



WORTHING BOROUGH COUNCIL

14 January 2018

Worthing Planning Committee

Date: 23 January 2019

Time: 6:30pm

Venue: Gordon Room, Stoke Abbott Road, Worthing

Committee Membership: Councillors Paul Yallop (Chairman), Alex Harman (Vice-Chair), Noel Atkins, Richard Mulholland, Hazel Thorpe, Nicola Waight, Paul Westover and Steve Wills.

NOTE:

Anyone wishing to speak at this meeting on a planning application before the Committee should register by telephone (01903 221006) or e-mail

democratic.services@adur-worthing.gov.uk before noon on Tuesday 22 January 2019.

Agenda

Part A

1. Substitute Members

Any substitute members should declare their substitution.

2. Declarations of Interest

Members and Officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

Members and Officers may seek advice upon any relevant interest from the Monitoring Officer prior to the meeting.

3. Confirmation of Minutes

To approve the minutes of the Planning Committee meetings of the Committee held on Wednesday 19 December 2018, which have been emailed to Members.

4. Items Raised Under Urgency Provisions

To consider any items the Chair of the meeting considers urgent.

5. Planning Applications

To consider the reports by the Director for the Economy, attached as Item 5.

6. Public Question Time

So as to provide the best opportunity for the Committee to provide the public with the fullest answer, questions from the public should be submitted by midday on Monday 21 January 2019.

Where relevant notice of a question has not been given, the person presiding may either choose to give a response at the meeting or respond by undertaking to provide a written response within three working days.

Questions should be submitted to Democratic Services - democratic.services@adur-worthing.gov.uk

(**Note:** Public Question Time will last for a maximum of 30 minutes)

7. Updated Adur and Worthing Statement of Community Involvement : Draft for Consultation

To consider the report by the Director for the Economy, attached as Item 7.

8. Proposed Revision to Pre-Application Charging

To consider the report by the Director for the Economy, attached as Item 8.

Part B - Not for publication - Exempt Information Reports

None

Recording of this meeting

The Council will be voice recording the meeting, including public question time. The recording will be available on the Council's website as soon as practicable after the meeting. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Heather Kingston Democratic Services Officer 01903 221006 heather.kingston@adur-worthing.gov.uk	Edwina Adefehinti Locum, Legal Services 01903-221358 edwina.adefehinti@adur-worthing.gov.uk

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.



WORTHING BOROUGH
C O U N C I L

Planning Committee
23 January 2019

Agenda Item 5

Ward: ALL

Key Decision: ~~Yes~~ / No

Report by the Director for Economy

Planning Applications

1

Application Number: **AWDM/0413/18** Recommendation – Refuse
&

AWDM/0414/18

Site: **Coach And Horses, Arundel Road, Worthing**

Proposal: **Retrospective application for previously approved AWDM/0803/16. Amendments to kitchen link extension and alterations to existing outbuilding plus siting of cold store compressor unit on west elevation of kitchen link extension.**

AWDM/0414/18

Application for Listed Building Consent for retention of amendments to previously approved AWDM/0805/16. Amendments to kitchen link west wall re-siting of cold room compressor unit, raising of kitchen floor, removal of existing window to north elevation and replacement with door.

2

Application Number: **AWDM/1673/18** Recommendation – Approve

Site: **24 Wordsworth Road, Worthing**

Proposal: **Change of use of House in Multiple Occupation for 6 persons (Use Class C4) to House in Multiple Occupation 8 rooms for 9 persons (Use Class Sui Generis).**

3

Application Number: **AWDM/1593/18** Recommendation – Approve

Site: **Central Pavilion, Beach House Park, Lyndhurst Road, Worthing**

Proposal: **Replace all steel Crittall windows and timber single glazed doors with aluminium double glazed units to all elevations including balconies.**

Application Number: AWDM/0413/18

Recommendation – REFUSE

Site: Coach And Horses Arundel Road Worthing West Sussex

Proposal: Retrospective application for previously approved AWDM/0803/16. Amendments to kitchen link extension and alterations to existing outbuilding plus siting of cold store compressor unit on west elevation of kitchen link extension.

Applicant: C & D Partnership
Case Officer: Jo Morin

Ward: Northbrook

Application Number: AWDM/0414/18

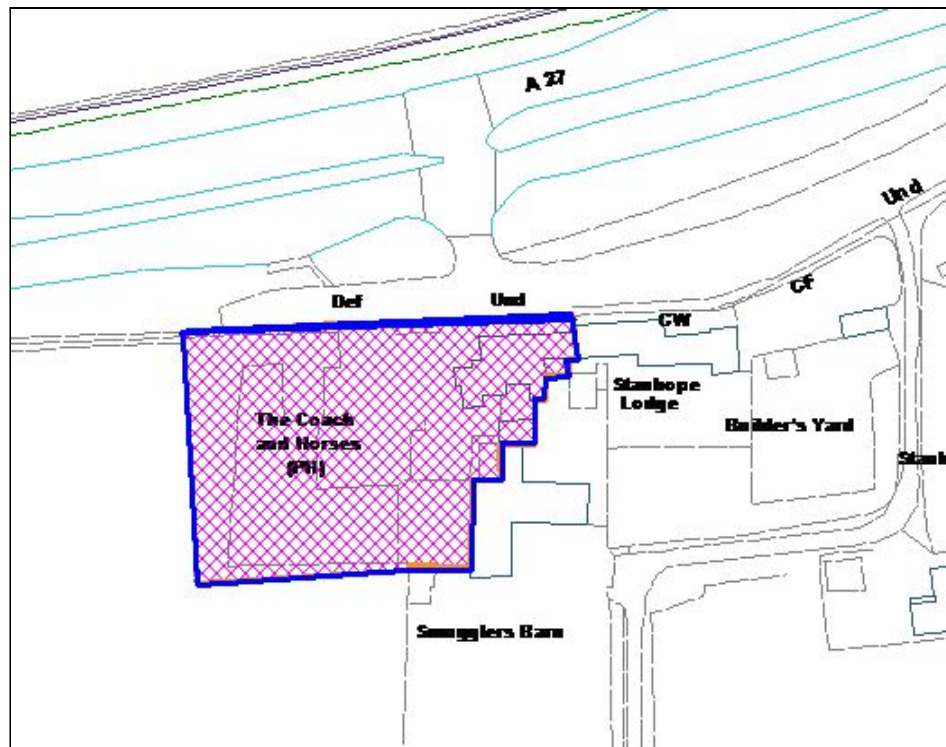
Recommendation – REFUSE

Site: Coach And Horses Arundel Road Worthing West Sussex

Proposal: Application for Listed Building Consent for retention of amendments to previously approved AWDM/0805/16. Amendments to kitchen link west wall re-siting of cold room compressor unit, raising of kitchen floor, removal of existing window to north elevation and replacement with door.

Applicant: C & D Partnership
Case Officer: Jo Morin

Ward: Northbrook



Not to Scale

Site and Surroundings

The application relates to the Grade II Listed Coach & Horses Public House and associated car park and pub garden located just to the south of the A27 (Arundel Road). It forms part of a group of buildings located outside of the designated 'built-up' area of Worthing accessed from a vestigial section of the old Arundel Road.

Adjoining to the east is Stanhope Lodge, a C18, 2-storey, Listed, brick-built dwelling attached to the public house by a flint-built former outbuilding. At its eastern end, the private road adjoins an unmade track (a Public Right of Way) which provides vehicle access to a number of the dwellings in the group including Smuggler's Barn, (formerly Stanhope Barn) a converted farm building enlarged by extensions carried out in a rustic style. Beyond Smuggler's Barn, the track narrows to a footpath and traverses southwards across fields to link with the new development taking place at West Durrington.

The site lies on the very edge of the Borough boundary. The South Downs National Park adjoins the north side of the A27.

The site lies to the north of the West Durrington Urban Extension where 700 dwellings (and associated infrastructure and facilities) are under-construction in accordance with the West Durrington Strategic Allocation. Planning Committee has resolved to grant outline planning permission for up to a further 240 dwellings (AWDM/1882/16 refers) on the agricultural land directly adjoining the site to the south and west (identified on the Proposals Map as the West Durrington Potential Future Development Area).

Background and Proposal

Conditional planning and listed building consent was granted under AWDM/0803/16 and AWDM//0805/16 for various additions, extensions and alterations to the public house and development within its curtilage comprising:-

- i) a detached two-storey hotel annex building containing 14 guest bedrooms located to the south-west of main public house;
- ii) demolition of the existing toilet block attached to the west side of the pub and development of a replacement toilet block and dining room extension adjoining the west and south elevations of the pub;
- iii) erection of a single-storey link extension between the existing kitchen and detached rear storage barn/outbuilding; and
- iv) extension of the car park to south and west side of the site.

A single-storey extension has been built between the rear (south) of the main public house building linking the kitchen to the detached storage barn/outbuilding across the small yard to the south. The extension is larger, with a different footprint to that approved under AWDM/0803/16 and AWDM/0805/16 and different detailed design. Retrospective planning permission and listed building consent is sought to retain the

single-storey extension as built together with associated alterations to the detached barn/outbuilding to form a cold store and wine/spirit store.

The above-mentioned hotel annex building is currently under construction and nearing completion. This is despite the fact that a number of the conditions of the planning permission AWDM/0803/16 have not been approved owing to the submission of either inadequate or insufficient information. In due course consideration will need to be given to the expediency of pursuing enforcement action in respect of a breach of conditions, but that is a separate matter to the retrospective applications under consideration here.

The applicant has indicated that there are no plans at present to carry out the replacement toilet block and restaurant extension approved under AWDM/0803/16 and AWDM/0805/16.

This report deals with the current applications for planning permission and listed building consent.

Consultations

Highways England: No objection.

West Sussex County Council: The Local Highway Authority comments that in comparison to the approved application there are no modifications that would have any bearing on the previously submitted comments from WSCC.

Sussex Police: The Crime Prevention Design Advisor comments that the application does not meet the agreed criteria for consultation, draws the applicant's attention to general crime prevention advice and in particular the Secured By Design Commercial Development document (2015).

South Downs National Park Authority: No comments.

Adur & Worthing Councils:

The Conservation and Design Officer comments as follows:-

“Permission was granted to construct a narrow corridor link through the rear yard of the Coach and Horses Public House to an existing outbuilding following negotiations between the Council and the building owners. The link was carefully detailed to have a minimal impact on both buildings, and would respect the main entrance door from the yard into the external store.

The external store is a curtilage building to the Listed Coach & Horses, and would have been part of a group of outbuildings probably used for stabling in the nineteenth century. Due to the width and form of the link as constructed, major alterations have been necessary to the external store and these have been detrimental to the store and the setting of the listed building.”

The Environmental Health Officer comments as follows:-

"I visited the site [September 2018] and met with the refrigeration engineer and Kestrel Design. We inspected the cold room. They confirmed that this is a stand-alone unit which is surrounded by 100mm of insulation and 100mm air gap. Inside the walk in fridge there is an internal unit containing two fans.

Standing within the wines and spirits store (with the internal door closed) the fan noise was only faintly audible. I am satisfied that with the additional solid brick party wall there should be no significant disturbance from the cold rooms internal fan noise within the adjoining property.

I raised concern about the potential noise disturbance caused by the door of the walk in fridge being slammed shut. The landlord advised me that this door could not be slammed as the lock does not engage so it needs to be pushed shut. This fridge is not used regularly, items required regularly are stored in the smaller fridges closer to the kitchen for easy access.

