deliver these sites as well as new housing. Meetings and email exchanges took place between the LEP representative and officers at Adur District Council. The Sussex Local Nature Partnership was established in 2012 (when considerable progress had been made on the Local Plan). However some of the constituent bodies were already on the consultation database for the Local Plan and therefore have had opportunities to be involved throughout the development of the document.
10. Are you developing a framework for monitoring the effects of the DPD?	The Act section 35 Regulation 34 Regulation 17	NPPF paras 165 - 1687 SEA Guide,	It is a matter for each council to decide what to include in their monitoring reports while	i. Sustainability appraisal report ii. The authority monitoring report iii. Reports or	The proposed monitoring framework for the Local Plan is in Appendix 5 of the Submission Adur Local Plan 2016. (It includes relevant indicators from the SA). The Council's Annual Monitoring Report will monitor progress against the targets specified in Appendix 5.



planning advisory service

	of The Environmental Assessment of Plans and Programmes Regulations 2004 No1363	Chapter 5	ensuring they are prepared in accordance with relevant UK and EU legislation” Chief Planning Officer letter 30 March 2011 withdrawing ODPM guidance.	documents setting out the appraisal and monitoring framework	



Stage three: Plan preparation - formulation phase

This stage has many legal matters, for process and content, to address. The council should be beginning to formulate the preferred strategy for the local plan or supplementary planning document with which the council chooses to address Regulation 18 requirements, using the information gathered and previous collaborative work with stakeholders.

Para 182 of the NPPF makes it clear that explicit consideration of alternatives is a key part of the plan making process.

You should evaluate the reasonable alternatives identified in 'stage two: frontloading phase – plan preparation' phase against the:

- completed body of information from evidence gathering
- results of sustainability appraisal
- findings from community participation
- findings from engagement with statutory cooperation bodies.

This may be written up as a preferred strategy report. The results of participation on the preferred strategy and an accompanying sustainability report will enable the council to gauge the community's response and receive additional evidence about the options. The council can then decide whether, and how, the preferred strategy and policies should be changed for publishing the finished DPD.

Alternatives developed from the evidence and engagement during the frontloading stage need to be appraised to decide on the preferred strategy. Participation will also need to be carried out on it.

These matters need to be considered, and dealt with, in good time, and not left until publication. Supporting documents will assist in providing evidence that decisions on alternatives and strategy are soundly based. These documents will, in due course, become part of the proposed submission documents in stage four.

The council should tell all parties that this is the main participation opportunity on the emerging plan. The publication stage is a formal opportunity for anyone to comment on an aspect of the DPD's soundness, and to propose a change to the plan accordingly. The more effectively this message is put across, the lower the chance of late changes being brought forward following publication.

Stage three: Plan preparation – writing the plan

<p>1. Are you preparing reasonable alternatives for evaluation during the preparation of the DPD?</p>	<p>Regulation 12 (2) of The Environmental Assessment of Plans and Programmes Regulations 2004 No. 1633</p>	<p>NPPF paras 152 - 182 SEA Guide, Chapter 5</p>	<p>The sustainability appraisal report and supporting documents relevant to the preparation of the DPD are part of the proposed submission documents (see Regulation 17).</p>	<p>Documents supporting decisions on alternatives and any preferred strategy</p>	<p>Part 2 of the Sustainability Appraisal of the Adur Local Plan 2016 sets out the reasonable alternatives considered during the production of the Local Plan. A number of the reasonable alternatives were LEGALexplored in detail through previous consultations on the Adur Local Plan, specifically:</p> <ul style="list-style-type: none"> - Adur Housing and Employment Options 2011: http://www.adur-worthing.gov.uk/media/media,98762,en.pdf This consultation sought views on four housing quantum options and two employment floorspace quantum options. - Draft Adur Local Plan 2012: http://www.adur-worthing.gov.uk/media/media,102303,en.pdf Part 2 of this document contained 2 different housing targets as well as a variety of spatial distributions. <p>Further Regulation 18 consultation was undertaken on the Revised Deposit Draft Adur Local Plan 2013. https://www.adur-worthing.gov.uk/adur-local-plan-</p>



planning advisory service

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					consultation/
<p>2. Have you assessed alternatives against:</p> <ul style="list-style-type: none"> consistency with national policy? general conformity with the regional spatial strategy where still in force? 	<p>The Act section 19 (2), section 24</p>	<p>NPPF para 151</p>	<p>For London boroughs and local authorities where regional strategies are still in force general conformity is tested formally later but you need to consider it during preparation of the DPD.</p>	<ul style="list-style-type: none"> Supporting documents Correspondence with Mayor of London (London Boroughs and Mayoral Development Corporations only) 	<p>The policies in the Local Plan were developed from the National Planning Policy Framework, and are considered consistent with the NPPF.</p> <p>The South East Plan has been revoked.</p>
<p>3. Are you having regard to (where relevant):</p> <ul style="list-style-type: none"> adjoining regional spatial 	<p>The Act sections 19 (2) and 24 (1) and (4)</p> <p>Regulation 10</p>		<p>Where the regional strategy has been revoked you should record that</p>	<ul style="list-style-type: none"> Supporting documents Correspondence with the Mayor of London, relevant Welsh 	<p>The adjoining regional spatial strategies have been revoked.</p>



