



WORTHING BOROUGH
COUNCIL

Worthing Planning Committee
22nd February 2023

Ward(s) Affected: All

Levelling Up and Regeneration Bill: Reforms to National Planning Policy

Report by the Director for Economy

Officer Contact Details

Moira Hayes, Adur Planning Policy Manager tel: 01273 - 263247,
moira.hayes@adur-worthing.gov.uk

Executive Summary

Purpose

1.1.

- This report sets out key proposals contained in the Government's reforms to the National Planning Policy Framework, which form part of the range of measures to address the Government's Levelling Up agenda. These seek to make significant reforms to the planning system.
- The Government is seeking views on proposed changes to the National Planning Policy Framework. A proposed consultation response is attached to this report as Appendix 1.
- The consultation period closes on 2nd March 2023

Recommendations

1.2. Recommendation One

- The Committee is asked to consider the proposed consultation response in the appendix and refer any comments to the executive member, prior to submission to the Government.

2. Reforms to National Planning Policy Framework

- 2.1 The Government published the Levelling Up White Paper in February 2022, which set out its commitment to make changes to the planning system in order to support its aims of building more homes, increasing home ownership and regenerating towns and cities. This specific consultation focuses on proposed Government the National Planning Policy Framework (NPPF) subject to and following consultation, to support the delivery of the government's commitments.
- 2.2 The Government has published a document setting out key proposed changes to the NPPF as well as an accompanying consultation document: 'Levelling Up and Regeneration Bill: Reforms to National Planning Policy'. The consultation document sets out a range of consultation questions. Proposed responses to these are set out at Appendix 1.
- 2.3 It is the Government's intention that these changes will be made swiftly, prior to a proposed wider NPPF consultation (following Royal Assent of the Levelling Up and Regeneration Bill) to be carried out alongside consultation on the first National Development Management policies. This subsequent consultation will be wider in scope and address changes to national legislation and policy made in recent years (such as First Homes and Use Class E).

Key proposals

- 2.4 Key proposals within the current consultation include:
- Clarification as to how housing figures should be derived and applied to take local circumstances into account;
 - Addressing issues in the operation of housing delivery and land supply tests
 - Addressing problems of slow build out once permission is granted
 - Promoting more 'beautiful' homes and the use of 'gentle densities'.

Subject to the consultation, changes arising from this specific consultation exercise are anticipated to be made in Spring 2023.

- 2.5 With regards to securing infrastructure to support development, the consultation document also states that the Levelling Up and Regeneration Bill addresses measures to capture uplift in land value more effectively through a new proposed Infrastructure Levy and through new Infrastructure Delivery Strategies; however these matters will be addressed in a subsequent wider review of the NPPF rather than this present consultation.
- 2.6 Some of the key proposals and issues are highlighted below.

Key elements:

