



ADUR DISTRICT COUNCIL

Adur Planning Committee
7th August 2023
Agenda Item 8

Ward(s) Affected: All outside the South
Downs National Park

Adur Local Development Scheme

Report by the Director for Place

Officer Contact Details

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Executive Summary

1. Purpose

- 1.1 A Local Development Scheme setting out an updated timetable for the Local Plan update process (alongside a programme to develop other documents as part of the Adur Local Development Framework) is attached for information and consideration.

2. Recommendations

- 2.1 The Committee is asked to consider the proposed Local Development Scheme; and
- 2.2 That comments are referred to the Executive Member for Regeneration for approval, prior to publication on the Council's website.

3.

- 3.1 Local authorities are required to prepare a Local Plan that sets out planning policies and proposals for that area. An up-to-date planning policy framework provides a strategy and policies for managing the development of our places, including the delivery of appropriate infrastructure. The Local Development Scheme provides a 3 year project plan addressing the development and delivery of the Local Plan and associated planning documents.
- 3.2 A report was taken to Adur Planning Committee on 6th September 2021, which explained the need to update the Adur Local Plan, in order to meet the requirements of national policy. Paragraph 33 of the revised National Planning Policy Framework requires that '*Policies in Local Plans... should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary.*'
- 3.3 The report of 6th September 2021 stated: *The timetable is likely to be refined over time, and updates will be published on the Council's website.* The Local Development Scheme 2021 was approved and published on the Council's website.
- 3.4 Subsequently, a report was taken to the Adur Planning Committee on 6th March 2023 informing members of the proposed changes to the planning system. This set out the Government's proposed changes to the planning system (set out in the Levelling Up and Regeneration Bill) which included changes to plan-making designed to simplify and speed up the process. These proposals indicated that the deadline for submission of a Local Plan under the current legislation would be June 2025. However since this consultation there have been no further updates from the Government as to whether this date remains fixed or may be changed; neither have any further consultations, or revisions to legislation or regulations been undertaken. As such it is not possible to provide any further clarity regarding implementation of the proposed new system.

4 Key proposals

- 4.1 Appendix 1 below contains the Adur Local Development Scheme 2023 - 2026. This sets out the proposed timetable for progressing the Adur Local Plan, (including statutory consultation stages) as well as other key policy documents.

- 4.2 Work has commenced on the Local Plan update; this includes work on commissioning the evidence base - a Transport Study and the Strategic Flood Risk Assessment are underway, an air quality study and retail work will commence shortly; and initial landscape work has been completed. Liaison with infrastructure providers has commenced, and work is being undertaken to consider the suitability of potential sites in the area. A participation strategy is also being developed.
- 4.3 In addition work has been carried out to look at development on the Western Harbour Arm, analysing development permitted so far, and revisiting infrastructure requirements. This work will feed into the Local Plan review.
- 4.4 Reviews of two conservation areas, and development of associated conservation area character assessments have also been undertaken for Kingston Buci and Old Shoreham.
- 4.5 The revised LDS attached shows an updated programme for the Local Plan. This allows for submission by June 2025, the end date indicated in Government consultation. However, as previous reports have indicated, if the system should change and work is delayed, it may be necessary to 'pivot' to the new system. A number of local authorities have paused work on their Local Plans; however this is not proposed. Five years have passed since the Adur Local Plan was adopted and the housing delivery policy may be considered out of date. It is important therefore that the Council is seen to be progressing work on the Local Plan to address housing delivery and reduce the risk of 'planning by appeal'.
- 4.6. The LDS also indicates a timescale for an update of the Sustainable Energy SPD; and a proposed timescale for the production of a Green Infrastructure SPD.

5 Engagement and Communication

- 5.1 Local Plan regulations set out statutory requirements for external consultations on the plan as it progresses. This allows opportunities for individuals, organisations and statutory consultees to comment on the emerging plan. A participation strategy is currently being developed.
- 5.2 As a minimum, consultation will be undertaken in line with the Council's Statement of Community Involvement.

6 Financial Implications

6.1 There are no financial implications arising directly from this document.

Finance Officer:

Date:

7 Legal Implications

7.1 The Planning and Compulsory Purchase Act 2004, the Localism Act 2011 and associated regulations (in particular the Town and Country Planning (Local Planning) (England) Regulations 2012) provide the statutory framework for the review of the Local Plan and the updating of policies and the requirements for a Local Development Scheme.

