



WORTHING BOROUGH  
COUNCIL

Executive Member for Regeneration  
4 April 2019

Decision to be taken on or after  
12 April 2019

Key Decision [No]

Ward(s) Affected: ALL

**Revised Local Development Scheme**

**Report by the Director for the Economy**

**Executive Summary**

**1. Purpose**

- Planning Regulations require Local Planning Authorities to produce and keep up to date a Local Development Scheme (LDS) which sets out details relating to local planning policy documents and the programme for producing these. The LDS acts as a public statement which establishes a three year management plan for the Planning Policy Team.
- The existing LDS for Worthing adopted in 2017 needs to be updated to ensure that the Council has an up-to date public 'project plan'.
- The Council is working towards the adoption of a new Local Plan which, when in place, will form the key Development Plan for the Borough. Given the resources required to prepare and adopt a new Local Plan this will be the key priority for the Planning Policy team over the next three years.

**2. Recommendations**

**2.1 Recommendation One**

- Following consideration by Planning Committee (27th March 2019) the Executive Member for Regeneration is asked to approve the revised Local Development Scheme for Worthing (2019-2021) so that it can be made available to view on the Council's website before the end of April 2019.

## **Context**

- 3.1 Planning Regulations require the preparation of the Local Development Scheme (LDS). The LDS is a document which identifies and describes the Local Development Documents to be produced, and prescribes the timetable for their preparation and revision. Although Local Planning Authorities are required to produce a LDS, there is no longer a requirement to submit it to Government for formal endorsement. However, the LDS must be made publicly available so that the local community and stakeholders are clear about the preparation of the Local Development Framework (the collection of planning documents, which includes the Local Plan).
- 3.2 The current LDS for the Borough that was adopted in February 2017 clarified that the main objective for the Planning Policy Team was to get a new Plan in place. Although the key stages established in that LDS have been met these have taken slightly longer than previously envisaged. As such the LDS has been revised to provide an up-to-date work programme and to establish a realistic timeframe for the progression and adoption of a new Local Plan/

## **4.0 Issues for consideration**

- 4.1 The new LDS (attached as Appendix A) sets out the programme for the production of the new Local Plan for the Borough and includes key milestones to inform people about opportunities to be involved in the plan making process. This version of the LDS, when adopted, will establish the work programme for the Planning Policy team. It covers the period 2019-2021 and will supersede the previous version published by the Council in 2017.
- 4.2 The revised LDS shows that the key priority for the Planning Policy Team will continue to be work to progress and adopt a new Local Plan. It sets out how much of 2019 will be spent updating evidence, responding to comments received during the Draft Local Plan consultation and addressing changes made to planning policy at the national level.
- 4.3 Following this, a formal 'submission' version of the plan will be considered and approved by elected Members (anticipated in winter/spring 2020). A statutory period of consultation will then follow (Regulation 19), during which interested parties can comment as to whether the Plan meets the 'tests of soundness' as set out in the NPPF. These relate to whether the Plan is: positively prepared, justified, effective, and consistent with national policy. Following this, the Plan will be submitted for formal Examination (anticipated autumn 2020). This could result in adoption of the Worthing Local Plan by spring / summer 2021.

- 4.4 It is considered that the timeline for the progression of the new Local Plan established within the revised LDS is realistic. Whilst it demonstrates how the adoption of a new Plan is a key priority for the Council it also takes into account: the statutory stages of Plan preparation; the resources available within the Planning Policy Team; and the need to put in place a comprehensive evidence base that will inform the allocation of development sites and the drafting of planning policies.
- 4.5 The implementation of the LDS will be monitored with the Council's Annual Monitoring Report which is published each December to cover the preceding financial year.

## **5.0 Engagement and Communication**

- 5.1 Worthing Planning Committee (27/03/19) considered and commented on the work programme as outlined in the covering report and set out in the revised Local Development Scheme. No specific questions or concerns were raised by Members in relation to the revised timetable.
- 5.2 Formal and informal stages of consultation with the public and all relevant stakeholders are integral to the development of a new Local Plan. As a minimum, consultation will be undertaken in line with the Joint Adur and Worthing Statement of Community Involvement. Council Members (particularly the Local Plan Working Group) will continue to be involved in the progression of the new Local Plan at all appropriate stages.

## **6.0 Financial Implications**

- 6.1 There are no specific costs in relation to the drafting and adoption of a revised LDS. However, there are some significant costs attached to the progression of a new Local Plan. Most of these costs relate to the evidence base required to make informed decisions within the Plan but there are also costs associated with consultation stages and the Examination. The production of the Local Plan is to be funded by the existing service budget.

## **7.0 Legal Implications**

- 7.1 The LDS has been prepared in accordance with the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and the Town and Country Planning (Local Planning) (England) Regulations 2012. As a result of the Localism Act 2011, Local Planning Authorities no longer have to submit

Local Development Schemes to the Secretary of State. However, Section 15(7) Planning and Compulsory Purchase Act 2004 (substituted by the Localism Act 2011) requires that there is a relevant Council resolution before an authority's LDS may be put into effect; and that the resolution must state the date in which the Scheme will come into effect.

7.2 Section 15(9A) of the Planning and Compulsory Purchase Act 2004, also requires the Local Planning Authority to make the following available to the public:

- (a) the up-to-date text of the scheme,
- (b) a copy of any amendments made to the scheme, and
- (c) up-to-date information showing the state of the authority's compliance (or non-compliance) with the timetable mentioned in subsection (2) (f) being the timetable for the preparation and revision of the development plan documents.

#### **Background Papers**

- Appendix A – Revised Local Development Scheme (April 2019)
- Worthing Borough Council – Local Development Scheme (2017)
- Worthing Core Strategy (2011)
- Draft Worthing Local Plan (Oct 2018)
- Report to Worthing Planning Committee 27/03/19

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## **Sustainability & Risk Assessment**

### **1. Economic**

- An adopted planning framework will help to underpin a clear regulatory service for development management and help facilitate business growth.

### **2. Social**

#### **2.1 Social Value**

- An adopted planning framework will help to underpin a clear regulatory service for development management and meet future housing and community needs.

#### **2.2 Equality Issues**

- The Plan will be the subject of an Equalities Impact Assessment. It will aim to ensure that all groups have equal access to the spatial opportunities offered by the new Development Plan. For example, the provision of affordable housing and sustainable transport initiatives are key issues to be addressed through the new plan to help promote equal opportunities.

#### **2.3 Community Safety Issues (Section 17)**

- The emerging Local Plan considers community safety issues and requires development to incorporate the principles of securing safety and reducing crime through design in order to create a safe and secure environment.

#### **2.4 Human Rights Issues**

- Matter considered and no issues identified.

### **3. Environmental**

- The Government requires that all Development Plan Documents (including Local Plans) be subject to a formal sustainability appraisal. The Local Plan will aim to promote sustainable development. In addition, an up to date planning framework for Worthing will provide a clear platform for the future development of our places and the protection of key environmental assets.

### **4. Governance**

- When adopted, the Local Plan will be a key tool for meeting the ambition for our communities' prosperity and wellbeing as set out in Platforms for our Places (in particular, Platforms 1,2,3 and 5).
- The delivery of a new Local Plan in line with the timetable established in the revised LDS will help to meet the spatial needs of the Borough and therefore have a positive impact on the reputation of the Council.
- Failure to adopt a new Plan could impact on a number of this Council's priorities including economic and social regeneration. In addition, failure to get a new Development Plan in place in a timely manner may impact on local control when determining applications and increase the risk of speculative development proposals.