



Worthing Planning Committee  
20th September

WORTHING BOROUGH  
COUNCIL

Agenda Item 11  
Key Decision: No

Ward(s) Affected: All Adur and Worthing wards outside South Downs National Park

**Adur & Worthing Joint Statement of Community Involvement - Draft for Consultation**

**Report by the Director for Place**

**Executive Summary**

**1. Purpose**

- This report informs Members of the review of the Adur & Worthing Joint Statement of Community Involvement and that an update has been prepared.
- Members are asked to note the draft Adur & Worthing Joint Statement of Community Involvement and to forward any comments to the Executive Member for Regeneration.

**2. Recommendations**

2.1 The Committee is asked to consider the attached Statement of Community Involvement; and

2.2 That any comments are referred to the Executive Member for Regeneration for consideration, prior to public consultation.

## **1. Introduction**

- 1.1 Planning affects us all. The homes we live in, the places we work, and the open spaces where we relax are all a result of planning decisions. Community involvement and consultation is a key part of any Council's decision making process. The Councils believe that the whole community and local businesses 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.
- 1.2 A draft revised Joint Statement of Community Involvement has been prepared. 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 statutory and additional consultation measures that the Councils will undertake when consulting on Planning Policy documents and publicising planning applications.

## **2.1 Context**

- 2.1 The preparation of an SCI is a legal requirement of the Planning and Compulsory Purchase Act 2004 and, once adopted, the Council is legally obliged to comply with it. There is a legal requirement that a review of the SCI must be completed every five years, starting from the date of adoption of the SCI.
- 2.2 The previous SCI was published in 2019 and therefore to comply with the requirements of undertaking a 5 year review, a refresh of the SCI has been undertaken. Covid-19 has resulted in changing practices with services becoming more digital (online) in nature. The Councils also recognise that there is still a need to ensure that accessible options (a combination of digital and traditional methods) for inclusive engagement are made available.
- 2.3 Since the current SCI was published in 2019, Worthing Borough Council has undertaken numerous public consultations whilst progressing the Worthing Local Plan, which has now been adopted (2023). 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. In

readiness, for future public consultations on planning policy documents (such as Supplementary Planning Documents) to support the implementation of the Worthing Local Plan, it is considered timely to have an up-to-date SCI in place.

- 2.4 Two new chapters have been included within the draft SCI which concern Conservation Area Reviews and Article 4 Directions. Worthing Borough Council is undertaking a programme of reviewing and updating some conservation area character appraisals across the area. As such, the revised SCI sets out the statutory consultation procedures in relation to conservation area reviews and for the making of Article 4 Directions.
- 2.5 The chapter on Development Management has been reviewed to ensure that it reflects current publicity measures undertaken for planning applications especially with regards to large major planning applications, where the consultation period can be extended to maximise publicity and community involvement. Whilst, the Council can not insist on pre-application consultation for major developments the wording of the SCI has been strengthened to encourage greater community consultation on large scale redevelopment schemes.
- 2.6 Adur & Worthing Councils new corporate plan, 'Our Plan' includes a number of principles, one of which is 'participative'. The draft SCI is consistent with meeting that principle.

### **3. Issues for consideration**

- 3.1 It is proposed that the draft SCI is published for consultation for a period of 6 weeks. Following consideration of comments received, any necessary amendments will be made, and the SCI will be progressed to adoption. This will ensure that the Council is meeting statutory consultation requirements and that consultation undertaken is open, effective and transparent. If a revised SCI is not in place, public consultation may not be carried out in accordance with statutory requirements. It must be noted that public consultation was undertaken in 2019 prior to publishing the Adur & Worthing Statement of Community Involvement (2019) and therefore for consistency purposes it is recommended that consultation is undertaken for the revised draft SCI.

### **4. Engagement and Communication**

- 4.1 The draft document has been prepared in liaison with Officers from

the Development Management Team. Public consultation will be undertaken for a period of 6 weeks, commencing early October (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 the Town Hall, the Shoreham Centre and in local libraries.

## **5. Financial Implications**

- 5.1 The cost of preparing the SCI document will be funded from within existing budgets.

Finance Officer: Sarah Gobey

Date: 24th August 2023

## **6. Legal Implications**

- 6.1 A Local Authority must prepare a Statement of Community Involvement in accordance with the Planning and Compulsory Purchase Act 2004 although 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 the principles contained within Adur and Worthing Councils Consultation Policy Statement.

Legal Officer: Caroline Perry

Date 16th August 2023.

## **Background Papers**

- Adur & Worthing Joint Statement of Community Involvement 2019
- Adur Local Plan 2017
- Worthing Local Plan 2023

## **Officer Contact Details:-**

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## **Sustainability & Risk Assessment**

### **1. Economic**

- Matter considered and no issues identified.

### **2. Social**

#### **2.1 Social Value**

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

#### **2.2 Equality Issues**

- 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.

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

- Matter considered and no issues identified.

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

- Matter considered and no issues identified.

### **3. Environmental**

- Matter considered and no issues identified.

### **4. Governance**

- Matter considered and no issues identified.

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## Chapter 1 - Introduction

### What is a Statement of Community Involvement?

- 1.1 Planning affects us all. The homes we live in, the places we work, and the open spaces where we relax are all a result of planning decisions. Community involvement and consultation is a key part of any Council's decision making process. The Councils believe that the whole community and local businesses 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.
- 1.2 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 Adur & Worthing Councils will undertake when consulting on planning policy documents and publicising planning applications. Adur & Worthing Councils are two separate Councils but have a shared officer structure and thus a single joint SCI.
- 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 \(2018\)](#) which provides information on how consultations should be conducted in general providing a consistent consultation approach.
- 1.5 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?

- 1.6 The preparation of an SCI is a legal requirement of the Planning and Compulsory Purchase Act 2004 and, once adopted, the Council is legally obliged to comply with it. In addition, there is a legal requirement that a review of the SCI must be completed every five years, starting from the date of adoption of the SCI.
- 1.7 The previous SCI was published in 2019 and therefore to comply with the requirements of undertaking a 5 year review, a refresh of the SCI has been undertaken. Covid-19 has resulted in changing practices with services becoming more digital (online) in nature. The Councils also recognise that there is still a need to ensure that accessible options (a combination of digital and traditional methods) for inclusive engagement are made available.

## **How does the planning system work?**

- 1.8 There are two key parts to the local planning system - Planning Policy and Development Management.
1. **Planning Policy** is concerned with producing the local planning documents and policies that are used to guide development in Adur District and Worthing Borough. These documents must conform to relevant Government guidance, and there are specific regulatory procedures which must be followed during their preparation.
  2. **Development Management** is responsible for processing and determining planning applications, along with other applications including works to trees, advertisements and listed buildings. The team also provides pre-application planning advice. The Enforcement team investigates and takes appropriate action in respect of breaches of planning control.
- 1.9 It is important to note the role of West Sussex County Council (WSSCC) in the planning process. WSSCC is responsible for preparing minerals and waste Local Plans. The County Council also processes and determines planning applications for minerals and waste development and for the County Council's own development such as schools and libraries. WSSCC is also the lead local highway and transport authority, local education authority and the lead local flood authority.

## **Resources**

- 1.10 Adur & Worthing 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.
- 1.11 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.
- 1.12 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.



