

**ADUR &  
WORTHING  
COUNCILS**

**DRAFT  
STATEMENT OF  
COMMUNITY  
INVOLVEMENT**

**FEBRUARY 2019**



**HAVE YOUR SAY  
PUBLIC CONSULTATION**



**ADUR & WORTHING  
COUNCILS**

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## HOW TO HAVE YOUR SAY

The purpose of the Statement of Community Involvement (SCI) is to explain to the public what consultation will take place with stakeholders on planning policy documents and planning applications. It sets out who the Councils will consult with, when and how.

All Local Planning Authorities are legally required to prepare and publish a SCI and ensure it is kept up to date. The current SCI was published in 2012. Since then, changes have been made to national policy and legislation in relation to Local Plans and Neighbourhood Plans. The Government also published a revised National Planning Policy Framework (2018) therefore it is timely to update the SCI in order to reflect these changes.

### How to have your say

Public consultation runs from **[INSERT]** to 5pm on **[INSERT DATE]**.

The SCI is published to give residents, businesses, Parish and Town Councils and other groups an opportunity to have a say in how they want to be involved in guiding future development within Adur and Worthing. The Councils will consider the comments received and where appropriate will make amendments to the SCI.

### Where can I view this document?

You can view the document online at: <https://www.adur-worthing.gov.uk/planning-policy/news-updates-community-involvement/statement-of-community-involvement/>

Paper copies of the document are available for inspection at Portland House<sup>1</sup> and the Shoreham Centre<sup>2</sup>.

### How do I comment?

If you would like to comment on this document please send your views via email or to the postal address below. If you have any queries on the content of this document please contact the Planning Policy Team.

Telephone: 01273 263000

Email: [planning.policy@adur-worthing.gov.uk](mailto:planning.policy@adur-worthing.gov.uk)

Address: Adur & Worthing Councils, Planning Policy, Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA

### Data Collection - What we collect and how it is used

The Councils will process comments in accordance with the General Data Protection Act 2018. We collect names, addresses and other contact details. However, when publishing the representations received during a consultation we will only publish the name of the individual

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<sup>1</sup> 44 Richmond Road, Worthing, West Sussex, BN11 1HS

<sup>2</sup> Pond Road, Shoreham-by-Sea, West Sussex, BN43 5WU

respondent or the organisation that they represent. All other personal information will be omitted or redacted - this includes the contact details and signatures of individuals.

All interested parties are able to subscribe to receive newsletters from the Planning Policy Team and can request to be added to the Planning Policy Consultee Database. All those on the database will be notified when any relevant documents are published.

If you subscribe to a newsletter or request to be added to our consultee database, we will not pass your details on to any third parties. Contact details will be stored confidentially, in accordance with the GDPR 2018. You will also be offered the opportunity to unsubscribe at any time through the newsletters / documentation you receive.

For further information, please refer to the Planning Policy Privacy Notice:

<https://www.adur-worthing.gov.uk/planning-policy/privacy-notice/>

<b>1. Introduction</b>	<b>p.1</b>
What is a Statement of Community Involvement?	p.1
Why has a new Statement of Community Involvement been produced?	p.1
Resources	p.2
<b>2. Planning Policy</b>	<b>p.3</b>
What is Planning Policy?	p.3
How can you get involved?	p.5
Who will the Councils consult?	p.5
'Hard to reach' groups in Adur and Worthing	p.6
How will we consult?	p.6
Publicising Public Consultation	p.6
Additional Consultation Notification Methods	p.7
When to get involved in Preparing Development Plans	p.8
Table 1: Key Stages of Development Plan Production (Local Plan)	p.9
Supplementary Planning Documents	p.15
Table 2: Key Stages of Supplementary Planning Document Production	p.16
Other Planning Policy Documents	p.18
<i>Sustainability Appraisal</i>	p.18
<i>Statement of Community Involvement</i>	p.19
<i>Community Infrastructure Levy</i>	p.19
Table 3: Key Statutory requirements that must be undertaken when preparing the Charging Schedule	p.21
<b>3. Neighbourhood Planning</b>	<b>p.26</b>
What will Neighbourhood Development Plans do?	p.26
What are Neighbourhood Development Orders?	p.26
Who leads Neighbourhood Planning in an area?	p.26
What is the role of the Local Authority?	p.27
Draft Statement of Community Involvement	

South Downs National Park Authority	p.28
Table 4: Key statutory requirements that the Councils must undertake when supporting the preparation of Neighbourhood Development Plans	p.28
Table 5: Key statutory requirements that the Councils must undertake when supporting the preparation of Neighbourhood Development Orders	p.32
Referendum	p.35
<b>4. Development Management</b>	<b>p.36</b>
The Weekly List of Planning Applications	p.36
Council Websites	p.36
Site Notices	p.37
Neighbour Notification Letters	p.37
South Downs National Park Authority	p.37
Pre-application Consultation Requirements	p.37
Viewing Planning Applications at Council Offices	p.38
Site Visits	p.38
Commenting on Planning Applications	p.39
Decisions on Planning Applications	p.39
<b>Appendices</b>	
Appendix 1 - Specific Consultation Bodies	p.41
Appendix 2 - Publicising Planning Applications	p.42
Appendix 3 – Planning Aid	p.45
Appendix 4 – Glossary	p.46
Appendix 5 – Contact Details	p.48
Appendix 6 – Privacy Notice	p.49

## What is a Statement of Community Involvement?

- 1.1 A Statement of Community Involvement (SCI) seeks to describe how the public, businesses and interest groups within Adur and Worthing can get involved in Planning Policy, Neighbourhood Planning and the planning application decision making process. The SCI sets out the consultation measures that the Councils will undertake when consulting on Planning Policy documents and publicising planning applications. Adur and Worthing Councils are two separate Councils but have a shared officer structure and thus a single joint SCI.
- 1.2 Community involvement and consultation is a key part of any Council's decision making process. The Councils believe that the whole community should have the opportunity to engage in the preparation of both Adur and Worthing's Planning Policy documents and also in the consideration of planning applications by Development Management.
- 1.3 However, there will be instances where the Councils have to balance all relevant issues and this may mean a different outcome to some of the views expressed. Where this is the case, the respective Council will be transparent in their reasoning.
- 1.4 The SCI is guided by the Government's Consultation Principles: Guidance (2018)<sup>1</sup> which provides information on how consultations should be conducted in general providing a consistent consultation approach.
- 1.5 The Councils have a Consultation Policy Statement<sup>2</sup> which sets out the minimum standards the Councils will follow when developing consultation and engagement exercise, so that customers and communities know what to expect from us in providing appropriate opportunities to participate and to receive feedback. This Consultation Policy Statement sits alongside the SCI.
- 1.6 Whilst the SCI primarily sets out how the Councils will engage with communities, it also provides useful guidance to help inform developers and applicants on how to undertake effective community consultation activities.

## Why has a new Statement of Community Involvement been produced?

- 1.7 The preparation of a SCI is a legal requirement of the Planning and Compulsory Purchase Act 2004 and once adopted, Councils are legally obliged to comply with it. Adur District Council and Worthing Borough Council prepared their first joint SCI in 2012 (previously both Councils had their own SCI in place). Since then, there have been changes to national policy including the publication of the revised National Planning Policy Framework (2018)<sup>3</sup>. There has also been changes to national legislation which includes the introduction of the

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<sup>1</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/691383/Consultation\\_Principles\\_1\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691383/Consultation_Principles_1_.pdf)

<sup>2</sup><https://www.adur-worthing.gov.uk/media/media.124557,en.pdf>

<sup>3</sup><https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Neighbourhood Planning Act 2017<sup>4</sup>, the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 and also changes to Council procedures hence it is appropriate to review the SCI and bring it up-to-date. This revised SCI now includes a chapter on Neighbourhood Planning.

- 1.8 Regulation 4 of The Town and Country Planning Regulations (Amendment) Regulations 2017<sup>5</sup> came into force on the 6th April 2018 and introduced amendments to the Town and Country Planning (Local Planning) (England) Regulations 2012<sup>6</sup>. The amendments require that a review of the SCI must be completed every five years, starting from the date of adoption of the SCI, in accordance with section 23 of the Planning and Compulsory Purchase Act 2004.

### **Resources**

- 1.9 Both Councils acknowledge that the community contributes significantly to the operation of the planning service. Achieving the community involvement outlined in this document will require resources in terms of staff time, printing and other costs. This joint SCI seeks to achieve an acceptable balance between the importance of community involvement and keeping costs within realistic limits.
- 1.10 The Councils are aware of the issues associated with ‘consultation fatigue’ and will endeavour, wherever possible, to co-ordinate consultation exercises so that any feedback received is meaningful.
- 1.11 Both Councils will maximise the use of other resources such as the Planning Portal, the Royal Town Planning Institute’s Planning Aid Service and the Councils website in adding to the effectiveness of consultations.
- 1.12 However, as a minimum requirement, the Councils will make sure the resources available for community involvement takes account of:
- The different planning documents both Councils will have to prepare
  - The costs of any publicity and consultation required by the Planning Regulations
  - The collation of all the views of the local community and the response preparation, analysis and publication of them.
- 1.13 The Planning Aid service provides free, independent and professional town planning advice and support to communities and individuals who cannot afford fees for a planning consultant. Please see Appendix 3 for more information on Planning Aid.

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<sup>4</sup> Neighbourhood Planning Act 2017 (Chapter 20): <http://www.legislation.gov.uk/ukpga/2017/20/contents/enacted>

<sup>5</sup> <http://www.legislation.gov.uk/uksi/2017/1244/contents/made>

<sup>6</sup> <http://www.legislation.gov.uk/uksi/2012/767/contents/made>



## 2. PLANNING POLICY

How is a Local Plan prepared and how can I get involved in the process?

What are the Council's proposals for future development?

### What is Planning Policy?

- 2.1 England has a plan-led system of development. This means that Local Planning Authorities have to prepare a Development Plan, also referred to as a Local Plan and ensure that it is kept up-to-date. The Councils Planning Policy team is responsible for preparing the Local Plan which comprise of policies and principles to guide the scale, form and location of development based on evidence. Planning Policy also prepares Supplementary Planning Documents (SPD) which provides specific guidance underpinning a particular Policy in the Local Plan. Collectively these documents set out the respective Council's planning policies for meeting the community's economic, environmental and social needs where this affects the development and use of land.
- 2.2 The National Planning Policy Framework 2018 (NPPF) requires Local Planning Authorities to prepare Development Plans to set out a positive vision ("forward planning") for the future development of the Borough or District (usually 15-20 years), addressing needs and opportunities in relation to population growth, housing, the economy, community facilities and infrastructure as well as a basis for safeguarding the environment, adapting to climate change and securing good design. Development Plans are underpinned by evidence base studies such as housing and economic projections to understand likely demand for future growth.
- 2.3 A Development Plan sets the overall planning policies within a Local Authority and includes a Proposals Map and Site Specific Allocations. Development Plans are often referred to as a 'Local Plan' such as the adopted Adur Local Plan (2017) and the emerging Worthing Local Plan. However, Shoreham Harbour is preparing a Joint Area Action Plan (JAAP) which has the same status as a Development Plan but is being prepared jointly with Adur District and neighbouring authority Brighton & Hove City Council. Adur District and Worthing Borough Council are also required to prepare a Local Development Scheme (LDS) and ensure it is kept up-to-date. The purpose of the LDS is to set out the timetable for the production of documents which will form part of the Development Plan.
- 2.4 This SCI sets out four key consultation principles that will be adhered to in order to make any consultation process relevant and meaningful. Both Councils will:
  - I. Keep any consultation process simple and communicate clearly

Both Councils will clearly state how the community can get involved and make comments. The Councils will also set out documents and reply forms as simply, clearly and concisely as possible, in a layout that is easy to understand. The Councils will be clear about what they are asking people and must ensure that people understand what will happen as a result of this engagement.

