

## SUMMARY OF RESPONSES TO MAIN MODIFICATIONS TO SUBMISSION ADUR LOCAL PLAN

**August 2017.**

Rep ID	Organisation	Name	Main Modification No (s)	Summary (please see response for full details)	ADC Comment
1	Sport England	Laura Hutson	N/A	No further comments to make at this stage.	Noted.
2	Home Builders Federation	James Stevens	MM1/MM32/MM33	Support the Main Modifications proposed that relate to our representations (e.g. the increase to the OAN, the affordable housing threshold and Part M).	Support noted
			DTC issues	No text relating to a review of the Local Plan. A commitment to an early review is necessary to address the question of its own unmet housing need plus those of the wider sub-region. It is the HBF's view that the Local Plan must contain a requirement for the Council to review its local plan as part of a wider sub-regional exercise that tries to address the unmet housing needs of the sub-region in full. This is necessary so that the Local Plan is sound in terms of meeting the positively prepared and effectiveness tests of the NPPF (addressing the OAN of the HMA in full). The Local Plan should include this as a requirement and this should be added to the end of paragraph 2.23. As we stated in our representations, we noted that in paragraph 3.29 of the Council's Duty to Cooperate Statement March 2016 that the Council has stated that it would embark upon an early review of the local plan. We would support	This matter is addressed by Main Modification 2 which proposes the insertion of a new paragraph after paragraph 2.24 to read: "The Adur Local Plan will be reviewed or partially reviewed within 5 years".

				this intention, but the Local Plan itself needs to reflect this to ensure that the review will be undertaken.	
3	South Downs National Park	Lucy Howard	MM34	<p>It is proposed to amend Policy 22 to make it consistent with the Written Ministerial Statement. However the judgement handed down from the Court of Appeal relating to this matter (SSCLG v Reading &amp; West Berkshire, dated 11/05/16) indicated that the WMS should not be applied in a blanket fashion, and that local circumstances weighing against the WMS are material. It is respectfully suggested that the strength of local evidence pointing to a lower threshold for seeking affordable housing in Adur than set out in the WMS, outweighs the WMS and Planning Practice Guidance. The amendments proposed to Policy 22 are not justified taking account of the evidence, and would be ineffective in terms of boosting housing supply, including for specialist housing needs, as required by the NPPF. The South Downs National Park Authority has a particular interest as part of the Coastal Sussex HMA falls within the National Park. The National Park Authority also faces similar issues with respect to a reliance on smaller development sites to meet affordable housing development needs.</p> <p>Retain the existing wording to Policy 22 and retain paragraph 4.44.</p>	The LPA agree that local evidence was submitted to demonstrate a need for a lower threshold for seeking affordable housing in Adur. The Inspector has recommended that the policy is amended in line with the WMS. (See Inspector's Preliminary Findings ID-7). However the Council would welcome the Inspector's reconsideration of this matter in light of the representation received.
4	Southern Water	Charlotte Mayall	N/A	Having reviewed the Modifications we have no comments to make at this time.	Noted
5	Gladman	Mathieu Evans	DTC Issues	Note the modifications and the level of housing growth to be accommodated. Concur with the	The issue of early review is addressed by Main

				<p>Councils findings that, given its constraints, meeting its development needs is challenging and is still failing to meet its OAN. Consider it is imperative that steps are taken for neighbouring districts to plan for the unmet need which is failing to happen. This is not an effective way of dealing with unmet housing need nor is it sound long term planning for the region.</p> <p>For the Plan to be effective, justified and accord with NPPF, the Plan must contain a mechanism for early review to bring it in line with other authorities in Sussex and with any regional and sub regional housing needs assessments which are undertaken. Requirement needs to be put in the Local Plan that will set about a mechanism for the authority to contribute to joint working with neighbours to identify and plan for unmet need.</p> <p>Any review policy should be tied to working with neighbouring authorities in identifying housing need and as best possible synchronising the future timescales for plan production or producing joint strategic plans.</p>	<p>Modification 2 which proposes the insertion of a new paragraph after paragraph 2.24 to read: “The Adur Local Plan will be reviewed or partially reviewed within 5 years”.</p> <p>Minor Modification 2 proposed by the Council (which would form a new paragraph under existing paragraph 1.24) states:</p> <p>“Adur District Council is fully committed to continuing to work positively and proactively with other local authorities and public bodies to address strategic issues in the longer term, particularly with regards to addressing opportunities to meet unmet housing needs”.</p> <p>The Council considers that these two proposed modifications are sufficient to address the review of the Plan, as</p>
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					well as the Council's commitment to the Duty to Co-operate.
6	Lancing College (Agent: Teal Planning)	Agent: Marie Nagy	MM4 and MM5	<p>There is an objectively assessed requirement for an amount of Class B floorspace which is unlikely to be met within the District. It is therefore appropriate for Policy 4 to be amended to refer to a minimum rather than to an approximate amount of new employment space, subject to the proposed development that does come forward being appropriate in environmental terms.</p> <p>The Policy as drafted does allow flexibility in the type of employment uses that may be appropriate on the allocation sites, which does accord with national guidance. However, in view of the assessments that have been undertaken and the constraints within the District, the acceptance of other employment uses should not be at the expense of Class B uses, especially at the outset of the new Local Plan period.</p> <p>The inclusion of the New Monks Farm site within the Built Up Development Boundary and inclusion of wording in Policy 4 and its supporting text to allow for a range of employment uses on this site outside of use Class B1 to B8 could especially mean that other uses will come forward and that the Site will not contribute at all or in any meaningful way towards meeting the need for additional Class B uses. This would serve only to exacerbate the District's shortfall in its supply of new floorspace for Class B uses.</p>	<p>MM4 reflects this.</p> <p>Restricted viability issues at Shoreham Airport and New Monks Farm reflect the need for a more flexible approach.</p> <p>With regards to assessment of other employment generating uses, there would still be a need to assess these against other policies in the Plan and national planning guidance</p> <p>There will be other opportunities in the Local Plan area for B use classes to come forward (such as redevelopment on existing sites - see Policy 26).</p>