## Chapter 2 - Planning Policy

### 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 and ensure that it is kept up-to-date (reviewed at least once every five years). A Development Plan sets the overall strategic & non-strategic policies and includes a policies map and site specific allocations within the authority area. Development Plans are often referred to as a 'Local Plan' such as the adopted [Adur Local Plan \(2017\)](#) and the adopted [Worthing Local Plan \(2023\)](#). In addition, The Shoreham Harbour Regeneration Partnership<sup>1</sup> adopted a [Joint Area Action Plan \(JAAP\) \(2019\)](#) which is the Development Plan specifically concerning Shoreham Harbour.
- 2.2 The Planning Policy team also prepares Supplementary Planning Documents (SPD) which provides specific guidance underpinning a particular policy in a Local Plan. Collectively these documents set out the respective Councils planning policies for meeting the community's economic, environmental and social needs where this affects the development and use of land.
- 2.3 The National Planning Policy Framework (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 over a time period of 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.
- 2.4 Adur District Council and Worthing Borough Council are each 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 and this is published on the Councils' website.

### How can you get involved?

- 2.5 The Planning Policy team maintains separate consultee databases for Adur District and Worthing Borough holding contact details of specific and general consultation bodies, individuals, groups, and stakeholders who the Council will contact to provide key updates on planning policy matters. Any stakeholder can unsubscribe at any time.

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<sup>1</sup> The Shoreham Harbour Regeneration Partnership is made up of Adur District Council, Brighton & Hove City Council, West Sussex County Council and Shoreham Port Authority.

2.6 People can register their contact details i.e. email address or postal address if an email address is not available. Please refer to paragraph Chapter 8 regarding Data Protection procedures.

### **Who will the Council 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, the Planning Policy team 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 consulted if they are made known to the Councils. These include to name but a few:

- Individuals that are subscribed on the Consultee Database
- Residents' Associations
- Housing Associations / Registered Providers
- Chambers of Commerce
- Groups for people with disabilities
- Voluntary groups
- Faith groups
- Youth groups
- Local businesses
- Local Planning Consultants / Agents
- Local environmental / conservation & sustainability groups

2.9 The above list is not exhaustive and is amended or added to as required. In some cases, there is 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; minoritised 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 'minimum' statutory consultation requirements that the Councils must legally follow when publicising public consultation on Development Plans and Supplementary Planning Documents although the requirements vary at certain stages. In addition to the minimum statutory 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 have 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) during office opening hours (09:00am to 5:00pm Monday to Friday) to access consultation documents online. There is no need to book a computer but if a customer is going to require assistance they will need to book an appointment for Portland House (contact the switchboard on 01903 239999) but not the Shoreham Centre. Libraries in Adur and Worthing have free Wi-Fi as well as computers with internet access for those who have a West Sussex County Council library card. In addition, [One Stop Digital](#) signposts digital support options for those who are digitally excluded in Adur & Worthing area. For further information, contact One Stop Digital on 07917 515299.
- 2.15 The Councils will inform those on the consultee database (refer to paragraphs 2.5 & 2.6) by email wherever possible as this is the most efficient and cost effective way of communicating.
- 2.16 Both Councils use social networking sites such as X (formerly known as Twitter) and Facebook to advertise public consultations. 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 it is 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 sustainability benefits, there are members of the community that are not able to use technology or do not have access to email or internet. In undertaking consultation the Councils will not disadvantage these groups.
- 2.19 Those people (that have subscribed to the consultee database or there is a site based issue e.g. conservation area review) 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 Worthing Town Hall 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 and significance 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 Planning Policy Team at Worthing Town Hall.

#### **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 & Worthing Councils' webpage – [Consultations and engagement](#)
  - Press release
  - Local newspaper notice
  - The Councils' social media – X (formerly known as Twitter) / Facebook
  - Posters advertising consultation may be made where appropriate and placed on notice boards at relevant venues such as local libraries,

- 2.22 The Planning Policy team 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 Parish Council meetings (Adur) 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 Worthing Town Hall, Shoreham Centre, 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. A Development Plan is developed through two statutory stages (referred to as Regulation 18 and Regulation 19) in consultation with the public and key stakeholders where interested parties can submit representations. 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 prepares the Plan submission and 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. This usually involves hearing sessions where interested parties can attend.
- 2.25 Further requirements are set out within the National Planning Policy Framework (NPPF) and guidance is provided within the National Planning Practice Guidance (NPPG). Table 1 shows both the key statutory stages of plan production and the opportunities for involvement at each stage.

## Supplementary Planning Documents

2.26 These provide supplementary information in respect of the policies in adopted Development Plans. They provide greater detail and guidance on the application of a particular policy in practice however Supplementary Planning Documents (SPD) cannot be used to introduce new policies. An SPD does not form part of the Development Plan and is 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 Councils' website.

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

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

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 Table 2 sets out the key statutory stages of producing an SPD and the opportunities for involvement at each stage in accordance with the Planning Regulations.

## Other planning policy documents

### *Sustainability Appraisal*

2.29 The aim of sustainability appraisal is to promote sustainable development by assessing the extent to which the emerging plan will help to achieve relevant environmental, economic and social objectives. Local Authorities are required to carry out a sustainability appraisal (which incorporates the requirements of strategic environmental assessment) of each of the proposals in a plan during its preparation. Supplementary planning documents do not require a sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment.

2.30 The first stage of sustainability appraisal is the scoping stage. When deciding on the scope the plan-maker must consult the consultation bodies. In England these are Historic England, Natural England and the Environment Agency. Where a consultation body decides to respond, it should do so within 5 weeks.

2.31 A sustainability appraisal report will accompany the publication of the draft local plan and representations will be sought from consultation bodies and the public. The

report will identify, describe and evaluate the likely significant effects of implementing the plan policies and of the reasonable alternatives. It will include a non-technical summary providing a clear, accessible overview of the process and findings. The sustainability report, including the non-technical summary, will be published alongside the draft plan for a minimum of 6 weeks.

### *Statement of Community Involvement*

- 2.32 Regulation 4 of The Town and Country Planning Regulations (Amendment) Regulations 2017 requires that Local Planning Authorities review their Statement of Community Involvement every five years starting from the date of adoption of the SCI.
- 2.33 Should a review identify the need for an up-to-date SCI, the Councils will undertake public consultation on the revised SCI. There is no legal requirement to undertake public consultation however the Councils consider it is good practice to do so as it demonstrates the Councils' commitment to strengthen public engagement opportunities within the planning system. The Councils will consult those who are on the Councils' consultee 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 the Town Hall 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 this will be made publicly available on the Councils' website.

**Table 1: Key stages of Development Plan production (Local Plan)**

\*The Town and Country Planning (Local Planning) (England) Regulations 2012

| Key stages of production  | What the Council will do  | Your opportunities for involvement  |
|---|---|---|
| <p><b><u>Initial evidence gathering.</u></b></p> <p><b>The Council will:</b></p> <p>Begin initial evidence gathering process (commissioning technical studies, identifying available sites, collating data, identifying the scope of the Local Plan).</p> <p>Formulate initial vision and strategic objectives.</p> <p>Start preparing the Sustainability Appraisal, Scoping Report and collating baseline data.</p> <p>Identify relevant environmental, economic and social objectives to inform the Sustainability Appraisal.</p> | <p>Circulate Planning Policy newsletter to those registered on the consultee database to be kept informed of latest news and forthcoming consultations.</p> <p>Contact infrastructure providers to collate evidence on infrastructure requirements to support future growth.</p> <p>Ensure that the Councils' website is kept up-to-date.</p> | <p>Register your contact details to be placed on the consultee database to be kept informed of Local Plan preparation.</p> <p>Provide the Planning Policy team with details of any sites you may wish to promote for development via the <a href="#">Strategic Housing Land Availability Assessment (SHLAA)</a> 'Call for Sites' process.</p> |