We went outside and viewed the external refrigeration plant which is currently on the external side of the wines and spirits store by the fence. I was advised that the land to the south of this fence is owned by the pub (currently an old garage). When operating the noise from the external unit was surprisingly low, the noise of the road was definitely the dominant noise source. The current position of this plant is acceptable from a noise perspective and I do not believe any neighbours would be disturbed by this plant in the current position."

Worthing Conservation Advisory Committee: Strong objection to the amended enlarged footprint of the link and the resultant changes to the existing listed fabric of the buildings. Object to the air conditioning unit.

Arun District Council: No comments received.

Representations

An objection has been received from the occupiers of Smugglers Barn commenting as follows:-

- i) Cold Store Compressor: The addition of the cold store compressor unit on the west elevation is a significant concern. The completed building works has led to our property being attached to the main building (rather than just the outside store as before). The compressor unit has the potential to cause noise and vibration issues within our property. This will likely increase as time goes by and the unit degrades with use. Consideration should be given to siting the unit elsewhere giving proper consideration to the impact of its placement.
- ii) It is frustrating that additional and unapproved doors have been added without consultation. We hope that some consideration will be given to how these doors are opened and closed. In a busy business environment it is tempting to walk to stores quickly and may lead to slamming doors. Soft-closing doors should be considered.
- iii) The increased kitchen size should increase productivity and could encourage more noisy appliances and more staff. The smells that get extracted from the kitchen are already very strong and regularly smelled from our property.

- iv) The wine and spirits store is another addition that was not part of the original plan and has the potential to cause noise disturbance just the other side of our dividing wall. Delivery operative stocking the room may be less considerate in keeping noise to a minimum.
- v) It is completely unacceptable that the owner and/or project managers and contractors have disrespected the planning process, local residents and the heritage of the building by carrying out works which do not accord with the approved plans. We are increasingly distrusting of the project and its outcomes.
- vi) We thought it was agreed the car park would not be loose gravel due to the noise.
- vii) There is little detail to show how sewage waste will be dealt with.

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

The Committee should consider the application for Listed Building Consent in accordance with:

Section 16 Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Special regard shall be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Relevant Planning Policies and Guidance

Worthing Core Strategy 2006-2026 (WBC 2011): Policy SO3, 5, 13, 11, 16
 Worthing Local Plan (WBC 2003) (saved policies): RES7, H18, TR9
 Supplementary Planning Document 'Sustainable Economy' (WBC 2012)
 'Infrastructure Delivery Plan' (WBC 2010)
 Supplementary Planning Guidance 'WSCC Parking Standards and Transport Contributions' (WBC 2005)
 National Planning Policy Framework (2018)
 National Planning Practice Guidance

Planning Assessment

Principle

The application site is located outside of the existing built-up area boundary where new development is normally resisted. However, the previously approved

applications for the development of new and expanded facilities at the public house were supported in the context of national planning policy within the NPPF and Development Plan policies (including Strategic Objective 3 and CS Policy 5) that seek to promote sustainable economic growth by supporting local businesses and (amongst other things) upgrading of the existing cultural, leisure and tourism 'offer' of the town in order to attract more visitors and to help create new jobs and prosperity.

Thus, as before, there is no objection in principle to the rear extension and associated alterations as built, the key considerations are the effects on the historic significance of the listed building and on the amenities of nearby residential occupiers.

The Historic Environment

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. It goes on to state that any harm, or loss of significance should require clear and convincing justification.

Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefit of the proposal including, where appropriate, securing its optimum viable use.

A Historical Report commissioned by the applicant in respect of the former applications AWDM/0803/16 and AWDM/0805/16 investigated the former ownerships and history of the pub building and concluded that it started life in the mid-C17 as an agricultural building – probably a barn – that was converted to an inn c.1741 known as The Rose and Crown Inn. Elements of the earlier barn were found to be still evident in the roof structure of the pub. Adjoining to the east, Stanhope Lodge, and the outbuildings behind (south) of the pub form a dense group of a similar age. The Heritage Statement accompanying the applications states that examination of historic Ordnance Survey maps suggests that the physical generality of this group has changed little since 1875, although the converted barns further beyond to the south are difficult to reconcile with earlier maps. [Smugglers Barn, in any event, is not listed.] The submitted Heritage Statement goes on to explain that the pub has been extended in a variety of phases, with a C19 wing to the south-west, and a more modern C20 2-storey infill extension with a flat roof to the rear. The parapet flat-roofed toilet block on the west side is also a C20 addition.

The historic significance of the existing building derives from its early origins and long history of use as an inn, having been altered and enlarged incrementally and evolving over time. Adjoining to the east, Stanhope Lodge is also of historic importance, forming part of the group. Built as a domestic building, the oldest part dates roughly from the time the inn was established c.1741.

As approved under AWDM/803/16 and AWDM/0805/16 the rear kitchen extension was designed as a narrow, flat-roofed link (gross internal floor area 11.5sqm), attaching the rear of the pub to the detached barn/outbuilding used as stores. It involved blocking up an existing ground-floor window opening in the C20 rear infill addition to the pub together with the creation of a new opening in the north side of the barn/outbuilding. It was considered that in view of its position on the less historically sensitive part of the building, in addition to its modest size and simple form, it would not result in any harm to the historic importance of the building.

The alignment of the north part of the single-storey extension where it is attached to the rear (south) of the public house accords with the approved plan, but the southern element dog-legs out extending further westward into the rear courtyard by between 0.9 to 1.3 metres. As built, the extension has a gross internal floor area of 16.5sqm. Its siting further westward where it attaches to the barn/outbuilding has necessitated blocking up an external door in the north elevation of the barn/outbuilding which opened into the courtyard. A former window opening positioned further west in the north elevation of the barn/outbuilding has been altered to form a new external door into the courtyard instead. At present, the new door is a plain, modern utilitarian-looking door. The submitted drawings show it would be replaced with a more traditional vertical-boarded door.

Other changes compared to the approved drawing include a slight difference to the proportions of the windows (consisting of small-paned, white-painted, timber casements), a change in the design to the 2 no. external timber doors and the addition of external steps to accommodate the difference in ground levels between the rear of the pub and the barn/outbuilding, which is on marginally lower ground. As approved, the layout shows an internal step down into the extension from the kitchen and a further internal step approximately midway along its length. The applicant has stated that raising the floor level within the extension as built was necessary to overcome a health and safety hazard for kitchen staff.

Although these differences seem relatively subtle in themselves, the Council's Conservation Architect is concerned that what was approved under AWDM/0803/16 and AWDFM/0805/16 as little more than a corridor linking the kitchen to existing external stores, is now a functioning kitchen extension. [Indeed, when initially inspected by Officers there was an oven within the built extension, although it is understood this has since been removed.] The impact of this in terms of the historic significance of the building is that the extension as built encroaches further into the rear yard and 'covers up' a greater proportion of the north elevation of the detached barn/outbuilding, weakening the historic distinction between the public house and the ancillary nature of the former barn/outbuilding. Notwithstanding that the harm can be considered, less than substantial, there is no clear or convincing justification for it.

Visual Amenity

The single-storey extension is located to the south of the public house building within the rear courtyard. The latter was previously enclosed on the east side by a tall brick wall forming the eastern site boundary with Smugglers Barn, and which now forms the side wall of the extension. The west side of the courtyard is enclosed by a dark-stained vertical-boarded timber panel with access gates, sited between

the rear south-west wing of the pub and the western end of the rear barn/outbuilding. The timber panel is approximately 3 metres high. Photographic records indicate that it has been in situ since at least the beginning of 2015 (and probably earlier). It effectively screens views of the rear extension from the external terrace and open parking area to the west side of the pub. The implementation of the restaurant and replacement toilet block extension at some point in the future (permission for which remains extant) would result in an even narrower angle of view of the rear extension from the west.

The compressor unit which serves the cold room (located within the barn/outbuilding) has been fixed to the west side gable wall of the latter building. It is visible from the external sitting-out terrace although partially screened (in the Summer at least) by the foliage of a tree growing close to the west side wall of the barn. Nevertheless it is an unsightly and utilitarian addition to the curtilage building. The submitted plans propose the compressor unit re-located to a position below the northernmost window on the west elevation of the single-storey extension, where it would be screened in views from outside the courtyard by the above-mentioned timber panel.

Residential Amenity

The main property affected by the proposals is 'Smugglers Barn' adjoining to the south and east.

Smugglers Barn is made up from a series of converted former farm buildings which have been altered and enlarged. The main aspect of the dwelling is south-facing over a large, landscaped garden. However, part of the accommodation of Smugglers Barn (a kitchen) is located within a former barn which is physically joined to the above-mentioned storage barn/outbuilding within the grounds of the Coach & Horses.

The extension as built has had no physical impact on the amenities of Smugglers Barn, being no taller than the pre-existing tall brick wall which forms the common boundary.

The drawings approved under AWDM/0803/16 and AWDM/0805/16 included the formation of a new cold store within the outbuilding adjacent to the internal party wall with Smugglers Barn. A condition of the planning permission required details of a scheme to protect the occupiers of Smugglers Barn from noise emissions from plant and equipment associated with the formation of the cold store to be agreed and implemented prior to occupation.

The works within the barn/outbuilding to form the cold store have been carried out without approval of the planning condition under AWDM/0803/16. As part of the current application, the applicant has confirmed that the cold store is a self-contained, fully insulated unit and is separated from the party wall by a stud wall comprising 100x50mm studding covered in plasterboard and plastered; insulation between the wall and the stud wall; and an insulated ceiling above the whole area. Having visited the premises, the Council's Environmental Health Officer is satisfied that the insulation of the self-contained cold store unit should not give rise to unacceptable noise nuisance for the occupiers Smugglers Barn.

The compressor unit currently fitted on the west side of the building is required to circulate the refrigerant within the cold store. The submitted drawing shows it re-sited on the west wall of the extension (fitted on anti-vibration mountings) in order to overcome concerns about its visual impact in its current location. Conflicting information has been submitted in respect of noise emissions from the compressor unit. On visiting the premises, the Council's Environmental Health Officer is satisfied that noise from compressor unit in its current location is barely audible above the all-pervasive road traffic noise from the A27, and would not have any adverse impacts on the amenities of neighbours. However, the information submitted to date is insufficiently clear to be able to ascertain whether noise emitted from the unit in its re-sited position would be satisfactory, given it would be closer to the eastern site boundary than at present. However, this matter could likely be addressed by requiring such technical clarification as necessary to be submitted as a condition of planning permission, if all other material considerations were found to be acceptable.

Accessibility and parking

The Highway Authority has confirmed that the alterations to the kitchen extension resulting in an increase in floor area of 5sqm has no implications for parking or highway safety matters compared to the previously approved scheme.

Conclusion

It is acknowledged that the wider investment currently taking place in the development of the Coach & Horses can broadly be recognised as supporting local economic growth and enhancing the range of tourism/leisure facilities in the town, particularly when viewed in the context of the large number of public houses in and around the town that have closed in recent years. The Coach and Horses was itself vacant for a period of time in 2014-15, before being purchased by the current owner.

This aside, notwithstanding the siting of the extension to the rear of the public house building, and consequent the limited public views of it; there is no clear and convincing justification for the resulting harm that has occurred to the historic significance of the listed building in terms of a weakening of the hierarchical relationship between the main public house building and the ancillary curtilage building, notwithstanding that such harm may be considered 'less than substantial'.