				<p>Policy 28 which deals with Retail Development directs new retail floorspace to the District's existing town centres. The town centres must be the first priority for new retail provision.</p> <p>To ensure Policy 4 is based upon a positively prepared evidence base, that it will be effective in meeting the assessed Class B use employment requirements of the District and not undermine the national led priorities for directing retail floorspace to the town centres, the Policy must be further modified to require the minimum floorspace requirements to refer to Class B1 to B8 floorspace only. This would not preclude other appropriate employment uses from being provided so long as the assessed Class B requirements have been met or following a further interim employment assessment which may be undertaken and which concludes that the amount of Class B space can be reduced and other employment uses permitted.</p> <p>Policy 4 and its supporting text as currently drafted, also rely on the site specific policies to set out on what basis employment (and other) development will be considered to be 'appropriate'. Given the nature of the allocation sites and, in the case of New Monks Farm and Shoreham Airport their close proximity to each other, Policy 4 should also specify that appropriate development will be appraised against the full range of environmental constraints</p>	<p>Retail uses will be assessed in relation to Policy 28 of the Adur Local Plan and national guidance.</p> <p>Any proposed retail development would be required to satisfy the sequential and impact tests as set out in the NPPF.</p> <p>Both the New Monks Farm and Shoreham Airport policies refer to assessments; the Council believes this matter is adequately addressed in the existing wording. In addition, supporting Environmental Impact Assessments will have to consider environmental impact and cumulative impact.</p>
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				and cumulative impacts.  Additional wording to Policy 4 has been proposed	
			MM6-MM11	<p>The College's objections are not addressed by the Main Modifications to Policy 5. Significant concerns over access linked with the adjoining New Monks Farm site allocation remain.</p> <p>The College's earlier representations were made on the basis of the declared proposed uses for the New Monks Farm site. The proposals for the site are now known to include a major Ikea retail store and no general Class B employment uses. A major retail outlet of this type will have very different impacts compared with Class B use. Whilst the policy requires an employment generating use to be assessed to be 'appropriate', more significant changes to the Policy are required given that its current wording does not require any Class B uses to be provided and to ensure the full breadth of environment impacts are appraised and the educational and wider environmental interests and recreational benefits of the Lancing College Estate are protected.</p> <p>This policy must be revisited and the EIP reopened if necessary to ensure this Policy can be reconsidered in light of the now known intentions of the site promoters and to ensure the Policy can be found to be sound.</p> <p>Additional wording is proposed, relating to B1-B8</p>	<p>As the Inspector indicated during examination he is assessing the Local Plan on basis of the proposed policies, rather than any proposed planning application for the site.</p> <p>Some of the matters raised in this response are more appropriately addressed through the planning application process.</p> <p>The proposals for New Monks Farm were made public during the Examination hearings; however the Inspector considered this was not relevant to the assessment of the Plan as submitted. Therefore the Council's view is that it is not necessary to reopen the examination in public.</p>

				<p>floorspace, environmental considerations and the need for retention of direct access from east and west into Lancing College estate. Also, the range of assessments that should also accompany planning application are listed, references to setting of heritage assets within the Lancing College estate, and need for a development brief.</p>	<p>The Plan addresses the need for safe and improved pedestrian/ cycle and equestrian access across the A27. The need or otherwise for direct access to Lancing College will be determined through the planning application process.</p>
			MM17 and MM20	<p>Further amendments are required to Policy 7 in order to ensure the full breadth of environmental matters is addressed.</p> <p>Additional wording is proposed, including a range of assessments which should accompany any planning application.</p>	<p>The landscape and viability assessments are specifically referred to (see first paragraph of the policy) as these would inform any deviation from the proposed boundary. This is not the case with the other assessments listed in the wording proposed in the objection.</p> <p>These matters would be assessed through an Environmental Impact Assessment; heritage matters are also referred to specifically in the policy.</p>

					Requirements for assessments are set out in the Local Validation List for Adur and Worthing Councils (and in some cases referred to by other policies). It is not necessary to reproduce them all here.
			MM27	<p>This policy currently stresses the need to protect 'heritage'.</p> <p>The main modification to this policy relates to the need to also respect the setting of the South Downs National Park.</p> <p>Whilst heritage matters are dealt with elsewhere in the new Local Plan, in the interests of completeness, the amended wording to Policy 13 should be extended to refer to the need to respect the setting of heritage assets.</p> <p>Additional wording is proposed.</p>	The Council considers that Policy 17 already adequately addresses the setting of heritage assets.
			MM37	<p>The proposed amendment to this policy that requires development, which does not meet required standards, to be refused, is welcomed and supported.</p> <p>Noise, air quality and light spill are very significant concerns for Lancing College taking into account the proximity of the College's accommodation and wider Estate buildings to the A27 and, leading</p>	<p>Support noted.</p> <p>Policy 15 addresses the matter of light pollution, while Policy 35 addresses Pollution and</p>



				<p>from this, the need for the College to protect the long term interests of its 600 pupils, 265 staff and the significant additional occupiers of and visitors to the Lancing Estate.</p> <p>These matters are brought into sharp focus by the proposed allocation of two major strategic sites on the south side of the A27 and in particular by the proposals for a major Ikea retail store at New Monks Farm which will generate significant traffic and linked noise and air quality concerns but also additional operational light spill.</p> <p>The development of the New Monks Farm and Shoreham Airport strategic sites must be supported by appropriate assessments that include agreed assessment points within the Lancing Estate and which will require access to the Estate. These assessments must also be taken on a cumulative impact basis, as well as based upon existing background emission levels.</p> <p>Other development sites may also need to be subject to the same requirements and to the same potential cumulative impacts from nearby developments.</p> <p>Additional text proposed.</p>	<p>Contamination.</p> <p>Additional wording is not considered necessary.</p>
7	Chris Foss Designs	Chris Foss	MM28	Reduction in the size of the green gap between Shoreham and Lancing could lead to undesirable development on the rural fringes.	The area removed from the Gap by MM28 remains as countryside; as such, any development in these

					areas should be compatible with a countryside location (see Policy 13).
8	Highways England	David Bowie	N/A	<p>Highways England is the highway authority, traffic authority and street authority for the strategic road network (SRN) and is concerned with proposals and policy documents that have the potential to impact on the safe and efficient operation of the SRN, in this case the A27 which runs through Adur district.</p> <p>Highways England has worked with Adur Council on the emerging Local Plan and have reached a formal agreement and have signed up to a Statement of Common Ground which was presented as evidence to the inspector. Our position has not changed since signing the Statement. However you will need to be aware that we have recently started our public consultation on our RIS scheme the A27 Worthing and Lancing Improvements.</p>	Noted
9	Persimmon Homes (Turley)	Dan Ramirez (Turley)	MM1	<p>This modification proposes updating the document with a new 2032 end-date and the latest household projections, OAN and housing supply figures. This is a factual update reflecting the most up to date evidence of housing need, and is therefore supported. The changes effectively increase the housing shortfall. Given the constrained nature of the District, this places greater emphasis on ensuring that the capacity of proposed allocations in the plan are maximised, subject to site specific constraints.</p>	Noted. MM13 will effectively address issue of maximisation of capacity within constraints.