| Key stages of production   | What the Council will do   | Your opportunities for involvement   |
|--|--|--|
| <p><b><u>Regulation 18*: Preparation of a Local Plan</u></b></p> <p><b>Public consultation</b></p> <p>Draft Local Plan to consider 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.</p> <p>Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012 requires that various bodies and stakeholders be notified that the council is preparing a plan. It invites them to comment about what that plan ought to contain.</p> <p>Continue evidence gathering.</p> <p>Test emerging options through the Sustainability Appraisal.</p> | <p>Notify specific consultation bodies and appropriate general consultation bodies that the Council is preparing a Local Plan and to invite them to comment about what the Plan ought to contain.</p> <p>Although not a requirement of the relevant legislation, it is best practice to undertake public consultation for a duration considered appropriate by the respective Council (usually a minimum of 6 weeks).</p> <p>Consult those people and organisations that have registered their contact details on the consultee database via email or post.</p> <p>Circulate Planning Policy newsletter to those registered on the consultee database to</p> | <p>Review the Local Plan, Sustainability Appraisal, Habitat Regulations Assessment, Infrastructure Delivery Plan and evidence base.</p> <p>Submit a representation to the Council outlining your comments, support or objection.</p> <p>Attend any scheduled public exhibitions / workshop events.</p> <p><b>All submitted representations will be made public and can be viewed by others. Signatures, postal address and email address details will be redacted.</b></p> |

|   |  |   |
|---|--|---|
| <p>Undertake Habitats Regulations Assessment.<br/>Undertake Equalities Impact Assessment.</p>   | <p>be kept informed of latest news.</p> <p>Electronic version of the consultation document will be made publicly available on the Councils' website.</p> <p>Hard copies to be provided for reference purposes.</p> <p>Where appropriate consider additional consultation methods (see paragraphs 2.21-2.23).</p> <p>Ensure compliance with the Councils' adopted Statement of Community Involvement.</p> |   |
| <p><b>Key stages of production</b></p>  | <p><b>What the Council will do</b></p>   | <p><b>Your opportunities for involvement</b></p>  |
| <p><b><u>Regulation 19*: Publication of a Local Plan</u></b></p> <p>The Council will review all the representations submitted during Regulation 18 consultation</p> | <p>Plan is published for a statutory period of 6 weeks.</p> <p>Inform those people and organisations that have registered their contact details</p>  | <p><b>You should be specific as to why you consider the Plan does not meet the '<a href="#">Tests of Soundness</a>', 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</b></p> |

|   |  |  |
|---|--|--|
| <p>and make any changes to the Local Plan and Sustainability Appraisal where justified.</p> | <p>on the consultee database via email or post.</p> <p>Electronic version of the proposed submission document will be made publicly available on the Councils' website.</p> <p>Hard copies to be provided for reference purposes.</p> <p>Where appropriate consider additional consultation methods (see paragraphs 2.21-2.23).</p> <p>Ensure compliance with the Councils' adopted Statement of Community Involvement.</p> <p><b>Before submitting a local plan to the Secretary of State the Council will:</b></p> <p>Make a copy of each of the proposed submission documents and a statement of the representations procedure.</p> | <p><b>considered that these representations (objections) are unresolved.</b></p> <p><b>This is the final opportunity to submit a duly made representation.</b></p> |
|---|--|--|

Ensure that a statement of the representations procedure and a statement of the fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected, is sent to each of the general consultation bodies and each of the specific consultation bodies invited to make representations under regulation 18.

| Key stages of production   | What the Council will do  | Your opportunities for involvement |
|--|---|------------------------------------|
| <p><b><u>Regulation 22*: Submission of Local Plan</u></b></p> <p>Submit Local Plan and any representations submitted during Regulation 19, along with the Sustainability Appraisal, policies map, evidence base and Statement of Consultation (Regulation 22 Statement) to Secretary of State.</p> <p>The Government will appoint a Planning Inspector.</p> <p>The respective Council has to wait for the Planning Inspector to set the timetable for Examination in Public.</p> | <p>Provide hard copies of the Local Plan, Policies Map, Sustainability Appraisal, Statement of Consultation, copies of representations, any relevant supporting documents and statement of how to view documents for inspection.</p> <p>Inform general and specific consultation bodies that the Local Plan and documents listed above are available for inspection and of the places and times at which they can be inspected.</p> <p>Give notice to those persons who requested to be notified of submission.</p> | <p>N/A</p>                         |

| Key stages of production   | What the Council will do  | Your opportunities for involvement   |
|--|---|--|
| <p><b><u>Regulation 24*: Independent Examination</u></b></p> <p>Independent Inspector assesses the submitted Local Plan to determine whether it has been prepared in accordance with legal and procedural requirements, and whether they are sound.</p> <p>Inspector issues a report at the end of Examination.</p> <p>In exceptional circumstances, the Inspector will recommend the draft Local Plan to be withdrawn if it is likely to be found unsound.</p> <p>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.</p> | <p>At least 6 weeks before the opening of a hearing held, the relevant Council, via the Programme Officer, will write to representatives informing them of the name of the person appointed to carry out the independent examination and the date, time and place at which the hearing is to be held.</p> | <p>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.</p> <p>Selected participants will receive a programme (via the Programme Officer) for 'hearing sessions' including matters/issues and the Inspectors Guidance Note.</p> <p>The hearing sessions are public and anyone can observe even if they haven't been selected to participate.</p> <p>Further information regarding the Examination process can be found within the <a href="#">Planning Inspectorate Procedural Practice in the Examination of Local Plans</a></p> |

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| <p><b><u>Main Modifications Consultation</u></b></p> <p>The relevant Council can ask the Inspector to recommend Main Modifications that are needed to make the Local Plan sound and legally compliant.</p> <p>All proposed Main Modifications must be subject to public consultation and, where necessary, Sustainability Appraisal and Habitat Regulations Assessment.</p> <p>All representations submitted during consultation will be taken into account by the Inspector before issuing their Final Inspector's Report.</p> | <p>Notify specific and general consultation bodies<br/>Inform those people and organisations that have registered their contact details on the consultee database via email or post.</p> <p>The nature and duration of the consultation should reflect that of the consultation held at Regulation 19 stage, where appropriate. This means it should last at least six weeks.</p> <p>Hard copies to be provided for reference purposes.</p> <p>Where appropriate consider additional consultation methods (see paragraphs 2.21-2.23).</p> | <p>Review the Schedule of Main Modifications Schedule and where necessary, Sustainability Appraisal &amp; Habitat Regulations Assessment.</p> <p>Submit a representation to the Council outlining your comments, support or objection.</p> <p>The consultation is only about the proposed Main Modifications and any policies map changes (and no other aspect of the plan), and that they are put forward without prejudice to the Inspector's final conclusions.</p> |
|---|---|--|

| Key stages of production  | What the Council will do  | Your opportunities for involvement |
|---|---|------------------------------------|
| <p><b><u>Regulation 25*: Publication of the recommendations of the Planning Inspector</u></b></p> <p>Inspector's report is ratified.</p> <p>Local Plan is to be amended if recommendations (Main Modifications) are made by the Inspector (if the Council requests these to be made).</p> | <p>The respective Council must make the recommendations of the Planning Inspector and the reasons available on the Councils' website and for inspection.</p> <p>Give notice to those persons who requested to be notified that the recommendations are available.</p> | <p>N/A</p>                         |



| Key stages of production  | What the Council will do  | Your opportunities for involvement |
|---|---|------------------------------------|
| <p><b><u>Regulation 26*: Adoption of a Local Plan</u></b></p> <p>The respective Council may adopt the Local Plan with the Inspector's Modifications or choose not to.</p> <p>Six week period for legal challenges after adoption.</p> | <p>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.</p> <p>Send a copy of the adoption statement to any person who has asked to be notified.</p> <p>Send a copy of the adoption statement to the Secretary of State.</p> | <p>N/A</p>                         |