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Date: 21st July 2023

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Sustainability & Risk Assessment

1. Economic

- National policy states the economic objective of planning as to: *help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

2. Social

2.1 Social Value

- National policy states the social objective of planning as to: *support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;*

2.2 Equality Issues

- Equalities impact issues will be undertaken alongside the Sustainability Appraisal process of the Local Plan

2.3 Community Safety Issues (Section 17)

- The update of the Local Plan will consider community safety matters (as the adopted Local Plan does) and require development to incorporate the principles of securing safety and reducing crime through design in order to create a safe and secure environment.

2.4 Human Rights Issues

- It is not anticipated that the update of the Local Plan would have any adverse impacts on human rights.

3. Environmental

- National policy states the environmental objective of planning as: *to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

4. Governance

- Local Plan regulations set out statutory requirements for external consultations on the plan as it progresses. This allows opportunities for individuals, organisations and statutory consultees to comment on the emerging plan. As a minimum, consultation will be undertaken in line with the Councils' Joint Adur & Worthing Statement of Community Involvement.

Appendix 1 - Adur Local Development Scheme 2023 - 2026

ADUR LOCAL DEVELOPMENT SCHEME

2023-2026

ADUR DISTRICT COUNCIL



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This Local Development Scheme has been prepared in accordance with the requirements of the Planning and Compulsory Purchase Act 2004.

Adur District Council – September 2021

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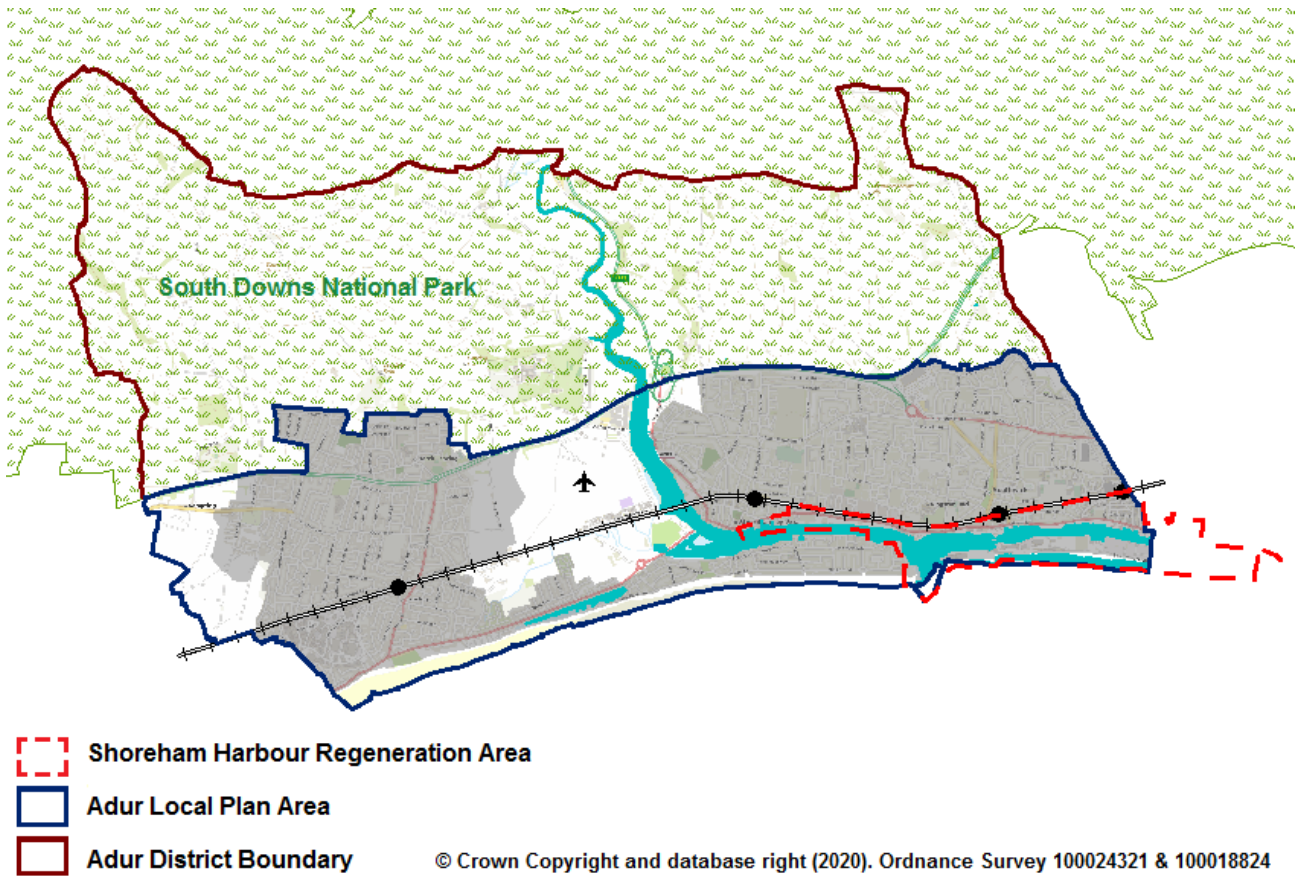
1. INTRODUCTION