## 2. Make it easy for the public to be involved

The Councils aim is to ensure that all planning documents produced are easy to understand by different members of the community. Whilst the Planning System is trying to simplify the planning process there is still technical jargon and abbreviations used. Although plain English will be used wherever possible there will be occasions when some technical terms will need to be used – in these instances glossaries will be used.

The Councils will strive to ensure that documents will be made available in different formats, to enable wide accessibility. This will include hard copy and electronic versions of key documents. The Councils will also put consultation material and information on their website.

## 3. Make sure the public's involvement counts

Both Councils will involve residents and stakeholders at an appropriate stage of the consultation process and at all subsequent stages of a policy document.

The Councils are committed to listening to what residents and the business community has to say. The Councils will carry out necessary steps to explore possible solutions and where justified, changes will be made in response to the comments submitted. However, the Councils have to act in accordance with planning law and therefore it is not always possible to address all concerns especially if the comments submitted are not a planning issue. Planning issues are such as those relating to highway safety, noise, design, Government Policy to mention but a few. Where appropriate, the respective Council will summarise (will redact personal details in accordance with the General Data Protection Act 2018) consultation representations which will then be published on the Councils website.

## 4. Share information and provide feedback

The respective Council will provide electronic versions of consultation documents on the Council's website.

Planning Policy will consider all responses to consultation and will, where appropriate, explain how views expressed in representations have been incorporated into the respective Council's decision making processes. This process also allows for the Council to explain why representations / comments have not been addressed.

## How can you get involved?

- 2.5 Planning Policy maintains a database holding contact details of specific and general consultation bodies, individuals, groups, and stakeholders who the Councils regularly contact on planning policy matters).
- 2.6 People can register their contact details i.e. email address or by postal address if an email address is not available. Contact details will be stored confidentially; in accordance with the General Data Protection Regulations 2018. Please refer to the Privacy Notice in Appendix [INSERT NO]. The Councils will not pass on contact details on to any third parties and people can request to have their details removed at any time. Also, please notify the Planning Policy team if your contact details have changed so that we can ensure that the database is up-to-date. Please refer to Appendix 5 to view details on how to contact the Planning Policy team.

## Who will the Councils consult?

- 2.7 Government Regulations require us to ensure that certain organisations (known as Specific Consultation Bodies) are consulted at key stages during the preparation of the Local Plan. The full list of consultees is provided in Appendix 1.
- 2.8 In addition to consulting Specific Consultation Bodies, Planning Policy has a further extensive list of organisations, bodies, businesses, consultancies, landowners and individuals that we will consult (known as General Consultation Bodies). However, these organisations are only consultation if they are made known to the Councils. These include to name but a few:
- Individuals on the Planning Policy Consultation Database
  - Residents' Associations
  - Housing Associations / Registered Providers
  - Chambers of Commerce
  - Local Council for Voluntary Services
  - Groups for people with disabilities
  - Voluntary groups
  - Faith groups
  - Youth groups
  - Local businesses
  - Environmental / Conservation groups
  - Local Strategic Partnership – Waves Ahead

- 2.9 The above list is not exhaustive and is amended or added to as required. In some cases, we have a degree of discretion over whether to notify certain general bodies if the topic of the document in question is not likely to be of interest or relevance to that body. The Councils will, when appropriate, target consultation towards those most likely to be affected, for example by setting up workshops on particular topics or hosting public exhibitions in areas of site allocation proposals.

### **‘Hard to reach’ groups in Adur and Worthing**

- 2.10 In addition to the ‘specific’ and ‘general’ consultation bodies, the Councils are committed to involving a wide range of ‘other’ individuals and organisations, including members of the ‘hard to reach’ groups. Hard to reach groups can be defined as any group that may be difficult to reach or engage with for a particular reason. They can include: children and teenagers; Gypsies Travellers and Travelling Showpeople; black and minority ethnic groups; the homeless; people with disabilities and those without access to the internet. In addition, it is often difficult to engage successfully with local businesses and working people who are unavailable during core working hours.
- 2.11 This SCI sets out a range of consultation techniques and approaches to ensure that involvement is as inclusive and accessible as possible.

### **How will we consult?**

- 2.12 The Government sets out statutory consultation requirements that the Councils must follow when publicising public consultation on Development Plans and SPDs. In addition to the requirements, the Councils will carefully consider using additional publicity options to help ensure that as many stakeholders as possible in Adur and Worthing are made aware of public consultations on Planning Policy documents and of the opportunity to comment on them.

### **Publicising Public Consultation**

#### *Electronic communications*

- 2.13 When undertaking public consultation on Development Plans and Supplementary Planning Documents, it is a statutory requirement to provide an electronic version of the consultation document on the Councils website. Adur and Worthing has a joint website and both Councils will make extensive use of the website to give notice of future public consultations. The website will contain regular news updates, as well as consultation documents and information about how groups and individuals can get involved in Plan Making.
- 2.14 The use of IT based systems will be used in all public consultations. Computers are provided for public use in reception areas at Portland House (Worthing) and The Shoreham Centre (Shoreham-by-Sea) to access consultation documents online.
- 2.15 The Councils will inform those on the consultation database (refer to paragraphs 2.12 & 2.13) by email wherever possible as this is an efficient and most cost effective way of communicating.

- 2.16 Both Councils use social networking sites such as Twitter and Facebook to advertise public consultation. The Councils recognise that social media is an effective consultation notification method especially to engage with young people and those people that have limited time. Consultation information can be accessed on a 24hr basis enabling comments to be submitted anytime during the consultation period.
- 2.17 To help keep the community informed of the latest Planning Policy news for Adur and Worthing and the progression of Planning Policy documents, the Councils publish separate Adur Planning Policy Newsletters and Worthing Planning Policy Newsletters as and when its necessary. To subscribe or unsubscribe to the Newsletter(s), please contact the Planning Policy team.

#### *Paper based communications*

- 2.18 Whilst electronic technology makes communication easier to administer and access as well as having energy efficiency benefits, there are members of the community that are not able to use technology or have access to email or internet. In undertaking consultation the Councils will not disadvantage these groups.
- 2.19 Those people that have provided a postal address will be notified by post of public consultation. The respective Council will provide hard copies of the consultation document for reference purposes at the main reception areas at Portland House (Worthing) and / or The Shoreham Centre (Shoreham-by-Sea) throughout the duration of public consultation. All evidence base reports and background papers will be publicly available on the Councils website. Depending on the nature of the consultation document, the respective Council may also provide hard copies at additional venues i.e. local libraries.
- 2.20 The Councils preferred communication method is to receive representations via email. However, both Councils will accept representations submitted by post. Comments can be sent to the relevant planning department.

#### **Additional Consultation Notification Methods**

- 2.21 In addition to fulfilling the statutory notification requirements, the Councils will also consider using relevant additional notification methods to advertise public consultation to ensure that as many people and organisations as possible are reached. Such advertising methods may include:
- Adur and Worthing Councils webpage – Consultations and Engagement
  - Advertised on the front webpage of the Councils' website within the 'Latest news and consultations' section
  - Press Release
  - Advertise in local newspaper
  - Consultations will be publicised via the Councils social media – Twitter / Facebook

- Posters advertising consultation may be made where appropriate and placed on notice boards at relevant venues i.e. local libraries,
- 2.22 Planning Policy will encourage the active participation of individuals, groups, landowners and developers in the consultation process through a variety of techniques such as:
- Public exhibitions
  - Council Officers attending Town / Parish Council meetings on a specific matter
  - Workshops - Small Group Discussions
- 2.23 Officers, wherever possible, will undertake these consultation exercises in locations which are accessible to the local community, for example at community centres, public libraries and leisure centres. Where Planning Officers are present at public events, they will answer questions appropriate to the nature of the consultation and will assist in recording the comments received.

### **When to get involved in preparing Development Plans**

- 2.24 The Town and Country Planning (Local Planning) (England) Regulations 2012, the Planning Compulsory Purchase Act 2004 and the Localism Act 2012, sets out the prescribed stages of preparing a Development Plan and also the requirements for consultation. The production of a Development Plan is an iterative process developed through two statutory stages (referred to as Regulation 18 and Regulation 19) in consultation with the public and key stakeholders. There is considerable flexibility open to Local Planning Authorities in how they carry out the initial stages of plan production, provided they comply with the specific requirements in Regulation 18 of the Town and Country Planning Regulations. Consultation exercises on emerging options are often termed “issues and options”, “preferred options” or “pre-publication”. Local Planning Authorities should always make clear how any consultation fits within the wider Development Plan process. Regulation 19 is the publication stage in which the Council considers the Plan ready for examination. In order for a Development Plan to be adopted by the respective Council, it must be found sound by a Government appointed Planning Inspector through an examination process.
- 2.25 Further requirements are set out within the National Planning Policy Framework (NPPF) and guidance is provided within the National Planning Practice Guidance (NPPG) . Table 1 shows both the key statutory stages of Plan production and the opportunities for involvement at each stage.

**Table 1: Key Stages of Development Plan Production (Local Plan)**

Key Stages of Production	What the Council Will Do	Your Opportunities for Involvement
<p><b>Initial Evidence Gathering</b></p> <ul style="list-style-type: none"> <li>• Begin initial evidence gathering process (commissioning technical studies, identifying available sites, collating data, identifying the scope of the Plan)</li> <li>• Formulate initial aims and objectives</li> <li>• Start preparing the Sustainability Appraisal, Scoping Report and collating baseline data</li> <li>• Identify relevant environmental, economic and social objectives to inform the Sustainability Appraisal</li> </ul>	<ul style="list-style-type: none"> <li>• Circulate Planning Policy newsletter to those registered on the database to be kept informed of latest news and forthcoming Local Plan milestones</li> <li>• Contact infrastructure providers to collate evidence on infrastructure requirements to support future growth</li> <li>• Ensure that the Councils website is kept up-to-date</li> </ul>	<ul style="list-style-type: none"> <li>• Register your contact details to be placed on the consultation database to be kept informed of Local Plan preparation</li> <li>• Provide Planning Policy with details of any sites you may wish to promote for development via the Strategic Housing Land Availability Assessment<sup>1</sup> (SHLAA) process</li> <li>• Provide Planning Policy with any local evidence studies such as sites for Local Green Space designation</li> </ul>
<p><b>Regulation 18: Preparation of a Local</b></p>	<ul style="list-style-type: none"> <li>• Circulate Planning Policy newsletter</li> </ul>	<ul style="list-style-type: none"> <li>• Review the Local Plan, Sustainability Appraisal,</li> </ul>

<sup>1</sup> SHLAA: <https://www.adur-worthing.gov.uk/housing/policies-and-strategies/shlaa-hma/>