planning advisory service

<p>strategies?</p> <ul style="list-style-type: none"> the spatial development strategy for London? Planning Policy for Wales? the National Planning Framework for Scotland? 	and 21		fact.	<p>or Scottish regional planning bodies (as appropriate)</p> <p>iii. CLG notice of revocation of the regional strategy</p>	
<p>4. Are you co-operating with other local planning authorities including counties, to address significant cross boundary issues? Have you discussed doing joint local development</p>	<p>The Act section 33A(2)(a)</p> <p>Section 33A(6)(a)(b)</p> <p>Section 20(5) (c)</p>	<p>NPPF paras 181 and 185</p>	.	<p>i. Supporting documents</p> <p>ii. Correspondence with LPA/County Council</p>	<p>The Adur District borders Worthing Borough, Brighton & Hove City, the South Downs National Park, Horsham District and Arun District. The Council has undertaken constructive engagement on strategic planning matters with these planning authorities.</p> <p>The Council has consulted neighbouring local planning authorities at all stages of the Local Plan's preparation, including the Housing and Employment Options document 2011, the Draft Adur Local Plan 2012, the Revised Draft Adur Local Plan 2013, the Proposed Submission Adur Local Plan 2014, Proposed Amendments</p>



planning advisory service

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
documents?					<p>to New Monks Farm Allocation Within Proposed Submission Adur Local Plan 2014, and Amendments to the Proposed Submission Adur Local Plan (2016).</p> <p>Above and beyond statutory consultation, the Council has sought to engage constructively with other local planning authorities on strategic planning matters for the purposes of the Local Plan. The Duty to Cooperate Statement being submitted alongside the Local Plan set out some of the meetings held and strategic matters discussed.</p> <p>The Adur Duty to Cooperate Statement 2016 may be found at: http://www.adur-worthing.gov.uk/alp-submission-2016/</p>
5. Are you cooperating with a person prescribed for the purposes of Regulation 33A (1) (c) to address	The Act section 33A(2)(a), section 33A(6)(a)	NPPF paras 181 and 182	The bodies prescribed by The Act section 33A (1) (c) are set out at	<ul style="list-style-type: none"> i. Supporting documents ii. Correspondence with prescribed bodies 	<p>The Duty to Cooperate Statement shows which organisations the Council engaged with in addressing cross boundary issues. http://www.adur-worthing.gov.uk/alp-submission-2016/</p>



planning advisory service

significant cross boundary issues including preparing joint approaches?	The Act section 20 (5) (c) Regulation 4		Regulation 4 (1).		
6. Are you cooperating with having regard to the activities of the LEP and LNP?	The Act section 33A (2) (b) and section 33A (9). Regulation 4 (2)	NPPF para 181 and 182		<ul style="list-style-type: none"> i. Supporting documents ii. Correspondence with LEP/LNP 	<p>The Coast to Capital Local Enterprise Partnership has been consulted at various stages of the Adur Local Plan and has been involved via a number of mechanisms including meetings with planning officers at Adur District Council the Coastal West Sussex & Greater Brighton Strategic Planning Board, via the Greater Brighton City Deal and the Planning Advisory Service Duty to Co-operate workshops at Horsham District Council. Greater detail is provided in the Duty to Co-operate Statement which accompanies the Adur Local Plan. The Strategic Economic Plan (SEP) recently produced in 2014 for the LEP reflects the growth aspirations of the draft Adur local Plan with respect to the key employment opportunities at Shoreham Harbour and Shoreham Airport and the delivery of key flood defences and transport infrastructure to help deliver these sites as well as new housing. Meetings and email exchanges took place between the LEP representative and officers at Adur District Council. Minutes of the meetings of CWS and GB Strategic Planning Board as well as City Deal are</p>



planning advisory service

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					<p>available.</p> <p>The Sussex Local Nature Partnership was consulted on the Revised Draft Adur Local Plan 2013.</p>
<p>7. Are you having regard to:</p> <ul style="list-style-type: none"> • your sustainable community strategy or of other authorities whose area comprises part of the area of the council? • any other local development documents adopted by the council? 	<p>The Act section19(2)</p>			<ul style="list-style-type: none"> i. Supporting documents ii. The sustainable community strategies iii. Relevant local development documents iv. Correspondence with the local strategic partners 	<p>Adur & Worthing's Sustainable Community Strategy is called 'waves ahead':</p> <p>http://www.wavesahead.org.uk/</p> <p>Para 1.32 of the Adur Local Plan states that the priorities of 'waves ahead' have influenced the development of the Plan.</p>