- 1.1 The Planning and Compulsory Purchase Act 2004 (section 15) requires local planning authorities to prepare and maintain a Local Development Scheme (LDS). This LDS provides the starting point for the local community to find out what the current planning policies are for the area and sets out the Council's programme for the preparation of new policies and guidance over the next three years.
- 1.2 This LDS updates and replaces the Adur Local Development Scheme 2021-23 and provides information on the Development Plan Documents and Supplementary Planning Documents that the Council intends to produce, the timetable for their preparation and revision, resources available for preparing the various planning documents), and the Local Planning Authority's proposals for monitoring the Local Plan.
- 1.3 In 2008, Adur and Worthing Councils formally approved a programme for undertaking services on a partnership basis. Adur District Council and Worthing Borough Council services merged in 2010. Opportunities for joint working and greater partnership arrangements can arise, for example through the preparation of joint SPDs or guidance, or jointly commissioning evidence where relevant.

Geographical Coverage of the Adur Local Plan

- 1.4 On 12th November 2009 an order confirming the designation of the South Downs National Park was signed by the Secretary of State for Environment, Food and Rural Affairs (DEFRA). The South Downs National Park Authority (SDNPA) took on full powers from April 2011 and adopted its own Local Plan on 2nd July 2019. This contains planning policies for all areas within the South Downs National Park boundary. As a consequence, the Adur Local Plan and subsequent LDF documents do not cover that part of Adur District which lies within the National Park.

Map of Adur District, showing area within South Downs National Park (green), and remaining area within planning remit of Adur District Council (in grey).



The Adur Development Plan

- 1.5 On publication of this LDS in 2023, the Development Plan consists of:
- The Adur Local Plan 2017.
 - The Shoreham Harbour Joint Area Action Plan 2019.
 - The West Sussex Joint Minerals Plan 2018, partially revised 2021.
 - The West Sussex Waste Local Plan 2014
- 1.6 West Sussex County Council is responsible for preparing statutory land use plans for minerals and waste. They have worked in partnership with the South Downs National Park to produce the West Sussex Joint Minerals Plan, adopted by both authorities in July 2018. This covers the period up to 2033. This was partially revised in 2021 following work in relation to soft sand. The County Council has also prepared a Waste Local Plan jointly with the South Downs National Park Authority (adopted April 2014) which covers the period up to 2031.
- 1.7 The Adur Local Plan was adopted on 14th December 2017. It covers the period 2011-2032 with a commitment to review or partially review the Plan within 5 years. (See section 2 below). The Adur Local Plan sets out a strategy for development in that part of Adur which lies outside of the South Downs National Park. It also forms the context for neighbourhood planning in Adur. It sets out the vision and objectives for the plan area, place-based site specific policies (including site allocations) and development management policies.
- 1.8 Adur District Council is working in partnership with Brighton & Hove City Council, West Sussex County Council and Shoreham Port Authority to regenerate Shoreham Harbour and surrounding areas. The partnership's strategy to deliver this regeneration is set out in the Shoreham Harbour Joint Area Action Plan (JAAP) which was adopted between October – November 2019 by the three local authorities. The plan includes proposals and policies for new homes and employment space; upgraded flood defences, recreational and community facilities, sustainable travel, and environmental and green infrastructure improvements.
- 1.9 Adur District Council has also produced an updated Policies Map which accompanies the Adur Local Plan. It identifies policy designations and proposals, sites allocated for particular land uses, development proposals identified in the DPDs, and will set out the areas to which specific policies apply. This was updated in 2019 to reflect the adoption of the Shoreham Harbour Joint Area Action Plan and again in 2023 to indicate revisions to Old Shoreham and Kingston Buci conservation areas.