Key Stages of Production	What the Council Will Do	Your Opportunities for Involvement
<p><b>Plan</b> <b>Public Consultation</b></p> <ul style="list-style-type: none"> <li>• Draft Local Plan considering a wide range of key topics and issues facing the District/ Borough/ relevant area (such as homes and jobs needed in the area; the provision of retail, leisure and commercial development; the provision of infrastructure, community facilities and protecting the environment etc) as well as identifying possible options to address identified key issues</li> <li>• Continue evidence gathering</li> <li>• Test emerging options through the Sustainability Appraisal</li> </ul>	<p>to those registered on the database to be kept informed of latest news</p> <ul style="list-style-type: none"> <li>• Undertake public consultation for a duration considered appropriate by the respective Council</li> <li>• Notify specific consultation bodies and appropriate general consultation bodies and inform them how the document can be viewed and how comments can be made</li> <li>• Consult those people and organisations that have registered their contact details on the consultation database via email or post</li> <li>• Electronic version of the consultation document will be made publicly available on the Councils website</li> <li>• Hard copies to be provided for reference purposes</li> <li>• Where appropriate consider additional consultation methods (see paragraphs 2.21-2.23)</li> <li>• Ensure compliance with the Councils adopted Statement of Community Involvement</li> </ul>	<p>Habitat Regulations Assessment and evidence base</p> <ul style="list-style-type: none"> <li>• Submit a representation to the Council outlining your comments, support or objection</li> <li>• Attend any scheduled public exhibitions / workshop events</li> </ul> <p><b>All submitted representations will be made public and can be viewed by others. Signatures, postal address and email address details will be redacted.</b></p>
<p><b>Regulation 19: Publication of a Local Plan</b></p> <ul style="list-style-type: none"> <li>• Review all the representations submitted</li> </ul>	<ul style="list-style-type: none"> <li>• Undertake public consultation for statutory period of 6 weeks</li> <li>• Notify specific consultation bodies and appropriate general consultation</li> </ul>	<ul style="list-style-type: none"> <li>• Review the Local Plan, Sustainability Appraisal and Habitat Regulations Assessment</li> <li>• If you submitted a representation during the previous consultation and that it remains</li> </ul>



Key Stages of Production	What the Council Will Do	Your Opportunities for Involvement
<p>during Regulation 18 consultation and make any changes to the Plan where justified</p>	<p>bodies that the document is to be produced and the subject of that document</p> <ul style="list-style-type: none"> <li>• Consult those people and organisations that have registered their contact details on the consultation database via email or post</li> <li>• Electronic version of the consultation document will be made publicly available on the Councils website</li> <li>• Hard copies to be provided for reference purposes</li> <li>• Where appropriate consider additional consultation methods (see paragraphs 2.21-2.23)</li> <li>• Ensure compliance with the Councils adopted Statement of Community Involvement</li> </ul>	<p>unresolved, resubmit your representation should you wish to maintain your objection</p> <ul style="list-style-type: none"> <li>• Attend any scheduled public exhibitions / workshop events</li> </ul> <p><b>This is the final opportunity to submit a duly made representation.</b></p> <p><b>You should be specific as to why you consider the Plan to be unsound, what change (s) you are seeking and why it would make the document sound. The Planning Inspector will only consider written representations submitted during this stage as it is considered that these representations (objections) are unresolved.</b></p>
<p><b>Regulation 22: Submission of Local Plan</b></p> <ul style="list-style-type: none"> <li>• Submit Plan and any representations submitted during Regulation 19, along with the Sustainability Appraisal, evidence base, Statement of Consultation to Secretary of State</li> <li>• The Government will appoint a Planning Inspector</li> <li>• The respective Council has to wait for the Planning Inspector to set the</li> </ul>	<ul style="list-style-type: none"> <li>• Provide hard copies of the Plan, Policies Map, Sustainability Appraisal, Statement of Consultation, copies of representations, any relevant supporting documents and statement of how to view documents for inspection</li> <li>• Inform general and specific consultation bodies that the Plan and documents listed above are available for inspection and of the places and</li> </ul>	

Key Stages of Production	What the Council Will Do	Your Opportunities for Involvement
<p>timetable for Examination in Public</p>	<p>times at which they can be inspected</p> <ul style="list-style-type: none"> <li>• Give notice to those persons who requested to be notified of submission</li> </ul>	
<p><b>Regulation 24: Independent Examination</b></p> <ul style="list-style-type: none"> <li>• Independent Inspector assesses the submitted Local Plan to determine whether it has been prepared in line with the Duty to Cooperate and other legal requirements. Inspector issues a report at the end of Examination in Public</li> <li>• Exceptionally, the Inspector will recommend the draft Local Plan to be withdrawn if it has not been prepared in accordance with the Duty to Cooperate or it is likely to be found unsound</li> <li>• Usually Planning Inspectors carry out a hearing in public, however if the plan is very straightforward and not contentious, the Inspector may be able to deal with the examination by means of written representations, negating the need for hearing sessions.</li> </ul>	<ul style="list-style-type: none"> <li>• The relevant Council, via the Programme Officer, will write to representors informing them of the date, time and place at which the hearing is to be held</li> <li>• The relevant Council can ask the Inspector to recommend main modifications to make Plan sound or comply with other legal requirements</li> </ul>	<ul style="list-style-type: none"> <li>• The Inspector will invite participants (via the Programme Officer) to speak at the hearing sessions on those matters and issues considered relevant by the Inspector</li> <li>• Selected participants will receive a programme (via the Programme Officer) for hearing sessions including matters/issues and the Inspectors Guidance Note</li> <li>• The hearing sessions are public and anyone can observe even if they haven't been selected to participate</li> <li>• Further information regarding the Examination in Public process can be found within the Planning Inspectorate Procedural Practice in the Examination of Local Plans (June 2016)<sup>2</sup></li> </ul>
<p><b>Regulation 25: Publication of the recommendations of the Planning Inspector</b></p>	<ul style="list-style-type: none"> <li>• The respective Council must make the recommendations of the Planning Inspector and the reasons available on</li> </ul>	

<sup>2</sup>[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/531005/Procedural\\_Practice\\_in\\_the\\_Examination\\_of\\_Local\\_Plans\\_-\\_final.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/531005/Procedural_Practice_in_the_Examination_of_Local_Plans_-_final.pdf)

Key Stages of Production	What the Council Will Do	Your Opportunities for Involvement
<ul style="list-style-type: none"> <li>Inspector's report is ratified</li> <li>Local Plan is to be amended if recommendations (Main Modifications) are made by the Inspector (if the Council requests these to be made)</li> </ul>	<p>the Councils website and for inspection</p> <ul style="list-style-type: none"> <li>Give notice to those persons who requested to be notified of the publications of those recommendations, that the recommendations are available</li> </ul>	
<p><b>Regulation 26: Adoption</b></p> <ul style="list-style-type: none"> <li>The respective Council may adopt the Local Plan with the Inspector's Modifications or choose not to</li> <li>Six week period for legal challenges after adoption</li> </ul>	<ul style="list-style-type: none"> <li>Following adoption, the respective Council must make available (hard copy and on the Councils website) the Local Plan, adoption statement, Sustainability Appraisal Report and details of where the Local Plan is available for inspection and the places and times at which the documents can be inspected</li> <li>Send a copy of the adoption statement to any person who has asked to be notified</li> <li>Send a copy of the adoption statement to the Secretary of State</li> </ul>	
<p><b>Regulation 27: Withdrawal of a Local Plan</b></p> <ul style="list-style-type: none"> <li>The respective Council does not adopt the Local Plan and instead withdraw it</li> </ul>	<ul style="list-style-type: none"> <li>Respective Council must make a statement (hard copy and on the Councils website) of the fact that the Local Plan has been withdrawn</li> <li>Notify general and specific consultation bodies that the Local Plan has been withdrawn</li> <li>Cease to make available any documents relating to the withdrawn</li> </ul>	

Key Stages of Production	What the Council Will Do	Your Opportunities for Involvement
	Local Plan other than the withdrawn statement	
<p><b>Regulation 34: Authorities' Monitoring Report</b></p> <p>Adopted Local Plan policies are monitored against objectives and indicators and are reported within the relevant Council's Annual Monitoring Report which is usually published on the Council's website in December</p>		

## Supplementary Planning Documents

- 2.26 These provide supplementary information in respect of the Policies in Development Plans. They provide greater detail and guidance on the application of a particular Policy in practice. SPDs do not form part of Development Plan and are not subject to independent examination. However, once adopted, the SPD will be a 'material consideration' in planning decisions. In exceptional circumstances a Strategic Environmental Assessment (Sustainability Appraisal) may be required when producing a Supplementary Planning Document. The Councils have produced a number of SPDs which can be found on the relevant Council's website<sup>1</sup>.
- 2.27 The Councils are committed to involving the community in the preparation of SPDs, but the level and scope of consultation will vary according to the nature of the document being produced. The consultation process involved with the preparation of SPDs is less stringent than preparing a Development Plan in terms of the Planning Regulations.
- 2.28 The Councils are required to follow key statutory stages as set out in Part 5<sup>2</sup> of the Town and Country Planning Regulations which relate to community involvement. Table 2 sets out the key stages of producing an SPD and the opportunities for involvement at each stage in accordance with the Planning Regulations.

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<sup>1</sup> Worthing SPDs: <https://www.adur-worthing.gov.uk/worthing-ldf/spd-and-guidance/>  
Adur SPDs: <https://www.adur-worthing.gov.uk/adur-ldf/spd-and-guidance/>

<sup>2</sup> <http://www.legislation.gov.uk/ukSI/2012/767/part/5/made>

**Table 2: Key Stages of Supplementary Planning Document Production**

Key Stages of Production	What The Council Will Do	Your Opportunities for Involvement
<p><b>Initial Background Work</b></p> <ul style="list-style-type: none"> <li>The respective Council will carry out research to identify the issues and relevant policy context as part of evidence gathering</li> <li>If applicable, start preparing the Sustainability Appraisal</li> </ul>	<ul style="list-style-type: none"> <li>Update the Councils website and Local Development Scheme regularly with regards to the types of SPDs the Councils are working on</li> <li>Provide background report and studies on the Councils website</li> </ul>	<ul style="list-style-type: none"> <li>Register your contact details to be placed on the consultation database to kept informed of SPD preparation</li> </ul>
<p><b>Regulation 12: Public Participation</b></p> <ul style="list-style-type: none"> <li>The respective Council will undertake public consultation on the draft SPD for a statutory period of 4 weeks</li> </ul>	<ul style="list-style-type: none"> <li>Electronic version of the consultation document will be made publicly available on the Councils' website</li> <li>Hard copies for reference use will be made available at the Council Offices</li> <li>Additional notification methods to be used where relevant. Please refer to paragraphs 2.21-2.23</li> </ul>	<ul style="list-style-type: none"> <li>Review the SPD</li> <li>Submit a representation to the Council outlining your comments, support or objection</li> <li>Attend any scheduled public exhibitions / workshops / meetings if relevant</li> </ul>
<p><b>Finalise SPD</b></p> <ul style="list-style-type: none"> <li>The respective Council will review all the representations submitted during consultation and make any changes to the SPD where justified</li> </ul>	<ul style="list-style-type: none"> <li>Prepare a statement identifying those who were consulted, including a summary of the main issues raised and how those issues have been addressed</li> <li>Make copies of the statement and the amended SPD available to view on the Councils website and in hard copy</li> </ul>	

<p><b>Regulation 14: Adoption of the SPD</b></p> <ul style="list-style-type: none"> <li>• SPD is adopted by the relevant Council</li> <li>• The Council publishes its adoption statement</li> </ul>	<ul style="list-style-type: none"> <li>• Publish SPD and adoption statement on the Councils website and provide hard copy</li> <li>• Send a copy of the adoption statement to any person who has asked to be notified of the adoption of the SPD</li> </ul>	
<p><b>Regulation 15: Revocation or Withdrawal of a SPD</b></p> <ul style="list-style-type: none"> <li>• The respective Council adopts the SPD but then revokes it i.e. it has become out of date</li> <li>• The respective Council does not adopt the SPD and instead withdraw it</li> </ul>	<p><b><u>Revocation</u></b></p> <ul style="list-style-type: none"> <li>• Cease to make available any documents relating to the revoked SPD</li> <li>• Take other steps considered necessary to draw the revocation of the SPD to the attention of persons living or working in that area</li> </ul> <p><b><u>Withdrawn</u></b></p> <ul style="list-style-type: none"> <li>• Respective Council must make a statement (hard copy and on the Councils website) of the fact that the SPD has been withdrawn</li> <li>• Notify bodies or persons that made representations that the SPD has been withdrawn</li> <li>• Cease to make available any documents relating to the withdrawn SPD other than the withdrawn statement</li> </ul>	