planning advisory service

<p>8. Do you have regard to other matters and relevant strategies relating to:</p> <ul style="list-style-type: none"> • resources • the local/regional economy • the local transport plan and transport facilities and services • waste strategies • hazardous substances 	<p>The Act section19(2)</p> <p>Regulation 10</p>		<p>As well as the matters and strategies listed in the Act and Regulations there are likely to be other matters identified in planning policy statements, regional and local strategies that you will need to have regard to in preparing the DPD.</p>	<ul style="list-style-type: none"> i. Supporting documents ii. Correspondence with the relevant bodies 	<p>The Council has had regard to a number of plans and strategies regarding the local and regional economies:</p> <p>The Coast to Capital Local Economic Partnership Strategic Economic Plan which identifies a number of sites within Adur including Shoreham Harbour and Shoreham Airport.</p> <p>The Coastal West Sussex and Greater Brighton Local Strategic Statement which identifies the regeneration priorities for the wider area (including Shoreham Airport and Shoreham Harbour in Adur) and the infrastructure required to support these. Adur are a signatory to the LSS.</p> <p>Greater Brighton City Deal which includes Shoreham Airport and Shoreham Harbour in Adur. (See Duty to Co-operate Statement for more information).</p> <p>Paragraph 1.7 of the Submission Adur Local Plan refers to the relevant Waste plan.</p> <p>In relation to transport, the Council has liaised continually with West Sussex County Council and where relevant with the Highways Agency in writing the Local Plan. Both organisations are</p>



planning advisory service

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					<p>also formal consultees in the Local Plan process. Account has been taken of the West Sussex Local Transport Plan and various other documents including Air Quality Action Plans, WSCC car parking standards and the WSCC Shoreham Town Centre Study Report (2014). The Adur Local Plan: http://www.adur-worthing.gov.uk/adur-local-plan-2014/</p> <p>The following studies have also informed the Plan:</p> <ul style="list-style-type: none"> - Shoreham Harbour Transport Study 2013 - The Report Addendum of 2014 - Second Revised Reissued Addendum 2016. <p>A Shoreham Harbour Transport Strategy is being produced and has also informed the Plan.</p> <p>West Sussex County Council are also the Waste & Minerals Authority and have been consulted throughout the production of the Plan. The Plan has taken into account the Waste Local Plan 2014. The Minerals Local Plan is currently being produced jointly with the National Park Authority and this has also helped inform the Plan.</p>



planning advisory service

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					<p>Statement of Common Ground for Minerals regarding minerals matters relating to Shoreham Harbour. The signatories are:</p> <ul style="list-style-type: none"> - Adur District Council - Brighton & Hove City Council - West Sussex County Council - East Sussex County Council - South Downs National Park Authority - Shoreham Port Authority <p>With regard to Hazardous substances, the Health and Safety Executive (HSE) have been statutory consultees throughout the Local Plan process.</p>
<p>9. Are you having regard to the need to include policies on mitigating and adapting to climate change?</p>	<p>The Act section 19(1A)</p>	<p>NPPF paras 93 - 108</p>		<p>Supporting documents</p>	<p>Adur Local Plan Policy 19: Sustainable Design aims to ensure that all new dwellings achieve a water efficiency standard of no more than 110 litres/person/day (lpd).</p> <p>It also states that all non-domestic development achieves BREEAM Very Good Standard.</p> <p>Adur Local Plan Policy 20: Decentralised Energy and Stand-alone Energy Schemes states that an assessment of the opportunities to use low carbon energy, renewable energy and residual</p>



planning advisory service

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					<p>heat/cooling must be provided with any major planning application.</p> <p>The policy also states that all new development will be expected to incorporate renewable/low carbon energy production equipment to provide at least 10% of predicted energy requirements.</p> <p>Policy 37: Flood Risk and Sustainable Drainage sets out the requirements for a Flood Risk Assessment and the need for Sustainable Drainage Systems.</p>
<p>10. Have you undertaken the sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?</p>	<p>The Act section 19(5)</p> <p>Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF para 182</p> <p>SEA Guide, Chapter 5</p>	<p>Regulation 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures.</p>	<ul style="list-style-type: none"> i. Reports on the sustainability of alternatives ii. Record of work undertaken on sustainability appraisal iii. Supporting documents 	<p>Part 2 of the Sustainability Appraisal of the Adur Local Plan sets out the reasonable alternatives that have been appraised as part of the production of the Adur Local Plan.</p> <p>The Sustainability Appraisal has been subject to consultation at each stage of preparation.</p>



