



WORTHING BOROUGH
COUNCIL

Worthing Planning Committee
20 January 2021
Agenda Item no. 8

Ward: All

Local Development Scheme

Report by the Director for the Economy

1.0 Summary

- 1.1 Planning Regulations require Local Planning Authorities to produce and keep up to date a Local Development Scheme (LDS) which sets out details relating to local planning policy documents and the programme for producing these. The LDS acts as a public statement which establishes a three year management plan for the Planning Policy Team.
- 1.2 The existing LDS for Worthing adopted in 2019 needs to be updated to ensure that the Council has an up-to date public 'project plan'.
- 1.3 The Council is working towards the adoption of a new Local Plan which, when in place, will form the key Development Plan for the Borough. Given the resources required to prepare and adopt a new Local Plan this will be the key priority for the Planning Policy team over the next year. However, importantly, this version of the LDS also establishes the work programme for the Planning Policy Team following the adoption of the Local Plan.
- 1.4 The Planning Committee is asked to consider and comment on the work programme set out in the revised Local Development Scheme (Appendix A). It covers the period 2021023 and, when adopted, it will supersede the previous version published by the Council in 2019.

2.0 Background

- 2.1 Planning Regulations require the preparation of the Local Development Scheme (LDS). The LDS is a document which identifies and describes the Local Development Documents to be produced, and prescribes the timetable

for their preparation and revision. Although Local Planning Authorities are required to produce a LDS, there is no longer a requirement to submit it to Government for formal endorsement. However, the LDS must be made publicly available so that the local community and stakeholders are clear about the preparation of the Local Development Framework (the collection of planning documents, which includes the Local Plan).

- 2.2 The current LDS for the Borough that was adopted in April 2019 clarified that the main objective for the Planning Policy Team was to get a new Plan in place. Although the key stages established in that LDS have been met these have taken longer than previously envisaged, primarily due to the impacts of Covid-19 when most of the Policy Team were redeployed to other Council services to support the community during the pandemic. As such the LDS has been revised to provide a realistic timeframe for the progression and adoption of a new Local Plan. It also sets out a work programme for the progression of planning policy documents over the period 2021 and 2023.

3.0 Proposals

- 3.1 The revised LDS shows that the key priority for the Planning Policy Team will continue to be work to progress and adopt a new Local Plan. After a number of years of preparation the Local Plan is nearing the 'home straight'. The Council has approved the Regulation 19 version of the Plan for publication at the end of January 2021. An eight week consultation period will then follow during which interested parties can comment as to whether the Plan meets the 'tests of soundness' as set out in the NPPF. These relate to whether the Plan is: positively prepared, justified, effective, and consistent with national policy. Following this, the Plan will be submitted for formal Examination.
- 3.2 The LDS indicates that the Council may be in a position to adopt the Local Plan in winter 2021/22. It is considered that the timeline for the progression of the new Local Plan to adoption established within the revised LDS is realistic. However, it should be noted that the timeline during these latter stages can only be indicative as much will depend on the Planning Inspectorate and their availability to host and then report on the Examination.
- 3.3 Whilst the primary aim over the next 12 months is to adopt the Local Plan the LDS is a three year work programme so needs to look beyond this period. Therefore, the revised version of the LDS also includes a clear understanding of the local development documents that will be progressed. These will: support the delivery of the Local Plan; update key documents; respond to

Council priorities; and reflect the key themes and areas of interest raised during Local Plan consultation stages.

- 3.4 As set out within page 8 of the LDS, resources will be used to progress new documents and update existing guidance. This includes SPDS to cover the following topic areas: Green Infrastructure Strategy; Developer Contributions; Sustainable Economy; and the Guide to Residential Development. Further work will be undertaken on 'Climate Change' and 'Health' to provide greater understanding as to how the Council's policies should be applied.
- 3.5 To meet the Council's commitment set out in Local Plan Policy DM23 (the Strategic Approach to the Historic Environment) the LDS also demonstrates how resources will be used to establish a work programme to undertake Conservation Area Appraisals and produce other local heritage guidance.
- 3.6 Local Planning Authorities are required by Government to review their Local Plans and policies at least every 5 years from the date of adoption. With this requirement in mind, the LDS indicates that the review of the Local Plan (If adopted in 2021/2) will commence towards the end of 2023.
- 3.7 The implementation of the LDS will be monitored with the Council's Annual Monitoring Report which is published each December to cover the preceding financial year.