## Other Planning Policy Documents

### *Sustainability Appraisal*

- 2.29 The aim of Sustainability Appraisal is to ensure the social, environmental and economic impacts of policies are assessed as part of the Development Plan preparation process. In exceptional circumstances, a Sustainability Appraisal may be carried out for Supplementary Planning Documents depending on the subject matter. The Councils must carry out Sustainability Appraisals (incorporating Strategic Environmental Assessment requirements) for each Development Plan and the outcomes will be used to inform decisions on land allocations and policy formulation.
- 2.30 The first stage of the sustainability appraisal is to consider the scope of the appraisal process. It includes a review of other relevant plans, policies and programmes that relate to the local area; information on the present state of the local environment (the baseline); a discussion of the local sustainability issues and a series of sustainability objectives that must be considered when preparing DPDs.
- 2.31 Public consultation will be undertaken on the draft Scoping Report before it is approved by the relevant Council. The Environmental Assessment of Plans and Programmes (SEA) Regulations (2004)<sup>1</sup> require that local authorities consult the following bodies and provide them with a copy of the document:
- Natural England
  - Environment Agency
  - Historic England
- 2.32 It is also necessary that a period of five weeks is provided for consultation in line with the statutory requirements. The respective Council must also take such steps as it considers appropriate to bring the preparation of the document to the attention of persons who are affected, likely to be affected or have an interest and inform them how they can inspect the document and how comments can be made. Reference copies will be made publicly available at the relevant Council Offices.
- 2.33 Once the Local Plan / Supplementary Planning Document is adopted, the respective Council must make a copy of the Plan, accompanying SA and statement available for inspection and take such steps as it considers appropriate to bring to the attention of the public. The Council must also inform the consultation bodies and those persons who submitted representations of where the Plan and SA can be inspected.

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<sup>1</sup> The Environmental Assessment of Plans and Programmes Regulations 2004 [S.I 2004 No 1633]



## *Statement of Community Involvement*

- 2.34 Regulation 4 of The Town and Country Planning Regulations (Amendment) Regulations 2017<sup>2</sup> requires that Local Planning Authorities review their Statement of Community Involvement every five years starting from the date of adoption of the SCI.
- 2.35 Should a review identify the need for an up-to-date SCI, the Councils will undertake public consultation. There is no legal requirement to undertake public consultation however the Councils consider it is good practice to undertake public consultation as it demonstrates the Councils commitment of strengthening public engagement opportunities within the planning system. The Councils will consult those who are on the Councils consultation database as well as those organisations that may have an interest in the SCI such as those that represent hard to reach groups. The Councils will publish the draft SCI on its website as well as providing hard copies at Portland House and The Shoreham Centre. Following consultation, a statement will be prepared setting out a summary of the representations received and how those issues have been addressed and will be made publicly available on the Councils website.

## *Community Infrastructure Levy*

- 2.36 The Community Infrastructure Regulations 2010 (as amended)<sup>3</sup> enable local authorities to raise funding for new infrastructure by levying a charge on new development within their area. CIL is an important tool for the respective Council for funding and delivering infrastructure to enable growth and mitigate the impact of new development within the Local Authority area. Worthing Borough Council adopted CIL in February 2015 but will continue to use S.106 Planning Obligations where appropriate. Implementation of the levy commenced on 1st October 2015. A full review of the Worthing CIL is currently being undertaken and it is expected that a revised Charging Schedule will be in place in early 2019. Adur District is not currently preparing CIL and is continuing with S.106 Planning Obligations.
- 2.37 As part of the CIL process, the Charging Authority (Council) produces the following documents:
1. Charging Schedule
  2. Regulation 123 List
- 2.38 The Charging Schedule sets out the rate for CIL levy and details the amount of CIL for different types of liable development. The Council must publically consult on both a

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<sup>2</sup> The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 [S.I. 2017 No. 1244]

<sup>3</sup> The Community Infrastructure Levy Regulations 2010 (England & Wales) Regulations 2010 [S.I. 2010 No. 948]: [http://www.legislation.gov.uk/uksi/2010/948/pdfs/ukxi\\_20100948\\_en.pdf](http://www.legislation.gov.uk/uksi/2010/948/pdfs/ukxi_20100948_en.pdf)

The Community Infrastructure Levy (Amendment) Regulations 2011 (England & Wales) [S.I. 2011 No. 987]  
The Community Infrastructure Levy (Amendment) Regulations 2012 (England & Wales) [S.I. 2012 No. 2975]  
The Community Infrastructure Levy (Amendment) Regulations 2013 (England & Wales) [S.I. 2013 No. 982]  
The Community Infrastructure Levy (Amendment) Regulations 2014 (England & Wales) [S.I. 2014 No. 385]  
The Community Infrastructure Levy (Amendment) Regulations 2015 (England & Wales) [S.I. 2015 No. 836]  
The Community Infrastructure Levy (Amendment) Regulations 2018 (England & Wales) [S.I.2018 No. 172]

Preliminary Draft Charging Schedule and a Draft Charging Schedule prior to examination. It must undergo a public examination by an independent person before the charging authority can formally approve it. Unlike a Local Plan Examination, the selection and appointment of the examiner is made by the charging authority.

- 2.39 The Charging Schedule has to be reviewed to ensure it is up-to-date. This SCI will set out the key statutory procedures as set out in Table 3. Where appropriate, additional notification methods will be carried out as set out in paragraphs 2.21 – 2.23.
- 2.40 Worthing Borough Council has prepared a CIL Process Guide (November 2017) which provides information on the processes relating to the collection of CIL and signposts where additional information can be found. The guide can be viewed here: <https://www.adur-worthing.gov.uk/media/media,146960,en.pdf>
- 2.41 The CIL Regulation 123 List sets out the strategic infrastructure types or projects that the Local Authority may fund, in whole or in part, through CIL. The Regulation 123 list is intended to support the adopted CIL Charging Schedule and the projects listed within will support the level of development. Worthing Borough Council adopted its Regulation 123 List in February 2015. Further information about the Regulation 123 List can be viewed here: <https://www.adur-worthing.gov.uk/media/media,131817,en.pdf>
- 2.42 The Regulations do not set out any statutory consultation requirements however National Planning Practice Guidance states that Charging Authorities should ensure that changes are clearly explained and subject to local consultation.

**Table 3: Key statutory requirements that must be undertaken when preparing the Charging Schedule**

Key Stages of Production	What The Council Will Do	Your Opportunities for Involvement
<p><b>Initial Evidence Gathering</b></p> <ul style="list-style-type: none"> <li>The respective Council will carry out research and evidence work to inform the proposed levy rates to be set out within the Preliminary Charging Schedule</li> </ul>	<p>N/A</p>	<ul style="list-style-type: none"> <li>Register your contact details to be placed on the Consultation Database to be kept informed</li> </ul>
<p><b>Regulation 15: Consultation on a Preliminary Draft Charging Schedule</b></p> <ul style="list-style-type: none"> <li>The respective Council will undertake public consultation on the CIL Preliminary Draft Charging Schedule</li> </ul>	<ul style="list-style-type: none"> <li>Send a copy of the preliminary draft to Local Planning Authorities that adjoin the Charging Authority's area, West Sussex County Council and (if applicable) Parish Councils that fall within the charging authority's area</li> <li>Notification to be sent to persons who are resident or carrying on business in its area, appropriate voluntary bodies and bodies which represent the interests of persons carrying on business in the charging authority's area</li> </ul>	<ul style="list-style-type: none"> <li>Review the CIL Preliminary Draft Charging Schedule</li> <li>Submit a representation outlining your comments, support or objection</li> </ul>
<p><b>Regulation 16: Publication of a Draft Charging Schedule</b></p> <ul style="list-style-type: none"> <li>The respective Council will undertake public consultation on the Draft Charging Schedule</li> </ul>	<ul style="list-style-type: none"> <li>Hard copy and electronic version of the consultation document, relevant evidence, statement of the representations procedure and statement of how to view hard copies will be made publicly available at the Councils offices and on the Councils website</li> <li>Send a copy of the consultation document and statement of representation</li> </ul>	<ul style="list-style-type: none"> <li>Review the Draft Preliminary Charging Schedule</li> <li>Submit a representation outlining your comments, support or objection</li> </ul> <p><b>This is the final opportunity to submit a duly made representation.</b></p>

Key Stages of Production	What The Council Will Do	Your Opportunities for Involvement
	<p>procedure to Local Planning Authorities (that adjoin the Charging Authority's area), West Sussex County Council and (if applicable) all Parish Councils that fall within the Charging Authority's area</p> <ul style="list-style-type: none"> <li>• Legal advertisement notice setting out a statement of the representations procedure and a statement of fact that the draft Charging Schedule and relevant evidence are available for inspection and of the places at which they can be inspected</li> </ul>	
<p><b>Regulation 18: Withdrawal of a Draft Charging Schedule</b></p> <ul style="list-style-type: none"> <li>• The respective Council withdraws the draft Charging Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Publish a statement of that fact on its website</li> <li>• Give notice of that fact by local advertisement</li> <li>• Notify any person that was invited to make representations on the draft Charging Schedule of that fact</li> <li>• Remove from its website and from the places at which they were made available any copies, documents, evidence and statements made available or published</li> </ul>	

Key Stages of Production	What The Council Will Do	Your Opportunities for Involvement
<p><b>Regulation 19: Submission of Documents and Information to the Examiner</b></p> <ul style="list-style-type: none"> <li>• Submit CIL Draft Charging Schedule, evidence base and representations received during Regulation 16</li> <li>• Submit Statement setting out the representations made during Regulation 16 and a summary of the main issues raised by representations</li> <li>• The respective Council has to wait for the Planning Inspector to set the timetable for Examination in Public</li> </ul>	<ul style="list-style-type: none"> <li>• Where the Charging Authority modified the draft Charging Schedule after it was published in accordance with Regulation 16, the Charging Authority must send a copy of the statement of modifications to each of the consultation bodies invited to make representations under Regulation 15; and publish the statement of modifications on its website</li> <li>• All submission documents will be electronically available on the Councils website and reference copies available at the Council Offices</li> <li>• Publish on the Councils website a statement of the fact that a copy of the draft Charging Schedule and submission documents are available for inspection and of the places at which they can be inspected</li> <li>• Give notice to those persons who requested to be notified of the submission of the CIL Draft Charging Schedule</li> </ul>	
<p><b>Regulation 21: CIL Examination- Right to be Heard</b></p> <ul style="list-style-type: none"> <li>• A person can submit a request to be heard by the examiner</li> </ul>	<ul style="list-style-type: none"> <li>• The Charging Authority must submit a copy of each request it receives to the examiner</li> <li>• Where a person has submitted a request to be heard by the examiner, the Charging Authority must publish the time and place at which the examination is to</li> </ul>	

