

# Amendments to the Proposed Submission Adur Local Plan (2016)

## Representation Form



Return Address: [adurplanningpolicy@adur-worthing.gov.uk](mailto:adurplanningpolicy@adur-worthing.gov.uk)

Or:


Planning Policy Team, Adur and Worthing Councils, Town Hall, Chapel Road,  
Worthing, BN11 1BR

Or hand in at:

- Shoreham Centre, 2 Pond Road, Shoreham-by-Sea, BN43 5WU or
- Portland House, 44 Richmond Road, Worthing, BN11 1HS

Please return to Adur District Council by midnight on 11<sup>th</sup> May 2016  
Late representations will not be considered.

**Please note that at this stage, representations are only being sought on whether the amendments to the Plan are sound and/or legally compliant.**

 **Use of your information:** Respondent details and representations will be forwarded to the Secretary of State for consideration when the Adur Local Plan is submitted for examination. All documents will be held by Adur District Council and representations will be published including on the internet e.g. [www.adur-worthing.gov.uk](http://www.adur-worthing.gov.uk). Personal contact details (address, email and phone number) will be removed from published copies of representations. Your information will be handled in accordance with Data Protection Act 1998.

Contact details will be added to the Adur Planning Policy consultees database to keep you informed on the progress of the Adur Local Plan and other related documents.

☐ Please tick if you do **not** want to be informed.

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This form has two parts:

- i. Part A - Respondent Details. You only need to fill this in once.
- ii. Part B - Your representation(s). Please fill in a separate sheet for each representation you make.

**It is recommended that you read the Guidance Notes provided for an explanation of terms used in this form.**

**Part A – Personal Information**  
You only need to complete this section once

**Personal Details**

|                                    |  |           |  |
|------------------------------------|--|-----------|--|
| First name                         | <input type="text" value="David"/>                         |           |  |
| Last name                          | <input type="text" value="Johnson"/>                       |           |  |
| Organisation<br>(where applicable) | <input type="text" value="CPRE Sussex Countryside Trust"/> |           |  |
| Address line 1                     | <input type="text" value="Brownings Farm"/>                |           |  |
| Address line 2                     | <input type="text" value="Blackboys"/>                     |           |  |
| Address line 3                     | <input type="text" value="Uckfield"/>                      |           |  |
| Post Code                          | <input type="text" value="TN22 5HG"/>                      | Telephone | <input type="text" value="01825 890 975"/> |
| Email address                      | <input type="text" value="info@cpresussex.org.uk"/>        |           |  |

**Agent's Details** (if applicable)

|                |                      |           |                      |
|----------------|----------------------|-----------|----------------------|
| First name     | <input type="text"/> |           |                      |
| Last name      | <input type="text"/> |           |                      |
| Organisation   | <input type="text"/> |           |                      |
| Job Title      | <input type="text"/> |           |                      |
| Address line 1 | <input type="text"/> |           |                      |
| Address line 2 | <input type="text"/> |           |                      |
| Address line 3 | <input type="text"/> |           |                      |
| Post Code      | <input type="text"/> | Telephone | <input type="text"/> |
| Email address  | <input type="text"/> |           |                      |

## Part B – Representation

Please use separate sheets for each representation

### 1. Which Amendment(s) to the Adur Local Plan does this representation relate to?

Amendments relating to:

|            |                                |                                   |                      |
|------------|--------------------------------|-----------------------------------|----------------------|
| Policy No. | <input type="text" value="5"/> | Paragraph No.                     | <input type="text"/> |
| Map        | <input type="text"/>           | Other section<br>(please specify) | <input type="text"/> |

### 2. Do you consider the Amendment(s) to be: (tick as appropriate)

2.1 Legally Compliant    Yes    ☒                      No    ☐

2.2 Sound                      Yes    ☐                      No    ☒

Please read the Guidance Note for guidance on legal compliance and soundness.

If you have ticked no to 2.1, please continue to Q4.

If you have ticked no to 2.2, please continue to Q3.

If you have ticked yes to 2.1 and 2.2 please go to Q7.

### 3. Do you consider the Amendment(s) to the Adur Local Plan to be unsound because it is not: (tick as appropriate)

3.1 Positively Prepared                      ☐

3.2 Justified                      ☐

3.3 Effective                      ☒

3.4 Consistent with National Policy    ☒

**4. If you consider the Amendment(s) to the Adur Local Plan to be unsound or not legally compliant, please explain why in the box below:**

CPRE Sussex works to promote the beauty, tranquillity and diversity of the Sussex countryside by encouraging the sustainable use of land and other natural resources in town and country. We encourage appropriate and sustainable land use, farming, woodland and biodiversity policies and practice to improve the well-being of rural communities. It is our position that local planning authorities should seek to ensure that the negative impacts of development on the countryside, both direct and indirect, are kept to a minimum and that development is sustainable in accordance with national planning policy.