Recommendation

AWDM/0413/18

REFUSE on the ground:-

1. By reason of its size, siting and design the single-storey kitchen extension attaching the rear of the public house to the curtilage barn/outbuilding is harmful to the historic significance and setting of the listed building having unacceptably detracted from the historic hierarchical relationship between the public house

and the curtilage outbuilding and is therefore contrary to policy 16 of the Worthing Core Strategy and the NPPF.

AWDM/0414/18

REFUSE on the ground:-

1. By reason of its size, siting and design the single-storey kitchen extension attaching the rear of the public house to the curtilage barn/outbuilding is harmful to the historic significance and setting of the listed building having unacceptably detracted from the historic hierarchical relationship between the public house and the curtilage outbuilding and is therefore contrary to policy 16 of the Worthing Core Strategy and the NPPF.

23rd January 2019

Application Number: AWDM/1673/18

Recommendation – APPROVE

Site: 24 Wordsworth Road Worthing West Sussex BN11 3NH

Proposal: Change of use of House in Multiple Occupation for 6 persons (Use Class C4) to House in Multiple Occupation 8 rooms for 9 persons (Use Class Sui Generis)

Applicant: Mr Karl Edwards
Case Officer: Jackie Fox

Ward: Heene



Not to Scale

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Introduction

Councillor Paul High has requested this application be determined by Committee.

Site and Surroundings

Wordsworth Road comprises a primarily residential road of two storey dwellings leading from the sea front.

The properties have narrow walled area to the front and parking on street. The properties tend to have small courtyards to the rear

To the north and south of the property are terraced properties.

Proposal

Permission is sought for a change of use from a house in multiple occupation for 6 persons (C4) to house in multiple occupation of 8 rooms for 9 persons (sui generis).

The proposal shows 3 bedrooms, a shower room and kitchen on the ground floor, 4 bedrooms and a bathroom on the first floor and one bedroom at second floor. There would be no external alterations.

Relevant Planning History:

AWDM/0536/18

Planning permission was granted in July 2018 for the Change of use of House in Multiple Occupation for 6 persons (Use Class C4) to House in Multiple Occupation 9 rooms for 10 persons (Use Class Sui Generis) and the erection of rear dormer. The permission is a material consideration in the determination of the application.

Consultations:

WSCC: The Highway Authority has raised no objection on highway safety grounds commenting:-

The site is located within Worthing Town Centre and is very sustainable with good pedestrian footways, cycle routes, and access to public transport. Located in a controlled parking zone and it is uncommon for residents of HMO properties to own a car.

As such the increase in the number of persons occupying the house from 6 to 9 is accepted by WSCC, as the site would not create any significant changes to the operation of the public highway.

Southern Water: An informative is requested advising the applicant of the need for an application for a formal connection to the public foul and surface water sewer.

Adur and Worthing Councils:

The EHO (Private Housing) comments: - confirms that 24 Wordsworth Road is already operated as a well-managed House in Multiple Occupation and that the current licence for the property allows the proposed level of occupation. We have

received no complaints from occupants or neighbours about the property to date. I therefore have no negative comments about the proposed reduced scheme.

The EHO (Environmental Protection) has no adverse comments

Technical Services comments: The proposals will not affect surface water disposal and therefore I have no comments to pass on this application.

Representations:

None received

Relevant Legislation

The Committee should consider the planning application in accordance with: Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise

Planning Assessment

The property is already being used as a HMO the principle has therefore already been established and has been operating for a number of years. Permission was also granted for a 9 room 10 person HMO in 2018

The relevant Core Strategy policies are Policy 7; Meeting the Housing Need; Policy 8: Getting the Right Mix of Homes; Policy 9: Existing Housing Stock; Policy 10: Affordable Housing; and Policy 16: Built Environment and design and Policy 15 Flood Risk and Sustainable Water Management. The relevant Saved Local Plan policies are H18: Reduction in amenity for local residents and TR9: Parking provision; Policy issues relating to Houses in Multiple Occupation report 19.10.16 and the National Planning Policy Framework and Planning Practice Guidance (HCLG 2018).

The main issues are:

- HMO policy and the Impacts on the local area
- The effects of the development on the residential amenities of existing and future occupiers;
- Highway safety and parking considerations.

Impacts on the Local Area

There are no development plan policies directly governing the provision of HMO accommodation. Government planning policy is set out in the National Planning Policy Framework (NPPF). At the centre of the planning system is to contribute to

the achievement of sustainable development. Paragraph 8 sets out the overarching objectives of economic, social and environmental. It indicates that a social objective is to support strong, vibrant and healthy communities, by ensuring that sufficient number and range of homes can be provided to meet the needs of the present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities health, social and cultural wellbeing.

The Worthing Core Strategy does not include any specific policies relating to HMOs the following policies are of relevance: Policy 8 -Getting the right mix of homes -this policy seeks to ensure that a wide choice of high quality homes are delivered to meet the needs of the community and Policy 16 - Built Environment and Design - this policy seeks to ensure that new development is of high quality. These, and other policies in the Core Strategy, are also supported by the Guide to Residential Development Supplementary Planning Document (2013). However, it should again be noted that this SPD does not specifically address any issues relating to HMOs.

In October 2016 Planning Policy produced a report on the subject of HMO's which concluded that there was no need, at this time, to create a specific HMO policy. No over concentration of HMO's was identified in the borough as a whole, in any particular ward nor in and around Worthing Town Centre.

The policy report did identify that there is greater pressure for more HMO accommodation and that the planning system has an important role to play in meeting this growing need whilst protecting and enhancing the local area. Houses in Multiple Occupation (HMOs) are recognised as a valuable source of low cost accommodation for a number of sections of society including students, temporary workers, those on low incomes and/or benefit and young professionals. They play a particularly key role in the context of housing affordability, where open market housing is increasingly unaffordable and, following changes to the housing benefit system, this form of accommodation is often the only option available for specific parts of the housing market.

Whilst HMOs are an important type of housing, poorly designed and managed HMOs can lead to problems both for the occupants and for neighbours due to the large number of people living in high density housing. HMOs can have high concentrations of more vulnerable and transient young people and this can, in itself, raise concerns for existing communities.

The Environmental Health Officer has confirmed that there are 19 licenced and recorded HMOs in the area of Wordsworth Road, Byron Road, Milton Road, Montague Street, Queens Road, Rowland Road, Shelley Road and Western Place including the application site, although this would appear to be a large number in view of the number of houses in the area this is not considered to be a significant concentration. This form of housing also provides a much needed type of accommodation. A key issue is ensuring that the properties are well managed.

There has been a HMO on the application site since approximately 2008, Environmental Health have not received any complaints from occupants or neighbours. They have confirmed that the current HMO is well managed. It is considered appropriate to agree and implement a new management plan for the

larger facility to control tenancies for the safety, security and amenity of future tenants and the local residents

The effects of development on residential amenity

The property currently has 6/7 bedrooms although the C4 use class only allows occupation by 6 residents. The proposal would involve an additional small bedroom at first floor dividing an existing front room and an additional bedroom in the roof space. The increase in occupants would rise by 3. The existing rooms would remain primarily the same; the lobby area to existing bedroom 4 would provide the additional bedroom at first floor. In the roof the new bedroom would be formed. No additional bathrooms are shown proposed. It is not considered that an additional 3 occupants would have an adverse impact on existing and future occupants.

The application does not involve any external alterations; it is not considered that the additional occupation would have an adverse impact on the occupants of neighbouring properties.

Highway safety and parking

WSCC have raised no objections to the increase in numbers highlighting the sustainable location and the parking restrictions on the on street parking. They consider that the increase in the number of persons occupying the house from 6 to 9 is acceptable as the site would not create any significant changes to the operation of the public highway.

Recommendation

The application involves a reduced scheme from the application which was approved in 2018. The site is in a sustainable location. The current application does not involve any external works. The site is currently well managed and a condition to ensure future management agreement is considered appropriate.

It is therefore recommended that the application be **APPROVED** subject to Conditions:-

1. Approved plans
2. Standard time limit
3. Agree and implement refuse storage provision
4. Agree and implement cycle storage provision
5. Agree and implement management plan for controlling tenancies
6. Hours of construction

23rd January 2019

Application Number: AWDM/1593/18

Recommendation – APPROVE

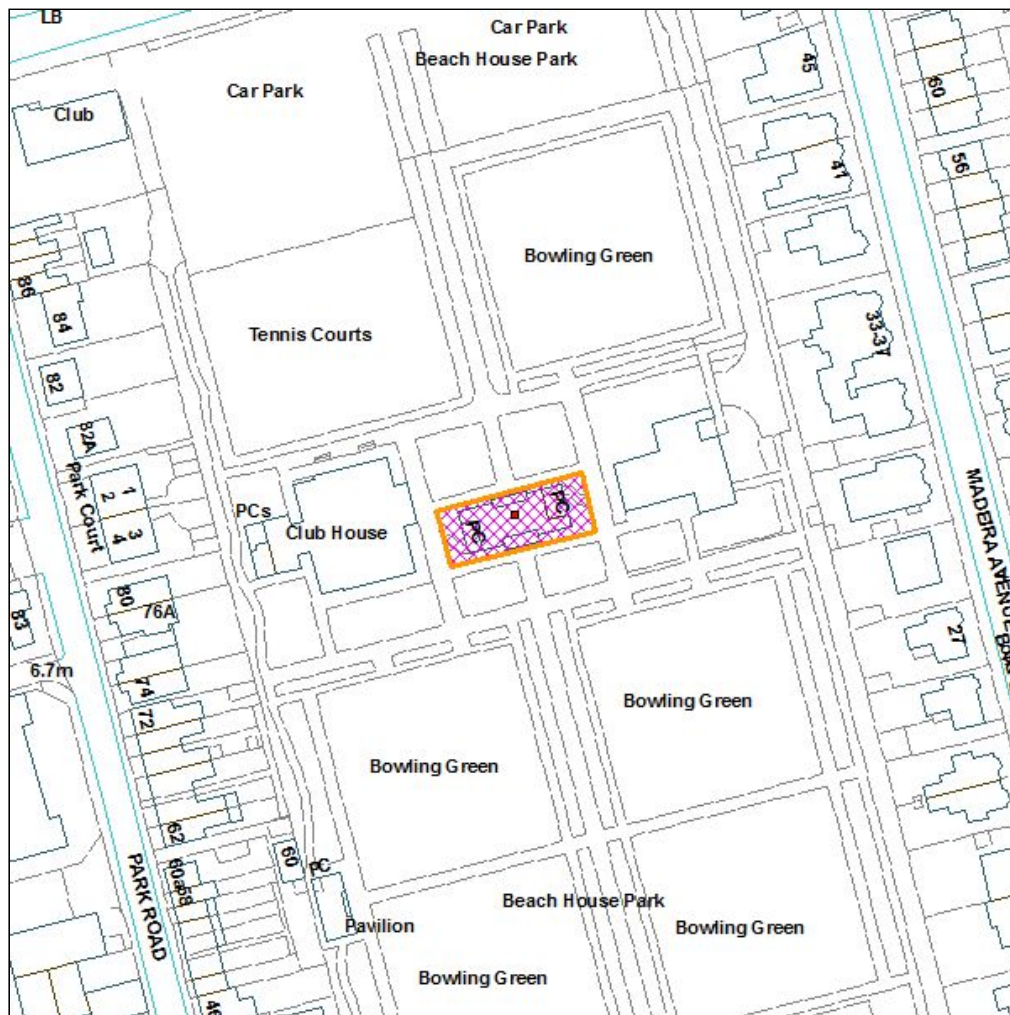
Site: Central Pavilion, Beach House Park, Lyndhurst Road, Worthing

Proposal: Replace all steel Crittall windows and timber single glazed doors with aluminium double glazed units to all elevations including balconies.

