



## **Shoreham Harbour: Interim Planning Guidance (IPG) Update**

### **Report by the Executive Head of Planning, Regeneration and Wellbeing**

#### **1.0 Summary**

- 1.1 The report seeks approval to undertake stakeholder consultation on an update to the Interim Planning Guidance (IPG) for Shoreham Harbour.
- 1.2 The original IPG was subject to stakeholder consultation for four weeks in November 2008. Prior to the production of more formal planning policies to guide the regeneration of Shoreham Harbour, Interim Planning Guidance was jointly produced with Brighton & Hove City Council and West Sussex County Council and adopted by all three Councils in January 2009.
- 1.3 The IPG has now been updated to reflect factual changes since the original IPG was produced. The most significant changes being:-
  - i. The three local authorities are now leading the project rather than the Regional Development Agency (SEEDA)
  - ii. The proposed abolition of the South East Plan
  - iii. The completion of a Capacity and Viability study showing the potential for a significantly smaller scale of development than initially proposed (2,000 dwellings rather than 10,000)
  - iv. The production and adoption of a Master Plan by the Shoreham Port Authority.
- 1.4 Note that Brighton & Hove City Council and West Sussex County Councils are currently following a similar approval process to consult on the IPG.

#### **2.0 Background**

- 2.1 For some time there has been an aspiration to regenerate the Shoreham Harbour Area, and this is an objective that Adur District Council (ADC), Brighton & Hove City Council (BHCC) and West Sussex County Council (WSCC), the three responsible authorities, have supported and continue to support. The objectives of regeneration are reflected in previous and emerging planning policy documents for the area, notably the ADC and BHCC saved local plan policies, and the emerging ADC and BHCC core strategies. At a national level, this has been recognised by the project receiving funding under growth point and eco town programmes.

- 2.2 The purpose of the Interim Planning Guidance (IPG) is to provide those interested in the regeneration of the Harbour with a summary of the existing planning policy framework for the Harbour and to provide an overview of the future development priorities for the Shoreham Harbour regeneration area during the interim period (2011-2012), whilst planning policies are being prepared in the respective Core Strategies.
- 2.3 The IPG does not establish new planning policy but, through setting out the background and context to the regeneration plans, aims to help encourage the type of development that is in keeping with the future vision for the Harbour. The IPG has now been updated to reflect a number of factual changes.
- 2.4 The IPG does not constitute a formal Supplementary Planning Document (SPD) as part of the Local Development Framework. It does however reflect the saved ADC and BHCC Local Plan policies and makes reference to relevant policies in the emerging Core Strategies of ADC and BHCC.

### **3.0 Proposal**

- 3.1 That the Cabinet Member agrees to consultation being undertaken with key stakeholders on the updated Interim Planning Guidance and agrees that minor non-material text changes (subject to approval by Brighton & Hove City Council and West Sussex County Council) may be made to the IPG as and when required to ensure it's factual correctness over time.

### **4.0 Legal**

- 4.1 No legal implications arising.

### **5.0 Financial implications**

- 5.1 There are no direct financial implications arising from the recommendations contained within this report.

### **6.0 Recommendation**

- 6.1 That the Cabinet Member agrees to consultation on the updated Interim Planning Guidance.

## **Local Government Act 1972**

### **Background Papers:**

- Shoreham Harbour: Interim Planning Guidance update

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## **Schedule of other matters**

### **1.0 Council Priority**

- 1.1 Shoreham Harbour is a potentially significant employment area and strategic development site for the city. Careful management of development in this area is a district-wide priority.

### **2.0 Specific Action Plans**

- 2.1 The IPG is linked to the Shoreham Harbour policies within the emerging Adur Core Strategy. The IPG is in advance of the preparation of an Area Action Plan for Shoreham Harbour.

### **3.0 Sustainability Issues**

- 3.1 The IPG aims to prevent piece-meal development in the short-term that would hinder the long term sustainable regeneration of the Shoreham Harbour area.

### **4.0 Equality Issues**

- 4.1 None directly arising.

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

- 5.1 None directly arising.

### **6.0 Human Rights Issues**

- 6.1 None directly arising.

### **7.0 Reputation**

- 7.1 Positive for Council's reputation, demonstrating progress and providing clear guidance to prospective investors in the area.

### **8.0 Consultations**

- 12.1 The following bodies have been consulted on in the preparation of the updated IPG: Brighton & Hove City Council, West Sussex County Council as well as Shoreham Port Authority, Homes and Communities Agency and the Environment Agency.