| Key stages of production  | What the Council will do   | Your opportunities for involvement |
|---|--|------------------------------------|
| <p><b><u>Regulation 27*: Withdrawal of a Local Plan</u></b></p> <p>The respective Council does not adopt the Local Plan and instead withdraws it.</p> | <p>Respective Council must make a statement (hard copy and on the Councils website) of the fact that the Local Plan has been withdrawn.</p> <p>Notify general and specific consultation bodies that the Local Plan has been withdrawn.</p> <p>Cease to make available any documents relating to the withdrawn Local Plan other than the withdrawn statement.</p> | <p>N/A</p>                         |

| Key stages of production  | What the Council will do  | Your opportunities for involvement |
|---|---|------------------------------------|
| <p><b><u>Regulation 28*: Revocation of a Local Plan</u></b></p> <p>The Secretary of State may at any time revoke a Local Plan at the request of the local planning authority.</p> | <p>The respective Council will make available a statement of that fact.</p> <p>Cease to make any documents relating to the revoked Local Plan (other than the statement available).</p> <p>Take such other steps as they consider necessary to draw the revocation of the Local Plan to the attention of persons living or working in their area.</p> | <p>N/A</p>                         |

| Key stages of production  | What the Council will do  | Your opportunities for involvement |
|---|---------------------------|------------------------------------|
| <p><b><u>Regulation 34*: Authorities' Monitoring Report</u></b></p> <p>Adopted Local Plan policies are monitored against objectives and indicators and are reported within the relevant Council's Annual Monitoring Report which is usually published on the Councils' website in December.</p> | <p>Publish AMR online</p> | <p>N/A</p>                         |

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**Table 2: Key Stages of Supplementary Planning Document Production (SPD)**

\*The Town and Country Planning (Local Planning) (England) Regulations 2012

| Key stages of production  | What the Council will do  | Your opportunities for involvement  |
|---|---|---|
| <p><b><u>Initial background work</u></b></p> <p>SPDs can only build upon/ provide more detailed advice or guidance on a policy in an adopted plan.</p> <p>The respective Council will carry out research to identify the issues and relevant context on a policy in an adopted plan.</p> <p>If applicable, start preparing the Sustainability Appraisal, Habitats Regulation Assessment and Equality Impact Assessment.</p> | <p>Ensure the Councils' website and Local Development Scheme is kept up-to-date with regards to the types of SPDs the Councils are working on.</p> <p>Provide background report and studies on the Councils' website as relevant.</p> | <p>Register your contact details to be placed on the consultee database to be kept informed of SPD preparation.</p> |

| Key stages of production   | What the Council will do   | Your opportunities for involvement   |
|--|--|--|
| <p><b><u>Regulation 12*: Public participation</u></b></p> <p>The respective Council will undertake public consultation on the draft SPD for a statutory period of 4 weeks.</p>     | <p>Electronic version of the consultation document will be made publicly available on the Councils' website.</p> <p>Hard copies for reference use will be made available at the Council Offices.</p> <p>Additional notification methods to be used where relevant. Please refer to paragraphs 2.21-2.23.</p> | <p>Review the SPD.</p> <p>Submit a representation to the Council outlining your comments, support or objection.</p> <p>Attend any scheduled public exhibitions / workshops / meetings if relevant.</p> |
| Key stages of production   | What the Council will do   | Your opportunities for involvement   |
| <p><b><u>Finalise SPD</u></b></p> <p>The respective Council will review all the representations submitted during consultation and make any changes to the SPD where justified.</p> | <p>Prepare a statement identifying those who were consulted, including a summary of the main issues raised and how those issues have been addressed.</p> <p>Make copies of the statement and the amended SPD available to view on the Councils' website and in hard copy.</p>                                | <p>N/A</p>   |

| Key stages of production   | What the Council will do  | Your opportunities for involvement |
|--|---|------------------------------------|
| <p><b><u>Regulation 14*: Adoption of the SPD</u></b></p> <p>SPD is adopted by the relevant Council.</p> <p>The Council publishes its adoption statement.</p>   | <p>Publish SPD and adoption statement on the Councils website and provide hard copy.</p> <p>Send a copy of the adoption statement to any person who has asked to be notified of the adoption of the SPD.</p>                                  | <p>N/A</p>                         |
| Key stages of production   | What the Council will do  | Your opportunities for involvement |
| <p><b><u>Regulation 15*: Revocation or withdrawal of a SPD</u></b></p> <p>The respective Council adopts the SPD but then revokes it i.e. it has become out of date.</p> <p>The respective Council does not adopt the SPD and instead withdraws it.</p> | <p><u>Revocation</u></p> <p>Cease to make available any documents relating to the revoked SPD.</p> <p>Take other steps considered necessary to draw the revocation of the SPD to the attention of persons living or working in that area.</p> | <p>N/A</p>                         |

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|  | <p><u>Withdrawn</u></p> <p>Respective Council must make a statement (hard copy and on the Councils' website) of the fact that the SPD has been withdrawn.</p> <p>Notify bodies or persons that made representations that the SPD has been withdrawn.</p> <p>Cease to make available any documents relating to the withdrawn SPD other than the withdrawn statement.</p> |  |
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## Chapter 3 - Neighbourhood Plans

- 3.1 Neighbourhood planning gives local communities power to shape development by taking a more active role in the preparation of planning policies at a local level. It gives local communities powers to prepare their own planning policies and site allocations. The initiation of Neighbourhood Planning rests with a Parish Council or Neighbourhood Forum which takes 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 the local community, 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 an 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 Council)
- Community Organisation

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

## **What is the role of the Local Authority?**

3.6 The Councils are required to advise, provide assistance and support to Qualifying Bodies throughout the process. The Councils are required to outline within their Statement of Community Involvement, their policies for giving advice or assistance in relation to Neighbourhood Planning in accordance with Section 18 of the Planning and Compulsory Purchase Act 2004[1]. Therefore this SCI sets out information on the statutory requirements that the Councils must follow when supporting those communities preparing Neighbourhood Plans or Neighbourhood Development Orders. It is recommended that this chapter is read in conjunction with the Councils' Neighbourhood Plans: Offer of Support document which is available on the Councils' website.

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 Neighbourhood 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 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 or Orders. Where appropriate the Councils will undertake additional notification methods as set out in paragraphs 2.21-2.23.

## **South Downs National Park Authority**

- 3.9 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.
- 3.10 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.

### **Examination**

- 3.11 The Neighbourhood Plan needs to be examined by an independent inspector before it can proceed to a referendum.

### **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 for the referendum 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 the Secretary of State).