Applicant: Adur & Worthing Councils

Ward: Central

Case Officer: Jiyong Suh



Not to Scale

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This application is being brought before the Committee as the applicant is Adur & Worthing Councils.

Site and Surroundings

The application site relates to the Pavilion in Beach House Park. Planning permission was granted in 2015 for the change of use from clubhouse to restaurant/café on the ground floor with associated function space at first floor (AWDM/0624/15). It is owned by Worthing Borough Council.

It is a two-storey building built in 1925 originally as a clubhouse for the Bowling Club. It is a half-timbered building with a brick plinth. It has decorative timber balconies at first floor level on both north and south elevations and a small clock tower. It is the focal point of the park and has a strong Arts and Crafts character. It has been formally identified as a building of Local Interest.

Proposal

The application seeks to replace all existing windows with aluminium frames and double glazing. The windows will replace the existing single glazed, steel Crittall windows and will retain the outer timber frame. Timber doors on both balconies and the south facing ground floor door will also be replaced with Smart Wall aluminium doors. All window frames and first floor doors will be powder coated black. The ground floor south facing door will be powder coated in green to match the existing and north facing door. All glazing is fixed with 12mm leaded bars. One of the south facing windows and the north facing ground floor door have already been replaced in the proposed style without consent.

Relevant Planning History:

AWDM/0624/15 - Change of use from clubhouse to restaurant/cafe (Use Class A3) on the ground floor with associated function space at first floor. New raised decking for use as external seating area to front. Approved – 09.06.2015

Consultations:

Worthing Society: We have examined the proposal to replace all steel Crittall windows and timber single glazed doors with aluminium double glazed units to all elevations including balconies. We have no objection to the proposal.

Representations: No representations received.

Relevant Planning Policies

Worthing Core Strategy (WBC 2011): Policy 11 (Protecting and Enhancing Recreation and Community Uses), Policy 16 (Built Environment and Design)
National Planning Policy Framework (CLG 2018)
Planning Practice Guidance (CLG 2014)

The Core Strategy, including the saved policies of the Worthing Local Plan, comprises the Development Plan here but the Government has accorded the National Planning Policy Framework (NPPF) considerable status as a material consideration which can outweigh the Development Plan's provisions where there

are no relevant development plan policies or the policies which are most important for determining the application are out of date. In such circumstances paragraph 11 of the revised NPPF states that planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or any adverse impacts of doing so would demonstrably outweighs the benefits, when assessed against the policies of the NPPF taken as a whole.

Relevant Legislation

The Committee should consider the planning application in accordance with: Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

There would be no significant impact on residential amenity as a result of the proposals. The principal issue therefore relates to the design of the windows and the impact on the local interest building and visual amenity.

Visual Amenity

The balcony doors are currently the only openings without lead glazing bars. The proposed windows introduce this feature to match the rest of the building. The balcony doors sit within two dormers with windows between them. There is a wooden balustrade to the front that encloses the balcony. Whilst this would be a material difference it will be in keeping with the rest of the doors and windows on the building and is therefore considered to be acceptable.

The existing south facing ground floor door currently has two inward opening doors with a glazed panel set above; within the frame. The proposed door sits within the existing opening and will replace the entire timber frame. It has one door that spans the width and the glazed panel above is separated using the same proportions. The spacing between the lead bars is the same although there is more glazing in the proposed door. The proposed colour which can be seen on the northern ground floor door is a very good match for the existing painted timber. It is therefore considered to be acceptable.

All the windows on the building are to be replaced. The aluminium frames are to be installed within the timber frames and will be thicker than the existing Crittal frames by approximately 30mm. To maintain the proportions the spacing between the lead bars will be the same and lose some of the glazing to the edges. They will be powder coated black to match the existing frames. The proposed windows are sympathetic to the original design and they are considered to be acceptable.

Conclusion

Whilst there will be a small impact on the building it is not considered that the proposals will detrimentally impact the visual amenity of the building. The pavilion will retain its character and the proposal will facilitate in improving the thermal efficiency.

Recommendation

APPROVE subject to Conditions:-

1. Approved plans
2. Standard Time Limit

23rd January 2019

Local Government Act 1972 Background Papers:

As referred to in individual application reports

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Schedule of other matters

1.0 Council Priority

- 1.1 As referred to in individual application reports, the priorities being:-
- to protect front line services
 - to promote a clean, green and sustainable environment
 - to support and improve the local economy
 - to work in partnerships to promote health and wellbeing in our communities
 - to ensure value for money and low Council Tax

2.0 Specific Action Plans

- 2.1 As referred to in individual application reports.

3.0 Sustainability Issues

- 3.1 As referred to in individual application reports.

4.0 Equality Issues

- 4.1 As referred to in individual application reports.

5.0 Community Safety Issues (Section 17)

- 5.1 As referred to in individual application reports.

6.0 Human Rights Issues

- 6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

7.0 Reputation

- 7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

8.0 Consultations

- 8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

9.0 Risk Assessment

9.1 As referred to in individual application reports.

10.0 Health & Safety Issues

10.1 As referred to in individual application reports.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 Matter considered and no issues identified.

13.0 Legal

13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

14.0 Financial implications

14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.



WORTHING BOROUGH
COUNCIL

Worthing Planning Committee
23 January 2019
Agenda Item no. 7

Ward (s) Affected: ALL

**Updated Adur and Worthing Statement of Community Involvement -
Draft for Consultation**

Report by the Director for the Economy

1.0 Summary

- 1.1 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.
- 1.2 All Local Planning Authorities are legally required to prepare and publish a SCI and ensure it is kept up to date. The current joint Adur and Worthing SCI was published in 2012 (previously both Councils had their own SCI in place). 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.

2.0 Background

- 2.1 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.

- 2.2 Community involvement and consultation is a key part of the Councils 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.
- 2.3 The draft SCI is guided by the Government's Consultation Principles: Guidance (2018) which provides information on how consultations should be conducted in general providing a consistent consultation approach.
- 2.4 In addition, the Councils have a Consultation Policy Statement 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.

Why has a new Statement of Community Involvement been produced?

- 2.5 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. Since the current SCI was adopted in 2012, there have been changes to national policy including the publication of the revised National Planning Policy Framework (2018). There has also been changes to national legislation which includes the introduction of the Neighbourhood Planning Act 2017, 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.
- 2.6 Regulation 4 of The Town and Country Planning Regulations (Amendment) Regulations 2017 came into force on the 6th April 2018 and introduced amendments to the Town and Country Planning (Local Planning) (England) Regulations 2012. 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.
- 2.7 In response to the new requirements, this revised draft SCI now includes a chapter on Neighbourhood Planning and sets out the Councils statutory role in providing advice, assistance and support to Qualifying Bodies (organisation that is preparing a Neighbourhood Plan or Neighbourhood Development Order) throughout the Neighbourhood Planning process. At present, there are two Neighbourhood Plans being progressed in Adur District: Sompting

Neighbourhood Plan and Shoreham Beach Neighbourhood Plan. There are currently no Neighbourhood Plans / Neighbourhood Development Orders being progressed in Worthing.

- 2.8 It is also considered appropriate to include a chapter regarding the preparation of the Community Infrastructure Levy (CIL) which enables Local Planning Authorities to raise fund for new infrastructure by levying a charge on new development within their area. Worthing Borough Council adopted its CIL in February 2015 and a review is currently being undertaken and it is expected that a revised Charging Schedule will be in place in 2019. Adur District Council is not currently preparing CIL and is continuing with S.106 Planning Obligations at present.
- 2.9 The Council has recently undertaken Regulation 18 consultation on the draft Worthing Local Plan. To support the preparation of the emerging Worthing Local Plan, a future review of the Adur Local Plan and the preparation of other Local Development Documents it is considered necessary to update the SCI to ensure that the Council meets current statutory consultation requirements.
- 2.10 Since the current SCI was published, the Councils have undertaken numerous consultations on Planning Policy documents. Lessons have been learnt from each consultation, what has worked well and what hasn't worked so well. The power of social media has been recognised and the Councils will continue to make the effective use of social media, as best practice, wherever possible. These lessons have helped to inform the revised draft SCI.
- 2.11 The chapter on Development Management has been reviewed to ensure that it reflects current publicity measures undertaken for planning applications.

JOSC Review of Consultations (2018)

- 2.12 The revised SCI supports the agreed recommendations contained within the recent Joint Overview and Scrutiny Committee (JOSC) report on the effectiveness of consultations carried out by Adur and Worthing Councils (Joint Strategic Committee, Agenda Item 10, 06.11.18).

3.0 Consultation

- 3.1 It is proposed that the draft SCI is made available for consultation for a period of 6 weeks, commencing late February (dates to be confirmed). All those on the Planning Policy consultation database will be informed; the document will be made available on the Council's website, and the consultation will be

publicised on social media. Hard copies will also be made available at Portland House, the Shoreham Centre and in local libraries.

4.0 Legal

- 4.1 It is not a statutory requirement to undertake public consultation on the draft SCI. However, given the nature of the SCI it is considered best practice to undertake consultation as it demonstrates the Councils commitment to meeting its principles contained within Adur and Worthing Councils Consultation Policy Statement. Relevant legislation referred to within the draft SCI includes:

Planning & Compulsory Purchase Act 2004

The Town and Country Planning (Local Planning) (England) Regulations 2012 [S.I No. 767]:

The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 [S.I No. 1244]:

Neighbourhood Planning Act 2017:

5.0 Financial implications

- 5.1 There are no significant costs relating to the preparation of a revised SCI and all such costs will be met within existing budget allowances.
- 5.2 The costs associated with the consultation on planning matters is contained within existing budgets.

6.0 Recommendation

- 6.1 That the Committee note the Draft SCI, and forward any comments to the Executive Member for Regeneration to consider prior to approving the document for consultation.**

Local Government Act 1972

Background Papers:

Worthing Core Strategy (2011)

Regulation 18: Draft Worthing Local Plan (2018)

Adur Local Plan (2017)

Adur and Worthing Statement of Community Involvement 2012

Contact Officer:

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Schedule of Other Matters

1.0 Council Priority

- 1.1 Platforms for our Places makes a commitment to agree core principles of engagement and community involvement in design and delivery of the Councils work (Platform 2 - 2.4.1).

2.0 Specific Action Plans

- 2.1 None

3.0 Sustainability Issues

- 3.1 Matter considered and no issues identified.

4.0 Equality Issues

- 4.1 The draft SCI, once adopted will ensure that the public, businesses and interest groups within Worthing can get involved in Planning Policy, Neighbourhood Planning and the planning application decision making process.

5.0 Community Safety Issues (Section 17)

- 5.1 Matter considered and no issues identified.

6.0 Human Rights Issues

- 6.1 Matter considered and no issues identified.

7.0 Reputation

- 7.1 The draft SCI, once adopted, will ensure that the Council is meeting statutory consultation requirements and that consultation undertaken is open, effective and transparent.

8.0 Consultations

- 8.1 This report seeks member endorsement of a proposed public consultation.

9.0 Risk Assessment

9.1 The Revised SCI will help to ensure that the Council is meeting statutory consultation requirements. If a revised SCI is not in place, public consultation may not be carried out in accordance with statutory requirements.