planning advisory service

<p>11. Are you setting out reasons for any preferences between alternatives?</p>	<p>Regulation 8(2)</p>	<p>NPPF para 182</p>	<p>This will include Information from the sustainability appraisal.</p>	<ul style="list-style-type: none"> i. Any reports setting out alternatives and choices considered ii. Supporting documents 	<p>Part 2 of the Sustainability Appraisal of the Adur Local Plan outlines the reasons for selecting the preferred approach in light of appraisal.</p>
<p>12. Have you taken into account any representations made on the content of the DPD and the sustainability appraisal? Are you keeping a record?</p>	<p>Regulations 17, 18(3) and 22 (1) (c) (iv) Regulation 13(4) of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF paras 150, 155, 157 and 159-171</p>	<p>Records on the sustainability appraisal should also include recording any assessment made under the Habitats Directive.</p>	<ul style="list-style-type: none"> i. Correspondence from those making representations ii. Reports on issues raised iii. Consultation statement iv. Sustainability appraisal report 	<p>The Adur Statement of Consultation gives an account of the representations made and how these were taken into account. http://www.adur-worthing.gov.uk/alp-submission-2016/ Databases of representations received during the 2013, 2014, 2015 and 2016 consultations are all available on the Council's website at the following web address: http://www.adur-worthing.gov.uk/adur-ldf/adur-local-plan/ A Summary of Responses received on Draft Adur Local Plan Consultation September-October 2012:</p>



planning advisory service

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					<p>http://www.adur-worthing.gov.uk/media/media,111437,en.pdf</p> <p>Appendix 8 of the Sustainability Appraisal of the Revised Draft Adur Local Plan 2013</p> <p>http://www.adur-worthing.gov.uk/media/media,117742,en.pdf</p>
<p>13. Where sites are to be identified or areas for the application of policy in the DPD, are you preparing sufficient illustrative material to:</p> <ul style="list-style-type: none"> • enable you to amend the currently adopted policies map? • inform the community 	<p>Regulations 5 (1)(b) and 9</p>	<p>NPPF para 157</p>	<p>Regulation 2 defines the terms 'submission' and 'adopted' proposals map.</p> <p>A map showing changes to the adopted policies map is part of the proposed submission</p>	<ul style="list-style-type: none"> i. Adopted policies map ii. Any reports on proposals to amend the policies map iii. Illustrative material that shows how the policies map will be amended or replaced 	<p>The location of allocations and proposed policy boundaries were included in the Revised Draft Adur Local Plan 2013.</p>



planning advisory service

about the location of proposals?			documents defined in Regulation 17.		
14. Are the participation arrangements compliant with the SCI?	The Act, section 19(3) Regulation 18	NPPF paras 150 and 155		i. The SCI ii. Consultation statement	Yes. The Adur & Worthing Statement of Community Involvement was adopted in December 2012: http://www.adur-worthing.gov.uk/media/media,105544,en.pdf Details on how the consultation and how community engagement was undertaken for the Local Plan can be found in the Adur Statement of Consultation 2016.



Stage four: Publication

Under Regulation 20, the period for formal representations takes place **before** the DPD is submitted for examination in accordance with a timetable set out in the statement of the representations procedure which is made available at the council's office and published on its website.

When moving towards publication stage, the council should consider the results of participation on the preferred strategy and sustainability appraisal report and decide whether to make any change to the preferred strategy. In the event that changes are required, the council will need to choose either to:

- do so and progress directly to publication

OR

- produce and consult on a revised preferred strategy.

The latter may be appropriate where the changes to the DPD bring in changed policy or proposals not previously covered in community participation and the sustainability appraisal. It avoids having to treat publication as if it were a consultation, which it is not. It also provides insurance in relation to compliance with the Strategic Environmental Assessment Regulations. Legally, during any participation on a revised preferred strategy, you should:

- comply with the requirements of the SCI
- update the sustainability appraisal report.

The council should then produce the DPD in the form in which it will be published. This includes removing material dealing with the evaluation of alternatives and the finalisation of the text. The council should be happy to adopt the DPD in this form, and satisfied that it is sound and fit for examination.

The six weeks publication period is the opportunity for those dissatisfied (or satisfied) with the DPD to make formal representations to the inspector about its soundness. Only people proposing a change to the plan can expect to be heard at examination.

The possibility of change under certain circumstances (which should be exceptional) is allowed for in the new procedures, and is described in 'stage five: submission'.

Stage four: Publication

<p>1. Have you prepared the sustainability appraisal report?</p>	<p>The Act section 19(5)</p> <p>Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF paras 165 - 168</p> <p>SEA Guide Chapter 5</p>		<p>Sustainability appraisal report</p>	<p>Proposed Submission Adur Local Plan 2014:</p> <ul style="list-style-type: none"> ➤ Report: http://www.adur-worthing.gov.uk/media/media,127802,en.pdf ➤ Non-technical Summary: http://www.adur-worthing.gov.uk/media/media,127801,en.pdf ➤ Technical Appendices: http://www.adur-worthing.gov.uk/media/media,127800,en.pdf <p>This has been made available online (see link above) and copies made available in those locations where the Proposed Submission Adur Local Plan 2014 was made available, as indicated in the Statement of Representation Procedure.</p> <p>Amendments to the Proposed Submission Adur Local Plan (2016):</p> <ul style="list-style-type: none"> ➤ Report:



planning advisory service

					Evidence Provided
					<p>http://www.adur-worthing.gov.uk/media/media,138947,en.pdf</p> <ul style="list-style-type: none"> ➤ Non technical summary: http://www.adur-worthing.gov.uk/media/media,138948,en.pdf ➤ Technical Appendix http://www.adur-worthing.gov.uk/media/media,138949,en.pdf <p>All these documents have been made available online (see links above) and copies made available in those locations where the Proposed Submission Adur Local Plan 2014 and the Amendments to the Proposed Submission Adur Local Plan (2016) was made available, as indicated in the Statement of Representation Procedure.</p> <p>Both Statements of Representations Procedure can be found in the Adur Statement of Consultation 2016. http://www.adur-worthing.gov.uk/alp-submission-2016/</p>
2. Have you made clear where and	Regulation 17, 19, 20 and 35		The period must not be	i. Report or record of	Proposed Submission Adur Local Plan 2014



planning advisory service

within what period representations must be made?			less than 6 weeks from when you publish under Regulations 19 and 35 (see below).	<p>decisions</p> <p>ii. The statement of community interest</p>	<p>http://www.adur-worthing.gov.uk/media/media,127891,en.pdf</p> <p>Amendments to Proposed Submission Adur Local Plan (2016):</p> <p>http://www.adur-worthing.gov.uk/media/media,138937,en.pdf</p> <p>The Statement of Representations Procedure sets out these details.</p>
<p>3. Have you made copies of the following available for inspection:</p> <ul style="list-style-type: none"> the proposed submission documents? the statement of the representations procedure? 	Regulation 19(a)		Regulation 17 gives definitions.	<p>i. Copies of the relevant statements</p> <p>ii. Report on where and when made available</p> <p>iii. Record of where and when made available</p>	<p>These were made available online and in locations throughout the Local Plan area, as indicated in the respective Statement of Representations procedures:</p> <p>2014:</p> <p>http://www.adur-worthing.gov.uk/media/media,127891,en.pdf</p> <p>2016:</p> <p>http://www.adur-worthing.gov.uk/media/media,138937,en.pdf</p>



planning advisory service

<p>4. Have you published on your website:</p> <ul style="list-style-type: none"> • the proposed submission documents? • the statement of the representations procedure? • statement and details of where and when documents can be inspected? 	<p>Regulations 19 and 35</p>		<p>Regulations 2 and 17 give definitions.</p>	<p>Record of publication</p>	<p>http://www.adur-worthing.gov.uk/media/media,127242,en.pdf</p> <p>Please see web page (link above) relating to publication of Proposed Submission documents.</p> <p>As well as the PSALP2014 itself, the published documents included the Policies Map (and Inset Map), Statement of Representations Procedure, a Background Evidence Document, Sustainability Appraisal, Statement of Consultation, Habitat Regulations Assessment and Addendum, Sequential and Exceptions Test, Housing Implementation Strategy, Strategic Housing Land Availability Assessment 2014, Duty to Co-operate Statement 2014, Health and Equalities Impact Assessment, and Infrastructure Delivery Plan 2014.</p> <p>Evidence Studies were also published on the website.</p> <p>With regards to the Amendments to the Proposed Submission Adur Local Plan (2016), all the above documents were updated. In addition, a Schedule of Changes (which related to the Local Plan</p>



planning advisory service

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					<p>document) was also produced.</p> <p>In both 2014 and 2016, the Statement of Representation Procedures referred to above set out when and where documents could be inspected. (See Statement of Consultation 2016). http://www.adur-worthing.gov.uk/alp-submission-2016/</p>
<p>5. Have you sent to each of the specific consultation bodies invited to make representations under Regulation 18(1):</p> <ul style="list-style-type: none"> • A copy of each of the proposed submission documents • The statement of 	<p>Regulation 19(b)</p>		<p>Regulations 2 and 17 give definitions.</p>	<ul style="list-style-type: none"> i. Copies of correspondence ii. Record of sending 	<p>In both 2014 and 2016, letters were sent to all those individuals and organisations on the consultees database (which included the specific consultation bodies listed in the Regulations and the general consultation bodies), informing them of the publication of the Local Plan, timescales for representations, and other information, This included a link to the relevant page on the Council's website, where the Reg 19 Local Plan document, all supporting documents as referred to above, and the Statement of Representation procedures could be viewed.</p>



planning advisory service

the representations procedure?					
6. Have you sent to each of the general consultation bodies invited to make representations under Regulation 18(1): <ul style="list-style-type: none"> the statement of the representations procedure? where and when the documents can be inspected? 	Regulation 19(b)		Regulations 2 and 17 give definitions.	<ul style="list-style-type: none"> i. Copies of correspondence ii. Record of sending 	iii. See above.
7. Have you requested the opinion of the	The Act section 24		The request must be made on the	Copies of correspondence	N/A – not a London Authority. (However, please note that a response to the ‘Draft Further Alterations to the London Plan’ was made in 2014



planning advisory service

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<p>Mayor of London (if a London Borough or Mayoral DC) on the general conformity of the DPD spatial development strategy?</p>	<p>Regulation 21</p>		<p>day you publish the documents under Regulation 19(a) and a response must be made within six weeks from the request (Regulation 21).</p>		<p>on behalf of a range of authorities, including Adur District Council. This related to housing in the South East. (See Appendix 5 of the Adur Duty to Co-operate Statement 2016).</p>