- 2.7 **Assessing Local Housing need:**The consultation makes clear that the Standard Methodology (SM) will remain the starting point for calculating housing needs. (Local Authorities can use alternative methods to the SM where there are exceptional circumstances). The NPPF will be reviewed to make clear however that this is an 'advisory starting point' to inform plan-making; clarity will also be given to when it is acceptable to bring forward local plans which do not meet housing needs in full. This is because some local authorities in the country are not progressing plans or struggling to justify their approach at examination. (However in reality both the Adur Local Plan 2017 and the examination of the worthing Local Plan have been able to demonstrate, through a thorough evidence base and explanation of constraints, how they have been unable to meet their needs in full). It is proposed to make changes to the Housing Delivery Test and NPPF to support local authorities to set local housing requirements that respond to demographic and affordability pressures whilst being realistic given local constraints. The Government anticipates that by being clearer as to how local constraints can be taken into account and taking a more proportionate approach to local plan examination, local plan making should be faster.
- 2.8 **Five year Land Supply and Housing Delivery Tests:**It is proposed that local authorities with an up-to-date plan (in this case, meaning where the housing requirement in strategic policies is less than 5 years old) will not be required to continually demonstrate a 5 year land supply.
- 2.9 Currently, where the 5 year land supply must be demonstrated, contingency buffers must be included in their supply by local authorities (for example, Adur District Council and Worthing Borough Council have had to include 20% buffers when they have delivered less than 85% of homes as assessed by the Housing Delivery Test). However the consultation paper acknowledges this approach adds complexity but does not necessarily increase supply and can in fact lead to unplanned development. The consultation therefore proposes removal of these buffers in calculating the Five Year Supply figures.
- 2.10 The Housing Delivery Test was introduced in 2018 to measure homes built in local authorities; where delivery is below the annual rate planned for, consequences are applied and an additional buffer applied to the 5 year land supply test (see above). However given the limited role local authorities play in delivery, the Government proposes adding an additional permissions-based test; where local authorities can demonstrate sufficient permissions to meet their annual housing requirement (or where plans are over 5 years old, local housing need plus an additional figure to allow for dwellings not progressed/ revised). As such the Government is proposing a measurement of 115% against annual supply before the housing delivery presumption is 'switched off'.
- 2.11 **Plan Making:** The consultation sets out reforms to the plan-making system with the

aim of producing plans more quickly, with simplified content. It also states that plans will have greater weight in the decision-making process, limiting circumstances where unplanned development can be approved (via the presumption in favour of sustainable development and the tilted balance). It is anticipated that the new system will be implemented from late 2024. These changes are proposed to give greater confidence in the planning system and a greater say to communities.

- 2.12 Under the new system, authorities will no longer prepare Supplementary Planning Documents (which serve to explain the implementation of adopted policies), but will however be able to prepare Supplementary Plans which will have the same weight as a local plan. However existing SPDs will remain in force for a time-bound period, automatically ceasing at the point at which authorities are required to have a new-style plan in place.
- 2.13 The Duty to Co-operate will be removed, although it will remain in place until the provisions come into effect. An 'alignment policy' will however be introduced (via a future revised NPPF) to ensure that appropriate engagement is undertaken where strategic planning matters cross boundaries.
- 2.14 **Design Codes:** the proposed NDMP consultation will include consideration of weight to be attached to design codes. It is the intention of the Government that these will be used to set clear minimum standards on development (e.g. height, form and density). The National Model Design Code is in use and the Levelling Up and Regeneration Bill includes a requirement that local planning authorities adopt authority-wide design codes as an integral part of their development plan.
- 2.15 **Addressing Build Out rates:** Three measures are proposed to address this; publishing data on sites of a certain size where build out does not match agreed rates; requiring developers to explain how they propose to increase the diversity of measures to maximise rate at which homes are sold or occupied (absorption rate); and a proposed delivery trajectory would become a material consideration in planning applications; slow rates may be refused in some circumstances. Further consultation will be carried out relating to fines for developers who build out too slowly, and how an applicant's past behaviour can be taken into account.
- 2.16 **Environment and Energy:** Ahead of the wider review of national planning policy next year, views are sought on carbon assessment and the role of planning in climate adaptation. The consultation document also states that the Government is working with DEFRA to reduce the risk of habitat clearance prior to the submission of planning applications, in order to lower the baseline from which Biodiversity Net Gain will be measured. Further guidance will be reproduced to set out how local plan and decision-making can play a complementary role to Local Nature Recovery Strategies and embed them in the planning process. The consultation is also seeking views on carbon impact assessment.
- 2.17 With regards to climate adaptation and flood risk, the consultation paper states that

the Government has commenced a review of the case for implementing Schedule 3 of the Flood and Water Management Act 2010 relating to Sustainable Urban drainage (SuDS). The review will ensure that implementing this schedule will support the objectives of alleviating pressure on the sewer network and reducing flood risk. If implemented this will introduce new standards for SuDS and make connection to public sewers conditional on approval that the drainage system meets the national standards.

Next Steps.