10.0 Health & Safety Issues

10.1 Matter considered and no issues identified.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 The draft SCI is a joint document prepared by Adur District Council and Worthing Borough Council to ensure a consistent approach in undertaking consultation on Planning Policy documents and publicising planning applications.

**ADUR &
WORTHING
COUNCILS**

**DRAFT
STATEMENT OF
COMMUNITY
INVOLVEMENT**

FEBRUARY 2019



**HAVE YOUR SAY
PUBLIC CONSULTATION**



**ADUR & WORTHING
COUNCILS**

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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 House¹ and the Shoreham Centre².

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

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

¹ 44 Richmond Road, Worthing, West Sussex, BN11 1HS

² 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/>

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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)¹ which provides information on how consultations should be conducted in general providing a consistent consultation approach.
- 1.5 The Councils have a Consultation Policy Statement² 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)³. There has also been changes to national legislation which includes the introduction of the

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691383/Consultation_Principles_1_.pdf

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

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

Neighbourhood Planning Act 2017⁴, 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 2017⁵ came into force on the 6th April 2018 and introduced amendments to the Town and Country Planning (Local Planning) (England) Regulations 2012⁶. 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.

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

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

⁶ <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 I 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>Initial Evidence Gathering</p> <ul style="list-style-type: none"> • Begin initial evidence gathering process (commissioning technical studies, identifying available sites, collating data, identifying the scope of the Plan) • Formulate initial aims and objectives • Start preparing the Sustainability Appraisal, Scoping Report and collating baseline data • Identify relevant environmental, economic and social objectives to inform the Sustainability Appraisal 	<ul style="list-style-type: none"> • Circulate Planning Policy newsletter to those registered on the database to be kept informed of latest news and forthcoming Local Plan milestones • Contact infrastructure providers to collate evidence on infrastructure requirements to support future growth • Ensure that the Councils website is kept up-to-date 	<ul style="list-style-type: none"> • Register your contact details to be placed on the consultation database to be kept informed of Local Plan preparation • Provide Planning Policy with details of any sites you may wish to promote for development via the Strategic Housing Land Availability Assessment¹ (SHLAA) process • Provide Planning Policy with any local evidence studies such as sites for Local Green Space designation
<p>Regulation 18: Preparation of a Local</p>	<ul style="list-style-type: none"> • Circulate Planning Policy newsletter 	<ul style="list-style-type: none"> • Review the Local Plan, Sustainability Appraisal,

¹ 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>Plan Public Consultation</p> <ul style="list-style-type: none"> • 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 • Continue evidence gathering • Test emerging options through the Sustainability Appraisal 	<p>to those registered on the database to be kept informed of latest news</p> <ul style="list-style-type: none"> • Undertake public consultation for a duration considered appropriate by the respective Council • Notify specific consultation bodies and appropriate general consultation bodies and inform them how the document can be viewed and how comments can be made • Consult those people and organisations that have registered their contact details on the consultation database via email or post • Electronic version of the consultation document will be made publicly available on the Councils website • Hard copies to be provided for reference purposes • Where appropriate consider additional consultation methods (see paragraphs 2.21-2.23) • Ensure compliance with the Councils adopted Statement of Community Involvement 	<p>Habitat Regulations Assessment and evidence base</p> <ul style="list-style-type: none"> • Submit a representation to the Council outlining your comments, support or objection • Attend any scheduled public exhibitions / workshop events <p>All submitted representations will be made public and can be viewed by others. Signatures, postal address and email address details will be redacted.</p>
<p>Regulation 19: Publication of a Local Plan</p> <ul style="list-style-type: none"> • Review all the representations submitted 	<ul style="list-style-type: none"> • Undertake public consultation for statutory period of 6 weeks • Notify specific consultation bodies and appropriate general consultation 	<ul style="list-style-type: none"> • Review the Local Plan, Sustainability Appraisal and Habitat Regulations Assessment • If you submitted a representation during the previous consultation and that it remains

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"> • Consult those people and organisations that have registered their contact details on the consultation database via email or post • Electronic version of the consultation document will be made publicly available on the Councils website • Hard copies to be provided for reference purposes • Where appropriate consider additional consultation methods (see paragraphs 2.21-2.23) • Ensure compliance with the Councils adopted Statement of Community Involvement 	<p>unresolved, resubmit your representation should you wish to maintain your objection</p> <ul style="list-style-type: none"> • Attend any scheduled public exhibitions / workshop events <p>This is the final opportunity to submit a duly made representation.</p> <p>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.</p>
<p>Regulation 22: Submission of Local Plan</p> <ul style="list-style-type: none"> • Submit Plan and any representations submitted during Regulation 19, along with the Sustainability Appraisal, evidence base, Statement of Consultation to Secretary of State • The Government will appoint a Planning Inspector • The respective Council has to wait for the Planning Inspector to set the 	<ul style="list-style-type: none"> • 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 • Inform general and specific consultation bodies that the Plan and documents listed above are available for inspection and of the places and 	

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"> • Give notice to those persons who requested to be notified of submission 	
<p>Regulation 24: Independent Examination</p> <ul style="list-style-type: none"> • 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 • 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 • 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. 	<ul style="list-style-type: none"> • 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 • The relevant Council can ask the Inspector to recommend main modifications to make Plan sound or comply with other legal requirements 	<ul style="list-style-type: none"> • 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 • Selected participants will receive a programme (via the Programme Officer) for hearing sessions including matters/issues and the Inspectors Guidance Note • The hearing sessions are public and anyone can observe even if they haven't been selected to participate • 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)²
<p>Regulation 25: Publication of the recommendations of the Planning Inspector</p>	<ul style="list-style-type: none"> • The respective Council must make the recommendations of the Planning Inspector and the reasons available on 	

²https://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"> Inspector's report is ratified Local Plan is to be amended if recommendations (Main Modifications) are made by the Inspector (if the Council requests these to be made) 	<p>the Councils website and for inspection</p> <ul style="list-style-type: none"> Give notice to those persons who requested to be notified of the publications of those recommendations, that the recommendations are available 	
<p>Regulation 26: Adoption</p> <ul style="list-style-type: none"> The respective Council may adopt the Local Plan with the Inspector's Modifications or choose not to Six week period for legal challenges after adoption 	<ul style="list-style-type: none"> 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 Send a copy of the adoption statement to any person who has asked to be notified Send a copy of the adoption statement to the Secretary of State 	
<p>Regulation 27: Withdrawal of a Local Plan</p> <ul style="list-style-type: none"> The respective Council does not adopt the Local Plan and instead withdraw it 	<ul style="list-style-type: none"> Respective Council must make a statement (hard copy and on the Councils website) of the fact that the Local Plan has been withdrawn Notify general and specific consultation bodies that the Local Plan has been withdrawn Cease to make available any documents relating to the withdrawn 	

Key Stages of Production	What the Council Will Do	Your Opportunities for Involvement
	Local Plan other than the withdrawn statement	
<p>Regulation 34: Authorities' Monitoring Report</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 website¹.
- 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 5² 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.

¹ 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/>

² <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>Initial Background Work</p> <ul style="list-style-type: none"> The respective Council will carry out research to identify the issues and relevant policy context as part of evidence gathering If applicable, start preparing the Sustainability Appraisal 	<ul style="list-style-type: none"> Update the Councils website and Local Development Scheme regularly with regards to the types of SPDs the Councils are working on Provide background report and studies on the Councils website 	<ul style="list-style-type: none"> Register your contact details to be placed on the consultation database to kept informed of SPD preparation
<p>Regulation 12: Public Participation</p> <ul style="list-style-type: none"> The respective Council will undertake public consultation on the draft SPD for a statutory period of 4 weeks 	<ul style="list-style-type: none"> Electronic version of the consultation document will be made publicly available on the Councils' website Hard copies for reference use will be made available at the Council Offices Additional notification methods to be used where relevant. Please refer to paragraphs 2.21-2.23 	<ul style="list-style-type: none"> Review the SPD Submit a representation to the Council outlining your comments, support or objection Attend any scheduled public exhibitions / workshops / meetings if relevant
<p>Finalise SPD</p> <ul style="list-style-type: none"> The respective Council will review all the representations submitted during consultation and make any changes to the SPD where justified 	<ul style="list-style-type: none"> Prepare a statement identifying those who were consulted, including a summary of the main issues raised and how those issues have been addressed Make copies of the statement and the amended SPD available to view on the Councils website and in hard copy 	

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

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)¹ 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.

¹ 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 2017² 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)³ 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

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

³ The Community Infrastructure Levy Regulations 2010 (England & Wales) Regulations 2010 [S.I. 2010 No. 948]: http://www.legislation.gov.uk/ukxi/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>Initial Evidence Gathering</p> <ul style="list-style-type: none"> 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 	<p>N/A</p>	<ul style="list-style-type: none"> Register your contact details to be placed on the Consultation Database to be kept informed
<p>Regulation 15: Consultation on a Preliminary Draft Charging Schedule</p> <ul style="list-style-type: none"> The respective Council will undertake public consultation on the CIL Preliminary Draft Charging Schedule 	<ul style="list-style-type: none"> 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 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 	<ul style="list-style-type: none"> Review the CIL Preliminary Draft Charging Schedule Submit a representation outlining your comments, support or objection
<p>Regulation 16: Publication of a Draft Charging Schedule</p> <ul style="list-style-type: none"> The respective Council will undertake public consultation on the Draft Charging Schedule 	<ul style="list-style-type: none"> 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 Send a copy of the consultation document and statement of representation 	<ul style="list-style-type: none"> Review the Draft Preliminary Charging Schedule Submit a representation outlining your comments, support or objection <p>This is the final opportunity to submit a duly made representation.</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"> • 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 	
<p>Regulation 18: Withdrawal of a Draft Charging Schedule</p> <ul style="list-style-type: none"> • The respective Council withdraws the draft Charging Schedule 	<ul style="list-style-type: none"> • Publish a statement of that fact on its website • Give notice of that fact by local advertisement • Notify any person that was invited to make representations on the draft Charging Schedule of that fact • Remove from its website and from the places at which they were made available any copies, documents, evidence and statements made available or published 	

Key Stages of Production	What The Council Will Do	Your Opportunities for Involvement
<p>Regulation 19: Submission of Documents and Information to the Examiner</p> <ul style="list-style-type: none"> • Submit CIL Draft Charging Schedule, evidence base and representations received during Regulation 16 • Submit Statement setting out the representations made during Regulation 16 and a summary of the main issues raised by representations • The respective Council has to wait for the Planning Inspector to set the timetable for Examination in Public 	<ul style="list-style-type: none"> • 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 • All submission documents will be electronically available on the Councils website and reference copies available at the Council Offices • 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 • Give notice to those persons who requested to be notified of the submission of the CIL Draft Charging Schedule 	
<p>Regulation 21: CIL Examination- Right to be Heard</p> <ul style="list-style-type: none"> • A person can submit a request to be heard by the examiner 	<ul style="list-style-type: none"> • The Charging Authority must submit a copy of each request it receives to the examiner • 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 	

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>Regulation 23: Publication of the Examiner's Recommendations</p> <ul style="list-style-type: none"> Examiner makes recommendations and reasons for those recommendations 	<ul style="list-style-type: none"> Charging Authority must make the recommendations and reasons available for inspection at the Councils offices and publish on the Councils website Give notice to those persons who requested to be notified of the publication of the examiners recommendations and reasons 	
<p>Regulation 25: Approval & Publication of a Charging Schedule</p> <ul style="list-style-type: none"> CIL Charging Schedule is adopted by the respective Council and published 	<ul style="list-style-type: none"> Publish CIL Charging Schedule on the Councils website Make the CIL Charging Schedule available for inspection at the Councils offices 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 Give notice to those persons who requested to be notified of the approval of the CIL Charging Schedule Send a copy of the Charging Schedule to each of the relevant consenting authorities 	

