



Submission Draft Worthing Local Plan Regulation 19 Publication Stage – Guidance Note

Worthing Borough Council recognises the importance of having an up to date Local Plan in place that can enable local decision making and guide development that is sustainable, inclusive and resilient. After a number of years of preparation and consultation the Council is publishing its final version of the Plan for comment before it is submitted to the Secretary of State for independent Examination. The scope for comments at this stage of the Plan making process are largely restricted to the matters set out in this guidance note.

This consultation will run for eight weeks from Tuesday 26 January until 5pm Tuesday March 23rd. Any responses received after this date will not be accepted.

The Local Plan, the evidence base and all relevant supporting documents can be found on the Council's website:

www.adur-worthing.gov.uk/worthing-local-plan

All comments must be submitted in writing. You can do this:

Online: We have created an eform that allows you to complete and submit your comments online. The form can be accessed using the link above. Any additional information that you would like to submit to support your representation(s) would need to be emailed separately to the address below.

On paper: A printable paper form can also be accessed. Once completed, please send it (along with any additional information) by post or email to:

- Worthing Borough Council, Planning Policy, Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA
- planning.policy@adur-worthing.gov.uk

At this stage the Council is unable to place hard copies of the documents on deposit in the usual locations but this will be actioned at such time restrictions are eased. In certain circumstances, the Council will be happy to provide hard copies of the Local Plan to specific groups, particularly those with limited internet access.

Representation Guidance

Please use these notes to help you complete your comments.

1. Introduction

- 1.1. Formal comments supporting or objecting to the Local Plan can be made before it is submitted to the Secretary of State for independent examination by a Planning Inspector. The purpose of this stage and the examination that follows is to consider whether the Local Plan is 'sound' and complies with legal requirements, including the duty to co-operate.
- 1.2. All representations received within the statutory consultation period will be submitted to the Secretary of State, who will appoint an Inspector to carry out an independent examination of the Local Plan and its evidence base. In order for representations to be considered by the Inspector alongside the submitted Local Plan, all comments must adhere to the guidelines outlined in this document.
- 1.3. By law, representations cannot be made anonymously. All representations will be published alongside the relevant name, company name (if applicable), and client's name or company (if applicable). Further information about Data Protection Rights in line with the provisions of the General Data Protection Regulations and Data Protection Act 2018 is set out on the Council's privacy notice.

2. Legal compliance and duty to co-operate

- 2.1. The Inspector will first check that the Local Plan meets the legal requirements and the duty to co-operate before moving on to test for soundness.
- 2.2. You should consider the following before making a comment on legal compliance:
 - The Local Plan should be included in the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS, linked on the Council's website, is a programme of work prepared by Worthing Borough Council, which sets out details of the Local Development Documents (LDDs) that the council intends to produce, and outlines the key stages and timetable involved in producing each document.
 - The process of community involvement should be in accordance with the council's Statement of Community Involvement (SCI). The SCI sets out the council's strategy for involving the community in the preparation and revision of LDDs (including Local Plans) and the consideration of planning applications. The SCI should be read in conjunction with the Interim Addendum (Jan 2020) which sets out the temporary changes to procedures in light of Covid-19 restrictions.

- The Local Plan should comply with the Town and Country Planning (Local Planning) (England) Regulations 2012. This requires that upon publication of the Local Plan, the council must publish the necessary documents and make them available to view on its website. The council must also inform the Local Plan bodies and anyone who has asked to be notified.
 - The council is required to provide a Sustainability Appraisal Report when it publishes its Local Plan. This should identify how the Sustainability Appraisal has been carried out, the baseline information used to inform the process and the outcomes. The Sustainability Appraisal helps to assess policies to ensure they reflect social, environmental and economic factors.
- 2.3. The Local Plan must comply with the duty to co-operate. This is a legal duty requiring local planning authorities, county councils and public bodies to engage constructively and actively on an ongoing basis to take account of cross-boundary issues. You should consider the following before making comments on compliance with the duty to co-operate:
- Councils will be expected to provide evidence of how they have complied with the duty to co-operate.
 - Non-compliance with the duty to co-operate cannot be rectified after the submission of the Local Plan. The Inspector has no power to recommend modifications. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the Local Plan.

3. Soundness

- 3.1. The Inspector has to be satisfied that the Local Plan is positively prepared, justified, effective and consistent with national policy.
- Positively prepared – providing a strategy which, as a minimum seeks to meet the area’s objectively assessed needs whilst also being consistent with achieving sustainable development;
 - Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - Effective – deliverable over the plan period and based on effective joint working on cross-boundary strategic matters; and
 - Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

- 3.2. Is the issue with which you are concerned already covered specifically by national planning policy? If so it does not need to be included?
- 3.3. Is the issue with which you are concerned already covered by another policy in this Local Plan?
- 3.4. If the policy is not covered elsewhere, in what way is the Local Plan unsound without the policy? If the Local Plan is unsound without the policy, what should the policy say?

4. General advice

- 4.1. If you wish to make a comment which is seeking a modification to the Local Plan or part of the Local Plan you should set out clearly in what way you consider the Local Plan or part of the Local Plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in paragraph 3.1 above. Your representation should be supported by evidence where possible. It will be helpful if you also say precisely how you think the Local Plan should be modified.
- 4.2. You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the Local Plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues he or she identifies.
- 4.3. Where groups or individuals share a common view on the Local Plan, it would be very helpful if they would make a single representation which represents that view, rather a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.
- 4.4. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the Local Plan have a right to be heard at the hearing sessions(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.