Stage five: Submission

At the submission stage, the council should receive and collate any representations made at publication stage. You don't have to report these representations to councillors but there may be requirements deriving from other legislation, Standing Orders or council procedures that must be considered. Or you might just think it is a good idea to report on it anyway.

If they are reported it should be on the facts of the representations made, not the results of a consultation process by the council. They should not be treated as a consultation or an opportunity to make changes or answer representations. NB: under the 2012 Regulations there is no longer any requirement to give notice by local advertisement.

You should ensure you are in legal compliance with the SCI, the Habitats Directive and the Strategic Environmental Assessment Directive in any additional work. Any formal publication of additional or changed matters would need to allow at least a six-week period for representations to be made.

There are different approaches that could be taken to changes. You should be satisfied that you remain fully compliant with the legal requirements if any changes are made (and any consequential effects on the DPD as a whole).

Apart from notification of the examination, this tool does not deal with the legal requirements that need to be followed after submission.

Stage five: Submission

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
1. Has the DPD been prepared in accordance with the LDS? Does the DPD's listing and description in the LDS match the document? Have the timescales set out in the LDS been met?	The Act section 19(1)		The Act section 15(2) sets out the matters specified in the LDS. As at January 2013, no further matters are prescribed in the Regulations.	<ul style="list-style-type: none"> i. The LDS ii. Explanation of any changes from the milestones set out in the LDS iii. Relevant authority monitoring reports 	<p>The LDS was revised in May 2016. It anticipated submission of the Adur Local Plan in September 2016.</p> <p>https://www.adur-worthing.gov.uk/media/media,98763,en.pdf</p>
2. Has the DPD had regard to any sustainable community strategy for its area (like a county and district)?	The Act section 19(2)	NPPF para 182		<ul style="list-style-type: none"> i. The sustainable community strategy(ies) ii. Reference to sections of the DPD showing how regard has been had to them 	<p>'waves ahead' – see above</p> <p>http://www.wavesahead.org.uk/</p>
3. Is the DPD in compliance with the SCI (where	The Act section 19(3)		Before the SCI is formally amended to	<ul style="list-style-type: none"> i. The SCI ii. The Regulation 22(1)(c) statement 	<p>Statement of Community Involvement:</p> <p>https://www.adur-</p>



planning advisory service

Activity	requirement	reference	notes	Possible evidence	Evidence Provided
<p>one exists)? Has the council carried out consultation as described in the SCI?</p>	<p>Regulation 22(1)(c)</p>		<p>take into account the changes in the regulations, you may need to set out how the community engagement that you carried out met the regulations (as amended).</p>		<p>worthing.gov.uk/media/media,105544.en.pdf</p> <p>Statement of Consultation 2016: http://www.adur-worthing.gov.uk/alp-submission-2016/</p>
<p>4. Have you identified and addressed any issues which are likely to have a significant impact on at least two planning areas. In doing so, have you co-operated with other local planning authorities, county councils where they are not a planning</p>	<p>The Act section 33A(1) and section 20(5)</p>	<p>NPPF paras 181 and 182</p>	<p>Under NPPF para 182, the plan should be based on effective joint working on cross-boundary strategic priorities to be found 'Effective'.</p>	<p>Statement identifying any strategic cross-boundary issues or impacts on county matters addressed in the document and explaining the approach taken to co-operate with the relevant bodies. Supporting correspondence and reports e.g. Memorandum of Understanding,</p>	<p>The Adur Duty to Co-operate Statement includes several MOUs, a discussion of strategic cross-boundary issues, and discussion of the Local Strategic Statement. http://www.adur-worthing.gov.uk/alp-submission-2016/</p>



planning advisory service

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<p>authority, LEPs, LNPs and the prescribed bodies in identifying and addressing any strategic cross-boundary issues</p> <p>If you have not agreed on the approach is there a justification?</p>				<p>shared and agreed evidence</p>	
<p>5. Has the DPD been subject to sustainability appraisal?</p> <p>Has the council provided a final report of the findings of the appraisal?</p>	<p>The Act section 19(5)</p> <p>Regulation 22(1)(a)</p>	<p>NPPF para 165</p> <p>SEA Practical Guide, chapter 5</p>		<p>Sustainability appraisal report</p>	<p>Sustainability Appraisal has been carried out throughout the Local Plan process. The 2016 report and update can be found at:</p> <p>http://www.adur-worthing.gov.uk/alp-submission-2016/</p>
<p>6. Is the DPD to be submitted consistent with national policy?</p>	<p>The Act section 19(2) and Schedule 8</p>	<p>NPPF para 151</p>		<p>i. Correspondence with PINS?</p> <p>ii. PAS Soundness self assessment checklist</p>	<p>The PAS Soundness Self-Assessment Guide has been completed, and can be found at:</p> <p>http://www.adur-worthing.gov.uk/alp-submission-</p>



