



ADUR DISTRICT
C O U N C I L

Adur Planning Committee
6 September 2021
Agenda Item 8

Ward: All Adur wards.

Proposed Update of the Adur Local Plan

Report by the Director for the Economy

1.0 Summary

1.1 The Adur Local Plan was adopted in December 2017. Following an Inspector's recommendation, the plan contains a commitment to a review within 5 years. Since adoption of the Local Plan, the Government now has a target for all Local Planning Authorities to have an 'up-to-date' plan in place by the end of 2023. It is proposed that an update of the Adur Local Plan 2017 is undertaken in order to meet these requirements (and for other reasons as set out below). A Local Development Scheme, which sets out the proposed timetable for the Local Plan update process (alongside a programme to develop other documents as part of the Adur Local Development Framework) is also attached for approval.

2.0 Background

2.1 The Adur Local Plan 2017 (ALP 2017) contains a commitment to undertake a review in order to ensure that policies remain relevant and effectively address the needs of the local community. Since the publication of the ALP 2017, the revised National Planning Policy Framework was updated in 2019, with further revisions made in July 2021. Paragraph 33 requires that *'Policies in Local Plans... should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary.'* This is reflected in Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012. Furthermore the Government's White Paper of March 2020 proposed a target for all local authorities to have an up-to-date Local Plan in place.

2.2 A review of policies within the ALP 2017 has been undertaken by officers using the Planning Advisory Service Toolkit. This has indicated that:

- An updated strategy will be required, to set out how the Plan seeks to meet needs (as far as possible) in terms of housing delivery and employment floorspace (see para 3.1 below).
- Widening the range of strategic policies to include strategic sustainability, climate change (see paragraph 3.5 below), ecological matters, and health,
- Taking account of recent changes to the permitted development regime, and its implications.
- An opportunity to address how planning policy can assist and support the future of Adur's town centres.

3.0 Proposals

3.1 The plan will of course need to address housing matters, and take account of the Government's Standard Methodology for calculating local authority housing requirements, introduced since the adoption of the ALP 2017. This identifies a minimum annual housing need figure for each local authority (248 per annum for Adur. (This figure is based on population and does not take account of capacity constraints). Furthermore, Adur has failed the Housing Delivery Test and underdelivered against the housing requirements in the ALP for the last 3 years. (Although it should be noted that the delay to the commencement of the New Monks Farm development was due to the fact that the Government were considering whether to call-in the proposals or not). With regards to land supply, Adur had a 4.8 year supply as at monitoring year 2020 as opposed to the five-year supply required by the National Planning Policy Framework. (Figures will be updated when the latest monitoring data is available). For these reasons again, an update of the Plan is appropriate.

3.2 Given this context, it will be extremely important to ensure a rigorous assessment of all potential housing opportunities is undertaken to ensure that the maximum supply achievable can be delivered. However, Adur is of course located in a heavily-constrained area, with tightly drawn boundaries, located between the coast and the South Downs National Park. The Plan will seek to balance meeting development needs whilst protecting the environment and character of Adur.

3.3 Given that Adur is unlikely to be able to meet its housing needs in full it is vital that it continues to work constructively with other local authorities in the sub-region via the West Sussex and Greater Brighton Strategic Planning Board. The Duty to Co-operate introduced by the Localism Act 2011 requires

that local authorities work with their neighbours regarding strategic planning matters constructively, actively, and on an ongoing basis (s33 of the Planning and Compulsory Purchase Act 2004). This engagement will continue in order to address how potential shortfalls in housing delivery can be met as far as possible. (However given constraints, it is unlikely that these can be met in full).

- 3.4 Given the above, it is proposed that an update of the Adur Local Plan is carried out. Updating the plan will allow for policies and proposals to be brought into line with national planning policy and guidance (which has evolved since adoption of the Plan) and given the Government's published agenda for changes to the planning system (set out in the White Paper Planning for the Future in 2020 and the Queen's Speech in 2021) would provide a strong foundation for the Council to consider future changes to the planning system. Once adopted, the updated Plan will form part of the development plan for Adur, and supersede the Adur Local Plan 2017.
- 3.5 An update will also allow for the plan to take account of changing circumstances (such as the Declaration of a Climate Change Emergency by Adur & Worthing Councils in July 2019), new evidence, and emerging best practice. It will create an opportunity to address emerging issues such as the forthcoming Environment Act, including biodiversity net gain, nature recovery and other environmental matters, reflect Sustainable AW (where relevant to planning policy matters) and integrate the UN's Sustainable Development Goals into the Plan. (At the time of writing, the forthcoming legal requirements, policy advice or Regulations likely to result from the Environment Act are not yet known. However, it is intended to 'future proof' the plan in respect to these matters where possible). The Plan will also need to respond to the Government's 'Building Beautiful' agenda and the recently announced First Homes programme.
- 3.6 Furthermore the update will allow the plan to integrate updated Council strategies including Platforms for Our Places, Sustainable AW, 'And Then....' and other Council policies and proposals, where these would benefit from delivery through the Plan process. There will also be an opportunity to align policy approaches and wording consistent with those in the Worthing Local Plan (recently submitted for examination) where evidence and circumstances allow. The update will also provide an opportunity to refresh the plan's presentation by using more graphics and photos, for example.