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

**Table 3: Neighbourhood Plan or Order - Stages of Preparation**

| Stage of preparation  | What the Councils will do  |
|---|--|
| <p><b>Designation of a neighbourhood planning area and/or neighbourhood forum</b></p> | <p>In those areas of the District where there is a Parish or Town Council, the Parish or Town Council must apply for a neighbourhood planning area to be designated.</p> <p>If an application is received to designate the whole parish area, we are required to designate the whole area.</p> <p>At this stage, we expect the Parish or Town Council to provide a formal request to designate the neighbourhood planning area and a map which shows the extent of the neighbourhood planning area.</p> <p>In those areas of the District where there is no Parish Council, a neighbourhood planning forum must be established in order to produce a neighbourhood plan.</p> <p>We will consult statutory consultees and those people and organisations on our database who have expressed an interest in that neighbourhood planning area for a minimum of 6 weeks.</p> |

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|   | <p>We will advertise the application through our website and will ask the relevant qualifying body to assist in publicising the consultation through its own local mechanisms, for example through a community newsletter or local website.</p> <p>We will determine the application within the required timescales and publish the decision on our website.</p>  |
| <p><b>Submission of the neighbourhood plan to the Council</b></p> | <p>Once a draft neighbourhood plan has been prepared and pre-submission consultation has taken place, the plan will be submitted to the Council.</p> <p>The Council will check it meets the legal requirements and if so we will publicise and consult on the neighbourhood plan for six weeks including with the consultation bodies.</p>  |
| <p><b>Independent examination of a neighbourhood plan</b></p>     | <p>The Council will appoint an independent examiner to carry out an examination of the neighbourhood plan. We will make this decision in collaboration with the Parish Council or Neighbourhood Forum.</p> <p>We will ensure that the independent examiner receives all of the relevant documentation for the examination including a copy of the representations received on the submission plan.</p> <p>It is normal for neighbourhood plan examinations to be conducted by written representations, however, if the examiner decides that an exploratory meeting or a hearing session is necessary, we will make the appropriate arrangements in consultation with the Qualifying Body and the examiner.</p> |

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| <p><b>Examiner's report</b></p>   | <p>The examiner will prepare a report which will recommend that the neighbourhood plan proceeds to a referendum with or without further modifications.</p> <p>We will publish the report and decide what action to take in response to the Inspector's recommendations. If our decision differs from that recommended we will: notify the qualifying body, anyone whose representation was submitted to the examiner and any consultation body; and invite representations for 6 weeks.</p> <p>Following this we will issue our final decision within 5 weeks.</p> |
| <p><b>Referendum</b></p>  | <p>We will make the necessary arrangements for a neighbourhood plan referendum where the neighbourhood plan meets the basic conditions.</p>  |
| <p><b>Making the neighbourhood plan</b></p>   | <p>Once there has been a successful referendum, the neighbourhood plan will become part of the statutory development plan and will be used in determining planning applications.</p> <p>As soon as possible after making a Neighbourhood Plan, we will publish the neighbourhood plan on our website and notify any persons who asked to be notified.</p>  |
| <p><b>Regulation 12: Voluntary withdrawal of a designation of a neighbourhood forum</b></p> | <p>As soon as possible after withdrawing the designation of a Neighbourhood Forum, we will publish the withdrawal statement on the Councils' website.</p>  |

|                                  |  |
|----------------------------------|--|
| <b>Regulation 31: Revocation</b> | As soon as possible after revoking a Neighbourhood Plan, we will publish on our website a document setting out the reasons for revocation (the 'revocation document') and we will give notice of the revocation to the qualifying body and any person the Council previously notified of the making of the Neighbourhood Plan. |
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## Chapter 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 '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<sup>2</sup> (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 Council's website, which includes policies set out in Local Plans or Core Strategies, as well as Supplementary Planning Guidance and other documents.

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<sup>2</sup> Please refer to Appendix 7 - Privacy Notice - Planning applications and enforcement complaints



## **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. Where the Council considers that a proposal could benefit from wider publicity, the Council will undertake additional publicity to advertise the proposal. The increasing use of site notices instead of neighbourhood letters for some types of development is also due to costs and making the best use of scarce resources.

## **Neighbour notification letters**

- 4.7 Neighbour notification letters sent to the occupier(s) of premises adjacent to an application site will continue to be the primary means of publicising applications, but in some cases it will make a better use of scarce resources to publicise an application by displaying a site notice either in addition to, or instead of, sending neighbour notification letters.

## **South Downs National Park Authority**

- 4.8 Both Councils' administrative boundaries overlap with that of the South Downs National Park Authority. Formal delegation ceased on 1<sup>st</sup> April 2017 with the 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 significant 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. Adur & Worthing Councils strongly recommend that developers undertake this approach for major development proposals. 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
- the winning and working of minerals or the use of land for mineral-working deposits;
- waste development.

4.13 If developers consider their scheme inappropriate for such community engagement, they should agree this with Planning Services prior to formalising their scheme.

4.14 The public consultation process should be proportionate to the scale and impact of the scheme. This could include a combination of exhibitions, meetings, workshops, publicity in the local press, leaflet drops, questionnaires, etc. and it needs to include key stakeholders, amenity, business and other relevant groups. These applications, when submitted, will be expected to contain community involvement information on:-

- the steps and processes used to secure community involvement, including the relevant dates;
- the extent of the area of consultation, including a list of properties and businesses contacted;
- a list of interest groups or other bodies and organisations contacted;
- a summary of all the comments received and issues raised;
- a clear description of amendments to the scheme as a result of the comments received and the reasons why the other comments have not resulted in changes.

4.15 For smaller developments, down to the scale of householder extensions, the Councils also strongly encourage potential applicants to let neighbours know about their proposals before submitting their applications and to take their comments into account. This can be highly effective in enabling smoother processing of planning applications to achieve an outcome that is acceptable to all parties involved.

### **Viewing planning applications at Council offices**

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

### **Site visits**

4.17 In processing a planning application the case officer will normally need to undertake a site visit in order to make an assessment of the potential impacts of the proposals. In most cases this will mean entering the application site, and sometimes a

neighbouring property, particularly where a neighbour or other third party has raised a relevant issue. It will not always be practical to pre-arrange such visits.

### **Commenting on planning applications**

4.18 Members of the public can comment on any current planning application using the online planning application register found on the [Councils website](#). Comments can also be made in writing, by email or post, to Planning Services (Development Management) (see Appendix 5 for contact details and website). Comments need to be received by Planning Services within the relevant consultation period which is usually 21 days. However, in exceptional circumstances, especially for large major planning applications, the Councils allow 28 days if the consultation period falls over Christmas or summer holidays. 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 open spaces and the countryside or beaches
- nature conservation and biodiversity
- flooding issues
- accessibility for all modes of transport, highway safety, traffic, or parking issues
- noise disturbance or pollution issues
- environmental sustainability and climate change issues
- electronic communications infrastructure 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 (comprising elected Councillors).
- 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 Adur or Worthing 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) 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 Planning Committee:

<https://www.adur-worthing.gov.uk/planning/applications/committee/speaking-at-adur-planning-committee/>

Worthing Planning Committee:

<https://www.adur-worthing.gov.uk/planning/applications/committee/speaking-at-worthing-planning-committee/>

- 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-application>

## Chapter 5 - Conservation Areas

- 5.1 A conservation area is an “area of special architectural and/or historic interest, the character or appearance of which it is desirable to preserve or enhance”. There are 26 conservation areas in Worthing (two of which are in the South Downs National Park); and 7 conservation areas in Adur (one of which is partially in the South Downs National Park). The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to:
- Keep its conservation areas under review
  - Prepare policies and proposals for the preservation and enhancement of the character or appearance of its conservation areas
  - Pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in exercising its planning function.
- 5.2 Designation of a conservation area introduces a further level of control over the way that individual owners can alter their properties, in order to allow local planning authorities to exercise their duty to preserve or enhance the character or appearance of the conservation area under Section 72[1] of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.3 The National Planning Policy Framework (NPPF) sets out government policy and guidance on the protection of conservation areas and other elements of the Historic Environment. Local Planning Authorities must ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest (NPPF paragraph 191). Historic England’s guidance on Conservation Areas advises that there are many benefits to a character appraisal, including as a tool to demonstrate any areas of special interest and in providing a basis for development control and informing management proposals.
- 5.4 Public consultation is an integral part of the process of preparing and adopting conservation area character appraisals and brings valuable public understanding and ownership to proposals for the area.
- 5.6 In accordance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, as a minimum, the council will:
- Undertake public consultation on the draft Conservation Area Character Appraisal for a minimum of six weeks
  - 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
  - Notify, in writing, all properties within the conservation area (or proposed conservation area) of the consultation.
- 5.7 Section 71(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that proposals are “submitted for consideration to a public meeting in the area to which they

relate”. As not all conservation areas will have a suitable venue to hold a public meeting, the councils consider the local planning authority areas of Adur and Worthing to be the appropriate geographic area. The public meeting may be held in person or online.