planning advisory service

Activity	requirement	reference	notes	Possible evidence	Evidence Provided
					2016/
<p>7. Does the DPD contain any policies or proposals that are not in general conformity with the regional strategy where it still exists? If yes, is there local justification?</p> <p>If the LPA is a London borough or a mayoral development corporation has it requested an opinion from the Mayor of London on the general conformity of the</p>	<p>The Act section 24(1)(a) and 24(4)</p> <p>Regulation 21</p>	<p>NPPF para 218 footnote 41</p>	<p>In London the requirement is for general conformity with the spatial development strategy (The London Plan).</p>	<p>i. Correspondence with or representations from Mayor of London (where appropriate)</p> <p>ii. Confirmation of (where appropriate) conformity from the Mayor or that no Regional Strategy is in place</p>	<p>N/A</p>



planning advisory service

Activity	requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<p>plan with the spatial development strategy?</p>					
<p>8. Has the council published the prescribed documents, and made them available at their principal offices and their website?</p> <p>Has the council notified the relevant statutory and non-statutory bodies, and all persons invited to make representations on the plan?</p> <p>Does the DPD contain a list of superseded</p>	<p>The Act section 20(2), 20(3) and 20(5)(b)</p> <p>Regulations 8 and 19</p>	<p>NPPF para 182</p>	<p>Requirements relating to publication of the prescribed documents are listed later in this table.</p>	<ul style="list-style-type: none"> i. The documents prescribed at Regulation 22(1) ii. Relevant authority monitoring reports iii. Records of the actions undertaken (see below) 	<p>Statement will be produced, made available on website, and sent to all on consultee database.</p> <p>Superseded saved policies can be found in Appendix 1 of the Submission Adur Local Plan 2016. http://www.adur-worthing.gov.uk/alp-submission-2016/</p>



planning advisory service

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
saved policies?					
<p>9. Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted policies map?</p> <p>If yes, have you prepared a submission policies map?</p>	<p>Regulations 5(1) (b), 9 (1), 17 & 22(1)</p>			<p>i. Submission policies map</p> <p>ii. Brief statement if a submission policies map is not required</p>	<p>Submission Policies Map and Inset Maps available at:</p> <p>http://www.adur-worthing.gov.uk/alp-submission-2016/</p>
<p>10. Is the DPD consistent with any other adopted DPDs for the area? If the DPD is intended to supersede any adopted development plan policies, does it state that</p>	<p>Regulation 8(3) and (4)</p> <p>Regulation 8(5)</p>		<p>Development Plan is defined in Section 38 of the Act.</p>	<p>i. The core strategy</p> <p>ii. Documents or reports demonstrating conformity</p>	<p>Only relevant policies are those saved policies of the Adur Local Plan 1996. These superseded saved policies can be found in Appendix 1 of the Submission Adur Local Plan 2016.</p> <p>http://www.adur-worthing.gov.uk/alp-submission-2016/</p>



planning advisory service

Activity	requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
fact and identify the superseded policies?					
11. Have you prepared a statement setting out: <ul style="list-style-type: none"> • Which bodies and persons were invited to make representations under Regulation 18? • How they were invited? • A summary of the main issues raised? • How the representations have been taken into account? 	The Act section 20 (3) Regulation 22(1)(c)		This will bring forward material from the Consultation statement (see Stage 2 above).	i. Consultation statement ii. The Statement as required in Regulation 22(1)(c)	Adur Statement of Consultation 2016 sets out this information. www.adur-worthing.gov.uk/alp-submission-2016/
12. Have you prepared a	The Act section			The Statement as required in	Adur Statement of Consultation 2016



planning advisory service

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
statement giving: <ul style="list-style-type: none"> the number of representations made under Regulation 22? a summary of the main issues raised? OR <ul style="list-style-type: none"> that no representations were made? 	20(3) Regulation 22(1)(c)			Regulation 22(1)(c)	sets out this information. www.adur-worthing.gov.uk/alp-submission-2016/
13. Have you collected together all the representations made under Regulation 28?	The Act section 20(3) Regulation 22(1)(e)			Copies of the representations	Please see: www.adur-worthing.gov.uk/alp-submission-2016/
14. Have you assembled the relevant supporting documents?	The Act section 20(3) Regulation 22(1)(g)			All necessary evidence and records of decisions relevant to the DPD	All submission documents, as well as those core document referred to in the Plan, will be made available on/ via the Council's website at: Adur Statement of Consultation 2016 sets out this information.