- 2.18 The consultation document makes clear that the Government will undertake a full consultation on a revised NPPF (focussed on plan-making policies) and National Development Management Policies once the Bill has completed its passage through Parliament.

3 Engagement and Communication

- 3.1 This consultation has been undertaken by the Department of Communities, Housing and Local Government. It is proposed that the attached responses at Appendix 1 are submitted as Adur & Worthing Councils' response to this consultation. Further discussion regarding implications of the proposed changes can be held with the respective Local Plan Member Working groups.

4 Financial Implications

- 4.1 There are no financial implications arising directly from this consultation.

Finance Officer: Sarah Gobey

Date: 17th February 2023

5 Legal Implications

- 5.1 The National Planning Policy Framework represents Government policy, rather than legislation, although it must be taken into account in preparing Local Plans and is a material consideration in planning decisions.

Legal Officer: Caroline Perry

Date: 16th February 2023

Background Papers

- Levelling Up and Regeneration Bill - Reforms to National Planning Policy

<https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>

- National Planning Policy Framework: Draft text for consultation
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1126647/NPPF July 2021 - showing proposed changes.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1126647/NPPF_July_2021_-_showing_proposed_changes.pdf)

Sustainability & Risk Assessment

1. Economic

- The NPPF supports and identifies three pillars of sustainable development; one of which is economic *'to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure'* (paragraph 8a).

2. Social

2.1 Social Value

- The NPPF identified and supports a social objective: *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;* (paragraph 8b.)

2.2 Equality Issues

- This consultation is being held by the Department for Communities, Housing and Local Government and has been undertaken in line with the Cabinet Office's Consultation Principles.

2.3 Community Safety Issues (Section 17)

- Chapter 8 of the existing framework relates to achieving healthy inclusive and safe places.

2.4 Human Rights Issues

No issues identified

3. Environmental

- The NPPF identifies an environmental objective as one of its three strands of sustainable development: *to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.* (para 8c NPPF). The main report refers to proposed changes to environmental policy within the NPPF.

4. Governance

- The National Planning Policy Framework is a statement of Government policy for planning in England. The Council must therefore have regard to its contents.

Response to NPPF consultation questions: Adur & Worthing Councils

The consultation document to which these questions refer may be found here:

<https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>

General Comments	Adur & Worthing Councils are pleased to be able to contribute to this consultation on changes to national planning policy.
Q1	Do you agree that local planning authorities should not have to continually demonstrate a deliverable 5-year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than 5 years old?
A	We agree that this is a positive measure and will save time and resources in the appeals process. However greater recognition should be given to the fact that where land supply issues arise, such as Adur and Worthing, constrained authorities have limited abilities to bring sites forward in the trajectory as any suitable site would have already been allocated.
Q2	Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?
A	This proposal is supported. For constrained authorities such as Adur and Worthing, the addition of a buffer merely serves to create an artificially high measurement which cannot be reached.
Q3	Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?
A	It appears appropriate to allow for 'oversupply' in a particular time period.
Q4	What should any planning guidance dealing with oversupply and undersupply say?
A	Guidance should acknowledge that housing trajectories cannot always guarantee a 'smooth' flow of sites. Particularly, in constrained authorities there may not be 'contingency' sites which can be brought forward any earlier. Therefore some years will naturally be above or below the annualised figure. Cumulative delivery rates over the plan period (as were used prior to the introduction of the 5 year land supply test) are perhaps a more accurate and fair measurement.
Q5	Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?
A	N/A
Q6	Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?
A	The proposed amendments to paragraph 7 which would insert a specific reference to the provision of homes and supporting infrastructure could be treated as taking priority within