- 5.8 In addition, the council will engage with other relevant interested parties including Historic England West Sussex County Councils, Parish Councils, Neighbourhood Forums, amenity societies and any local area heritage associations on the draft Conservation Area Character Appraisal.
- 5.8 Comments will be taken into consideration in finalising the Conservation Area Character Appraisal. Any consultees who have consented, will be notified of the adoption of the final document.
- 5.9 Following adoption, the council will notify the Secretary of State, Historic England and the Secretary of State. The council will publish notice of any designation, variation or cancellation in the London Gazette and a local newspaper.

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## Chapter 6 - Article 4 Directions

- 6.1 Permitted development (PD) rights allow certain building works and changes of use to be carried out without having to make a planning application. However, permitted development rights may be removed by a Local Planning Authority through the use of Article 4(1) Directions. See Town and Country Planning (General Permitted Development) Order 2015.
- 6.2 Following the making of an Article 4(1) Direction, the council will:
- Publish a notice of the direction in the local press
  - Display at least two site notices for a period of at least six weeks
  - Notify in writing affected properties and land
  - Publish a notice of the Article 4(1) Direction on the council's website.
  - A copy of the Article 4(1) Direction will be sent to the Secretary of State.
- 6.3 The council must allow at least 21 days for representations to be made.
- 6.4 Once an Article 4(1) Direction has been confirmed, the council will inform affected owners and occupiers in the same way as required for the notification of the making of the direction (11.1.2) and send a copy of the Article 4(1) Direction to the Secretary of State.

## Chapter 7 - Community Infrastructure Levy

- 7.1 The Community Infrastructure Levy (CIL) Regulations 2010 (as amended) 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 which will supplement the continued use of S.106 Planning Obligations where appropriate. Implementation of the levy commenced on 1st October 2015. A full review of the Worthing CIL was undertaken in 2020 and the Examination in Public was held in January 2021. The revised CIL Charging Schedule was implemented on 1st August 2021. Adur District is not currently preparing CIL and is continuing with S.106 Planning Obligations.
- 7.2 As part of the CIL process, the Charging Authority (Council) produces the following documents:
1. Charging Schedule
  2. Infrastructure Investment Plan (IIP)
- 7.3 The Charging Schedule sets out the rate for the CIL levy and details the amount of CIL for different types of liable development. The Council must publically consult on 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.
- 7.4 The Charging Schedule has to be reviewed to ensure it is up-to-date. This SCI sets out the key statutory procedures as set out in Table 4. Where appropriate, additional notification methods will be carried out as set out in paragraphs 2.22 – 2.24.
- 7.5 Worthing Borough Council has prepared a CIL Process Guide 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,155265,smxx.pdf>
- 7.6 The CIL Regulations state that CIL receipts may be allocated in the following proportions:
- 80% for the strategic infrastructure needs of the Borough
  - 15% for Neighbourhood funding
  - 5% for the cost of administering CIL
- 7.7 The Infrastructure Investment Plan (IIP) prioritises which infrastructure projects may receive CIL funding from the 80% Strategic Pot, via a three-year rolling programme. The IIP is a 'living' document which will be kept under review, updated and rolled



forward each year to reflect how much money has been collected and how much CIL is predicted to be collected from development. Copies of the IIP can be viewed here:

<https://www.adur-worthing.gov.uk/worthing-cil/spending-cil/>

- 7.8 The CIL Regulations allow for Worthing Borough Council to decide how the funds from the 15% Neighbourhood Fund are spent. Therefore, a governance process has been decided which allows groups to submit applications for funding during an annual funding round. More details can be found on the Council website:

<https://www.adur-worthing.gov.uk/worthing-cil/neighbourhood-fund/>

- 7.9 CIL spending is now monitored through the Infrastructure Funding Statement (IFS). All developer contribution collecting authorities are required, under the CIL Regulations, to publish an annual IFS by 31st December. The first Worthing IFS was published in December 2020. The statements are intended to show how much money has been raised and how it has been spent in the previous year. They also state what infrastructure projects will be, or may be, funded wholly or partly by CIL (replacing the Regulation 123 list). Copies of the IFS can be viewed here:

<https://www.adur-worthing.gov.uk/planning-policy/worthing/worthing-developer-contributions/developer-contributions-data-worthing/>

**Table 4: Key statutory requirements that must be undertaken when preparing the charging schedule**

| <b>Key stages of production</b>  | <b>What the Council will do</b>   | <b>Your opportunities for involvement</b>  |
|--|---|--|
| <p><b><u>Initial evidence gathering</u></b></p> <p>The Council will carry out research and evidence work to inform the proposed levy rates to be set out within the draft charging schedule.</p> | <p>Gather evidence and conduct viability assessments to inform proposed levy rates.</p>   | <p>Register your contact details to be placed on the Consulee Database to be kept informed.</p>  |
| <b>Key stages of production</b>  | <b>What the Council will do</b>   | <b>Your opportunities for involvement</b>  |
| <p><b><u>Regulation 16: Publication of a draft charging schedule</u></b></p> <p>The Council will undertake public consultation on the draft charging schedule.</p>                               | <p>Hard copy and electronic version of the draft charging schedule, 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, other places within the area we consider appropriate, and on the Councils' website.</p> <p>Send a copy of the consultation document and statement of representation procedure to Local Planning Authorities (that adjoin the Charging</p> | <p>Review the draft charging schedule.</p> <p>Submit a representation outlining your comments, support or objection.</p> <p><b>This is the final opportunity to submit a duly made representation.</b></p> |

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|   | authority's area), and West Sussex County Council.   |   |
| <b>Key stages of production</b>   | <b>What the Council will do</b>  | <b>Your opportunities for involvement</b> |
| <p><b><u>Regulation 18: Withdrawal of a draft charging schedule</u></b></p> <p>The Council withdraws the draft charging schedule.</p>   | <p>Publish a statement of that fact on its website</p> <p>Notify any person that was invited to make representations on the draft charging schedule of that fact</p> <p>Remove from its website and from the places at which they were made available any copies, documents, evidence and statements made available or published.</p>  | N/A                                       |
| <b>Key stages of production</b>   | <b>What the Council will do</b>  | <b>Your opportunities for involvement</b> |
| <p><b><u>Regulation 19: Submission of documents and information to the examiner</u></b></p> <p>Submit to Planning Inspectorate CIL draft charging schedule, evidence base and</p> | <p>If the Council modifies the draft charging schedule after it was published in, a copy of the statement of modifications will be sent to each of the consultation bodies invited to make representations under Regulation 16, and publish the statement of modifications on its website.</p> <p>All submission documents will be electronically available on the Councils' website and</p> | N/A                                       |