We would like to draw your attention to (but will not reiterate) our comments as part of the 2014 Local Plan consultation in relation to Policies 2, 3, 4, 5, 6 and 7 as these have not been addressed through recent amendments. We believe that the current plan is not sound as further work needs to be done in relation to the exception test for flood risk to fully comply with the NPPF para 102. More work also needs to be done to establish how the investment in infrastructure needed to manage and mitigate flood risk at New Monks Farm will affect deliverability. New Monks Farm stands on the Adur Flood Plain and key areas being considered for housing are similarly vulnerable to flooding on what is the extensive Adur river delta.

Policy 5, in relation to New Monks Farm, now states that 'Developers will need to work with Adur District Council, West Sussex County Council and the Environment Agency to ensure that tidal and fluvial flooding as well as surface water and groundwater flooding are adequately mitigated without worsening flood risk elsewhere. ~~Opportunities to reduce flood risk elsewhere should also be sought. These issues should be addressed in detail by a Flood Risk Assessment (FRA) at the planning application stage.~~ A Flood Risk Assessment (FRA) will be required at the planning application stage. The FRA must take account of and seek to facilitate relevant recommendations of the Lancing Surface Water Management Plan.'

Whilst CPRE Sussex welcomes the acknowledgement of the Lancing Surface Water Management Plan, the amendments to the Policy do not fully comply with National Policy and guidance.

In 2015, CPRE Sussex commissioned its own independent Flood Risk Assessment of the three proposed key strategic sites at New Monks Farm, West Sompting and Shoreham Airport. A copy of this Assessment is submitted with this representation. In May 2015, CPRE Sussex and Adur Flood Watch Group commissioned WaterCo to carry out a document review to establish whether the issues raised in our previous submission have been addressed by subsequent analysis and amendments to the Local Plan. A copy of this review is submitted with this representation. Also submitted is a 'further comment on groundwater flooding within the Adur Local Plan area' by Dr. Stephen Buss (2016) – also commissioned by Adur Floodwatch and CPRE Sussex.

The Sequential and Exception test for the Proposed Adur Local Plan (2016) document accurately describes the constraints facing the District in finding suitable new sites for housing:

'This objectively assessed housing need figure is not considered achievable due to a number of constraints within the district including flood risk and landscape constraints. As a result, there are not a large variety of sites to choose from in Adur – every site that is potentially deliverable and would not have unacceptable environmental, economic or social impacts is being put

forward in the Proposed Submission Adur Local Plan in order to try and meet objectively assessed needs as far as is possible.'

The aim of the Sequential Test is to steer new development into areas with the lowest probability of flooding i.e. areas outside of the 0.1% annual probability. The site has been assessed as having passed the NPPF Sequential Test, on the basis that there are no alternative sites in the area at lower flood risk which could accommodate a development of this size.

Where the Sequential Test is passed, the Exception Test should be applied. As stated in Paragraph 102 of the NPPF, for the Exception Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

In order to comply with Paragraph 102 of NPPF (the Exception Test), which states that development must be safe for its lifetime without increasing flood risk elsewhere, the document recommends a number of mitigation measures. However the WaterCo (2016) report states that:

'there is currently lack of detail given in regards to maximum on-site water levels and flood depths / velocities for the design tidal flood event (0.5% annual probability plus 100 years climate change allowance tidal flood event – including defence failure) in order to assess the viability of the mitigation measures.'

It also states that:

'The SFRA Core Strategy Site Flood Risk Assessments and 'Sequential and Exception Test for the Proposed Submission Adur Local Plan (March 2016)' state that the development should be resilient to future climate change and that floor raising and / or localised land raising above the 1 in 200 (0.5%) annual probability flood level for the year 2115 will be required to ensure the development is safe for its lifetime. Given the difference in potential extreme tidal levels and site levels, there may be limited scope to raise floor levels and significant land raising will be required. Land raising across a large extent of the site would likely lead to displacement of flood storage and increase in flood risk elsewhere.'

**The WaterCo report (2016) recommends that further work is carried out to assess and determine the impacts of the proposed development on flood risk elsewhere before allocating this site** and that;

'At this stage a study into the impacts and viability of the required mitigation measures (raising the development platform) should be undertaken. The study should establish:

- Maximum water levels, flood depths, velocities and hazards for the 0.5% annual probability plus 100 years climate change allowance tidal flood event, including for a failure of flood defences;
- The risk from a number of combined flood drivers i.e. the risk from surface water flooding from local ditches (Lancing Brooks), when outfalls becomes tide locked, combined with groundwater flooding;

- Design levels i.e. required land heights to ensure development is above the 0.5% annual probability plus 100 years climate change allowance tidal flood event;
- Means of safe access / egress and flood risk along such routes;
- The hydrological impact of localised ground raising on the existing groundwater and surface water regime;
- The impact of localised ground raising on flood risk elsewhere including a strategy to compensate for any potential loss of flood storage.