	<p>the context of sustainable development. Whilst the Councils understand the importance of planning for new homes this should be balanced against other pillars of Sustainable Development. The wording does not necessarily reflect 'balance' particularly for authorities such as Adur and Worthing where Inspectors at Local Plan examinations have recognised the very real constraints experienced by the authorities.</p> <p>The proposed wording could also contribute to circumstances such as the ongoing appeal at Chatsmore Farm Worthing, where developers are seeking housing provision despite the Local Plan Inspector recently accepting the constraints on the site. This situation is resource intensive, and contributes to a loss of faith in the planning system and uncertainty for local communities.</p>
Q7	What are your views on the implications these changes may have on plan-making and housing supply?
A	Please see the responses above.
Q8	Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?
A	<p>It is agreed that guidance should be clearer on what constitutes exceptional needs. Where authorities have geographic limits to development (such as lack of available land or the presence of National Parks) and demographic factors such as high numbers of elderly, these factors should be taken into account in both assessing needs, and assessing to what extent an authority can meet needs.</p> <p>Our understanding is that the current NPPF already recognises that the Standard Methodology is the starting point for assessing local housing need; following which evidence-based, demonstrable constraints to housing supply can be taken into account, resulting in a capacity-based housing target. Indeed this has been our experience with the Adur Local Plan 2017 as well as the Worthing Local Plan (which, following examination will be adopted shortly). However what would be welcome is a clarification as to the nature and extent of evidence necessary and examples of the types of local circumstances potentially relevant to this (although not a closed list).</p>
Q9	Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?
A	Adur & Worthing are not located in, or near to Green Belt so will not comment on that issue. See response to question 10 regarding density issues.
Q10	Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out of character with the existing area?
A	Agree that building at densities significantly out of character within an existing area to meet needs should be taken into account. This is an issue which is already affecting our authorities. Areas within, or nearby to (within the setting of) heritage or landscape designations are particularly affected, however this is an issue elsewhere too. As LPAs we find ourselves sometimes under pressure to accept high density developments at odds with the local context on the basis of housing needs.

	<p>However we query how the term ‘significantly’ will be interpreted in practice (particularly at examination or appeal situations). We would also stress the need to ‘balance’ this with the need for development plans (and planning guidance) to make clear in those circumstances/sites where higher densities are deemed appropriate (eg certain regeneration areas, transport nodes, town centre sites) particularly where design codes or townscape analysis have assessed and indicated their suitability. For example higher density development is coming forward at the Western Harbour Arm, Shoreham, providing much needed homes and making effective use of redundant brownfield land.</p>
Q11	Do you agree with removing the explicit requirement for plans to be ‘justified’, on the basis of delivering a more proportionate approach to examination?
A	<p>It is not clear that removing the ‘justified’ requirement would automatically deliver a more proportionate approach to examination, as authorities would still need to provide evidence to support the strategy within the Local Plan (and indeed to provide confidence that appropriate investigation and assessment of options has been undertaken).</p> <p>The justified soundness test, in addition to the consideration of reasonable alternatives, ensures that the policies and strategies in a plan are based on evidence and contribute to the achievement of sustainable development. Although the evidence requirements often feel disproportionate in terms of cost, without a grounding in evidence, local plans will become less robust and rational.</p> <p>Furthermore paragraph 32 of the NPPF, and related SEA requirements at this stage remain unchanged so a Local Authority will still have to undertake the testing of reasonable alternatives through the process of SA/SEA to meet the legal tests.</p> <p>It is also unclear how a local authority unable to meet its objectively assessed needs will be able or expected to justify at examination that 11b)ii. applies if being justified or supported by evidence is no longer a soundness test.</p> <p>What would perhaps be beneficial is advice as to what degree/ type of evidence is necessary and proportionate for the purposes of examination.</p>
Q12	Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which, if any, plans should the revised tests apply to?
A	<p>Perhaps any changes should apply immediately to all plans (if not currently being examined) otherwise is there not a perverse incentive to slow down preparation or delay submission?</p>
Q13	Do you agree that we should make a change to the Framework on the application of the urban uplift?
A	<p>Adur District is located adjacent to Brighton & Hove City which is affected by the uplift. Any uplift should take into account constraints faced by the relevant urban authorities, and their realistic abilities to meet the increased targets.</p>
Q14	What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?
A	<p>Uplifts should perhaps be applied only where there is a realistic ability to deliver an</p>