			MM2	<p>This modification will allow for a timely review of the plan in order to consider whether unmet needs in the housing market area (including in Adur itself) can be met within the District. This will provide the opportunity for the Council to reconsider constraints, policy changes (including the proposed national planning policy amendments) and development opportunities. This should include the expansion or increased capacity of existing proposed allocations, where appropriate. The modification is supported, but there should be a clear and explicit trigger mechanism relating to housing where monitoring indicates under delivery against expectations (see MM3 below), or new evidence (for example Local Strategic Statement 3) becomes available. As the text is currently drafted, there is no specific requirement for the Council to review its housing policies.</p>	<p>The Council monitors housing delivery on an on-going basis. The Council does not consider that it is necessary to include a trigger point for review of housing policies. Main Modification 2 refers to the review of the Local Plan. Given the constrained nature of the Adur Local Plan area, review of housing policies effectively constitutes a review of the strategy of the Plan, and the allocated sites.</p>
			MM3	<p>This modification includes a reference to where the housing trajectory can be found. The MM is supported as effective monitoring of the local plan will be important to ensure the delivery of housing is in line with expectations. However, where underperformance is evident, this should be an explicit trigger in the plan for a review of the relevant housing policies as part of a review.</p>	<p>Support noted; however it is not considered necessary to include a trigger point for the review of housing policies with the Local Plan for the reasons given above.</p>
			MM12	<p>This modification refers to provision or funding of mitigation to improve (vis-à-vis) A27/Dankton Lane junction. This amendment reflects discussions between Persimmon's transport consultant, West Sussex County Council and Highways England. The final mitigation package is</p>	<p>Support noted</p>

				subject to on-going negotiation and will be determined as part of the pending future planning application submission. The MM is therefore supported.	
			MM13	This modification inserts reference to a 'minimum' number of dwellings at the West Sompting allocation, and therefore provides the added flexibility in the policy to allow for development above 480 dwellings. This modification is fully supported as it will allow for the West Sompting site's capacity to be maximised, subject to site specific constraints, ensuring the land is efficiently developed, which in turn will assist in reducing the District's housing shortfall. The MM is supported.	Support noted.
			MM14	The modification seeks an extension of the SNCI at the West Sompting site allocation. This amendment has been agreed with Sussex Wildlife Trust following discussions during the local plan examination in public. We do not object to this MM.	Noted
			MM15	This modification references the submission of up-to-date ecological data as part of any planning application. Our client has undertaken extensive ecological assessment of the site to date. These studies will be submitted with the application. The provision of this information is a validation/determination requirement of any planning application in any case. Whilst the inclusion of this requirement within the wording of the policy is therefore unnecessary the MM is nonetheless supported.	Support noted.
			MM16	This modification inserts reference to CIL contributions. This would inevitably be a	Support noted.

				requirement should the Council adopt CIL. The MM is supported.	
			MM30	This modification acknowledges 10% housing requirement uplifts to reflect market signals (affordability) as required by the NPPF. This MM is supported.	Support noted
			MM32	<p>The NPPG requires LPAs to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans. The policy set out that all new building should meet the higher standard M4(2): Accessible and Adaptable dwellings. The NPPG set out a number of evidence requirements local planning should use to demonstrate a need to set higher standards.</p> <p>It is noted that the Adur District Council Whole Plan &amp; Community Infrastructure Levy Viability Assessment 2017 considered the impact of the standards on viability but not in relation to need per se. It is our view that this element of the policy should be deleted as currently worded until the evidence to justify it is produced. Or, at the very least, the M4(2) standard should be dependent on an assessment of need at the time of a planning application being submitted and the suitability of the site. Much the same way as Standard M4(3) is applied to affordable housing.</p>	The Main Modification has been proposed by the Inspector, following consideration of evidence. (See Inspector's Preliminary Findings ID-7).
			MM33	Planning Practice Guidance requires Councils to provide justification for the use of nationally described space standards in local plans on the basis of three tests – need, viability and timing. The Council has undertaken a whole plan viability	The Main Modification has been proposed in response to the inspector's Preliminary Findings following

				<p>study which appears to have factored in the NDSS.</p> <p>Need – Sufficient evidence has not been presented to demonstrate need for the optional enhanced housing standard above what is established as nationally suitable in Building Regulations. We note that the Council has produced a Good Practice Guidance Note for Internal Space Standards for New Homes in 2009. This on national guidance and good practice (much of which is historic and/or superseded) does not in itself provide the justification for NDSS as required by planning guidance. Without this evidence we are concerned this element of the policy is not justified, and therefore unsound. It should be deleted.</p> <p>Timing - in the event that it is retained, transitional arrangements must be suitably addressed as required by NPPG. This is because the land deals which may underpin the identified sites for this plan period will have already been secured and as such the proposed transitional arrangements will not provide adequate time for the cost to be factored in to the contracts for those sites – these standards have been introduced too late in the day. If the Council is minded to retain the NDSS requirement then we recommend a transitional arrangement to allow those sites to move through the planning system before the requirements are enforced.</p>	<p>consideration of evidence. (See Inspector’s Preliminary Findings ID-7).</p>
			Sustainability	With the exception of MM13, the report	Noted