Climate Change Position Statement

1.10 Adur & Worthing Councils declared a Climate Emergency in July 2019 and have committed to work towards becoming carbon neutral by 2030. The planning system is one of many tools that can be used to address climate change. The way in which we shape new and existing developments can make a significant contribution to adapting and mitigating the effects of climate change through carbon reduction and sustainable design & construction.

1.11 Following this the Adur Planning and Climate Change checklist was published (amended June 2021). This sets out the development requirements in relation to climate change that are contained in the adopted development plan documents and will be considered when determining planning applications: <https://www.adur-worthing.gov.uk/media/Media,165567,smxx.pdf>

1.12 This Position Statement will be updated in due course to reflect the revised Sustainable Energy SPD

Houseboats Good Practice Guide

1.13 This was published in January 2021, and aims to advise existing and future houseboat owners on the type of development and changes which are appropriate to the houseboats, taking into account the need to protect and enhance the river environment whilst respecting the unique characteristics of the houseboat community. It replaces the Guide published in 2007.

2. ADUR LOCAL DEVELOPMENT DOCUMENTS - TIMETABLE

- 2.1 It is anticipated that the only Local Development Document to be produced by Adur District Council within the next 3 year period is the updated version of the Adur Local Plan.

Adur Local Plan

- 2.2 The Adur Local Plan (published in 2017) contains a commitment to review the Plan within 5 years of adoption. Since then the revised National Planning Policy Framework was published in 2019, and updated again in 2021. Paragraph 33 requires that policies within Local Plans are reviewed to assess whether or not they need updating at least once every 5 years (This clarifies the requirements of Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012). A review has indicated that it is necessary to update the Plan. This will be prepared under the Town and Country Planning (Local Planning) (England) Regulations 2012, and consistent with the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. However it should be noted that in December 2022 the Government consulted on changes to the National Planning Policy Framework which could result in significant changes to the local plan preparation system. The consultation stated that, should these proposals be implemented, the last date by which a Local Plan prepared under the current system should be submitted would be June 2025. As such, it is intended that the Adur Local Plan will continue to be prepared under the current Local Plan system. However, if circumstances arise that result in this not being achievable, it will be necessary to adapt the plan and submit under the revised planning system.

Western Harbour Arm

- 2.3 The Adur Local Plan (adopted 2017) allocated the Shoreham Harbour Regeneration Area as a broad location for development; subsequently the Shoreham Harbour Joint Area Action Plan (adopted 2019) set more detailed policy requirements for the regeneration area. This work will take a place-making, design-led approach looking at the remaining sites within the Western Harbour Arm character area which have not yet come forward for development. It is anticipated that this work will commence in late summer/ Autumn 2023. Outputs from this study will feed into the emerging Adur Local Plan and potentially additional guidance in advance of this. The Council's website will be updated accordingly.

Adur Local Plan timetable

Background evidence gathering, etc.	
Regulation 18 consultation	Summer 2024
Regulation 19 consultation	Spring 2025
Submission	Summer*2025
Examination	Autumn **2025
Adoption	Winter 2025.

- **Required to submit by June 2025 under current Government proposals for changes to the planning system.**

**** Timescale determined by Planning Inspectorate**

3. SUPPLEMENTARY PLANNING DOCUMENTS – TIMETABLES

3.1 Supplementary Planning Documents (SPD) do not themselves determine policy, but instead give greater detail on the policies within the Local Plan, other DPDs or other higher level policy documents, and explain how they will be applied. These SPDs will be prepared under the Town and Country Planning (Local Planning) (England) Regulations 2012.

Sustainable Energy SPD - review

3.2 Adur’s Sustainable Energy SPD was adopted on 14th August 2019, and sought to address adopted Local Plan policy and emerging policy in the Shoreham Harbour Joint Area Action Plan. The Council has explored the potential for delivering a heat network in Shoreham. It is not currently viable to do so. The SPD will be updated to reflect this. However the requirement will remain for all non-householder development in the Shoreham Harbour Regeneration Area, and all major development elsewhere in Adur to submit an Energy Statement.

Preparation, Information Gathering and Stakeholder Input	June-July
Consultation on Draft Document	September - October 2023
Adoption	November 2023

Green Infrastructure SPD

3.3 Adur & Worthing Councils are producing a joint Strategy to address nature recovery and related matters. This will set out the Councils’ approach to protecting and restoring biodiversity, enhancing natural capital, and delivering a network of strategically planned green infrastructure across the area. This SPD will facilitate delivery of those aspects of the Strategy which are relevant to the planning process. This will include advice on how to incorporate green infrastructure into development proposals and/or enhance the quality of existing green infrastructure.