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| <p>representations received during Regulation 16.</p> <p>Submit Statement setting out the representations made during Regulation 16 and a summary of the main issues raised by representations.</p> <p>The Council has to wait for the Planning Inspector to set the timetable for Examination in Public.</p> | <p>reference copies available at the Council Offices.</p> <p>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.</p> <p>Give notice to those persons who requested to be notified of the submission of the CIL draft charging schedule.</p>   |  |
| <p><b>Key stages of production</b></p>  | <p><b>What the Council will do</b></p>  | <p><b>Your opportunities for involvement</b></p> |
| <p><b><u>Regulation 21: CIL examination- right to be heard</u></b></p>  | <p>The charging authority must submit a copy of each request it receives to the examiner.</p> <p>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 be held and the name of the examiner on its website; notify any person who has made a representation in accordance with Regulation 17 and any person who has made a request to be heard.</p> | <p>Request to be heard by the examiner.</p>      |

| <b>Key stages of production</b>  | <b>What the Council will do</b>  | <b>Your opportunities for involvement</b> |
|--|--|---|
| <p><b><u>Regulation 23: Publication of the examiner's recommendations</u></b></p> <p>Examiner makes recommendations and reasons for those recommendations.</p> | <p>Charging authority must make the recommendations and reasons available for inspection at the Councils' offices and publish on the Councils' website.</p> <p>Give notice to those persons who requested to be notified of the publication of the examiner's recommendations and reasons.</p> | <p>N/A</p>                                |
| <b>Key stages of production</b>  | <b>What the Council will do</b>  | <b>Your opportunities for involvement</b> |
| <p><b><u>Regulation 25: Approval &amp; publication of a charging schedule</u></b></p>  | <p>As soon as practicable after approving a charging schedule, the Council will:</p> <ul style="list-style-type: none"> <li>· Publish the CIL charging schedule on the Councils' website;</li> </ul>   | <p>N/A</p>                                |

| <p>CIL charging schedule is adopted by the respective Council and published.</p>  | <ul style="list-style-type: none"> <li>· Make the CIL charging schedule available for inspection at the Councils' offices;</li> <li>· Give notice to those persons who requested to be notified of the approval of the CIL charging schedule; and</li> <li>· Send a copy of the charging schedule to each of the relevant consenting authorities.</li> </ul>  |   |
|---|---|---|
| Key stages of production  | What the Council will do  | Your opportunities for involvement  |
| <p><b><u>Regulation 28 &amp; 28A:</u></b><br/><b><u>Charging schedule: effect</u></b></p> <p>A charging schedule takes effect at the beginning of the day specified in the charging schedule.</p> <p>Should the charging authority determine that a charging schedule is to cease to have effect.</p> | <p>It has effect until the beginning of the day on which the charging authority determines it should cease to have effect; or the end of the day before the day a revised charging schedule issued by the charging authority takes effect.</p> <p>Where the Council proposes to make a determination that the charging schedule is to cease to have effect it will prepare a statement.</p> <p>The statement will include details of the CIL receipts for the period of five years immediately preceding the date on which the statement is published; an assessment of the potential effects of the proposal on the funding of infrastructure needs for the area; and a summary of the measures the charging</p> | <p>Provide representations about the proposal for the charging schedule to cease to have effect.</p> <p><b>This is the only opportunity to submit a duly made representation.</b></p> |

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|  | <p>authority has or intends to put in place in relation to funding of infrastructure needs for the area.</p> <p>Copies of these documents will be available for inspection at the office, on its website, and a copy will be sent to the consultation bodies</p> |  |
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## Chapter 8 - Data Protection

### *Planning Policy*

- 8.1 Representations received by the Council during public consultation on planning policy documents and conservation area reviews will be published, however we will only publish the name of the individual respondent or the organisation that they represent. All other personal information (including contact details and signatures) will be omitted or redacted.
- 8.2 Contact details will be processed and stored confidentially, in accordance with the Data Protection Act 2018. The Council will not pass on contact details to any third parties. Those subscribed to the Planning Policy consultee database can request to unsubscribe at any time. Also, please notify the Planning Policy team if your contact details have changed so that we can ensure that the consultee database is up-to-date. Please refer to Appendix 5 to view details on how to contact the Planning Policy team. For further information on how your personal data is used please refer to the Planning Policy Privacy Notice in Appendix 6.

### *Development Management*

- 8.3 It is our policy to publish comments received in relation to a planning application on our Planning Portal. The following information would be withheld:
  - Personal contact details of the applicant, eg telephone numbers, email addresses
  - Signatures
  - Personal sensitive information
  - Information identified as confidential
  - This information may also be used and provided to the Secretary of State in any subsequent planning appeal.
- 8.4 We may disclose information to third parties where it is necessary to comply with a legal obligation.
- 8.5 For further information on how your personal data is used please refer to the Planning Applications Privacy Notice in Appendix 7.



## **Appendix 1 - Specific Consultation Bodies**

### **Statutory Consultees**

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.

- Environment Agency
- Coal Authority
- Natural England
- Historic England
- Network Rail
- Secretary of State for Transport
- National Highways
- Homes England
- Marine Management Organisation
- Local Enterprise Partnership
- Local Nature Partnerships
- Utility companies (Gas, Electricity, Sewage, Telecommunications and Water)
- NHS Sussex
- Sussex Police & Crime Commissioner
- HM Prison Service / National Offender Management Service
- Royal Mail Properties

### **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 and adjoining Worthing Borough (There are no Parish Councils in Worthing Borough)

## **Appendix 2 - Publicising Planning Applications**

### **Publicising planning applications**

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**

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.

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**

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.

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.

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).

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 example, it would be much better practice to put up a site notice for an application that is very minor in nature, rather than send neighbour letters to all the occupiers of a large block of flats.

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**

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.

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.

'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.

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.

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 of the changes in relation to those representations, as well as in relation to the characteristics of the application as originally submitted before this is carried out. Neighbours and other third parties will be notified of revisions to a planning application where the revisions are considered to raise new or different impacts compared to the original submission. Re-notification will not normally take place where a planning application has been amended to satisfactorily address a particular issue and which does not result in new impacts.

### **Councils' website**

Details of all applications falling within the categories listed above will be published on the Councils' website in accordance with 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.

## Appendix 3 – Planning Aid England

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 the planning system.

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.

Planning Aid complements the work of local authorities but is wholly independent of them. Planning Aid is operated by the Royal Town Planning Institute (RTPI) with the exception of Scotland and Wales.

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).

Residents and businesses can use the tools on the RTPI website <https://www.rtpi.org.uk/planning-advice> to find out about the services available, including how to qualify for Planning Aid assistance and how to make contact.

## Appendix 4 – Glossary

| Term                                       | Definition  |
|--|---|
| <b>Annual Monitoring Report (AMR)</b>      | An annual report setting out the performance of each Council's policies based on core and local indicators. It also measures the progress of documents set out in the Local Development Scheme. The monitoring period is 1 April to 31 March.                     |
| <b>Area Action Plans (AAP)</b>             | Area Action Plans are used to provide the planning and implementation framework for areas where significant changes are envisaged. They are a type of Development Plan Document.  |
| <b>Community Infrastructure Levy (CIL)</b> | A levy allowing local authorities to raise funds from owners or developers of land undertaking liable new building projects. Money raised can be used to support development by funding infrastructure that the council, local community and neighbourhoods want. |
| <b>Development Plan Documents (DPD)</b>    | A type of Local Development Document that contains policies and proposals for development, and are subject to consultation and independent examination. They carry significant weight in determining planning applications.                                       |
| <b>Localism Act (2011)</b>                 | This Act passed significant rights direct to communities and individuals, relating to planning and other activities.  |
| <b>Local Development Document (LDD)</b>    | LDDs comprise a range of Local Development Documents. These can be Development Plan Documents or Supplementary Planning Documents. The Statement of Community Involvement is also a LDD.  |
| <b>Local Development Framework (LDF)</b>   | The collective term for the suite of Local Development Documents which will, collectively deliver the spatial planning strategy for the area.   |