			Appraisal Addendum	concludes the modifications do not require SA. In the context of MM13 the report appraises the implications of the modification and highlights that it would have no impact on the conclusions of the SA. We would concur with these findings and have no further comments to make in respect of this document.	
10	Natural England	Alison Giacomelli	N/A	No comment to make on the main modifications of the Adur Local Plan.	Noted
11	Sussex Wildlife Trust	Laura Brook	General and Biodiversity Policy	Comments represent an overall opinion on the how the plan is now shaped, as we felt there was no opportunity to do this through the representation forms. Therefore we hope that our comments are used constructively to make certain that the Adur Local Plan properly plans for the natural capital needed within the District and ensures that any development is truly sustainable. When the plan is looked at in its entirety we can clearly see that changes to policy wording have resulted in a significant shift in the delivery of this local plan. There have been concerns by some parties that the plan is not delivering the Objectively Assessed Need (OAN). However it was recognised as early as 2013, through the local generated housing needs study, that the housing demand would severely impact on the green space and biodiversity of the District. During the examination process we have seen a number of policies changes, for example housing numbers and employment space quotas now read within in the allocation polices 'a minimum of' instead of 'approximately'. This is a main modification present consistently throughout the plan in	As noted an amendment has been proposed to Vision 7 which seeks to ensure net gain (see Minor Modification 24). Should the Inspector consider it is appropriate the Council does not object to adding the term 'net gain' to Policy 32.  The Inspector may wish to recommend the amendment of the reference to 'Site of Nature Conservation Interest', to 'Local Wildlife Site'.  Individual applications

				<p>allocation policies and represents a stark difference for the future of the District.</p> <p>We question whether these main modifications are sound and consistent with national policy given that the evidence base for the local plan and the comments made by representatives have been based on the upper limits associated with the policies at time of submission. In addition to concerns over the suitability of the evidence base, we question the accuracy of the Addendum to the Sustainability Appraisal (SA). With no upper limit on housing or employment space within site allocations, how can the Sustainability Appraisal accurately assess the potential impacts of individual sites or hope to assess their impacts cumulatively? When this is coupled with the indicative boundary proposed within policy 5 for New Monks Farm, the Trust is concerned that the District's natural capital will be open to over exploitation which has not been fully assessed.</p> <p>If the council /inspector are minded to accept the main modifications, we would ask that the council to ensure that a robust biodiversity policy is in place to ensure development delivers a net gain for biodiversity in the District. This would ensure they can continue to deliver towards vision 7 and objective 6 of the submission Adur Local Plan This could be achieved by modifications to the biodiversity policy to incorporate the term 'net gain'.</p>	<p>will be assessed on their own merits.</p> <p>It would not be appropriate to set an artificial upper limit; details such as layout, densities, design etc. will be determined through the application process; policies in the Local Plan have suitable environmental criteria to assess relevant issues</p> <p>It should also be noted that Main Modifications to use the term 'minimum' have been proposed in response to the inspector's Preliminary Findings. (See Inspector's Preliminary Findings ID-7).</p>
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				<p>We remind the council on a matter of accuracy that SNCI are now referred to as Local Wildlife Sites (LWS) in West Sussex and as such should be referred to as this in the Adur Local Plan.</p>	
			<p>MM4, MM13, MM19, MM22</p>	<p>Concern expressed that the shift in language adopted in the policies has not been considered in relation to the impact on the district's biodiversity/environmental resources.</p> <p>With the policies now referring to minimum levels of employment floorspace, the policies allow an unknown quantity of development.</p> <p>The term a 'minimum' should be removed from the policies and replaced with term 'upper limit of'. However, if the council /inspector are minded to accept the main modifications as they stand, we would ask that a robust biodiversity policy is in place to ensure development delivers a net gain for biodiversity in the District.</p> <p>This would ensure they can continue to deliver towards vision 7 and objective 6 of the Adur Local Plan This could be achieved by modifications to the biodiversity policy by incorporating the term 'net gain'.</p>	<p>See above responses.</p>
			<p>Sustainability Appraisal Addendum</p>	<p>Recognise that the Sustainability Appraisal Addendum tries to allay concerns saying that applications will be subject to other policy requirements. However, express concern that the need for net gains to biodiversity is not reflected in the text of the Biodiversity Policy (32) in the Plan. Concerns were raised in our submission to</p>	<p>See above response re Biodiversity policy (Policy 32).</p>

				<p>the inspector but the opportunities to discuss these at the examination were not available. Concerned that the biodiversity policy as it stands is not robust enough to respond to the demands that will be put on these sites with such open housing numbers and employment space. The National Planning Policy Framework (NPPF) clearly states the need for development to look to deliver a net gain for biodiversity, not simply minimise impact. Without this adequately reflected in policy, this will leave the natural capital of the District open to exploitation.</p>	
			MM8	<p>Concern expressed that the shift in language adopted in the policies has not been considered in relation to the impact on the district's biodiversity/environmental resources.</p> <p>With the policy now referring to minimum levels of housing and employment floorspace, the policy allows an unknown quantity of development.</p> <p>The term a 'minimum' should be removed from the policy and replaced with term 'upper limit of'. However, if the council /inspector are minded to accept the main modifications as they stand, we would ask that a robust biodiversity policy is in place to ensure development delivers a net gain for biodiversity in the District.</p>	See above response re Biodiversity policy (Policy 32).

			<p>Sustainability Appraisal Addendum</p>	<p>The Addendum to the Sustainability Appraisal does say that the addition of a minimum requirement does not necessarily mean a blank cheque, allowing for unconstrained development but instead a mechanism to allow for greater floorspace quantum where this can be delivered appropriately in accordance with policies in the Local Plan. The reliance on policy is reflected in section 7.4 of the Addendum SA which states in section 7.4 that main modification, MM8 proposes changing the housing provision to a minimum amount. The paragraph goes on to reflected that this could potentially allow for an increase level of housing within this allocation Section 7.4 of the SA addendum goes on to say that any increase in housing numbers would still be subject to other policy requirements including the need to minimise impact on landscape, ecology, drainage etc. We take this opportunity to highlight the National Planning Policy Framework (NPPF) clearly states the need for development to deliver a net gain for biodiversity not simply minimise impact. The Sussex Wildlife Trust is concerned that the need for a net gain in biodiversity is not reflected in the text of the Biodiversity Policy (32) in the Adur Local Plan. We did raise our concerns in our submission to the inspector prior to the examination in public but the opportunities to discuss these at the examination were removed. We are therefore concerned that the biodiversity policy as it stands may not be robust enough to respond to the demands that will be put on these sites with such open housing numbers and</p>	<p>See above response re Biodiversity policy (Policy 32).</p>
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				employment space.	
			MM11, 15 and 17	Support these modifications which ensure up to date ecological surveys will be carried out for the allocations in policies 5, 6 and 7.	Support noted
			MM14	We support MM14 that will seek an extension to Cokeham Brooks Site of Nature Conservation Importance (SNCI). The Sussex Wildlife Trust suggests that the area and extent of the extension should be determined prior to development and should be based on decision made on up to date ecological information about the site at the time.	Support noted
			MM9	Sound	Noted
			MM38	We are unclear of the proposed MM38 made to policy 6 pg 37 It reads North of the existing Cokeham Brooks SNCI (as shown on policies Map) We are assuming this is a change to the supporting text and not the policy itself but we are unclear as it is not attributed to a specific paragraph on pg 37.	Apologies, wrong page number given; however 3 <sup>rd</sup> column of MM28 makes clear this refers to Policy 6.
12	Arun District Council	Charlotte Hardy	MM: 1; 2; 8; 13; 21; 30; 33; 34. <i>(Also Council's Minor Modifications: 12; 28; 34; 36; 64; 65 and 66).</i>	Welcome both the increased the level of housing and the certainty relating to them by the removal of words such as approximately. Support the acknowledgement of working with neighbouring authorities to address unmet needs and review of the plan within the first part of the plan period.	Support noted.
13	Adur Floodwatch Group	Bill Freeman	MM6	If the NMF allocation is approved, it should be sited within the built out boundary to prevent further coalescence of the critically narrow green gap.  The roundabout is unjustified - Highways England started a public consultation on the improvements	Sussex Pad was not considered appropriate for taking traffic from additional development; therefore Highways England required a replacement junction to