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

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 2004¹. 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 website².
- 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 2012³, The Neighbourhood Planning (General) (Amendment) Regulations 2015⁴, Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016⁵ and The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017.⁶
- 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

¹ http://www.legislation.gov.uk/ukpga/2017/20/pdfs/ukpga_20170020_en.pdf

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

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

⁴ http://www.legislation.gov.uk/uksi/2015/20/pdfs/uksi_20150020_en.pdf

⁵ http://www.legislation.gov.uk/uksi/2016/873/pdfs/uksi_20160873_en.pdf

⁶ 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>Regulation 6: Publicising An Area Application</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"> • a copy of the area application; • details of how to make representations; and • and the deadline for making representations which must allow at least 6 weeks from the date of publication
<p>Regulation 7: Publicising a Designation of a Neighbourhood Area</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"> • the name of the neighbourhood area; • map which identifies the area; and • the name of the relevant body who applied for the designation. <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"> • a 'decision document' setting out the decision and a statement of the reason(s) for refusing the application; and • details of where and when the decision document may be inspected

Key Stages of Production	What the Councils Will Do
<p>Regulation 9: Publicising a Neighbourhood Forum Application</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"> • a copy of the application; • 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; • details of how to make representations; • and <p>the deadline for representations which must allow at least 6 weeks from publication</p>
<p>Regulation 10: Publicising a Designation of a Neighbourhood Forum</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"> • the name of the neighbourhood forum; • a copy of the written constitution of the neighbourhood forum; • the name of the neighbourhood area to which the designation relates; and • contact details for at least one member of the neighbourhood forum <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"> • ‘refusal statement’ setting out the decision and their reasons for refusing the application; and • details of where and when the refusal statement may be inspected
<p>Regulation 12: Voluntary Withdrawal of a Designation of a Neighbourhood Forum</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"> • ‘withdrawal statement’; and • details of where and when the withdrawal statement may be inspected
<p>Regulation 16: Publicising a Plan Proposal</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"> • details of the plan proposal; • details of where and when the plan proposal

Key Stages of Production	What the Councils Will Do
	<p>may be inspected;</p> <ul style="list-style-type: none"> • details of how to make representations; • a statement that any representations may include a request to be notified of the local authority's decision on the plan proposal; • the deadline for making representations which must allow at least 6 weeks from the date the plan proposal is first publicised; and • notify any consultation body⁷ which is referred to in the consultation statement submitted in accordance with Regulation 15 (Plan Proposals) that the Plan proposal has been received
<p>Regulation 17: Submission of Plan Proposal to Examination</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"> • the plan proposal; • 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 • 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; • a copy of any representations which have been made in accordance with Regulation 16 (in response to a plan proposal)
<p>Regulation 18: Publication of the Examiner's Report and Plan Proposal Decisions</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"> • the decision and their reasons for it (decision statement) • details of where and when the decision statement may be inspected; and • if a decision has been made in respect of the Examiner's recommendations, a copy of the Examiner's Report. <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>

⁷ 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"> • the qualifying body • anyone whose representation was submitted to the examiner and • any consultation body that was previously consulted. <p>Any representations must be submitted within 6 weeks of the local planning authority first inviting representations.</p>
Regulation 19: Decision on a Plan Proposal	<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"> • a statement setting out the decision and their reasons for making that decision (decision statement) • details of where and when the decision statement may be inspected; and • send a copy of the decision statement to the qualifying body; and any person who asked to be notified of the decision
Regulation 20: Publicising a Neighbourhood Development Plan	<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"> • the Neighbourhood Plan; and • details of where and when the Neighbourhood Plan may be inspected; and • 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
Regulation 30: Publicising a Modification	<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"> • the document setting out the details of the modifications (the ‘modification document’); • details of where and when the modification document may be inspected; and • give notice of the modification to the qualifying body and any person the local authority previously notified of the making of the Neighbourhood Plan
Regulation 31: Revocation	<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"> • a document setting out the reasons for revocation (the 'revocation document'); • details of where and when the revocation document may be inspected; and • give notice of the revocation to the qualifying body and any person the Council previously notified of the making of the Neighbourhood Plan.

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>Regulation 23: Publicising an Order Proposal</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"> • details of the order proposal; • details of where and when the order proposal may be inspected; • details of how to make representations; • a statement confirming that any representations may include a request to be notified of the Council's decision under Regulation 26; and <p>The local authority must also notify any consultation body⁸ 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"> • which gives notice by site display in at least one place on or near the land to which the order proposal relates; and • by publication of the notice in a local newspaper
<p>Regulation 24: Submission of Order Proposal to Examination</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>

⁸ 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"> • the order proposal; • the documents referred to in Regulation 22 • if the order proposal is one to which the Regulation 29A of the EIA Regulations applies, the environmental statement submitted; • 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; • any other documents submitted to the Council by the qualifying body in relation to the order proposal; and • a copy of any representations which have been made in accordance with Regulation 23
<p>Regulation 25: Publication of the Examiners Report and Order Proposal Decisions</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"> • the ‘decision statement’ • details of where and when the decision statement may be inspected; and • 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 <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"> • the qualifying body • anyone whose representation was submitted to the examiner and • any consultation body that was previously consulted. <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.
Regulation 26: Decision on an Order Proposal	<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"> • a document setting out the decision and their reasons for making that decision (decision statement) • details of where and when the decision statement may be inspected; and • send a copy of the decision statement to the qualifying body; and any person who asked to be notified of the decision.
Regulation 27: Publicising a Neighbourhood Development Order	<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"> • the Neighbourhood Development Order; and • details of where and when the Neighbourhood Plan may be inspected; and <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>
Regulation 30: Publicising a Modification	<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"> • the 'modification document'; • details of where and when the modification document may be inspected; and • give notice of the modification to the qualifying body and any person the Council previously notified of the making of the Neighbourhood Development Order
Regulation 31: Revocation	<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"> • the 'revocation document'; • details of where and when the revocation document may be inspected; and <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 referendum⁹ 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.

⁹ 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 1st 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 website¹. 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).

¹ <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 Website¹

- 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.

¹ <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
Authorities' Monitoring Report (AMR)	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.
Area Action Plans (AAP)	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.
Community Infrastructure Levy (CIL)	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.
Development Plan	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.
Development Plan Documents (DPD)	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.
Localism Act (2011)	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.
Local Development Document (LDD)	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.
Local Development Framework (LDF)	The collective term for the set of Local Development Documents which will, collectively deliver the spatial planning strategy for the area.
Local Development Scheme (LDS)	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.
Local Enterprise Partnership (LEP)	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.
Local Strategic Partnership (LSP)	A group of public, private, voluntary and community organisations and individuals that is responsible for preparing Adur and Worthing's Sustainable Community Strategy.

Major Development	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).
Minor Development	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
Mixed-use developments	A development that contains two or more uses e.g. residential, employment, leisure, community uses.
Planning Obligations	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.
Policies Map	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.
Stakeholder	Any individual or group with an interest in the future planning of the area.
Statement of Community Involvement (SCI)	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.
Supplementary Planning Document (SPD)	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.
Sustainability Appraisal (SA)	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

Website: 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

Website: 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

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

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



**ADUR & WORTHING
COUNCILS**



Proposed Revision to Pre-Application Charging

Report by the Director for the Economy

1. BACKGROUND

- 1.1 In 2015, the Committee agreed to charge for pre-application advice for residential and commercial proposals. (This followed an earlier agreement to charge for such advice in 2010, but was not implemented at that time due to the recession and an ongoing service review). The Committee agreed to the charging of fees from £150 + VAT for proposals of 1-4 dwellings or up to 499 square metres of commercial floorspace up to £750 + VAT on proposals of over 50 dwellings or above 5000 square metres of commercial floorspace. Strategic schemes, such as New Monks Farm or Teville Gate, are subject to bespoke planning performance agreements (PPA). There is currently no charge for advice for householders. The current charging schedule is attached as **Appendix 1**.
- 1.2 When considering the proposals in 2015, Members did indicate that the charging scheme should be reviewed after a suitable period, and given that nearly 3 years have elapsed since the scheme was introduced, your Officers now feel it is appropriate to review the charges.
- 1.3 Government advice encourages pre-application discussions and such discussions are often beneficial in ensuring that the Council's planning policies are explained to an applicant at an early stage. Often, discussions at the pre-application stage reduce the length of time taken to determine an application when it is subsequently submitted. Early engagement can secure design improvements and advice on relevant planning policies that the application will need to address

- 1.4 It is also relevant to note that planning application charges fall along way short of covering the cost of the Service. This has been compounded in recent years as changes in legislation have meant that a number of applications now do not attract any fee (prior approval applications for instance which still require neighbour notifications and planning assessments if objections are received).
- 1.5 In 2017/18 the cost of the Development Management Service was £1.638 million whilst the fee income received was only £0.680 million. The Government has recognised that there is a need to invest in the Service and last year fees were increased by 20% which has helped increase fee income and reduce the level of shortfall. Nevertheless, even with this increase in fees it is likely that the Service would have a shortfall for this financial year of £1.536 million.

2.0 Current Workload

- 2.1 The number of pre-application enquiries remains high and there is little apparent evidence that the charging scheme has dissuaded applicants from seeking advice. Indeed, the number of pre-application enquiries is still a significant part of the workload of Officers, reflective of the number of planning applications between the Councils remaining at its peak of around 1900 per annum, having dropped to around 1500 during the recession. Householder planning enquiries, for which no fee is currently charged, also remain high and in light of the fact that no fee is charged, relatively resource intensive. Indeed, out of 700 pre-application enquiries received during the financial year, only 15% attracted a fee. The total income from pre-application charging in the financial year 2017/2018 was £27,550 and for this current financial year a total of xxx has been secured.
- 2.2 Given the benefits of providing pre-application advice, it is important to ensure that the Service meets the costs of providing such advice and we ensure that, as far as possible, the advice can be provided is of high quality and provided in a timely manner. It is noted that Arun District Council and Brighton and Hove Councils recently suspended their pre-application advice services, except for the most major schemes, because of the backlog of enquiries received. There is no desire from your Officers to suspend pre-application advice, given the benefits of providing such advice as outlined above. However, it is important that the financial costs of the providing such a service are appropriate and cover all application types.

3.0 HOUSEHOLDER PRE-APPLICATION ENQUIRIES

3.1 It is noticeable that a high number of householder enquiries are received. Your Officers note that other local authorities in the area charge as follows:

Arun:	£30 for enquiry and response and £30 for any subsequent meeting.
Brighton and Hove:	£100 or £150 with a meeting
Chichester:	£100
Crawley:	Do not charge
Horsham:	£50
Mid Sussex:	Verbal advice free but £50 if a site visit required.

A comparison with other local authorities who currently provide a similar level of performance to the Councils, in respect of speed of decision making for non major applications (with reference to the government performance tables), also revealed:

East Hampshire:	£48
Elmbridge:	£70 to £210
Central Bedfordshire:	£84
Test Valley:	£58

Other Councils, particularly in London charge significantly more for instance Westminster charges £300 for householder development.

3.2 While, both Adur & Worthing generally perform well in terms of government performance tables (ordinarily in the top third of planning authorities), it has become increasingly difficult, especially in Worthing, to maintain current performance levels with the current level of work being received.