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| <b>Local Development Scheme (LDS)</b>     | This is a statement of each Council's programme for the production of Local Development Documents. It will be revised where necessary – for example, as a result of the Annual Monitoring Report, or if there is a need to prepare new Local Development Documents.                   |
| <b>Local Enterprise Partnership (LEP)</b> | A body, designated by the Secretary of State for Department of Levelling up, Housing & Communities established for the purpose of protecting and improving conditions for economic growth in an area.   |
| <b>Major Development</b>                  | Defined as: 10 or more houses, or sites of 0.5 hectares or more where it is not known if the development will have 10 or more houses; the provision of a building or buildings where the floorspace to be created is 1,000 sqm or more; or development on sites of 1 hectare or more. |
| <b>Minor Development</b>                  | Defined as: <ul style="list-style-type: none"> <li>● the number of dwellings is between one and nine</li> <li>● the floorspace is less than 1,000sqm or the site area less than one hectare</li> <li>● gypsy and traveller sites - up to nine pitches</li> </ul>                      |
| <b>Mixed-use developments</b>             | A development that contains two or more uses e.g. residential, employment, leisure, community uses.   |
| <b>Planning Obligations</b>               | Legally enforceable obligation entered into Section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development.   |
| <b>Policies Map</b>                       | A map on an Ordnance Survey base that forms an integral part of the LDF and which identifies sites/areas to which particular policies apply.  |

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| <b>Stakeholder</b>                              | Any individual or group with an interest in the future planning of the area.  |
| <b>Statement of Community Involvement (SCI)</b> | Document which sets out the standards to be achieved by the local planning authority in involving the community in the preparation of documents within the Local Development Framework and planning applications. The SCI enables the community to know how and when they will be involved in the preparation of Local Development Documents and how they will be consulted on planning applications.                       |
| <b>Supplementary Planning Document (SPD)</b>    | Supplementary Planning Documents (SPDs) provide detail to support policy in higher level Development Plan Documents (DPDs). They undergo a more straightforward preparation process than DPDs and they are not subject to independent scrutiny by a planning inspector. They are Local Development Documents, and form part of the Local Development Framework.   |
| <b>Sustainability Appraisal (SA)</b>            | The Planning and Compulsory Purchase Act (2004) requires Local Development Documents to be prepared with a view to contribute to the achievement of sustainable development. A Sustainability Appraisal is a systematic process, to appraise the social, environmental and economic effects of the strategies and policies in a Local Development Document. The SA process incorporates Strategic Environmental Assessment. |



## Appendix 5 - Contact Details

### Adur & Worthing Planning Policy Team

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

Telephone: 01903 221065

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

### Adur & Worthing Development Management Team

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

Telephone: 01903 221065

Address: Development Management  
Adur & Worthing Councils  
Worthing Town Hall  
Chapel Road  
Worthing  
West Sussex  
BN11 1HA

## **Appendix 6 - Planning Policy 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 collect 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 & Worthing Councils' duties in respect of Neighbourhood Plans. It is not responsible for data collected by Parish Councils or Neighbourhood Forums in the establishment or development of a Neighbourhood Plan.

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

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

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

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

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

### **Your rights**

You have certain rights under UK Data Protection law including:

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

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

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

## **How to contact us**

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

Telephone us on 01273 263009 (Planning Policy)

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

The Councils' Data Protection Officer can be contacted at:

Adur & Worthing Councils

Worthing Town Hall

Chapel Road

Worthing

West Sussex

BN11 1HA

Email: [data.protection@adur-worthing.gov.uk](mailto:data.protection@adur-worthing.gov.uk)

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## **Appendix 7 - Privacy Notice - Planning applications and enforcement complaints**

### **Who we are and what we do**

The Councils are a data controller under the Data Protection Legislation as we collect and process personal information about you in order to provide Development Management and Enforcement services and meet our statutory obligations.

This notice explains why we ask for your personal information, how that information will be used and how you can access your records.

### **Why we are collecting your data**

Adur & Worthing Councils will use the personal information you provide for the purpose of assessing and processing your planning application and investigating alleged breaches of planning control. We will only collect the personal data from you we need in order to do so.

The Council has a statutory duty under the Town and Country Planning Act 1990 (as amended) to collect and process this information to provide the required service.

The consequence of not completing the planning application form, providing the supporting information for any application and agreeing to this use of your personal information, is that the Council will be unable to process your planning application.

If you are making an objection or representation to a planning or related application then your personal data will be used to deal with the application which you are objecting to or making representations about.

### **What is the legal basis for processing the data?**

The legal basis we rely on to process your personal data is article 6(1)(e) of the GDPR, which allows us to process personal data when this is necessary to perform our public tasks as local authorities. This is in line with planning legislation which takes the form of:

- [Acts of Parliament - on the Planning Portal website](#)
- [Statutory Instruments - on the Planning Portal website](#)

### **Submission of a Planning Application**

Planning applications are held as a public register as required by the Development Management Procedure Order 2015. The information is also published in the Planning Portal on our website except for:

- Personal contact details of the applicant, eg telephone numbers, email addresses
- Signatures
- Personal sensitive information
- Information identified as confidential

If you are submitting supporting information which you consider as being confidential or wish to be specifically withheld from the Public Register, please bring this to our attention.

### **Commenting on a Planning Application**

It is our policy to publish comments received in relation to a planning application on our Planning Portal. The following information would be withheld:

- Personal contact details of the applicant, eg telephone numbers, email addresses
- Signatures
- Personal sensitive information
- Information identified as confidential
- This information may also be used and provided to the Secretary of State in any subsequent planning appeal.

We may disclose information to third parties where it is necessary to comply with a legal obligation.

Where we need to disclose sensitive information such as medical details to a third party, we will do so once we have obtained your explicit consent, or where we are legally required to. We may disclose information when necessary to prevent risk of harm to an individual.

Enforcement cases remain confidential and at no time will we divulge the details of complainants who have informed us of alleged planning breaches.

The councils are required by law to protect the public funds they administer. We may use any of the information you provided for the prevention and detection of fraud. We may also share information with other bodies that are responsible for auditing or administering public funds, including the Cabinet Office.

The Cabinet Office requires councils to participate in data matching exercises to assist in the prevention and detection of fraud. Councils are required to provide particular sets of data to the Cabinet Office for this purpose and cannot refuse to hand over this data.

### **We will not**

- Use your information for marketing or sales purposes without your prior explicit consent
- Send or store your data abroad
- Make decisions about you based on automated processing

## **How long will we hold your data for?**

Planning applications will be kept permanently.

## **Your data protection rights**

Under data protection law, you have rights including:

### **Your right of access:**

You have the right to ask us for copies of your personal information.

### **Your right to rectification:**

You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

### **Your right to erasure:**

You have the right to ask us to erase your personal information in certain circumstances.

### **Your right to restriction of processing:**

You have the right to ask us to restrict the processing of your personal information in certain circumstances.

### **Your right to object to processing:**

You have the right to object to the processing of your personal information in certain circumstances.

### **Your right to data portability:**

You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

If you wish to make a request please contact us at:

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

### **Contact Details:**

If you have any questions about this Privacy Notice, or the collection and use of personal information, please contact:

Data Protection Officer  
Adur & Worthing Councils,  
Worthing Town Hall,  
Chapel Road,  
Worthing,  
West Sussex,  
BN11 1HA

Email: [data.protection@adur-worthing.gov.uk](mailto:data.protection@adur-worthing.gov.uk)

Telephone: 01903 239999

## **How to complain**

If you have any concerns about our use of your personal information, you can make a complaint to us (see Data Protection Officer contact details above).

You can also complain to the ICO if you are unhappy with how we have used your data:

Information Commissioner's Office,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire,  
SK9 5AF

Helpline number: 0303 123 1113

[ICO website](#)

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