				<p>to the Lancing/Worthing stretch of the A27 on the 19<sup>th</sup> July. Their proposal fails to take into account the section which runs from the Sussex Pad to the Manor Roundabout (to the west of the NMF and airport proposed allocations) other than some remodelling of the Manor junction and its immediate approaches. The two new development proposals are not within the scope of the HE proposals.</p> <p>How can the transport infrastructure and roundabout proposals for NMF/Airport be justified before HE embraces the total A27 catchment from the Sussex Pad to the west of Worthing? The proposed developments at NMF and the airport will inevitably generate substantial additional traffic flows which will impact the whole of the Lancing/Worthing section of the A27. If a major retailer were to be located within the commercial development area, together with the traffic flows from the proposed 600 homes, the airport development and a school, AFG estimates this could add at least another 10,000 traffic movements a day to a trunk road which is already daily in gridlock and failing to cope.</p> <p>There has been no transport infrastructure evidence presented for the proposed roundabout and its operation on the A27 within the ALP documents.</p> <p>This strategic work cannot be left to a planning application stage. Until Highways England</p>	<p>serve the proposed strategic allocations.</p> <p>The current A27 scheme addresses the area from Forest Lane (west of Worthing) to Grinstead Lane/ Manor Road junction, Lancing.</p> <p>Junction mitigations along the A27 are referred to in the Adur IDP; these mitigations are to accommodate proposed development; whereas Highways England's current consultation on A27 relates to sections between Worthing and Lancing, and does not extend to the New Monks Farm development site. The consultation brochure</p> <p>states: <i>"Beyond the scheme limits there is a</i></p>
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				<p>produces a cohesive plan for the total Lancing/Worthing catchment embracing all the additional traffic flows from the NMF and Airport proposals, the roundabout for these two allocations must be deemed unjustified. Thereby, at this juncture, these allocations should be deleted from the Local plan.</p> <p><i>Air Pollution: See attached document which sets out the results of pollution monitoring funded by AFG.</i></p> <p>For the NMF/Airport proposed allocations absolutely no data has been evidenced to demonstrate the sustainability of air pollution for those two allocations. Once again, this cannot be a matter left to the planning application stage.</p> <p>Monitored current levels should be managed over the appropriate time period to justify sustainability of this factor to create evidence for plan sustainability. This is also an element for the HE upgrade proposals for the A27, so it is imperative these levels must be available. Also, if these allocations do proceed, those findings should be used as the baseline for the assessments for the NMF/Airport developments on air quality, not modelling based upon similar locations which tends to be the standard practice.</p> <p>Once again, based upon the community evidence, this is another reason why the proposed roundabout with its two associated allocations is</p>	<p><i>proposal for a new roundabout at New Monks Farm, Lancing in connection with new housing development. This is not part of this consultation.'</i></p> <p><a href="https://highwaysengland.citizenspace.com">https://highwaysengland.citizenspace.com</a></p> <p>However it has had due regard to the emerging Local Plan proposals.</p> <p>Highways England has been consulted throughout the Local Plan process, and an MOU has been signed with them.</p> <p>Highways England's proposals for the A27 do not constitute a reason to remove the New Monks Farm allocation from the Local Plan.</p> <p>Appropriate air quality assessments will be required to accompany</p>
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				<p>unjustified.</p> <p>AFG confirms that until an approved plan for the whole of the A27 is finalised to take into account the New Monks Farm development, traffic impacts, pollution etc. – this allocation should be deleted from the plan.</p> <p>If New Monks Farm proceeds within the Plan, new wording is proposed.</p>	<p>relevant planning applications and mitigation will be required. Policy 35 also addresses air quality.</p> <p><u>Comments from Environmental Health on the AQ report submitted as part of representation:</u></p> <p><i>“The tubes were left in situ for 3 weeks so the results are only a snapshot in time. TG16 (Defra 2016) states that if diffusion tubes are left out for significantly longer or shorter periods than the recommended 4 or 5 weeks, then the data may not be reliable. It is also necessary to calculate the data capture (over a year) and if this is less than 75% or fewer than 9 months’ (as in this case), then the results should be annualised and bias corrected. I am not aware that this has been done to these results.</i></p>
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					<p><i>Guidance states that monitoring locations be representative of exposure. However, where this is not possible, the NO2 concentration at the nearest location relevant for exposure should be estimated, using an NO2 fall-off with distance calculator. These tubes were all roadside or kerbside, so the distance correction would need to be applied. For example the tube adj to 22 Old Shoreham Rd Lancing would result in a facade level of about 31ug/m3, the Withy Patch one (which appears to have been in the central reservation) results in 29ug/m3.</i></p> <p><i>Notwithstanding this, the monitoring was carried out with good intentions and the results do show that existing levels adjacent to the A27 carriageway are already v.high, so development</i></p>
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					<i>that is likely to result in more traffic must be carefully considered and existing levels should not be permitted to increase”.</i>
			MM7	<p>The authority still has not changed its position. There is a reluctance to put forward a firm built out boundary line showing the final commercial and housing and school development areas.</p> <p>Question whether this is because of viability issues.</p> <p>With an indicative boundary line, the Plan fails to comply with NPPF para 154.</p> <p>By promoting an indeterminate built out boundary line it appears obvious that the council is unable to put forward appropriate evidence to comply with the above paras in the NPPF. We believe that with no firm build out line, New Monks Farm allocation should be deleted from the plan.</p>	The Council has already submitted evidence in relation to this matter. As discussed at Examination the detailed planning application will address the Built Up Area Boundary provided that other policy requirements of the Plan are met, including provision of the Country Park (minimum 28ha, see Main Modification 9).
			MM8	<p>AFG has already given comments of concern in respect of the revised wording of ‘minimum’ in relation to commercial floorspace and housing for the proposed New Monks Farm allocation.</p> <p>With no maximum level stipulated, other policies will not control what numbers of housing/areas of commercial space could be applied for in an application to develop. Using Adur’s own wording</p>	It would not be appropriate to set an artificial upper limit; details such as layout, densities, design etc will be determined through the application process; policies in the Local Plan have suitable