3.3 It does appear from the above comparisons that, Crawley BC apart, other local authorities both locally and of similar performance, charge for advice on householder proposals and therefore the Councils would be justified in doing the same.

3.4 Aside from the obvious benefit of providing income to the Councils, a charge for pre-application advice for householder proposals, with set parameters for the information that needs to be submitted for such advice to be received, is likely to improve the quality of information submitted making easier and quicker to deal with the enquiry. Often, at present, householder enquiries lack

information which requires Officers to contact the enquirer again to seek more information or alternatively means that only basic advice can be given. It is also hoped that it would help to reduce very speculative enquiries where a householder is unsure about what they want and could obtain general planning guidance from the Planning Portal.

- 3.5 It is therefore considered that a charge of **£100** (inc VAT) would be justified for householder pre-application proposals. Officers have considered whether there should be a sliding scale of fees depending on either the size or value of the property. For instance the charge could vary depending on the council tax band. However, your Officers favour a more simple charging regime and most smaller extensions are likely to be permitted development in any event.
- 3.6 Nevertheless, there is scope to increase the charge for very large householder extensions as the cost of a large two storey extension on a large detached house is likely to be significant. It is recommended, therefore, that for extensions in excess of 100 sqm (gross floorspace) a charge of **£175** would be reasonable. An extension of this size would cost approximately £160,000 and therefore, in this context, such a fee would be a modest outlay.
- 3.7 The fee for dealing with householder development is currently £206 (although an applicant could apply for two extensions at the same time for this fee). It is not considered appropriate that the pre-application charge for advice should exceed the cost of the application, although it is noted that some London authorities have exceeded the application fee.

4.0 RESIDENTIAL PRE APPLICATION ENQUIRIES

- 4.1 In respect of residential development proposals, the Council pre-application charges are currently as follows:

1-4 dwellings:	£150 + VAT (£180)
5-9 dwellings:	£350 + VAT (£420)
10-49 dwellings:	£550 + VAT (£660)
50+ dwellings:	£750 + VAT (£900)

- 4.2 Comparison with other authorities is rather more difficult in respect of this category as different thresholds are used by the various authorities. Using the fees for below 10 dwellings, where the Councils fee is currently £180 - £420 after VAT:

Arun:	£204 to £380
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Brighton & Hove:	£420 to £1,012 (including meeting)
Chichester:	£350 to £550
Horsham:	£350
Mid Sussex:	£205 to £307.50
East Hampshire:	£130 to £245
Elmbridge:	£145 to £870
Central Bedfordshire:	£180 to £600
Test Valley:	£144 to £432
Westminster	£600 to £3,000

4.3 The table above demonstrates that fees vary significantly between authorities, although the more local authorities in the table appear to charge a higher fee for smaller developments (the lower Arun fee only applies for developments up to 2 dwellings and the lower Chichester fee for developments up to 3 dwellings). The Councils current charging regime does differ quite markedly between 4 dwellings, which would attract a fee of £150 + VAT, and 5 dwellings which would attract a fee of £350 + VAT, although the likely work required in responding to the respective proposals is unlikely to differ as widely.

4.4 It is considered, therefore, that there may be scope to raise the 1 - 4 dwelling figure to **£450** (inc VAT) with the 5 - 9 dwelling figure increasing to **£650** (inc VAT). This would still be in line with neighbouring authorities but still significantly less than some authorities. Whilst, a higher figure could be justified when considering the potential uplift in the value of land and/or the overall cost of the development, your Officers are keen to encourage pre-application dialogue and not be completely out of kilter with neighbouring authorities given that often we are dealing with the same agents and developers.

4.5 For developments between 10 and 49 dwellings, where the Council currently charges £550 + VAT, other authorities currently charge:

Arun:	£700 (up to 99 dwellings)
Brighton and Hove:	£720 to £1560 (up to 99 dwellings)
Chichester:	£2,000
Horsham:	£500 to £750
Mid Sussex:	£460
East Hampshire:	£550
Elmbridge:	£360 to £2160
Central Bedfordshire:	£960 to £2400
Test Valley:	£763 to 10% of planning application fee

Westminster £3,000

4.6 The Council's charge is therefore lower than the majority of the other councils quoted, and given the relative rarity of developments of this size within the Borough and District, there may be some justification to raise the charge to a higher level to that of Arun and Horsham's charge, at **£1,000**.

4.7 At present, the Councils charge a fee of £750 + VAT for all developments over 50 dwellings, whereas some of the authorities in the table below, have further thresholds at over 100 dwellings for example.

Arun:	£700 upto 100 dwellings) £1500 (upto 200 dwellings). Over 200 dwellings £300 for every additional 50 dwellings)
Brighton and Hove:	£1560 to £2400
Chichester:	£2500 to £4500
Horsham:	£1250
Mid Sussex	£460 to £770
East Hampshire:	10% of the planning application fee
Elmbridge:	£720 to £4320
Central Bedfordshire:	£2400 + £120 per additional dwelling
Test Valley:	10% of the planning application fee + VAT.

4.8 It is considered that there is scope to significantly increase the fees for these larger developments and it is recommended that a charge of **£1,500** for schemes between 50 and 100 dwellings would be appropriate.

4.9 For the very large strategic developments of over a 100 dwellings an individual negotiated fee through a bespoke Planning Performance Agreement (PPA) would be required. This would set out a proposed timetable for pre-application discussions and a target determination timescale and involve senior Officers within the Council. These have been successfully negotiated with large scale developments in Adur (Free Wharf) and Worthing (Teville Gate) and fees of £15,000 have been agreed particularly where the pre-application discussions involve Regional Design Panels such as Design South East (DSE).

4.10 Nevertheless, it would still be important to set out a basic fee for these strategic developments and a fee of **£3,000** would be appropriate particularly such developments would involve the Head of Planning and Development or the Planning Services Manager and the Design and Conservation Officer. It is

noted that one Council seeks to set the fee on the basis of a percentage of the application fee, however, there is a significant difference in fees between outline and full applications and therefore this is not considered an appropriate way of calculating the fee.

5.0 Performance Standards

- 5.1 It is important that the guidance notes accompanying the new pre-application charging fees set out clearly the level of service that customers can expect. For householder enquiries for instance site visits will not be undertaken and written advice will be provided without a meeting. For larger development proposals a site visit would be taken, if required, and for major developments a meeting with the relevant Case Officer would be included with the charge. Where a series of meetings is required a Planning Performance Agreement (PPA) would be required and an appropriate fee calculated based on the Officer time anticipated to be spent on the enquiry.
- 5.2 The guidance notes are being prepared in consultation with planning officers to ensure that any service standards set can be delivered.

6. COMMERCIAL PRE APPLICATION ENQUIRIES

6.1 At present, commercial and residential pre-application enquiries are subject to the same pricing regime based on the size of the development.

6.2 Current charges are, therefore:

Up to 499 sq m:	£150 + VAT
500 to 999 sq m:	£350 + VAT
1000 to 4999 sq m:	£550 + VAT
5000 sq m+	£750 + VAT

6.3 The other authorities listed above currently charge:

Arun:	No charge except for food retail, between £750 and £1500	
Brighton & Hove:	Up to 499 sq m	- £420/£840 (letter/meeting),
	500-999	- £612/£1012,
	1000-4999	- £720/£1200,
	5000-9999	- £936/£1560,
	10000+	- £1440/£2400
Chichester:	Up to 499 sq m	- £350,

	500 to 999	- £550,
	1000 to 2499	- £2000,
	2500-4999	- £2500,
	5000+	- £4500 or 10% of application fee
Horsham:	Up to 999 sq m	- £350
	1000-4999	- £500,
	5000-9999	- £750,
	10000+	- £1250
Mid Sussex:	Up to 999 sq m	- £102/£250 (letter or meeting),
	1000-4999	- £153/307,
	5000+	- £256/£512
Test Valley:	Up to 100 sq m	- £108,
	100-499	- £288,
	500-999	- £540,
	1000+	- £648
Elmbridge:	Up to 49 sq m	- £70 to £210
	50-999	- £145-£870,
	1000-4999	- £360-£2160,
	5000	- £720-£4320
Central		
Bedfordshire:	Up to 999 sq m	- £600,
	1000-1999	- £960,
	2000-2999	- £1440,
	3000+	- £2400

6.4 The above fees therefore vary, but it does appear that the current charge of £150 + VAT for developments of up to 499 square metres is rather less than other authorities, and it is suggested that there to simplify the charging regime that a single fee of **£450** for all developments up to 999 sq m may be appropriate, particularly as the likely work involved between pre-application enquiries of, say, 250 square metres and 750 square metres is likely to be quite similar, therefore justifying a flat rate fee.

6.5 The current charge for development between 1000 and 4999 square metres appears comparable to other authorities but there is no reason why a slightly higher charge of **£650** could not be justified (this would be comparable with the proposed increase for smaller residential developments of 5 - 9 dwellings). For developments over 5,000 sqm a fee of **£850** is proposed and for over 10,000 sqm a fee of **£1,500** is considered reasonable. Where food retailing is proposed it is considered a higher charge would be imposed if this required the appointment of retail consultants to undertake a retail impact assessment.

7. OTHER PRE APPLICATION OR GENERAL ENQUIRIES

LISTED BUILDINGS

- 7.1 At present there is no charge for listed building enquiries, but these are often of a specialist nature and require the input of the Council's Conservation Architect. Given the statutory protection afforded to listed buildings, effective pre-application advice is often of importance and can be of considerable benefit to an applicant in the formal application process. Some of the other authorities charge for listed building advice as follows:

Chichester	- £95
Horsham	- £150
Mid Sussex	- £76/153 (letter/meeting)
Brighton & Hove	- £216/£432 (letter/meeting)

- 7.2 It would appear justifiable for the Council to charge a fee equivalent to that of the householder fee at £100 + VAT. Whilst this is still a lower cost than some of the authorities above, other authorities do not appear to charge at all as is the case presently at Adur & Worthing and it is relevant that there is no charge for a Listed Building Consent application.

ADVERTISEMENTS

- 7.3 Similarly, some other authorities charge for advertisement pre application enquiries as follows:

Chichester	- £120
Horsham	- £150
Mid Sussex	- £76/153 (letter/meeting)
Brighton and Hove	- £150/£300 (letter/meeting)
Test Valley	- £58

- 7.4 Advertisements are an important part of the street scene, especially in district or town centres and again it is considered that a charge of £100 + VAT could be justified.

TREES

- 7.5 Both Horsham and Mid Sussex charge for pre-application advice:

Horsham	- £30
Mid Sussex	- £30.75

7.6 The Councils have a single Arboricultural Officer whose individual planning application caseload is usually higher than any other Officer. Given the high number of enquiries received, it is felt that there is justification to charge for tree advice and while higher than the examples above, a similar charge to listed buildings and advertisements of £100 + VAT could be applied.

7.7 It is noted that Chichester charge for other specialist advice, Environmental Health being cited as an example. The Council's Environmental Health team are intending to introduce their own charging regime which could be linked to any planning advice where necessary with consideration to a joint charge being applied once the Environmental Health section have finalised their own fees. This would be particularly important for major developments where there is a need to consider air quality and more complex noise/environmental issues.

8.0 CONFIRMATION OF COMPLIANCE WITH CONDITIONS/SECTION 106 OBLIGATIONS

8.1 The Councils receive many enquiries regarding compliance with conditions from potential purchasers of properties and a charge of £116 is applied to such enquiries and it is proposed that this is increased to £125. However, at present there is no charge for confirmation of compliance with Section 106 obligations (eg provision of infrastructure). Often, the enquiries relate to obligations agreed some years ago and therefore they are quite time consuming to respond to. It is therefore considered that a charge of £125 could also be applied to Section 106 enquiries.