planning advisory service

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					www.adur-worthing.gov.uk/alp-submission-2016/
15. Has your council approved the DPD for submission?	The Act section 20		Check the LPA's constitution/standing orders for the authorisation process appropriate for the type of DPD.	Report and resolution of the appropriate council body	Agreed at Adur Full Council 10 th March 2016 Agenda and Minutes: https://www.adur-worthing.gov.uk/meetings-and-decisions/committees/adur/cabinet/committee,137677,en.html
16. Have you sent the Secretary of State (the Planning Inspectorate) both a paper copy and an email of the following: <ul style="list-style-type: none"> • the DPD? • the 	The Act section 20(1) and 20(3) Regulations 22(1) and 22(2)		Regulation 35 deals with the availability of documents and the time of their removal. Electronic copies of some of the representations and	i. Record of sending ii. Reasons why documents cannot be sent electronically	To be sent 20 th October 2016.



planning advisory service

Activity	Legal			Possible evidence	Evidence Provided
<p>submission policies map (unless there are no site allocation policies)?</p> <ul style="list-style-type: none"> the documents prescribed in Regulation 22(1)? 			<p>supporting documents may not be practicable. Regulation 35 deals with the availability of documents and the time of their removal.</p>		
<p>17. Have you made the following available at the same places where the proposed submission documents were to be seen:</p> <ul style="list-style-type: none"> The DPD? The documents prescribed in Regulation 22(1)? 	<p>Regulation 22(3)</p>		<p>You should do this as soon as reasonably practicable after submission.</p>	<p>Record of where and when made available</p>	<p>Copies of the Submission documents will be made available at the following locations for inspection:</p> <p>Shoreham Centre, 2 Pond Road, Shoreham-by-Sea BN43 5WU (Open Mondays- Fridays 9am – 5pm).</p> <p>Shoreham Library, St Mary’s Road, Shoreham-by-Sea BN43 5ZA (Open Mondays 10am-7pm, Tues, Wed, Thurs 10am – 6pm, Fri 10am – 5pm, Sat 10am-4pm).</p> <p>Lancing Library, Penstone Park,</p>



planning advisory service

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					<p>Lancing BN15 9DL (Open Mon-Fri 10am – 6pm, Sat 10am-4pm).</p> <p>Southwick Library, Southdown Road, Southwick, BN42 4FT (Open Mon-Fri 10am – 5pm, Sat 10am – 2pm).</p> <p>In addition to providing copies of the said documents in accordance with Regulations 22 and 35, reference copies have been placed at Sompting Parish Council (Harriet Johnson Centre, Old School House, Loose Lane, Lancing, BN15 0BG) and Lancing Parish Council (Parish Hall, South Street, Lancing, BN15 8AJ).</p> <p>Electronic versions: The Submission Adur Local Plan (2016), Policies Map and other supporting documentation can be found on the Council's website at: www.adur-worthing.gov.uk/alp-submission-2016/</p>



planning advisory service

Activity	requirement	reference	notes	Possible evidence	Evidence Provided
<p>18. On your website, have you published the:</p> <ul style="list-style-type: none"> • DPD? • submission policies map? • sustainability appraisal report? • Regulation 22(1) (c) statement? • supporting documents (where practicable)? • representations made under Regulation 20 (where practicable)? • statement as to where and when the 	<p>Regulation 22(3) and 35(1)(b)</p>		<p>You should do this as soon as reasonably practicable after submission.</p>	<p>Record of publication</p>	<p>These will be published on 20th October at:</p> <p>www.adur-worthing.gov.uk/alp-submission-2016/</p>



planning advisory service

Activity	requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
DPD and the documents are available?					
19. For each general consultation body invited to make representations under Regulation 18(1), have you sent: <ul style="list-style-type: none"> • notification that the documents prescribed in Regulation 22(3)(a)(i)-(iii) are available for inspection • where and when they can be inspected? 	Regulation 22(3)(b)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	i. Copies of correspondence ii. Record of sending	Letters/ emails will be sent as soon as possible after submission.
20. Have you given notice to persons who have requested to be	Regulation 22(3)(c)		You should do this as soon as reasonably practicable	i. Copies of correspondence ii. Record of sending	Letters/ emails will be sent to all those on the consultation database, shortly after



planning advisory service

Activity	requirement	reference	notes	Possible evidence	Evidence Provided
notified that submission has taken place?			after submitting to the Secretary of State.		submission.
<p>21. If an examination is being held, at least six weeks before its opening has the Programme Officer:</p> <ul style="list-style-type: none"> • published the time and place of the examination and the name of the person appointed to carry out the examination on your website? • notified those who have made representation 	<p>The Act section 20</p> <p>Regulations 24 and 35</p>			<ul style="list-style-type: none"> i. Record of publication of information ii. Record of sending iii. Copies of correspondence iv. Copy of advertisement 	To be done in due course.



planning advisory service

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
s on the published DPD which have not been withdrawn of these details?					