				<p>– this is in truth a 'blank cheque'. A development application could include 200 additional houses above the 600. The additional demands upon infrastructure particularly drainage, foul waste management and highways would be significant. The evidence gathered for proving sustainability for 600 cannot be relevant to 800 without further work to prove sustainability.</p> <p>Once again, AFG objects to use of the word 'minimum' and believes numbers quoted must be finite with appropriate demonstration of sustainability.</p>	<p>environmental criteria to assess relevant issues</p> <p>It should also be noted that Main Modifications to use the term 'minimum' have been proposed in response to the inspector's Preliminary Findings. (See Inspector's Preliminary Findings ID-7).</p>
			MM10	<p>The SWMP produced to pass NPPF para 102 exception test part 2 is insufficient to demonstrate that drainage is sustainable without increased flood risk to 1<sup>st</sup> and 3<sup>rd</sup> parties.</p> <p>AFG still maintains that such a FRA should be undertaken to confirm drainage sustainability for the NMF allocation before ALP inclusion. If proved unsustainable, the site should be deleted from the Plan.</p> <p>If the decision is to include the site based upon the existing SWMP, additional wording is proposed</p>	<p>The Surface Water Management Plan was not produced in order to pass the exception test.</p> <p>The Council consider that Main Modification 10 adequately addresses the issue of long term management and maintenance, and no further wording is required.</p>
			MM37	<p>Use of the words 'there are significant increased levels' infers that only in the instance of <i>significant</i> increased levels which cannot be mitigated will an application to develop be refused.</p>	<p>The Modification has been made in response to the Inspector's Preliminary Findings. (See Inspector's Preliminary Findings ID-7).</p>

				<p>In terms of air quality, surely, levels will be assessed as being either in excess of the legal limits or not in excess of the legal limits. Quite simply, if they cannot be mitigated then the application should be refused. The original wording of the policy with the replacement of the word "resisted" with the word 'refused' was appropriate.</p> <p><u>Air Pollution</u> - AFG selected locations on the known most affected roads within the district and installed over 50 diffusion tubes to the same specification as used by the authority.</p> <p>Results are shown within the attached document.</p>	<p>Air Pollution – see comments above regarding submitted report.</p>
14	Hyde (Boyer agents)	Dinny Shaw	Addendum to Sustainability Appraisal	<p>Representations throughout the process have maintained that there are inconsistencies in the SA which show that the process of preparing the Local Plan is unsound. These inconsistencies have not been addressed in the Addendum and therefore the SA is not sound as the site selection has not been objective, there has not been an appropriate assessment of reasonable alternatives and therefore the proposed Local Plan strategy is not the most appropriate.</p> <p>The local plan cannot be found sound as it is not based on a sound process of sustainability appraisal.</p> <p><b>MM1</b> - The significant increase in the OAN of 1000 dwellings between the Proposed Submission Adur Local Plan (5820) and the Submission Adur Local</p>	<p>Paragraphs 7.23 and 7.24 of the Addendum to the</p>