Key Stages of Production	What The Council Will Do	Your Opportunities for Involvement
	<p>be held and the name of the examiner on its website; notify any person who has made a representation in accordance with Regulation 17 any person who has made a request to be heard and give notice by local advertisement of those matters</p>	
<p><b>Regulation 23: Publication of the Examiner's Recommendations</b></p> <ul style="list-style-type: none"> <li>Examiner makes recommendations and reasons for those recommendations</li> </ul>	<ul style="list-style-type: none"> <li>Charging Authority must make the recommendations and reasons available for inspection at the Councils offices and publish on the Councils website</li> <li>Give notice to those persons who requested to be notified of the publication of the examiners recommendations and reasons</li> </ul>	
<p><b>Regulation 25: Approval &amp; Publication of a Charging Schedule</b></p> <ul style="list-style-type: none"> <li>CIL Charging Schedule is adopted by the respective Council and published</li> </ul>	<ul style="list-style-type: none"> <li>Publish CIL Charging Schedule on the Councils website</li> <li>Make the CIL Charging Schedule available for inspection at the Councils offices</li> <li>Give notice by local advertisement that a copy of the Charging Schedule is available for inspection and of the places where it can be inspected</li> <li>Give notice to those persons who requested to be notified of the approval of the CIL Charging Schedule</li> <li>Send a copy of the Charging Schedule to each of the relevant consenting authorities</li> </ul>	

Key Stages of Production	What The Council Will Do	Your Opportunities for Involvement
<p><b>Regulation 28: Charging Schedule: Effect</b></p> <ul style="list-style-type: none"> <li>Should the Charging Authority determine that a Charging Schedule is to cease to have effect</li> </ul>	<ul style="list-style-type: none"> <li>Charging Authority must publish a statement of that fact on the Councils website</li> <li>Give notice of that fact by local advertisement</li> <li>Notify the relevant consenting authorities of the fact</li> </ul>	

## 3. NEIGHBOURHOOD PLANNING

- 3.1 Neighbourhood planning is an important part of the Government's Localism agenda. It aims to give local communities power to shape development by taking a more active role in the preparation of planning policies at a local level. This is a tool whereby local communities have powers to prepare their own planning policies and site allocations and therefore Neighbourhood Planning initiation rests with a Parish Council or Neighbourhood Forum whom has discretion and responsibility for the process.
- 3.2 There are two types of Neighbourhood Planning. There is the Neighbourhood Development Plan (NDP) or a Neighbourhood Development Order (NDO) both of which:
- are prepared through a formal process including public consultation and an assessment by an independent examiner;
  - must gain majority support at a local referendum before they can be adopted; and
  - must be prepared having regard to national policy and generally conform with the policies in the Local Plan.

### **What will Neighbourhood Development Plans do?**

- 3.3 They will give local communities the opportunity to come together through a local Parish Council (or where there is no Parish council, a Neighbourhood Forum). The matters to be addressed in a Neighbourhood Plan must relate to development and the use of land and should have the aim of furthering the social, economic and environmental well-being of individuals in the area, as well as shaping the area for the future.

### **What are Neighbourhood Development Orders?**

- 3.4 Neighbourhood Development Orders will grant planning permission for a particular type of development in a particular area. This could be either a particular development, or a particular class of development (for example retail or housing). A number of types of development will be excluded from NDOs including:
- minerals and waste development;
  - types of development that, regardless of scale, always need Environmental Impact Assessment; and
  - Nationally Significant Infrastructure Projects.

### **Who leads Neighbourhood Planning in an area?**

- 3.5 Where a community wants to take up the opportunities offered by neighbourhood planning, the legislation enables three types of organisation, known as qualifying bodies, to lead it:



- Parish Council
- Neighbourhood Forum (to be formally designated by the Councils)
- Community Organisation

Developers, businesses and land owners could be involved and work with local communities - funding and bringing forward plans.

## What is the role of the Local Authority?

- 3.6 The Councils are required to advise, provide assistance and support to Qualifying Bodies throughout the process. The Councils are required to outline within their Statement of Community Involvement, their policies for giving advice or assistance in relation to Neighbourhood Planning in accordance with Section 18 of the Planning and Compulsory Purchase Act 2004<sup>1</sup>. Therefore this SCI sets out information on the statutory requirements that the Councils must follow when supporting those communities preparing Neighbourhood Plans or Neighbourhood Development Orders. It is recommended that this chapter is read in conjunction with the Councils Neighbourhood Plans: Offer of Support document which is available on the Councils website<sup>2</sup>.
- 3.7 This SCI will not prescribe what methods of community engagement must be followed as the appropriate level of community engagement and the scope of the Plan is to be decided by the Parish Council or Neighbourhood Forum. However, it is recommended that Parish Councils and Neighbourhood Forums consider undertaking public exhibitions, workshops, questionnaires and the use of social media to name but a few examples.
- 3.8 Neighbourhood Plans and Neighbourhood Development Orders must be prepared in accordance with various legislation including The Planning and Compulsory Purchase Act 2004, The Neighbourhood Planning Act 2017, The Neighbourhood Planning (General) Regulations 2012<sup>3</sup>, The Neighbourhood Planning (General) (Amendment) Regulations 2015<sup>4</sup>, Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016<sup>5</sup> and The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017.<sup>6</sup>
- 3.9 Table 4 identifies the key statutory requirements set out in the Regulations that the Councils must undertake (it does not set out the statutory requirements that the Parish or Neighbourhood Forum must undertake) with regards to the Councils role when supporting Qualifying Bodies in the preparation of Neighbourhood Plans. Table 5 sets out the key statutory requirements the Councils must undertake when supporting Qualifying Bodies in the preparation of Neighbourhood Development Orders. Where appropriate

<sup>1</sup> [http://www.legislation.gov.uk/ukpga/2017/20/pdfs/ukpga\\_20170020\\_en.pdf](http://www.legislation.gov.uk/ukpga/2017/20/pdfs/ukpga_20170020_en.pdf)

<sup>2</sup> <https://www.adur-worthing.gov.uk/media/media.135178.en.pdf>

<sup>3</sup> <http://www.legislation.gov.uk/uksi/2012/637/contents/made>

<sup>4</sup> [http://www.legislation.gov.uk/uksi/2015/20/pdfs/uksi\\_20150020\\_en.pdf](http://www.legislation.gov.uk/uksi/2015/20/pdfs/uksi_20150020_en.pdf)

<sup>5</sup> [http://www.legislation.gov.uk/uksi/2016/873/pdfs/uksi\\_20160873\\_en.pdf](http://www.legislation.gov.uk/uksi/2016/873/pdfs/uksi_20160873_en.pdf)

<sup>6</sup> [http://www.legislation.gov.uk/uksi/2017/1243/pdfs/uksi\\_20171243\\_en.pdf](http://www.legislation.gov.uk/uksi/2017/1243/pdfs/uksi_20171243_en.pdf)

the Councils will undertake additional notification methods as set out in paragraphs 2.28-2.30.

### South Downs National Park Authority

- 3.10 Adur District Council and Worthing Borough Council will liaise with the South Downs National Park Authority (SDNPA) regarding the preparation of Neighbourhood Development Plans / Neighbourhood Development Orders, where relevant.
- 3.11 The SDNPA will be the lead authority in parishes wholly within the SDNP. Adur District Council will be the lead authority for Neighbourhood Planning outside of the National Park. For parishes partly in both authority areas, the lead authority will be the one where the main centre of population is based which will most likely be Adur.

**Table 4: Key statutory requirements that the Councils must undertake when supporting the preparation of Neighbourhood Development Plans**

Key Stages of Production	What the Councils Will Do
<p><b>Regulation 6: Publicising An Area Application</b></p> <p>An Area Application is to apply for designation of the boundary of the proposed neighbourhood area to which the Neighbourhood Development Plan relates to.</p>	<p>As soon as possible after receiving an area application from a relevant body, the local authority must publicise the following on their website:</p> <ul style="list-style-type: none"> <li>• a copy of the area application;</li> <li>• details of how to make representations; and</li> <li>• and the deadline for making representations which must allow at least 6 weeks from the date of publication</li> </ul>
<p><b>Regulation 7: Publicising a Designation of a Neighbourhood Area</b></p>	<p>As soon as possible after designating a neighbourhood area, the local authority must publish the following on their website:</p> <ul style="list-style-type: none"> <li>• the name of the neighbourhood area;</li> <li>• map which identifies the area; and</li> <li>• the name of the relevant body who applied for the designation.</li> </ul> <p>If the application for the neighbourhood area is refused, then the respective local authority must publish on their website:</p> <ul style="list-style-type: none"> <li>• a 'decision document' setting out the decision and a statement of the reason(s) for refusing the application; and</li> <li>• details of where and when the decision document may be inspected</li> </ul>

Key Stages of Production	What the Councils Will Do
<p><b>Regulation 9: Publicising a Neighbourhood Forum Application</b></p> <p>A designated neighbourhood forum is an organisation or group empowered to lead the neighbourhood planning process in a neighbourhood area where there is no parish council.</p>	<p>As soon as possible after receiving an area application from a relevant body, the respective local authority must publicise the following on their website:</p> <ul style="list-style-type: none"> <li>• a copy of the application;</li> <li>• a statement that if a designation is made no other organisation or body may be designated for that neighbourhood area until that designation expires or is withdrawn;</li> <li>• details of how to make representations;</li> <li>• and</li> </ul> <p>the deadline for representations which must allow at least 6 weeks from publication</p>
<p><b>Regulation 10: Publicising a Designation of a Neighbourhood Forum</b></p>	<p>As soon as possible after designating a neighbourhood area, the respective local authority must publish the following on their website:</p> <ul style="list-style-type: none"> <li>• the name of the neighbourhood forum;</li> <li>• a copy of the written constitution of the neighbourhood forum;</li> <li>• the name of the neighbourhood area to which the designation relates; and</li> <li>• contact details for at least one member of the neighbourhood forum</li> </ul> <p>If the application for the designation of a neighbourhood forum is refused, then the respective local authority must publish on their website:</p> <ul style="list-style-type: none"> <li>• ‘refusal statement’ setting out the decision and their reasons for refusing the application; and</li> <li>• details of where and when the refusal statement may be inspected</li> </ul>
<p><b>Regulation 12: Voluntary Withdrawal of a Designation of a Neighbourhood Forum</b></p>	<p>As soon as possible after withdrawing the designation of a Neighbourhood Forum, the respective local authority must publish the following on its website:</p> <ul style="list-style-type: none"> <li>• ‘withdrawal statement’; and</li> <li>• details of where and when the withdrawal statement may be inspected</li> </ul>
<p><b>Regulation 16: Publicising a Plan Proposal</b></p>	<p>As soon as the respective local authority has received a proposal for a Neighbourhood Plan the Council must publish the proposals for 6 weeks on their website :</p> <ul style="list-style-type: none"> <li>• details of the plan proposal;</li> <li>• details of where and when the plan proposal</li> </ul>

Key Stages of Production	What the Councils Will Do
	<p>may be inspected;</p> <ul style="list-style-type: none"> <li>• details of how to make representations;</li> <li>• a statement that any representations may include a request to be notified of the local authority's decision on the plan proposal;</li> <li>• the deadline for making representations which must allow at least 6 weeks from the date the plan proposal is first publicised; and</li> <li>• notify any consultation body<sup>7</sup> which is referred to in the consultation statement submitted in accordance with Regulation 15 (Plan Proposals) that the Plan proposal has been received</li> </ul>
<p><b>Regulation 17: Submission of Plan Proposal to Examination</b></p>	<p>As soon as possible after the appointment of a person to carry out an examination (the Examiner), the respective local authority must send the following to the person appointed:</p> <ul style="list-style-type: none"> <li>• the plan proposal;</li> <li>• the documents referred to in Regulation 15 (e.g. the proposed plan, consultation statement and consultation statement) and any other document submitted by the qualify body</li> <li>• if the order proposal is one to which the Conservation of Habitats and Species Regulations 2010 applies, the information submitted in accordance with Regulation 102A of those Regulations;</li> <li>• a copy of any representations which have been made in accordance with Regulation 16 (in response to a plan proposal)</li> </ul>
<p><b>Regulation 18: Publication of the Examiner's Report and Plan Proposal Decisions</b></p>	<p>Following the receipt of the Examiner's report, the respective local authority must make a decision on the Neighbourhood Plan. The local authority must publish on their website:</p> <ul style="list-style-type: none"> <li>• the decision and their reasons for it (decision statement)</li> <li>• details of where and when the decision statement may be inspected; and</li> <li>• if a decision has been made in respect of the Examiner's recommendations, a copy of the Examiner's Report.</li> </ul> <p>If the authority propose to make a decision which differs from that recommended by the examiner, it must notify the following people or</p>