Evidence Base

- 3.7 A range of evidence will be required to ensure a robust basis for the plan update. Some work, such as the Strategic Housing Market Assessment 2020 and Strategic Flood Risk Assessment 2020, Adur & Worthing Open Space Study, Playing Pitch Strategy and Indoor/ Built Facilities Needs Assessment Report (2019), have already been completed (jointly commissioned with Worthing Borough). Other evidence which is likely to be required includes an updated employment land review and work in relation to retail and town centres. An assessment of transport implications will be required; should this require a full transport study and model update there could be significant resources in terms of costs and time required.
- 3.8 As well as updating the Plan itself, an infrastructure assessment will be undertaken through an update of the Infrastructure Delivery Plan. This will review the delivery of infrastructure anticipated in the 2016 Infrastructure Delivery Plan, assess the infrastructure needs of the updated ALP, and work with statutory providers to ensure their infrastructure requirements (as set out in the 2016 Infrastructure Delivery Plan) remain up-to-date, or are updated as necessary. A Whole Plan Viability assessment will also be required to assess the viability impacts of proposed policies to ensure that the Local Plan (when taken as a whole) is deliverable.

Proposed Reform of the Planning System

- 3.9 The Government's White Paper 'Planning For The Future' (published 2020) proposed radical reforms to the planning system, which, if implemented, would have significant implications for Local Plans in terms of process and content. At the time of writing, it is not clear how or when these proposals will be implemented, and legislation and further statutory instruments will be required. Current advice is clear in that local authorities should not defer work on Local Plans in advance of any fundamental future changes at the national level. As such, it is proposed that the update of the Adur Local Plan is progressed consistent with current policy and legislation; if circumstances change it may be necessary to amend the approach to take account of new requirements.

Proposed Timetable

- 3.10 Appendix 1 below contains the Adur Local Development Scheme 2021 - 2024. This sets out the proposed timetable for progressing the Adur Local Plan, including statutory consultation stages, as well as other key policy documents.

Key milestones for the update of the Adur Local Plan are as follows:

Background evidence gathering, early Regulation 18 engagement with statutory consultees	2021/ early 2022
Regulation 18 consultation	Q2 2022
Regulation 19 consultation	Q4 2022
Examination	Q3 2023
Adoption	Q4 2023

The timetable is likely to be refined over time, and updates will be published on the Council’s website. However it should be noted that this timetable could be impacted due to staff resources or the need to provide further evidence. However, if a plan update is not progressed, there is a risk that Adur’s policy framework will be considered partially out-of-date, particularly with regards to the housing policies; there will be greater risk of ‘planning by appeal’ and there will be a reduced ability to respond to the climate emergency or achieve more sustainable outcomes.

4.0 Legal

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

5.0 Financial implications

5.1 The Adur Local Plan update will require the updating of relevant evidence, statutory consultation stages, and an examination process.

5.2 Costs will need to be incurred both in commissioning the additional studies required and on the public examination itself. Budget provision will be required both in 2022/23 and 2023/24. This will be addressed through the budget review process. However, indicative costs for the Examination are circa £75k and for evidence studies approximately £125k. Some of this can be met from

existing policy budgets but will still require an additional budget being made available for next year of approximately £150k.

6.0 Recommendation

6.1 It is recommended that:

- 1) The Committee considers the principle of updating the Adur Local Plan 2017
- 2) That the Committee considers the Local Development Scheme attached at Appendix 1;
- 3) That comments are forwarded to the Executive Member for Regeneration

Local Government Act 1972

Background Papers:

Adur Local Plan 2017
Sustainable AW
Platforms for Our Places
And Then...
PAS Toolkit Local Plan Routemapper.

Contact Officer:

Moira Hayes
Adur Planning Policy Manager
Portland House
Tel: 01273-263247
moira.hayes@adur-worthing.gov.uk

Schedule of Other Matters

1.0 Council Priority

- 1.1 When adopted, the Adur Local Plan will be a key tool for supporting the local economy and addressing wellbeing and placemaking matters as set out in Platforms for Our Places.

2.0 Specific Action Plans

- 2.1 Local authorities are required to prepare a Local Plan that sets out planning policies and proposals for that area. An up-to-date planning policy framework provides a strategy and policies for managing the development of our places, including the delivery of appropriate infrastructure. The Local Development Scheme provides a 3 year project plan addressing the development and delivery of the Local Plan and associated planning documents.

3.0 Sustainability Issues

- 3.1 The Local Plan will seek to promote sustainable development; furthermore, the Government requires that all Development Plan Documents including Local Plans are subject to a formal Sustainability Appraisal, which will be published alongside the Plan as it develops.

4.0 Equality Issues

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

5.0 Community Safety Issues (Section 17)

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

6.0 Human Rights Issues

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

7.0 Reputation

7.1 The Local Plan will seek to meet Adur's spatial needs and therefore should have a positive impact on the Council's reputation.

8.0 Consultations

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

9.0 Risk Assessment

9.1 As stated in the report there is a requirement from Government to have a new plan in place by the end of 2023. Failure to update the Local Plan could impact on the delivery of a number of the Council's priorities. In addition, failure to get a new Local Plan in place in a timely manner could impact on local control when determining planning applications and increase the risk of speculative development proposals.

10.0 Health & Safety Issues

10.1 The Local Plan update will address health matters, so far as they relate to planning policy.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 Development of the Plan (and associated documents such as the Infrastructure Delivery Plan) will require engagement and consultation with a wide range of organizations (statutory and non-statutory consultees) and groups and individuals. The Duty to Co-operate also places a requirement on Local Planning Authorities to work with neighbouring authorities and other statutory agencies to address strategic issues. This work is ongoing and will continue as the plan advances.

12.2 In addition, opportunities have, and will be taken to procure evidence studies jointly with Worthing Borough Council and other neighbouring authorities if and when appropriate.