				<p>Plan (6825) has not been tested in the SA Addendum.</p> <p>It is not clear how this increase does not warrant further consideration to understand whether/how this need could be met. Consideration should be given to allocating additional sites and carry out an SA on reasonable alternatives and site options previously dismissed to properly understand the impact of not meeting housing need and ensure the correct balance is struck in regards to sustainable development.</p> <p>In order for the plan to be found sound, a full and proper SA must be carried out in the light of the increased OAN which reconsiders those site options previously dismissed, taking account of the most up to date evidence and to strike the most appropriate balance between the three elements of sustainability. These additional sites should be allocated to allow the local plan to be found sound.</p> <p><b>MM7</b> - In respect of MM7 the flexibility introduced to the site allocation boundary, which has potential to impact on the Green Gap and Countryside designations, has not been subject to any further SA. The Proposed Submission Adur Local Plan SA states that <i>'amendment 5 [the indicative built up area boundary] cannot be assessed at this stage as it will be unclear until the planning application stage exactly where the boundary will lie and therefore no meaningful assessment can currently be</i></p>	<p>Sustainability Appraisal of the Adur Local Plan address the matter of the increased OAN (Objectively Assessed Housing Need Update 2016, CD08/1 ) which MM1 reflects. The conclusions of the SA would not change as a result of the increased OAN – the level of housing proposed in the Adur Local Plan (a <i>minimum</i> of 3,718 homes) would still achieve a greater balance between the differing social, environmental and economic sustainability objectives than delivery of the full OAN.</p> <p>Furthermore the PPG states: “Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in its plan. They must be sufficiently distinct to highlight the different sustainability</p>
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				<p><i>undertaken'.</i></p> <p>There is an inconsistency in approach, which is carried forward in the Main Modifications, as no further SA testing is undertaken, in that the built up area boundary to the proposed site allocation at New Monks Farm is considered by the Council to be something which can be appropriately determined and assessed at planning application stage. Whereas the built up area boundaries in other parts of the district, and specifically those relating to the omission sites, are fixed. Given the potential impact that adjustments to the New Monks Farm boundary could have on the Green Gap (as identified in the Council's evidence base) versus the limited or similar impact of other sites, there is an inconsistency in approach to assessment and interpretation of evidence for allocated and omission sites.</p> <p><b>MM20</b> - The flexibility of the site allocation boundary has been tested in the SA Addendum which concludes that the modification would not have a detrimental impact on sustainability objectives. We are of the view that given the sensitivity of this site allocation and its position within the Green Gap there is potential for a significant impact on sustainability objectives particularly in respect of landscape and countryside especially given that the policy has also been amended to refer to a minimum employment floorspace which gives rise to potential for an increase in overall floor area and</p>	<p>implications of each so that meaningful comparisons can be made. The alternatives must be realistic and deliverable".</p> <p>It is not considered that the 2016 OAN figure is sufficiently distinct from the 2015 figure to ensure that meaningful comparisons could be made. Neither of these figures are considered deliverable.</p> <p>Alternative sites have been considered through the examination process.</p>
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				<p>hence built form at the site. This again demonstrates the inconsistency which the council have applied in interpretation of their own evidence base.</p> <p><b>MM27 and MM28 Site appraisal options</b></p> <p>New Salts Farm crosses two of the Site Options Appraisal areas, Site Option 6 (Land North West of Hasler Estate) and Site Option 7 (Land North East of Hasler Estate).</p> <p>SA Addendum states in relation to Site Option 6: <i>‘the main reason for this site not being allocated in the Local Plan relates to flood risk issues. Therefore, this modification to the Local Green Gap does not change the main conclusions of the site options appraisal and the site should continue to be omitted from the Local Plan’.</i></p> <p>In respect of the part of New Salts Farm that lies within Site Option 6 we welcome the recognition that this part of the site does not make a significant contribution to the setting, character, structure and environmental quality of the countryside.</p> <p>The representation sets out in detail why the flood risk constraints are capable of being mitigated and concludes that, given the housing shortfall, that part of the site within Site Option 6 must be allocated for development for the plan to be found sound.</p>	<p>Please note that Main Modification 28 was made in relation to coalescence, not setting, character, environmental quality, etc. (These factors relate to Policy 13: Adur’s Countryside and Coast). The land formerly within the Local Green Gap, but now outside, remains countryside and therefore Policy 13 still applies.</p>
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				<p>It is clear that the landscape impacts of development on the part of New Salts Farm within Site Option 6 would be less than those impacts identified as a result of the site allocation at New Monks Farm when considering the two site appraisals alongside each other. Therefore if this site is not allocated there is further demonstration of the inconsistency in approach in the sustainability appraisal and its unsoundness.</p> <p>The Site Option 7 Appraisal states that <i>'the majority of this site still remains within the Local Green Gap'</i>. It is a point of clarity that the whole of this site option remains in the Local Green Gap. We are of the view that the boundary for the Green Gap should not include the part of Site Option 7 to the west of New Salts Farm Road (i.e. New Salts Farm omission site). The site is capable of being developed for housing whilst maintaining the land essential to prevent coalescence and maintain the 'valuable slice of green' separating the airport from urban areas to the south. Disagree with the conclusion and consider that the site is capable of being allocated for development.</p> <p>Given the Council's approach to an indicative built up area boundary, in relation to New Monks Farm for example, there is no reason why a similar approach could not be taken in respect of New Salts Farm.</p>	<p>Regarding flood risk constraints: this is new evidence and is not directly related to the consultation on the Main Modifications.</p> <p>The indicative boundary at New Monks Farm has been used only to secure agreement of a minimum size of the Country Park,</p>
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				<p>Flood Risk</p> <p>Flood Risk is another constraint identified in relation to New Salts Farm and one which the Council have continued to cite as a reason for omitting the site from allocation in the latest Site Option Appraisals. Extensive evidence has been provided to demonstrate that the identified surface and groundwater flood risk at the site are capable of being overcome for the lifetime of the development without giving rise to flood risk elsewhere. To date no site specific contrary information has been provided to us to suggest that the proposed strategy would not work.</p>	<p>and to prevent further incursion into the Local Green Gap.</p> <p>The Local Green Gap boundary south of the railway line has been determined by landscape evidence. (See ALP025E).</p> <p>Evidence submitted during the examination process did not satisfy the relevant drainage authorities that flood risk concerns could be addressed.</p>
			MM 1	<p>This MM is unsound as it is not positively prepared, given the Adur Local Plan does not make every effort to contribute towards its OAN, is not justified, as consideration has not been given to all reasonable alternatives to meet its OAN, and is not consistent with the NPPF as it has not struck the right balance in terms of sustainable development.</p> <p>The MM updates the relevant OAN and housing supply figures, however the updated OAN has not</p>	<p>Paragraphs 7.23 and 7.24 of the Addendum to the Sustainability Appraisal of the Adur Local Plan address the matter of the increased OAN (Objectively Assessed Housing Need Update 2016, CD08/1 ) which MM1 reflects. The conclusions of the SA</p>



				<p>been properly tested in the Sustainability Appraisal. The Council have not been positive and proactive or made every effort to meet or contribute towards housing need as far as is possible throughout the Local Plan process. Further sites, such as New Salts Farm, are available, suitable and achievable with no outstanding constraints that cannot be overcome and should be considered deliverable and allocated to contribute towards meeting housing need in the District.</p> <p>The Plan in its current form cannot be found sound for the above reasons. The allocation of New Salts Farm for housing development would assist in making the plan sound.</p>	<p>would not change as a result of the increased OAN – the level of housing proposed in the Adur Local Plan (a <i>minimum</i> of 3,718 homes) would still achieve a greater balance between the differing social, environmental and economic sustainability objectives than delivery of the full OAN.</p> <p>Furthermore the PPG states: “Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in its plan. They must be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made. The alternatives must be realistic and deliverable”.</p> <p>It is not considered that the 2016 OAN figure is</p>
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					<p>sufficiently distinct from the 2015 figure to ensure that meaningful comparisons could be made. Neither of these figures are considered deliverable.</p> <p>Alternative sites have been considered through the examination process.</p>
			MM2	<p>We welcome this MM and the Council's commitment to review or partially review the Adur Local Plan within 5 years. However we would seek further clarity in the proposed wording to reflect the fact that any review must reconsider sites within Adur as well as how any unmet need may be addressed elsewhere as part of a wider sub-regional exercise. This is necessary to ensure that the plan is sound i.e. is positively prepared and effective in meeting housing need.</p>	<p>Given the constrained nature of the Adur Local Plan area, review of the Plan will require reconsideration of sites.</p> <p>Minor Modification 2 proposed by the Council states:</p> <p>"Adur District Council is fully committed to continuing to work positively and proactively with other local authorities and public bodies to address strategic issues in the longer term, particularly with regards to addressing opportunities to meet unmet housing</p>