<sup>7</sup> Refer to list of Consultation Bodies set out in Schedule 1 of The Neighbourhood Planning (General) Regulations 2012 [S.I 2012 No.637]

Key Stages of Production	What the Councils Will Do
	<p>groups of their proposed decision (and the reason for it) and invite representations.</p> <ul style="list-style-type: none"> <li>• the qualifying body</li> <li>• anyone whose representation was submitted to the examiner and</li> <li>• any consultation body that was previously consulted.</li> </ul> <p>Any representations must be submitted within 6 weeks of the local planning authority first inviting representations.</p>
<b>Regulation 19: Decision on a Plan Proposal</b>	<p>As soon as possible after deciding to make a Neighbourhood Plan, the respective local authority must publish on their website and in such other manner:</p> <ul style="list-style-type: none"> <li>• a statement setting out the decision and their reasons for making that decision (decision statement)</li> <li>• details of where and when the decision statement may be inspected; and</li> <li>• send a copy of the decision statement to the qualifying body; and any person who asked to be notified of the decision</li> </ul>
<b>Regulation 20: Publicising a Neighbourhood Development Plan</b>	<p>As soon as possible after making a Neighbourhood Plan, the respective local authority must publish on their website:</p> <ul style="list-style-type: none"> <li>• the Neighbourhood Plan; and</li> <li>• details of where and when the Neighbourhood Plan may be inspected; and</li> <li>• notify any person who asked to be notified of the making of the Neighbourhood Plan that it has been made and where and when it may be inspected</li> </ul>
<b>Regulation 30: Publicising a Modification</b>	<p>As soon as possible after modifying a Neighbourhood Plan, the respective local authority must publish on their website and in such other manner:</p> <ul style="list-style-type: none"> <li>• the document setting out the details of the modifications (the ‘modification document’);</li> <li>• details of where and when the modification document may be inspected; and</li> <li>• give notice of the modification to the qualifying body and any person the local authority previously notified of the making of the Neighbourhood Plan</li> </ul>
<b>Regulation 31: Revocation</b>	<p>As soon as possible after revoking a Neighbourhood Plan, the respective local</p>

Key Stages of Production	What the Councils Will Do
	<p>authority must publish on their website and in such other manner:</p> <ul style="list-style-type: none"> <li>• a document setting out the reasons for revocation (the 'revocation document');</li> <li>• details of where and when the revocation document may be inspected; and</li> <li>• give notice of the revocation to the qualifying body and any person the Council previously notified of the making of the Neighbourhood Plan.</li> </ul>

**Table 5: Key statutory requirements that the Councils must undertake when supporting the preparation of Neighbourhood Development Orders**

Key Stages of Production	What the Councils Will Do
<p><b>Regulation 23: Publicising an Order Proposal</b></p> <p>An order proposal relates to the boundary of the proposed area to which the Neighbourhood Development Order relates to.</p>	<p>As soon as possible after receiving an order proposal, the respective local authority must publicise the following on their website:</p> <ul style="list-style-type: none"> <li>• details of the order proposal;</li> <li>• details of where and when the order proposal may be inspected;</li> <li>• details of how to make representations;</li> <li>• a statement confirming that any representations may include a request to be notified of the Council's decision under Regulation 26; and</li> </ul> <p>The local authority must also notify any consultation body<sup>8</sup> which is referred to in the consultation statement submitted by the qualifying body in accordance with Regulation 22.</p> <p>As soon as possible after receiving an on order proposal to which Regulation 29A of the EIA Regulations applies, the respective Council must also publicise the environmental statement:</p> <ul style="list-style-type: none"> <li>• which gives notice by site display in at least one place on or near the land to which the order proposal relates; and</li> <li>• by publication of the notice in a local newspaper</li> </ul>
<p><b>Regulation 24: Submission of Order Proposal to Examination</b></p>	<p>As soon as possible after the appointment of a person to carry out an examination of the Order Proposal, the respective Council must</p>

<sup>8</sup> Refer to list of Consultation Bodies set out in Schedule 1 of The Neighbourhood Planning (General) Regulations 2012

Key Stages of Production	What the Councils Will Do
	<p>send the following to the person appointed [ if you are wanting to shorten the document you could delete the below and just state that “relevant documents” need to be provided ]:</p> <ul style="list-style-type: none"> <li>• the order proposal;</li> <li>• the documents referred to in Regulation 22</li> <li>• if the order proposal is one to which the Regulation 29A of the EIA Regulations applies, the environmental statement submitted;</li> <li>• if the order proposal is one to which the Conservation of Habitats and Species Regulations 2010(a) applies, the information submitted in accordance with Regulation 61(2) of those Regulations;</li> <li>• any other documents submitted to the Council by the qualifying body in relation to the order proposal; and</li> <li>• a copy of any representations which have been made in accordance with Regulation 23</li> </ul>
<p><b>Regulation 25: Publication of the Examiners Report and Order Proposal Decisions</b></p>	<p>As soon as possible after making a decision about the Order Proposal (i.e. whether to refuse, make modifications etc. to the Order Proposal), the respective local authority must publish on their website and in such other manner:</p> <ul style="list-style-type: none"> <li>• the ‘decision statement’</li> <li>• details of where and when the decision statement may be inspected; and</li> <li>• in the case of a decision mentioned in sub-paragraph (c), the report made by the examiner under paragraph 10 of Schedule 4B to the 1990 Act</li> </ul> <p>If the authority propose to make a decision which differs from that recommended by the examiner, it must notify the following people or groups of their proposed decision (and the reason for it) and invite representations.</p> <ul style="list-style-type: none"> <li>• the qualifying body</li> <li>• anyone whose representation was submitted to the examiner and</li> <li>• any consultation body that was previously consulted.</li> </ul> <p>Any representations must be submitted within 6</p>

Key Stages of Production	What the Councils Will Do
	weeks of the local planning authority first inviting representations.
<b>Regulation 26: Decision on an Order Proposal</b>	<p>As soon as possible after deciding to make a Neighbourhood Development Order, the respective Council must publish on their website and in such other manner:</p> <ul style="list-style-type: none"> <li>• a document setting out the decision and their reasons for making that decision (decision statement)</li> <li>• details of where and when the decision statement may be inspected; and</li> <li>• send a copy of the decision statement to the qualifying body; and any person who asked to be notified of the decision.</li> </ul>
<b>Regulation 27: Publicising a Neighbourhood Development Order</b>	<p>As soon as possible after making a Neighbourhood Development Order, the respective Council must publish on their website and in such other manner:</p> <ul style="list-style-type: none"> <li>• the Neighbourhood Development Order; and</li> <li>• details of where and when the Neighbourhood Plan may be inspected; and</li> </ul> <p>notify any person who asked to be notified of the making of the Neighbourhood Development Order that it has been made and where and when it may be inspected.</p>
<b>Regulation 30: Publicising a Modification</b>	<p>As soon as possible after modifying a Neighbourhood Development Order, the respective Council must publish on their website and in such other manner:</p> <ul style="list-style-type: none"> <li>• the 'modification document';</li> <li>• details of where and when the modification document may be inspected; and</li> <li>• give notice of the modification to the qualifying body and any person the Council previously notified of the making of the Neighbourhood Development Order</li> </ul>
<b>Regulation 31: Revocation</b>	<p>If a Neighbourhood Development Order is revoked by the Secretary of State or local authority, as soon as possible after revocation, the respective local authority must publish on their website:</p> <ul style="list-style-type: none"> <li>• the 'revocation document';</li> <li>• details of where and when the revocation document may be inspected; and</li> </ul> <p>give notice of the revocation to the qualifying body and any person the Council previously notified of the making of the Neighbourhood Development Order.</p>



## Referendum

- 3.12 The referendum is an important part of the process allowing those that live in the neighbourhood area to decide whether or not the Neighbourhood Development Plan or Neighbourhood Development Order comes into effect or not. This is direct democracy and outlines the importance of working with the wider community and securing their support at an early stage in the process. It is necessary that more than 50% of those voting in the referendum vote “yes” in order to bring the plan into force.
- 3.13 If successful at referendum, a neighbourhood plan will become part of the statutory development plan for the area.
- 3.14 The relevant local authority must make arrangements of the referendum<sup>9</sup> to take place. At least 28 working days before referendum and 56 working days before business referendum the Council must publish the information statement and specified documents on the website:
- The draft NDP
  - Examiners report
  - Summary of representations submitted to examiner
  - For a draft NDP a statement that the Council is satisfied that it meets the basic conditions and provisions as they apply
  - A statement that sets out general information as to town and country planning (and neighbourhood planning) and the referendum (prepared having regard to any guidance issued by SoS).

These documents will also be made available for inspection at the local authority offices.

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<sup>9</sup> Neighbourhood Planning (Referendum) Regulations 2012.

## 4. DEVELOPMENT MANAGEMENT

- 4.1 Both Councils will continue to carry out consultation with the community on planning applications in accordance with, or exceeding the minimum statutory requirements. Appendix 2 sets out in detail the Councils protocol for publicising planning applications. The provisions have been summarised below:

### The Weekly List of Planning Applications

- 4.2 A weekly list of applications validated and requiring statutory consultation will be published in the local press each week.
- 4.3 A weekly distribution list of all planning applications validated each week will also be produced in electronic form (and in exceptional cases in printed form) for:
- Councillors and internal departments
  - Clerks to Lancing Parish Council and Sompting Parish Council
  - Members of certain local civic and amenity groups

### Council Websites

- 4.4 There is a continuously updated search facility on the joint online planning facility for searching all planning applications validated or decided within any week selected (with an advanced search facility for any other period chosen). Any member of the public can now use the Adur & Worthing Planning Online 'Public Access' facility to:
- Search a constantly updated database of planning applications received and determined by the two Councils
  - View details, plans, documents and representations received for all current planning applications to the two Councils (and those determined since April 2011)
  - Comment on any current application using an online form. Personal details (i.e. phone numbers/email addresses) of persons making representations will normally be redacted from the representations of a highly personal or sensitive nature
  - Comments considered by the Council to be offensive or abusive will not be published
  - Monitor the progress of an application
  - View planning history of individual sites from June 1990 onwards.

The link is: <http://planning.adur-worthing.gov.uk/online-applications/>

- 4.5 It is also possible to look at the Planning Policy section of each Councils website, which includes policies set out in Local Plans or Core Strategies, as well as supplementary planning guidance and other documents (see Appendix 5 for weblink).

## Site Notices

- 4.6 Site notices will be displayed for 21 days on or close to the site of all planning applications which have been subject to a newspaper advertisement, and also for developments where neighbour notification letters cannot be sent because there are no readily identifiable neighbouring addresses.

## Neighbour Notification Letters

- 4.7 Neighbour notification letters will continue to be the primary means of publicising applications and will, as a minimum, be sent to the owner or occupier of premises adjacent to an application site.

## South Downs National Park Authority

- 4.8 Both Councils administrative boundaries overlap with that of the South Downs National Park Authority. Formal delegation ceased on 1<sup>st</sup> April 2017 with South Downs National Park Authority processing and determining all planning applications that fall within the South Downs National Park boundary.