The above works will also identify the land take required for flood compensatory storage and the remaining land available for development. ‘

In terms of drainage, the Water Co report states that:

‘Given the size of the development and issues identified within the foul drainage network by the West Sussex County Council Lancing Surface Water Management Plan (CH2M Hill, September 2015), it would be prudent to undertake an assessment of the capacity of the local sewerage infrastructure to accommodate a major development prior to allocation in the Adur Local Plan. The study, undertaken by / in conjunction with Southern Water should establish:

- The capacity of the existing sewer network
- The capacity of the existing waste water treatment works
- The works required to the existing sewerage network to accommodate a major development at New Monks Farm including costs and timescale for implementation.’

This is supported by Dr. Stephen Buss in his ‘further comment on groundwater flooding within the Adur Local Plan area’ document (2016) which states that flood management measures ‘must robustly demonstrate **that all contributions to flooding** have been considered’

The WaterCo report (2016) concludes that:

**‘The assessments, as presently offered, appear to be incomplete and inadequate and do not provide a sufficiently robust basis for supporting the site allocation within the Adur Local Plan.’**

West Sussex County Council, as the lead drainage authority, commissioned an in depth study of the drainage of the Lancing Gap within which New Monks Farm is located. This was carried out by CH2MHill and published in October 2015, the non-technical report is submitted with this representation. The study covers the geological and drainage influences and structure of the Lancing area. It does not anticipate the impacts of additional development, although it does conclude that in extreme weather Lancing will always be vulnerable to groundwater flooding no matter what mitigation is undertaken. It states:-

**“Policy, construction and maintenance mitigation measures to alleviate the impacts of flooding in Lancing have been considered. Even with all of these measures in place Lancing will still be at risk of flooding during more extreme weather events. This is because drainage systems (both natural and man-made) and any other flood risk infrastructure will become overwhelmed during extreme weather events. In addition, Lancing is highly vulnerable to groundwater flooding (or drainage is affected by groundwater levels), which is significantly more technically and economically challenging to manage.”**

(Continue on a separate sheet if necessary)

**5. Please explain in the box below what change(s) you consider necessary to make the Amendment(s) to the Adur Local Plan legally compliant and sound having regard to the reason you identified above.**

**(You will need to say why this change will make it legally compliant or sound. It will be helpful if you are able to put forward your suggested or revised wording. Please be as precise as possible).**

CPRE Sussex would like to see further work carried out before the allocation of this site to assess and determine the impacts of the proposed development on flood risk elsewhere. A study into the impacts and viability of the required mitigation measures (raising the development platform) should be undertaken. The study should establish:

- Maximum water levels, flood depths, velocities and hazards for the 0.5% annual probability plus 100 years climate change allowance tidal flood event, including for a failure of flood defences;
- The risk from a number of combined flood drivers i.e. the risk from surface water flooding from local ditches (Lancing Brooks), when outfalls becomes tide locked, combined with groundwater flooding;
- Design levels i.e. required land heights to ensure development is above the 0.5% annual probability plus 100 years climate change allowance tidal flood event;
- Means of safe access / egress and flood risk along such routes;
- The hydrological impact of localised ground raising on the existing groundwater and surface water regime;
- The impact of localised ground raising on flood risk elsewhere including a strategy to compensate for any potential loss of flood storage.

The above works will also identify the land take required for flood compensatory storage and the remaining land available for development.

We believe that an assessment of the capacity of the local sewerage infrastructure to accommodate a major development should also be made prior to allocation in the Adur Local Plan. The study, undertaken by / in conjunction with Southern Water should establish:

- The capacity of the existing sewer network
- The capacity of the existing waste water treatment works
- The works required to the existing sewerage network to accommodate a major development at New Monks Farm including costs and timescale for implementation.'

If these assessments cannot demonstrate that viable mitigation measures are possible (and flood risk elsewhere is not increased for its lifetime) and appropriate infrastructure can be put in place within the timeframes available the development of the site will not be acceptable. It should then be deleted from the Plan.

(Continue on separate sheet if necessary)

|  |
|--|
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|--|

**6. If your representation concerns soundness or legal compliance and is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination? (tick as appropriate)**

**No**, I wish to communicate through written representations ☐

**Yes**, I wish to speak to the Inspector at the hearing sessions ☒

**Please note:** The Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the hearing part of the examination.

**7. If you wish to participate at the hearing part of the examination, please outline why you consider this to be necessary.**

CPRE Sussex wishes to submit evidence to the Inspector of flood risk and sustainability in relation to this and previous submissions.

**8. Please tick if you do not wish to be informed of the following:**

When the Plan has been submitted for Examination ☐

When the recommendations from the Examination have been Published ☐

When the Local Plan has been adopted ☐

**What happens next?**

Representations made to the Council will be passed to the Inspector for consideration.

Once this has happened, the Inspector will commence the examination and give notice of the start of the hearing sessions.

Interested parties will be informed of the start date of the hearing sessions and the matters to be considered.



**Thank you for your representation.**