					needs".  The Council considers that this addresses its commitment to the Duty to Co-operate.
			MM28	<p>The amendments proposed to the Policies Map and in MM28 remove 3 of the omission sites from the green gap boundary and part of the New Salts Farm omission site. We remain of the view that the amendments are not based on clear, objective or justified evidence and that there is no evidence that demonstrates that scale and size of the Green Gap boundary as proposed is only land essential to prevent the coalescence of settlements. Particularly the fact that none of the Council's evidence tests the function of the Green Gap with additional development options (such as allocation of New Salts Farm); it merely identifies that there is a 'risk' that additional development will result in coalescence.</p> <p>This Main Modification is unsound as it is not justified and there is no evidence to demonstrate that the boundary proposed includes only land essential to prevent coalescence. In order to make the policy sound we are of the view that the Policies Map should be adjusted to remove the whole of New Salts Farm from the Green Gap Boundary (i.e. the boundary would run north/south along New Salts Farm Road then west along the railway to adjoin the indicative</p>	<p>This matter was considered in detail at the Examination in Public, and the Council subsequently produced document ALP025E.</p> <p>Justification for the revised boundary (based on landscape character areas) is set out in that document. Main Modification 28 reflects the Inspector's Preliminary Findings, having considered the evidence. (See Inspector's Preliminary Findings ID-7).</p>

				boundary to New Monks Farm site allocation) as this land is not land essential to prevent coalescence of the settlements of Lancing and Shoreham.	
			Conclusion	Maintain that the Main Modifications do not make the plan sound. The Adur Local Plan is not positively prepared, given it does not meet its OAN and has not engaged every effort to do so; is not justified as it has not considered all reasonable alternatives to meet its OAN and is based on a flawed and inconsistent process of sustainability appraisal; and is not consistent with the NPPF as it has not struck the right balance in terms of sustainable development given the significant shortfall in meeting its OAN. Further it is not consistent with paras 156 and 157 of the NPPF which require a Local Plan to include strategic policies to deliver the homes needed in the area and plan positively for the development required in its area.	Noted; however the Main Modifications have been proposed in response to the Inspector's Preliminary Findings following his consideration of evidence.
15	Environment Agency	David Griggs	Main Modifications	We have no issues of soundness or legal compliance regarding the Main Modifications to the Plan.	Noted
			Addendum to Sustainability Appraisal	We have no comments to make on the Addendum to the Sustainability Appraisal.	Noted
			Council's Minor Modification MIN 39	We are pleased to see that the proposed amendments to paragraph 2.54A (MIN39) reflect advice from our previous representations, clarifying the presumption for a mains sewerage solution for the New Monks Farm strategic	Noted

				allocation.	
16	ECE	Chris Barker	MM28	Support the removal of the designation from the site at Old Salts Farm. We agree entirely with the Inspectors preliminary findings in this regard and the proposed Main Modification (reference MM28).	Support noted.
			MM1	Do not accept the position that the housing target as proposed is sufficient to meet the pressing housing need in the District and sub-region. We are of the view that appropriate omission sites, such as the land at Old Salts Farm, would be required to ensure compliance with paragraph 14 of the National Planning Policy Framework. In this respect, we reject the view that the perceived adverse impacts of allocating the site at Old Salts Farm would significantly and demonstrably outweigh the benefits of new homes.	Noted; however the Main Modifications have been proposed in response to the Inspector's Preliminary Findings following his consideration of evidence.
			MM2	Proposes that the Plan will be reviewed within a five year period. Our clients would wish to work proactively with the Council to ensure that the site is included within the reviewed Local Plan.	Noted.
17	WSCC	Caroline West	MM8	<p>The County Council, as the Lead Local Flood Authority, considers the Adur Local Plan to have suitable policy requirements to ensure appropriate flood risk and sustainable drainage is provided to mitigate development.</p> <p>MM8 could lead to a conflict between policies 5 and 37 of the Adur Local Plan, as the evidence to support the plan did not consider a higher level of development, over 600 dwellings. We are aware</p>	The Council understands that these comments relate to detailed assessment of the current planning application for the New Monks Farm site, and relate to compliance with part of Policy 37 which relates to 'substantial

				<p>this could be challenging and could lead to delay or inability to deliver the site in accordance with the policy.</p> <p>It is suggested that the word 'minimum' is removed from policy 5, as this could conflict with the delivery of a sustainable drainage strategy for the residential development and the wider site as a whole, and lead to delay or inability to deliver the site in accordance with the policy.</p>	<p><i>storage through SUDS to achieve reduction in run-off to levels below that experienced prior to development'.</i></p> <p>It should be noted that WSCC is supportive of the allocation and the Council is satisfied there are sufficient safeguards in Policy 5 to ensure that flood risk is adequately mitigated without worsening flood risk elsewhere</p>
18	Airport	Daniel Frisby	MM4	Sound and Legally Compliant (no further comments made)	Noted
			MM6	Sound and Legally Compliant (no further comments made)	Noted
			MM19	Sound and Legally Compliant (no further comments made)	Noted
			MM20	Sound and Legally Compliant (no further comments made)	Noted
19	New Monks Farm	Martin Perry	MM4	Sound and Legally Compliant (no further comments made)	Noted
			MM6	Sound and Legally Compliant (no further comments made)	Noted
			MM7	Sound and Legally Compliant (no further comments made)	Noted
			MM8	Sound and Legally Compliant (no further comments made)	Noted

20 (late representation)	Historic England	Alan Byrne	N/A	No comments on the consultation document.	Noted
21(late representation)	Ministry of Defence – Defence Infrastructure Organisation	D Baker	N/A	<p>The Ministry of Defence (MOD) has not been consulted on the above consultation. This office received notification through the tool Devplan.</p> <p>The district of Adur falls outside of statutory safeguarding zones therefore the MOD has no safeguarding concerns.</p> <p>Please note the above comments are purely related to the DIO Statutory Safeguarding Interests. I trust this adequately explains our position on this matter.</p>	Noted.
22		Michael Hubbard	Protect and enhance water quality	You make no mention for the provision or siting of the desalination plant.	Not directly related to Modifications. Unclear what comment refers to.