## Pre-application Consultation Requirements

- 4.9 Both Councils strongly encourage detailed discussions with Planning Officers at the outset of any development proposal, also involving statutory and other consultees as necessary. This accords with the National Planning Policy Framework 2018 which emphasises the importance of pro-active pre-application engagement and front loading.
- 4.10 In addition, developers have a key role to play in involving the local community and other stakeholders in the design of their proposals at a preliminary stage prior to formalising their schemes for submission as a planning application. This can help resolve difficulties and misunderstandings and achieve a smoother application process that reduces decision time.
- 4.11 The Localism Act 2011 (section 122) makes it a mandatory requirement that developers engage in effective public consultation at an early stage and that they take the responses to the consultation into account before submitting their application. The detailed requirements have yet to be set out in a Development Order and consequently have not yet come into force.
- 4.12 In the meantime, Adur and Worthing Councils will expect to see evidence that developers have engaged in community consultation prior to submitting their applications if the development falls into the 'major' category or involves a formal Environmental Impact Assessment (EIA). 'Major' comprises:
- Any residential development of 10 or more homes
  - A residential outline application without any specified number—a site of at least 0.5 hectare
  - For any other development—a floor area of 1,000 square metres or more, or a site area of 1 hectare or more.

- 4.13 If developers consider their scheme inappropriate for such community engagement, for example because of the character of the particular location, they should agree this with Planning Services prior to formalising their scheme.
- 4.14 The public consultation process should be proportionate to the scale and impact of the scheme. This could include a combination of exhibitions, meetings, workshops, publicity in the local press, leaflet drops, questionnaires, etc. and it needs to include key stakeholders, amenity, business and other relevant groups. These applications, when submitted, will be expected to contain community involvement information on:-
- The steps and processes used to secure community involvement, including the relevant dates;
  - The extent of the area of consultation, including a list of properties and businesses contacted;
  - A list of interest groups or other bodies and organisations contacted;
  - A summary of all the comments received and issues raised;
  - A clear description of amendments to the scheme as a result of the comments received and the reasons why the other comments have not resulted in changes.
- 4.15 For smaller developments, down to the scale of householder extensions, the Councils also strongly encourage potential applicants to let neighbours know about their proposals before submitting their applications and to take their comments into account. This can be highly effective in enabling smoother processing of planning applications to achieve an outcome that is acceptable to all parties involved.

### **Viewing Planning Applications at Council Offices**

- 4.16 All Adur and Worthing planning applications can be viewed electronically at Portland House, Richmond Road, Worthing and the Shoreham Centre, Pond Road, Shoreham-by-Sea during normal working hours (Monday to Friday 9am to 5pm). Larger schemes may also be available in paper format.

### **Site Visits**

- 4.17 In processing a planning application the Case Officer will normally need to undertake a site visit in order to make an assessment of the potential impacts of the proposals. In most cases this will mean entering the application site, and sometimes a neighbouring property, particularly where a neighbour or other third party has raised a relevant issue. It will not always be practical to pre-arrange such visits.

## Commenting on Planning Applications

- 4.18 Members of the public can comment on any current planning application using the online planning application register found on the Councils website<sup>1</sup>. Comments can also be made in writing, by email or post, to Planning Services (Development Management) at Portland House (see Appendix 5 for contact details and website). Comments need to be received by Planning Services within the relevant consultation period. If received later, they may be taken into account if no decision has yet been made on the application concerned.
- 4.19 Comments are welcomed from any member of the community on individual planning applications provided they relate to relevant planning considerations, such as:-
- Visual impact on the street scene, design and scale or other visual amenity issues
  - Loss of light or privacy, or other residential amenity issues
  - Conservation of the built environment, including listed buildings
  - Protection of the countryside or beaches
  - Nature conservation and biodiversity
  - Flooding issues
  - Highway safety, traffic, accessibility or parking issues
  - Noise disturbance or pollution issues
  - Environmental sustainability and climate change issues.
- 4.20 The above are examples of the most common planning considerations but are not exhaustive. Comments can be made on matters that may not be listed above but are still of importance to either interested individuals or community groups or businesses. It should be noted that loss of property value or loss of a private view of a particular feature are, in themselves, not normally valid planning considerations, but there are exceptional situations where they can be. Matters of property law (such as breaches of covenants or boundary disputes) or moral, racial or religious views are also not normally valid planning considerations.

## Decisions on Planning Applications

- 4.21 The Councils can either grant permission (with or without conditions) or refuse an application by one of the following decision-making methods:-
- Under Delegation, decisions can be made by the Planning Officers in Development Management; or
  - By the respective Adur Planning Committee or Worthing Planning Committee (comprised of elected Councillors).

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<sup>1</sup> <https://www.adur-worthing.gov.uk/planning/applications/comment/>

- 4.22 Officer delegated decisions can be made as soon as the consultation period has elapsed. The Case Officer will take into account any material considerations, including any valid representations received, and will prepare a written report with a recommendation to the Planning Services Manager or one of the Principal Planning Officers (team leaders) who will then decide whether to authorise the decision.
- 4.23 The Planning Committees of each Council will decide those applications which fall outside the scope of the officer delegated powers. All applications classified as ‘major’ are decided by Planning Committee plus other applications if they have been ‘called-in’ by a Councillor or if they involve a ‘Departure’ from the Development Plan. The provisions are laid down in the ‘Scheme of Delegations to Officers’ forming part of the Constitution of both Councils. In addition, on some occasions Officers may consider an application gives rise to issues needing to be considered and decided on by the Committee.
- 4.24 In these instances, written reports are presented to the respective Planning Committee to enable them to consider the relevant issues, including any representations received, and then make a decision on the applications. The Committee meetings are open to the public. Applicants/agents and those who have made representations (both objectors and supporters) are given prior notice of the meeting when the application (in which they have an interest in) is being considered. This gives them the opportunity to register to speak at the Planning Committee meeting. Each Council has a Protocol for public speaking at Committee meetings and the arrangements currently differ slightly between the two Councils:
- Adur— details can be found at: <http://www.adur-worthing.gov.uk/meetings-and-decisions/committees/adur/planning/speaking/#public-speaking>
  - Worthing— details can be found at: <https://www.adur-worthing.gov.uk/meetings-and-decisions/committees/worthing/planning/speaking/>
- 4.25 All decisions on planning applications are viewable by the public on the Councils website. Decision notices as well as the Case Officer’s report are available to download by following the link to the Councils website: <http://planning.adur-worthing.gov.uk/online-applications>

## Appendix I - Specific Consultation Bodies

### Statutory Consultations

This appendix sets out the organisations who have been identified under the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 [S.I 2012 No. 767] that may have an interest in the proposals within a Development Plan Document.

### Local Planning Authorities:

- Arun District Council
- Brighton & Hove City Council
- Chichester District Council
- Crawley Borough Council
- Horsham District Council
- Mid Sussex District Council
- South Downs National Park Authority
- West Sussex County Council

### Parish Councils

- All Parish Councils within and adjoining Adur District (There are no Parish Councils in Worthing Borough)

### Other Organisations

- The Coal Authority
- The Environment Agency
- Historic England
- Network Rail Infrastructure Limited
- Highways England
- Homes England
- Marine Management Organisation
- Natural England
- The Secretary of State for Transport in relation to the Secretary of State's functions concerning railways
- Local Nature Partnerships
- Utility companies (Gas, Electricity, Sewage, Telecommunications and Water)
- NHS Trust
- Clinical Commissioning Groups
- Sussex Police
- HM Prison Service / National Offender Management Service
- Royal Mail Properties

## Appendix 2 - Publicising Planning Applications

### Publicising Planning Applications

- 1.1 The Councils will comply, as a minimum, with statutory requirements for publicising applications for planning permission, Listed Building consent, Conservation Area consent and will also carry out non-statutory publicity for other types of application where considered appropriate (e.g. applications for approval of reserved matters, for advertisement consent, for works to trees subject to Tree Preservation Orders (TPOs) and for Hazardous Substances consent).

### Local Newspapers

- 1.2 Local advertisements will be placed under 'Public Notices' in the Worthing Herald, Lancing Herald and Shoreham Herald weekly newspapers, listing those planning applications validated during the preceding week for which this type of publicity is statutorily required. These include those:
- Affecting character or appearance of a Conservation Area or the setting of a Listed Building
  - For Listed Building consent; or for Conservation Area consent
  - For residential developments of 10 or more dwellings or on sites of 0.5 hectare or more
  - For other developments which create floorspace of 1,000 square metres or more or are on sites of one hectare or more
  - Accompanied by an Environmental Impact Statement
  - For development which is a Departure from the Development Plan
  - For development affecting a Public Right of Way.
- 1.3 In addition, newspaper publicity may also be undertaken for proposals considered by the Planning Officer likely to create wider concern (e.g. generating substantial noise, smell, vibration, dust, crowds or traffic; or including very tall buildings, or felling of trees subject to a TPO). Applications for Hazardous Substances consent are required to be publicised in the local newspaper by the applicant prior to submitting the application.

### Site Notices

- 1.4 Site Notices will be displayed for all those types of applications for which publicity is statutorily required, namely those:
- Affecting character or appearance of a Conservation Area or the setting of a Listed Building
  - For Listed Building Consent; or for Conservation Area Consent
  - Accompanied by an Environmental Impact Statement
  - For development which is a Departure from the Development Plan
  - For development affecting a Public Right of Way.
- 1.5 In addition, site notices will also be displayed for:-
- residential developments of 10 or more dwellings or on sites of 0.5 hectare or more
  - other developments which create floorspace of 1,000 square metres or more or are on sites of one hectare or more.



- 1.6 Site notices may also be displayed for proposals considered by the Planning Officer to be likely to create wider concern (e.g. generating substantial noise, smell, vibration, dust, crowds or traffic; or including very tall buildings, or felling of trees subject to a TPO).
- 1.7 Site Notices will be displayed for developments where neighbour notification letters cannot be sent because there are no readily identifiable neighbouring addresses. Although neighbour notification letters will continue to be the primary means of publicising applications, increasingly there will be circumstances where it is considered more appropriate or proportionate to publicise an application by means of a site notice instead. This is because neighbour letters are costly and it is not always the best use of scarce resources. For examples, it would be much better practice to put up a site notices for an application that is very minor in nature, rather than send neighbour letters to all the occupiers of a large flat block.
- 1.8 A site notice will normally be displayed on the highway frontage of the site concerned. More than one site notice may be displayed for large sites with more than one highway frontage.

### **Neighbour Notification**

- 1.9 Written notification will be the normal means of consultation. Letters will be sent to owners or occupiers of properties adjoining an application site for all applications for planning permission, Listed Building Consent, Conservation Area Consent, Hazardous Substances consent, and approval of reserved matters.
- 1.10 In the case of applications for advertisement consent and works to trees subject to Tree Preservation Orders, the need for notification will be considered on a case by case basis depending upon whether the proposal is of more than a minor nature.
- 1.11 'Adjoining' will be taken to mean those properties sharing a common boundary with the application site. In cases where there is a road adjoining the site, unless the proposal is of a minor nature and not significantly affecting the application site as seen from the front, those properties directly opposite the application site will also be notified if the road concerned is less than 20m wide. Additionally, properties further away from an application site will also be notified if, in the opinion of the Planning Officer, the development is likely to have a wider impact.
- 1.12 Where minor proposals, such as replacement windows or works to protected trees, adjoin or are situated within a development of flats, neighbour notification will normally only be undertaken with those flats that adjoin the proposal or are considered by the Planning Officer to be directly affected.
- 1.13 Where an application is amended during the period prior to its determination, although there is no statutory requirement, discretionary re-notification will be undertaken. Consideration will be taken as to whether or not earlier representations were made and the significance the changes in relation to those representations, as well as in relation to the characteristics of the application as originally submitted before this is carried out. Neighbours and other third parties will be notified of revisions to a planning application where the revisions are considered to raise new or different impacts compared to the original submission. Re-notification will not normally take place where a planning

application has been amended to satisfactorily address a particular issue and which does not result in new impacts.