	increased amount of housing and where appropriate infrastructure can be delivered to support it. This could be aligned to other Levelling Up proposals.
Q15	How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?
A	Where neighbouring authorities adjoin authorities where the urban uplift is applied (as is the case with Adur and Brighton), there is no value in assigning additional uplift where the neighbouring authority, or the wider sub-market is itself constrained. See response to question 14.
Q16	Do you agree with the proposed 4-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past oversupply? If no, what approach should be taken, if any?
A	This is supported as it avoids an authority facing negative consequences of addressing revised national policy.
Q17	Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?
A	Yes. If the principle is appropriate it should apply to all authorities preparing plans.
Q18	Do you support adding an additional permissions-based test that will ‘switch off’ the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?
	Agree that HDT must take into account the number of dwellings granted by permission; (although clarity regarding outline/ reserved permissions will be required to avoid double-counting) as this recognises the limited ability local planning authorities have to address delivery. However, the requirement to measure against housing needs where a local plan is older than 5 years means that geographically constrained authorities may still struggle to meet these requirements.
Q19	Do you consider that the 115% ‘switch-off’ figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?
A	The concept of the 115% additional buffer is understood; however failure to deliver dwellings granted permission does not lie with the local authority. It is not clear how the 115% figure has been derived.
Q20	Do you have views on a robust method for counting deliverable homes permitted for these purposes?
A	At present the number of ‘committed’ dwellings (eg via permissions or allocations) are measured. However it will be important to ensure that if this approach is taken up, authorities are measuring in a consistent fashion, particularly with regards to outline/ reserved matters applications. It should also be remembered that the number of dwellings sought by a planning application may not be the same as the number finally granted consent - any measurement process must take this into account.

Q21	What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?
A	It is suggested that no consequences are applied until a replacement approach is agreed.
Q22	Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions? If yes, do you have any specific suggestions on the best mechanisms for doing this?
A	Agree that LPAS should be able to prioritise social rent, particularly where evidence indicates this as a priority local need. Suggest removal of requirement for First Homes to give greater flexibility to LPAs in ensuring their affordable housing provision addresses the greatest affordable need tenures where local evidence supports this. However viability needs to be addressed - this may require an alternative funding mechanism.
Q23	Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?
A	Agree that paragraph 62 should recognise the diversity of housing options for older people. Adur and Worthing experience an ageing population (for example numbers of people aged over 65 are projected to increase by 10,700 (43%) in Worthing between 2016-36). The Submission Draft Worthing Local Plan contains a policy requirement that housing with support and care should be prioritised over care bed spaces. The Adur Local Plan (2017) also contains a policy requirement supporting the provision of specialist retirement accommodation and registered care homes, in both affordable and market tenures in accessible locations within the Built Up Area. However good practice guidance on assessing needs would be beneficial to ensure consistency of approach.
Q24	Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?
A	As authorities which experience physical constraints, small sites play a valuable part in housing supply. However the use of a specific target is not considered particularly valuable.
Q25	How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?
A	N/A
Q26	Should the definition of "affordable housing for rent" in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?
A	N/A
Q27	Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?
A	N/A
Q28	Is there anything else that you think would help community groups in delivering