9.0 CONCLUSION

9.1 It is considered that the pre-application charging system has proved successful in the quality of pre-application advice provided and that, after 3 years, it is justified to review the charges to bring them in line with other local and comparable authorities.

10.0 RECOMMENDATION

10.1 It is recommended that the Committee considers the proposed changes to the Councils Charging Schedule and recommends to the Adur and Worthing Executive Members for Regeneration that the following

charges are adopted by both Councils to be implemented from the 1st April:

Householder:	£100 and £175 (extensions over 100 sqm)
1-4 dwellings:	£450
5-9 dwellings:	£650
10-49 dwellings:	£1,000
50 dwellings and above:	£1,500
100 dwellings and above:	£3,000

Commercial developments up to:	
999 sq m -	£450
1,000 to 4999 sq m	£650
5,000 sq m -	£850
10,000 and above	£1,500

Listed Buildings:	£100
Advertisements:	£100
Trees:	£100

(All the above inclusive of VAT)

Confirmation of compliance with Conditions and Section 106 obligations: £125
(incl VAT)

Local Government Act 1972

Background Papers:

Charging Schedules of other Authorities
2015 Planning Committee Report - Introduction of Pre-Application Charges

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Schedule of other matters

1.0 Council Priority

1.1 Protecting front line services

1.2 Ensuring value for money and low Council Tax.

2.0 Specific Action Plans

2.1 (A) Provide and develop customer driven cost effective services.

(B) Generate financial capital, increase income and seek external funding sources.

3.0 Sustainability Issues

3.1 Matter considered and no issues identified.

4.0 Equality Issues

4.1 Matter considered and no issues identified.

5.0 Community Safety issues (Section 17)

5.1 Matter considered and no issues identified.

6.0 Human Rights Issues

6.1 No direct HR implications arising from this report.

7.0 Reputation

7.1 It is anticipated that introducing charging for householder enquiries will reduce the number of speculative enquiries and free up Officer time to deal with genuine proposals. Overall it is envisaged that charging for pre-application advice will enhance the reputation of the Council by ensuring that the pre-application service is appropriately funded.

8.0 Consultations

8.1 Stakeholders will be advised of the revision to the charging system following committee consideration and Executive Member approval (if given)

9.0 Risk assessment

9.1 There is a perception that charging for pre-application advice raises the expectation of the customer about the level of service they can expect to receive, but at present a number of enquiries are received which do not attract a charge which officers are finding difficult to respond to within prescribed timescales.

10.0 Health & Safety Issues

10.1 Matter considered and no issues identified

11.0 Procurement Strategy

11.1 Matter considered and no issues identified

12.0 Partnership working

12.1 Matter considered and no issues identified



ADUR & WORTHING COUNCILS

Pre Application Advice Charging Scheme *(Commenced from 3rd October 2016)*

Why make a pre application enquiry?

Both Adur and Worthing Councils have operated a free pre-application service for a number of years and this has provided a valuable assistance to applicants, developers and agents to help prepare planning applications and secure the necessary planning permission.

However, the majority of Councils now charge for such services and both Councils have now agreed that charging is necessary to provide a cost effective development management service.

The National Planning Policy Framework encourages engagement with Local Planning Authorities and local communities to achieve early consideration of fundamental planning issues and improved outcomes.

Discussions about schemes before they are formally submitted as planning applications can help steer proposals into a form that are more likely to be acceptable whilst leading to the reworking or dropping of proposals that appear to be fundamentally unacceptable.

Entering into pre application discussions will help save time, wasted expense and avoid frustration.

Further benefits include:

- Avoiding incomplete applications that cannot be registered
- Reducing the number of unsuccessful applications
- Reducing confrontation in the planning process
- Raising the quality of development
- Gaining community acceptance
- Securing satisfaction with the process

We will expect that guidance given by the planning officers is taken into account in the preparation and development of your proposals. Where it is evident that pre application advice has not been sought or taken into account in a subsequent planning application, the Councils may not negotiate on a scheme and applications could be determined as submitted.

What is covered by the Charging Scheme?

The charging scheme covers all requests for pre-application advice regardless of whether a meeting or written response is requested. The charging scheme includes the cost of providing specialist design, historic buildings and archaeology advice where necessary.

The following exemptions apply:

- General planning advice on householder development proposals
- Incidental advice or information given by telephone
- Where the works are required to meet the needs of a person's registered disability
- Discussions in relation to enforcement matters
- Enquiries relating only to listed building consent – these will be dealt with directly by the Councils' Design and Conservation Officer
- Enquiries relating to advertisements and demolition of unlisted buildings in conservation areas (conservation area consent)

In addition, the charging scheme will not apply to advice given by the following organisations:

- West Sussex County Council
- Housing Associations (unless a mixed market/affordable scheme is proposed)

Generally, we will expect developers and agents to seek advice on trees from arboriculture consultants and will not therefore provide advice to individuals on tree related matters.

You should also be aware that advice in relation to the highways aspects of development is available from West Sussex County Council as the Highway Authority. Advice in relation to flood risk is available from the Environment Agency.

What will it cost me to obtain advice?

From the 3rd October 2016 the following charges apply:

We WILL charge for advice on:	Level of Charge:
<p>'Minor' Residential development of 1-4 dwellings or Commercial floor space up to 499 sqm.</p> <p>Initial written advice based on a desk top study and/or meeting on site or at the Council offices (if required).</p>	<p>Fixed Fee £150 + VAT</p> <p>A subsequent meeting with Officers will be charged at the above rate.</p> <p>For additional written responses only, these will be charged at 50% of the fixed fee.</p>
<p>Residential Development of 5-9 dwellings or Commercial floor space between 500-999 sqm.</p> <p>Up to 1 hour meeting on site or at the Council offices followed up by written advice.</p>	<p>Fixed Fee £350 + VAT</p> <p>Any additional meeting with Officers will be charged at the above fixed fee.</p>
<p>'Major' Residential Development of 10-49 dwellings or Commercial floor space of 1,000 to 4,999 sqm.</p> <p>Up to 1 hour meeting on site or at the Council offices followed up by written advice</p>	<p>Fixed Fee £550 + VAT</p> <p>Any additional meeting with Officers will be charged at the above fixed fee.</p>
<p>Significant Major Residential Development (50+ dwellings) or Commercial floor space of more than 5,000 sqm.</p> <p>Up to 1 hour meeting on site or at the Council offices followed up by written advice.</p>	<p>Fixed Fee £750 + VAT</p> <p>Each additional meeting with Officers will be charged at the above fixed fee.</p>

Validation of pre-app will not take place unless/until payment is received.

Payments can be made by cheque (payable to 'Adur District Council' for applications in Adur or 'Worthing Borough Council' for applications in Worthing) or debit/credit card by telephone on 01903 221065, Monday to Friday between 10am and 4pm.

The table above outlines the service that the Councils will provide depending on the type of case involved. A written reply setting out the Councils' pre application advice will be provided in every case. Depending on the complexity of the case the Planning Officer will determine whether a site visit is necessary and more than one meeting is likely to be required 'major'/'large major' schemes. The fee payable includes the cost of specialist advice on design and heritage matters although specialist advice from West Sussex County Council is likely to incur additional charges (for access to Historic Environment Records (HERs) for instance).

For the most significant schemes or strategic scale development, a Planning Performance Agreement (PPA) is likely to be more appropriate in which the process of dealing with the proposal in accordance with a timetable, principles and procedures are agreed with the applicant. A Planning Performance Agreement would be drawn up at the pre-application stage and would lead the process through the application stage.

How do I obtain pre application advice?

Requests for pre-application advice should be made by e-mail to 'planning@adur-worthing.gov.uk' or in writing to the Planning Services Manager with a subject heading of *Pre-Application Advice*. Alternatively, you may wish to complete and send to us the Pre-Application Advice form which is available on our website. This form sets out the information required for a request to be accepted.

Upon receipt of your request for pre application advice, we will aim to contact you within 5 working days either to request further details or to confirm that your request is complete and has been allocated to a Case Officer for action.

What do I need to do before advice can be given by the Councils?

As a minimum, we will expect the following to be provided to enable your request to be actioned:

- Payment of relevant fee (by cheque, debit card or credit card)
- Completed Pre Application Advice form
- Location and site plans
- Sketch or indicative plans of the proposal
- Supporting studies/information (for major schemes)

To ensure that requests for pre-application advice are as productive as possible, applicants or their agents will be expected to provide sufficient information and plans to describe and explain their proposals including:

- An assessment of the character of the area
- An analysis of the opportunities and constraints of the site in its context.

These details will be used to promote a design led approach to the scheme and will enable the Councils to assess whether a development team including specialist officers should be brought together.

What can I expect from the process?

Requests for advice will be allocated to case officers according to their complexity. Major schemes will normally be dealt with by a senior officer. To ensure that the process is as seamless as possible, the case officer will usually deal with any subsequent planning application.

We will aim to provide a written reply or arrange a meeting within 25 working days from the date your request is accepted as complete, except for the more complex proposals where we may need to agree a longer timescale with you. We will endeavour to reply to householder enquiries quicker than this where possible.

Where a meeting is held, a written summary of the main points will be sent within 10 working days of the meeting. Our preferred method of written communication is via e-mail and this will be used wherever possible.

In the case of major development proposals, it may (at the officer's discretion) be necessary to consult statutory consultees and other groups prior to providing advice. In such cases, the pre application process may take longer in order that we are in a position to provide a comprehensive response.

The case officer will assess the submitted information and will aim to provide you with constructive comments on the scheme in relation to the following so far as they are relevant:

- Relevant development plan policies and other Council strategies that may have a bearing on the proposal
- Site constraints, e.g. statutory designations such as conservation areas, Tree Preservation Orders and other constraints including listed buildings, flood zones and rights of way.
- Relevant planning history
- The details of the proposal, i.e. the acceptability of the land use, design and amenity considerations and highways and access issues where appropriate
- Infrastructure requirements, including the need for affordable housing, open space and contributions towards Council or County Council services.

What if a subsequent decision on an application does not follow the advice I was given?

Advice given will be based on the case officer's professional judgement and assessment of the information provided. Pre-application advice whether favourable or not is given on a 'without prejudice' basis since the Councils must on submission of an application go through the statutory procedures and formal consultations and assess the outcomes before a decision can be made

Whilst advice will be given in good faith, we cannot guarantee that a subsequent planning application will be successful. We nevertheless believe that pre application advice is an extremely important part of the planning process. Fees for pre-application advice will not be refunded and do not affect any statutory planning application fee subsequently required.

What if I disagree with the advice received?

We recognise that you may not agree with the advice you receive and it remains open to you to reject the advice and submit a formal application for determination. Except where additional meetings are deemed necessary for major and large major proposals, pre-application advice is provided for the scheme submitted only. Significant changes to a submitted enquiry may need to be the subject of a new enquiry and may require a further fee.

Confidentiality

Requests for pre application advice and the response provided will not be placed on the Councils' website. There is however the possibility that under the Freedom of Information Act, we will be asked to provide information about enquiries for advice and copies of any advice given. We will need to decide whether such information can be treated as exempt from disclosure, for example if it is clear that its release could prejudice commercial interests. You are therefore encouraged to indicate whether and for how long any information needs to remain confidential when making your request for advice.