4.0 Legal

- 4.1 The LDS has been prepared in accordance with the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and the Town and Country Planning (Local Planning) (England) Regulations 2012. As a result of the Localism Act 2011, Local Planning Authorities no longer have to submit Local Development Schemes to the Secretary of State. However, Section 15(7) Planning and Compulsory Purchase Act 2004 (substituted by the Localism Act 2011) requires that there is a relevant Council resolution before an authority's LDS may be put into effect; and that the resolution must state the date in which the Scheme will come into effect.
- 4.2 Section 15(9A) of the Planning and Compulsory Purchase Act 2004, also requires the Local Planning Authority to make the following available to the public:
 - (a) the up-to-date text of the scheme,
 - (b) a copy of any amendments made to the scheme, and
 - (c) up-to-date information showing the state of the authority's compliance (or non-compliance) with the timetable mentioned

in subsection (2) (f) being the timetable for the preparation and revision of the development plan documents.

5.0 Financial implications

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

6.0 Recommendation

6.1 Prior to its approval by the Executive Member for Regeneration, the Planning Committee is asked to consider and comment on the work programme as outlined in the report and as set out in the revised Local Development Scheme (Appendix A).

Local Government Act 1972

Background Papers:

- Appendix A – Revised Local Development Scheme (January 2021)
- Worthing Local Plan - Regulation 19 Publication Version

Contact Officer:

Ian Moody
Planning Policy Manager (Worthing)
01273 263009
ian.moody@adur-worthing.gov.uk

Schedule of Other Matters

1.0 Council Priority

- 1.1 When adopted, the Local Plan will be a key tool for meeting the ambition for our communities' prosperity and wellbeing as set out in Platforms for our Places (in particular, Platforms 1,2,3 and 5). The Local Plan and the planned update and preparation of Local Development Documents will also help deliver a number of corporate objectives such as responding to the climate emergency and responding to the objectives established in 'And Then ...' (Bouncing Back in Post-Pandemic Adur and Worthing).

2.0 Specific Action Plans

- 2.1 Planning Regulations require Local Planning Authorities to produce and keep up to date a Local Development Scheme (LDS) which sets out details relating to local planning policy documents and the programme for producing these.

3.0 Sustainability Issues

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

4.0 Equality Issues

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

5.0 Community Safety Issues (Section 17)

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

6.0 Human Rights Issues

6.1 Matter considered and no issues identified.

7.0 Reputation

7.1 The delivery of a new Local Plan (and a complimentary suite of planning policy documents) in line with the timetable established in the revised LDS will help to meet the spatial needs of the borough and therefore have a positive impact on the reputation of the Council. It will also ensure that the Council has an up-to-date Plan in place in line with Government requirements.

8.0 Consultations

8.1 The cross-party Local Plan Working Group have discussed key priorities and the work programme and this has informed the drafting of the revised LDS. The work programme has also been informed by comments on particular themes received during the consultation stages on the Worthing Local Plan.

9.0 Risk Assessment

9.1 Failure to adopt a new Plan could impact on a number of this Council's priorities including economic and social regeneration. In addition, failure to get a new Development Plan in place in a timely manner may impact on local control when determining applications and increase the risk of speculative development proposals.

10.0 Health & Safety Issues

10.1 Matter considered and no issues identified.

11.0 Procurement Strategy

11.1 Any consultancy support that might be required to inform the drafting of Local Development Documents will be procured in line with the Council's procedures.

12.0 Partnership Working

12.1 A number of the evidence studies that have been put in place to inform the Worthing Local Plan were prepared jointly with Adur DC. In addition, officers have worked across both local authority areas so have been able to learn from the experience of the Adur Local Plan as it went through Examination.