	affordable housing on exception sites?
A	Community groups are likely to benefit from assistance with resourcing and understanding the planning system.
Q29	Is there anything else national planning policy could do to support community-led developments?
A	No comments
Q30	Do you agree in principle that an applicant's past behaviour should be taken into account in decision making?
A	<p>The term 'behaviour' is perhaps inappropriate as this appears to indicate personal rather than planning/development issues. It has long been an accepted principle of the planning system that permission runs with the land, not the individual. Any definition needs to be based on issues relating to planning and development matters only.</p> <p>There is concern that refusing to determine applications based on past 'behaviour' could potentially leave LPAs open to legal action. There are also concerns that potential objectors may try to use these arguments to avoid (or criticise) determination of unpopular applications. It is not clear what weight these 'behaviours' might be given in an appeal situation.</p>
Q31	Of the two options above, what would be the most effective mechanism? Are there any alternative mechanisms?
A	N/A
Q32	Do you agree that the 3 build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly? Do you have any comments on the design of these policy measures?
A	It is not clear how these measures will relate to outline permissions.
Q33	Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?
A	It is unclear how the proposed addition of the word 'beauty' will make a practical impact in terms of planning policy or decision making, given its subjective nature. However, although the role of design codes is supported, given the resource intensive nature of preparation (particularly for district/borough- wide codes) the value of area-based or site based design codes should be supported. For example the progression of a design code for a regeneration area such as the Western Harbour Arm, Shoreham, should be supported without having to be subsumed into a single district-wide exercise. In areas such as Adur and Worthing, with mixed areas of Victorian, Edwardian, pre-and post-war development types, it is not clear what benefits a district or borough-wide code would deliver; whereas more targeted sub-area or site- based codes could be swifter and more beneficial.
Q34	Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places', to further encourage well-designed and beautiful development?

A	It is unclear what is meant by the word 'beautiful'; at the very least this should be included in the glossary with a definition. As mentioned above in question 33, given the subjective nature of this term, the practical implications of this change are not clear.
Q35	Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?
A	N/A
Q36	Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes? If no, how else might we achieve this objective?
A	No, this appears overly prescriptive. It would be more helpful to have further text around the desired outcome - is this intended to support design that enables increasing densification/creation of new homes rather than just appearance? This type of advice may be more appropriate where generated via a locally-specific design code.
Q37	How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?
A	Small scale nature interventions should be strengthened through application of biodiversity net gain policy and other climate change adaptation and green infrastructure policies. It is not clear that much artificial grass would actually be addressed via the planning system.
Q38	Do you agree that this is the right approach making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best most versatile agricultural land?
A	The footnote as drafted seems to suggest there is always an alternative site available which is not the case in Adur and Worthing. It is unclear from the footnote whether this would be sufficient justification to protect a site that would otherwise be appropriate for development, particularly in areas such as Adur and Worthing which due to constraints are unable to meet their full local needs.
Q39	What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?
A	Any development is going to have a carbon impact; more development (and therefore closer you get to meeting local needs) the higher the carbon impact would be. The emphasis to ensure a proportionate assessment should therefore be on the reduction in carbon secured from plan-making and decisions compared with the baseline e.g. no local plan policy or mitigation.
Q40	Do you have any views on how planning policy could support climate change adaptation further, specifically through the use of nature-based solutions that provide multi-functional benefits?
A	This should be recognised in paragraphs 1, 7 and 20 of the consultation version of the NPPF and equal weight given to allocation of sites for adaptation as is given to sites for delivering housing.

Q41	Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?
A	Agree, it makes sense to acknowledge future re-powering and maintenance aspects within policy.
Q42	Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?
A	See Q43
Q43	Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?
A	Support for clean forms of energy is generally welcomed, However it is not clear how local planning authorities can accurately measure 'community support'. In addition how this would operate in practice is unclear.
Q44	Do you agree with our proposed Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?
A	Yes, but to provide additional certainty it would be helpful if these relate back to Energy Performance Certificates.
Q45	Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system? If no, what alternative timeline would you propose?
A	<p>Adur District Council adopted its Local Plan in 2017 and has commenced a review under the current legal framework. It is noted that the Government proposes to introduce a requirement for Councils that are preparing their Plan under the existing framework, to submit their Local Plan for examination by 30th June 2025. This will also be dependent on clarity from the Government in terms of the proposed National DM Policies plus proposed changes to the NPPF to be addressed in subsequent consultations. Any delay or uncertainty in progressing the proposed changes by Government could have an adverse impact on those local authorities seeking to progress their plans.</p> <p>The consultation indicates that by November 2024 where plans are more than 5 years old, authorities should begin the new-style plan making, However it is unclear what the implications are for authorities who are still progressing plans under the current regime who may have been subject to delays due to resourcing or evidence base reasons.</p> <p>The documentation also indicates that examinations under the current regime must be completed by October 2026 (having submitted by 30th June 2025). There are circumstances where examinations are delayed for good reason, perhaps based on seeking additional evidence and there should be support for local authorities in this situation to complete their plans and not be penalised.</p> <p>The Councils would strongly urge the government to keep to the timescales referred to in part 1 of the document, or clearly advertise any intended changes. Whilst the Councils will continue to progress their Local Plans (with the imminent adoption of the Worthing Local Plan and update of the Adur Local Plan) the proposed changes (including the introduction of national development management (DM) policies) can create uncertainty and impact on</p>