Preparation, Information Gathering and Stakeholder Input	Q3 2023
Consultation on Draft Document	Q2 2024
Adoption	Q3 2024

4. OTHER DOCUMENTS

Adur and Worthing Statement of Community Involvement (SCI)

In July 2019 Adur District Council and Worthing Borough Council adopted a joint Statement of Community Involvement (SCI). This sets out the consultation procedures for the Local Development Framework, as well as planning applications. The document can be viewed on the Councils website. An Interim SCI was published in January 2021 to address temporary changes introduced due to the Covid pandemic. The SCI is due for review and it is likely to be completed by the end of 2023.

Neighbourhood Plans

4.2 The Localism Act 2011 introduced reforms to the planning system which enables the creation of Neighbourhood Plans. One Neighbourhood Plan is currently being progressed in Adur:

Shoreham Beach Neighbourhood Plan

4.3 Shoreham Beach residents applied to the Council for a Neighbourhood Plan Area and Forum in 2014. A decision was made on 20th November 2014 by Adur District Council to approve the Shoreham Beach neighbourhood area and designate the Shoreham Beach Neighbourhood Forum in relation to this

area. The Forum was redesignated on 13th July 2021. Further information can be found on the Shoreham Beach Neighbourhood Forum website.

5. OTHER INFORMATION

Monitoring and Review – The Annual Monitoring Report

- 5.1 The Council is currently required to annually monitor the effectiveness of policies and proposals within the Local Development Framework. The monitoring period for Adur will cover the period 1st April – 31st March and will be published before 31 December each year until further notice. This will address a range of issues including whether the milestones set out in the LDS are being met, and if not, the reasons why.
- 5.2 As a result of monitoring, the Council will consider what changes, if any, need to be made to planning policy and will bring forward such changes through the review of the Local Development Scheme.
- 5.3 Whilst the Council will keep to the timetables agreed in the LDS, in exceptional circumstances it may be appropriate to prepare revisions, for example if there is an urgent need to prepare an SPD or if there is slippage in the production of a document (for example as a result of new planning guidance being issued). In these circumstances, real time information will be made available on the Council's web site.

Infrastructure Funding Statements

- 5.4 The Community Infrastructure Levy (CIL) Regulations 2010 (as amended) require authorities to publish a document (an Infrastructure Funding Statement - IFS) on their website by the 31st December each year. Adur's first statement was published by 31st December 2020 (covering the period 2019-20), and an IFS has subsequently been published each year in December and made available on the Council's website. The IFS will set out the developer contributions collected over the previous financial year.

Risk Assessment

- 5.5 Contingency arrangements will need to be put in place in the event that insufficient resources are available to progress the LDF documents in line with this LDS as follows:
 - Staff resources - In order to ensure that the core work is focused on the LDF, other work of the team (such as responding to Government

consultation documents and transport matters) may need to have a lower priority at certain times.

- Consultants may be contracted for certain aspects of technical work.
- Working in partnership with Worthing Borough Council (see above) enables joint use of staff resources and work processes, giving greater flexibility in terms of workload. Also joint working with other local authorities with regard to evidence gathering and cross-boundary issues, where appropriate, will help to reduce costs.
- Working with advisory groups such as the Planning Advisory Service and liaison with the Planning Inspectorate when appropriate will seek to ensure procedural matters are carried out correctly, help in developing sound DPDs, and reduce the risks of legal challenge. Liaison with other local planning authorities will assist in sharing ideas and developing best practice.

Publication of Documents

- 5.6 DPDs including the Local Plan, as well as SPDs and the SCI will be made available on the Adur and Worthing Councils website.

Revisions to the Adur Local Development Scheme

- 5.7 This Adur Local Development Scheme 2023 replaces the previous Adur Local Development Scheme. Key changes are as follows:

- Sustainable Energy SPD - this was adopted on 14th August 2019; it is to be updated as indicated above.
- The previous LDS referred to the production of an Interim Statement on Affordable Housing. A First Homes Position Statement was adopted in May 2022
- Sompting Neighbourhood Plan has been removed from this document. TA decision was made on 17 December 2012 by Adur District Council in liaison with the South Downs National Park Authority to approve the Sompting Neighbourhood Plan area.—An examination into the Plan commenced in July 2018. However on 25th July 2018 Sompting Parish Council agreed to withdraw the Plan from Examination (as the submitted Plan was no longer the version of the Plan that the Parish Council wished to pursue). Although consultation on a subsequent Regulation 14 version was carried out between 7th December 2020 – 15th February 2021, at a meeting of Sompting Parish Council on 9th March 2022 the Parish Council agreed not to progress this Plan any further. Any queries should be directed to Sompting Parish Council.
- Adur Community Infrastructure Levy – a decision was taken by the Council not to proceed with CIL and the timetable has therefore been deleted. However the issue will be kept under review. The Government

has recently (2023) consulted on a proposed Infrastructure Levy which would become a requirement for local authorities