### **Councils Website<sup>1</sup>**

- 1.14 Details of all applications falling within the categories listed above will be published on the Councils websites in accordance with the statutory requirements and, in addition, so will the details of all other applications.

Time given for submission of representations:

- Newspaper advertisements – 14 days/ 21 days from the date of publication of the newspaper (the 21-day period relating solely to applications relating to Listed Buildings and Conservation Areas);
- Website - 14 days/ 21 days from the date of publishing the information (the 21-day period relating solely to applications relating to Listed Buildings and Conservation Areas);
- Site Notices - 21 days from the date of display of the Notice;
- Neighbour notification letters - 21 days from the date of the letter;
- Re-notification letters (e.g. revision to plans etc.) - 7 days from the date of the letter.

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<sup>1</sup> <https://www.adur-worthing.gov.uk/>

## Appendix 3 – Planning Aid

- 1.1 Both Councils realise that planning can be a complex and technical area for the public to fully understand. To help the community to engage with planning, there is a source of free information that the community may find useful for information gathering and understanding of the planning system.
- 1.2 Planning Aid provides free independent and professional help, advice and support on planning issues to people and communities who cannot afford the services of a planning consultant.
- 1.3 Planning Aid complements the work of local authorities but is wholly independent of them. In most UK regions, Planning Aid is operated by the Royal Town Planning Institute (RTPI). In this area, the relevant contact is Planning Aid South.
- 1.4 Planning Aid offers two main services:
  - Free and independent casework advice from a qualified planner;
  - Community planning activities (training, information and facilitation for groups about how planning may be affecting your community).
- 1.5 For this region there is a Caseworker (who is fully qualified to give independent advice and who will sometimes hand cases over to a volunteer) and a Community Planner who works alongside communities in helping to plan their neighbourhood.
- 1.6 Residents and businesses can use the tools on the RTPI website <http://www.rtpi.org.uk/planning-aid/> to find out about the services available, including how to qualify for Planning Aid assistance and how to make contact.

## Appendix 4 – Glossary

Term	Definition
<b>Authorities' Monitoring Report (AMR)</b>	An annual report setting out the performance of policies based on core and local indicators. It also measures the progress of documents set out in the Local Development Scheme.
<b>Area Action Plans (AAP)</b>	Area Action Plans are used to provide the planning and implementation framework for areas where significant changes are envisaged. They are a type of Development Plan Document.
<b>Community Infrastructure Levy (CIL)</b>	The Community Infrastructure Levy (CIL) is a charge which local authorities will be empowered (but not required) to charge on most types of new development in their area. CIL charges will be based on simple formulae which relate the size of the charge to the size and character of the development paying it. The proceeds of the levy will be spent on infrastructure to support the development of the area.
<b>Development Plan</b>	At the time of writing this includes adopted Local Plans, neighbourhood plans (where they exist) and is defined in section 38 of the Planning and Compulsory Purchase Act 2004.
<b>Development Plan Documents (DPD)</b>	Development Plan Documents are a type of Local Development Document, and constitute part of the Local Development Framework. They contain policies and proposals for development, and are subject to consultation and independent examination. They carry significant weight in determining planning applications.
<b>Localism Act (2011)</b>	An Act which allows greater freedom and flexibility for Councils and local people to decide how their Councils should be governed. The Act passes significant new rights direct to communities and individuals, relating to planning and other activities.
<b>Local Development Document (LDD)</b>	LDDs comprise of a range of Local Development Documents. These can be Development Plan Documents or Supplementary Planning Documents. The Statement of Community Involvement is also a LDD.
<b>Local Development Framework (LDF)</b>	The collective term for the set of Local Development Documents which will, collectively deliver the spatial planning strategy for the area.
<b>Local Development Scheme (LDS)</b>	This is a statement of the Council's programme for the production of Local Development Documents. It will be revised where necessary – for example, as a result of the Annual Monitoring Report, or if there is a need to prepare new Local Development Documents.
<b>Local Enterprise Partnership (LEP)</b>	The NPPF defines this as a body, designated by the Secretary of State for Communities and Local Government, established for the purpose of protecting and improving the conditions for economic growth in an area.
<b>Local Strategic Partnership (LSP)</b>	A group of public, private, voluntary and community organisations and individuals that is responsible for preparing Adur and Worthing's Sustainable Community Strategy.

<b>Major Development</b>	Major development is defined in the Town & Country Planning (Development Management Procedure) (England) Order 2010 as: 10 or more dwellinghouses, or sites of 0.5 hectares or more where it is not known if the development will have 10 or more dwellinghouses; the provision of a building or buildings where the floorspace to be created is 1,000 sqm or more; or development on sites of 1 hectare or more).
<b>Minor Development</b>	Minor development is defined in the Town & Country Planning (Development Management Procedure) (England) Order 2010 as: 1-9 dwellings / under .5HaOffice/light industrial - Up to 999 sqm/ under 1 Hectare General Industrial - Up to 999 sqm/ under 1 Hectare Retail - Up to 999 sqm/ under 1 Hectare Gypsy/Traveller site - 0-9 pitches
<b>Mixed-use developments</b>	A development that contains two or more uses e.g. residential, employment, leisure, community uses.
<b>Planning Obligations</b>	Planning Obligations are secured through Section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal and are a legally enforceable obligation.
<b>Policies Map</b>	A map on an Ordnance Survey base that forms an integral part of the LDF and which identifies sites/areas to which particular policies apply.
<b>Stakeholder</b>	Any individual or group with an interest in the future planning of the area.
<b>Statement of Community Involvement (SCI)</b>	Document which sets out the standards to be achieved by the local planning authority in involving the community in the preparation of documents within the Local Development Framework and planning applications. The SCI enables the community to know how and when they will be involved in the preparation of Local Development Documents and how they will be consulted on planning applications.
<b>Supplementary Planning Document (SPD)</b>	Supplementary Planning Documents (SPDs) provide detail to support policy in higher level Development Plan Documents (DPDs). They undergo a more straightforward preparation process than DPDs and they are not subject to independent scrutiny by a planning inspector. They are Local Development Documents, and form part of the Local Development Framework.
<b>Sustainability Appraisal (SA)</b>	The Planning and Compulsory Purchase Act (2004) requires Local Development Documents to be prepared with a view to contribute to the achievement of sustainable development. A Sustainability Appraisal is a systematic process, to appraise the social, environmental and economic effects of the strategies and policies in a Local Development Document. The SA process incorporates Strategic Environmental Assessment.

## Appendix 5 – Contact Details

### Planning Policy

(e.g. Local Plan, Supplementary Planning Documents, Neighbourhood Planning)

**Postal Address:** Adur & Worthing Councils, Planning Policy, Worthing Town Hall,  
Chapel Road, Worthing , West Sussex, BN11 1HA

**Telephone:** (01273) 263000

**Email:** [planning.policy@adur-worthing.gov.uk](mailto:planning.policy@adur-worthing.gov.uk)

**Website:** [www.adur-worthing.gov.uk/planning-policy/](http://www.adur-worthing.gov.uk/planning-policy/)

### Development Management

(e.g. Planning Applications & Enforcement)

**Postal Address:** Adur & Worthing Councils, Planning Services, Worthing Town Hall,  
Chapel Road, Worthing , West Sussex, BN11 1HA

**Telephone:** (01903) 221065

**Email:** [planning@adur-worthing.gov.uk](mailto:planning@adur-worthing.gov.uk)

**Website:** [www.adur-worthing.gov.uk/planning/applications/](http://www.adur-worthing.gov.uk/planning/applications/)

## Appendix 6 – Privacy Notice

### What this Privacy Notice covers

This Privacy Notice explains how the Council(s) use information in the course of our Planning Policy work as a local planning authority. This work includes:

- Preparing Local Plans and associated planning policies / guidance
- Working with neighbourhoods on their plans
- Working with neighbouring authorities on strategic policies
- Monitoring development

Adur & Worthing Councils are the data controllers (referred to in this notice as 'we' or 'us') of your personal data for the purposes of applicable data protection legislation in relation to statutory plan making and associated Planning Policy work.

In relation to your personal data we are committed to collecting, using and protecting it appropriately. This privacy notice explains

- How and why we collection and use your personal data
- The type of personal data that we collect
- When and why we will share personal data with other organisations
- The rights and choices you have in relation to the personal data that we hold about you

### Why we need your personal data

The Planning Policy Team collects personal data to fulfil our statutory duty and help us deliver sustainable development. Processing this data is necessary for the performance of a task (statutory plan making and associated policy work) carried out in the public interest or in the exercise of official authority vested in the Council.

We are relying on GDPR Article 6(1)(a) & (e) as the lawful basis for processing

### What we collect and how it is used

We collect names, addresses and other contact details. However, when publishing the representations received during a consultation we will only publish the name of the individual respondent or the organisation that they represent. All other personal information will be omitted or redacted - this includes the contact details and signatures of individuals.

On rare occasions the Council might decide that it is necessary, justified and lawful to disclose some personal data but in these circumstances we will let you know our intention before publication.

We may share personal data with other departments within the Councils. We will not provide personal data to anyone else or use the data about you for any other purpose unless the law allows or requires us to.

When planning documents are formally submitted for Examination representations made on the document in question will also be shared with the appointed Planning Inspector (this is in line with the Town and Country Planning Regulations).

In the case of Neighbourhood Plans, the Planning Policy Team is responsible only for that data collected as a result of Adur and Worthing Councils' duties in respect of Neighbourhood Plans. It is not responsible for data collected by Parish Councils or Neighbourhood Forums in the establishment or development of a Neighbourhood Plan.

### **Planning Policy Consultee Database / Newsletter**

All interested parties are able to subscribe to receive newsletters from the Planning Policy Team and can request to be added to the Planning Policy Consultee Database. All those on the database will be forwarded a copy of the newsletter and will be notified when any relevant documents are published.

If you subscribe to a newsletter or request to be added to our consultee database, we will not pass your details on to any third parties. Contact details will be stored confidentially, in accordance with the GDPR. You will also be offered the opportunity to unsubscribe at any time through the newsletters / documentation you receive.

### **How long the information is kept for**

Records are kept in accordance with the Council's disposal schedule and we will not keep your information for longer than necessary.

### **Your rights**

You have certain rights under UK Data Protection law including:

- The right to be informed
- The right of access to your personal data
- The right of rectification (to have any inaccuracies corrected)
- The right of erasure (to have your records deleted)
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

Further [information about your rights is available on the website of the Information Commissioner's Office](#). If you have a concern about the way that we are collecting or using your



personal data, we ask that you contact us in the first instance. Alternatively, you can [contact the Information Commissioner's Office](#).

### **How to contact us**

If you have any questions about how we collect, store, or use personal data please:

- Telephone us on 01273 263009 (Planning Policy)
- Email us on [planning.policy@adur-worthing.gov.uk](mailto:planning.policy@adur-worthing.gov.uk)

The Councils' Data Protection Officer can be contacted at:

- Adur & Worthing Councils  
Worthing Town Hall  
Chapel Road  
Worthing  
West Sussex  
BN11 1HA
- Email: [data.protection@adur-worthing.gov.uk](mailto:data.protection@adur-worthing.gov.uk)

**Adur & Worthing Councils  
Planning Policy  
Portland House  
44, Richmond Road  
Worthing  
West Sussex  
BN11 1HS**



**ADUR & WORTHING  
COUNCILS**