	plan-production at a time when resources are already stretched.
Q46	Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?
A	Please see answer to Q45
Q47	Do you agree with the proposed timeline for preparing neighbourhood plans under the future system? If no, what alternative timeline would you propose?
A	N/A
Q48	Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?
A	The proposals indicate that Supplementary Planning Documents related to already adopted Local Plans would expire. It is not clear why this is proposed or what benefit it would bring, and could result in confusion and uncertainty in applying certain adopted policies. It would be more logical to ensure that existing Supplementary Planning Documents can be maintained as long as the relevant Plan/ policy remains in use.
Q49	Do you agree with the suggested scope and principles for guiding National Development Management Policies?
A	The role of these is understood; however given the current update of the Adur Local Plan we would request that these are published according to the proposed timetable as the lack of certainty could have an adverse impact on the progression of the Plan. The National DM Policies should not rule out the inclusion of local policies where these are evidence-based and serve a clear purpose.
Q50	What other principles, if any, do you believe should inform the scope of National Development Management Policies?
A	N/A
Q51	Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?
A	Regarding town centres, the town centres in Adur District and Worthing Borough are markedly different in character and it is unclear how a national policy for town centres would be different from current advice in the NPPF, or uniformly applicable or appropriate for all.
Q52	Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?
A	N/A
Q53	What, if any, planning policies do you think could be included in a new framework to help achieve the 12 levelling up missions in the Levelling Up White Paper?
A	N/A
Q54	How do you think that the framework could better support development that will

	drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?
A	N/A
Q55	Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?
A	Both Adur and Worthing are strongly supportive of, and have a track-record of brownfield development due to the constrained nature of the local authority areas. However acknowledgement should be made of the need to balance housing and commercial/employment needs. The term 'gentle densification' needs a clear design/character -based definition.
Q56	Do you think that the government should bring forward proposals to update the framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups in society feel safe in our public spaces, including for example policies on lighting/street lighting?
A	<p>This is an important subject and it is agreed that more emphasis is needed on public safety - for women, girls, and also other groups who may not feel safe in public spaces. It is considered that existing paragraph 92 b) of the NPPF already captures the use of good design to create safe and accessible environments but this paragraph could go further and identify other surveillance and security measures (such as lighting) that could be incorporated within the design of development and public realm spaces.</p> <p>The submission draft Worthing Local Plan includes Policy DM5 Quality of the Built Environment which recognises that <i>good use of natural surveillance and careful siting of buildings and street furniture can improve the layout of an area and reduce perceived and actual crime. Well designed security features that safeguard people and property without compromising the quality of the local environment, and well defined pedestrian, cycle and vehicular routes that limit opportunities for concealment also help to provide a safe environment for those that are particular vulnerable to harm (Contextual Safeguarding), and make an area more pleasant to use.</i></p>
Q57	Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?
A	We support the creation of an accessible and interactive, web-based set of national policies and this would make it more engaging for interested parties to view national development management policies and the NPPF. However, we are also keen to retain traditional methods wherever possible to give people the choice of accessing policies in a document format, to allow for those who choose not to use digital methods, or experience barriers to digital use.
Q58	We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.
A	N/A