Appendix 1

Current Supplementary Planning Guidance

This table lists the Supplementary Planning Guidance documents produced by Adur District Council will regard as being a material consideration in the determining of planning applications, and how they relate to proposed Supplementary Planning Documents.

Title of Supplementary Planning Guidance	Date Adopted	Description of Document	Proposed to be replaced or updated?
Development Management Standard No. 1: Space Around New Dwellings and Flats	Sept 1990 Updated: Sept 1994 April 1996 Updated again January 2018	This document sets out the Council's minimum standards for residential development. It is largely aimed at the provision of dwelling houses and flats on infill and redevelopment sites	This document remains a material consideration in the determining of planning applications.
Development Management Control Standard No. 2: Extensions and Alterations to Dwellings	Sept 1990 Updated: Sept 1994 April 1996 Updated January 2018	This document sets out the principles used by the Council when assessing planning applications for extensions or alterations to houses or bungalows	This document remains a material consideration in the determining of planning applications.
Flood Risk Management Guide SPD	2015	The Partnership has prepared a Flood Risk Management Guide SPD which identifies requirements for new and improved flood defences and flood adaptation measures. It will sit alongside the JAAP and aid developers in delivering flood defence mitigation measures and ensure a consistent approach to flood defences across the regeneration area.	No proposed review at this point.

Appendix 2: This table lists the documents which the Council regards as being a material planning consideration in the determining of planning applications. They have not, however, been formally adopted as Supplementary Planning Guidance.

Title of Document	Date Adopted	Description of Document	Proposed to be replaced or updated?
Design Bulletin No. 1: Shopfront Design	July 1991 Revised Jan 1994, April 1996, and January 2019.	Sets out design advice for shopfronts in the Shoreham by Sea conservation area	This document was updated in January 2019 to reflect the adoption of the Adur Local Plan 2017.
Design Bulletins No 2: Development Involving Horses in the Countryside	June 1994, updated Sept. 1994, April 1996 and January 2019	Sets out advice and guidance which will be used by the Council when determining planning applications	This document was updated in January 2019 to reflect the adoption of the Adur Local Plan 2017.
Design Bulletin No 3: Shopfront Security	1998, updated January 2019	Describes the range of shopfront security devices which the Council considers to be acceptable in Adur	This document was updated in January 2019 to reflect the adoption of the Adur Local Plan 2017.
Shoreham Renaissance	2006	A strategy for the regeneration of Shoreham town centre to achieve a sustainable community with social, economic and environmental sustainability.	Please note that some site-specific details have been superseded, although other projects/ objectives are ongoing.
Good Practice Guidance for Houseboats	May 2007, updated 2021.	Sets out advice and guidance to advise existing and future houseboat owners on the type of development and changes which are appropriate to the houseboats.	This document was published in 2021

Interim Planning Guidance Note Planning Guidance for Infrastructure Provision	July 2013	This gives advice as to the contributions required towards new infrastructure provision to serve new development under existing saved policies. This includes affordable housing and refers to guidance from West Sussex County Council regarding parking standards.	In due course will be replaced by other SPDs or guidance, and will respond to the Adur Local Plan update as appropriate.
Interim Position Statement, First Homes	May 2022	This sets out Adur District Council's proposed interim policy position around various aspects of First Homes	In due course this matter will be addressed in the updated Adur Local Plan.

Appendix 3: Key Milestones – DPDs and SPDs only (please see above for other documents)

	2023		2024				2025							
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Adur Local Plan Update (DPD)					Reg 18 consultation		Reg 19 Publication	Submission	Examination	Adoption				
Sustainable Energy SPD	Consultation	Adoption												
Green Infrastructure SPD	Preparation and stakeholder engagement			Consultation	Adoption									

Please note:

- Resources may need to be reallocated subject to development of any further Neighbourhood Plans in Adur.
- This table indicates only those DPDs and SPDs being prepared by the Adur and Worthing Planning Policy team. Other documents being led by other officers/ organisations (such as neighbourhood plans) are not indicated here.