### **9.0 Risk Assessment**

- 9.1 No direct risks identified

### **10.0 Health & Safety Issues**

- 10.1 None directly arising

## **11.0 Procurement Strategy**

11.1 Not required

## **12.0 Partnership Working**

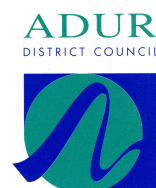
12.2 The IPG has been produced through partnership working with Brighton & Hove City Council, West Sussex County Council as well as Shoreham Port Authority, the Homes and Communities Agency and Environment Agency.



**SHOREHAM  
HARBOUR**  
REGENERATION

# **Shoreham Harbour: Interim Planning Guidance**

**Updated May 2011**



Refer to: [www.shorehamharbour.com](http://www.shorehamharbour.com) to download electronic version

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# 1. Introduction

## Purpose and status of this guidance

- 1.1 The purpose of this Interim Planning Guidance (IPG) is to provide prospective applicants with a summary of the existing planning policy framework for the Harbour and to provide an overview of the future development priorities for the Shoreham Harbour regeneration area during the interim period (2011-2013), whilst detailed policies are being prepared.
- 1.2 This IPG does not establish new planning policy but, through setting out the background and context to the regeneration plans, aims to help encourage the type of development that is in keeping with the future vision for the Harbour.
- 1.3 This IPG does not constitute a Supplementary Planning Document (SPD) as part of the Local Development Framework (LDF). It has however been subject to consultation by project partners and key stakeholders prior to adoption by the three authorities. It is underpinned by the Government's Growth Point and Eco Town programmes and the associated investment to date.
- 1.4 Refer to [www.shorehamharbour.com](http://www.shorehamharbour.com) for further information on background and context, timeline to date, funding sources, partners and stakeholders, latest news and business opportunities.

## Relationship with emerging Shoreham Harbour policies

- 1.5 At the heart of the regeneration programme is the commitment to prepare and adopt planning policies relating specifically to the regeneration area. Eventually these will be adopted by Adur District Council (ADC), Brighton & Hove City Council (BHCC) and West Sussex County Council (WSSCC) and will be used to determine future planning applications within the Harbour area, alongside the Core Strategies and relevant national policies.
- 1.6 The Shoreham Harbour policies will be subject to stakeholder and public consultation during 2011/2012 and will then be reviewed and taken forward to public examination.

## 2 Shoreham Harbour in Context

- 2.1 Shoreham Harbour is located on the south coast of England, five miles west of Brighton and five miles east of Worthing. The Harbour stretches for three miles and is bounded to the north by the A259 south coast road and the adjacent coastal communities (from west to east) of Shoreham-by-Sea, Kingston-by-Sea, Southwick, Fishersgate, South Portslade and Hove.
- 2.2 The Harbour area straddles the local authority boundaries of Adur District Council and West Sussex County Council in the west, with a smaller section of the Harbour falling within Brighton & Hove City Council to the east. Refer to Appendix 1.
- 2.3 The Shoreham Harbour regeneration area contains the entirety of the working trust Port of Shoreham operated by the Shoreham Port Authority (SPA). The ownerships within the Port are a mixture of privately owned sites, sites leased from SPA, SPA owned and operated sites and a small amount of local authority owned land such as part of Southwick Beach, Kingston Beach and several car parks. SPA owned and operated sites are largely concentrated in the eastern arm and canal including Lady Bee Marina and operational infrastructure such as the terminals, wharves, dry dock and moorings. Refer to [www.shoreham-port.co.uk/Masterplan](http://www.shoreham-port.co.uk/Masterplan) for site locations.
- 2.4 The regeneration area also takes in a number of sites outside the Port's jurisdiction including immediately adjacent residential and employment areas as well as vacant and underused sites between the A259 and the railway line to the north.
- 2.5 The precise boundary of the Shoreham Harbour regeneration area is still to be determined subject to further consultation.

### Background to the regeneration plans

- 2.6 There has been a long standing aspiration to maximise the potential of Shoreham Harbour and to revitalise the area for the benefit of local communities and the wider sub-region. The three local planning authorities BHCC, ADC and West Sussex County Council (WSSCC) continue to support the regeneration of the area and are working jointly together to progress a viable, locally-supported, strategic long-term vision.
- 2.7 The three authorities are working in partnership with SPA, South East England Development Agency (SEEDA)<sup>1</sup>, the Homes and Communities Agency (HCA). The Government Office for the South East (GOSE)<sup>2</sup> and the Environment Agency (EA) also work closely with the partnership.

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<sup>1</sup> The Government has announced that all RDAs including SEEDA will close by April 2012.

<sup>2</sup> The 2010 Comprehensive Spending Review confirmed the closure of the **Government Offices** for the Regions in March 2011



## **Regional Spatial Strategy – The South East Plan**

- 2.8 The aspirations for Shoreham Harbour were originally identified in the Regional Spatial Strategy (RSS) for the South East (May 2009)<sup>3</sup>. The RSS states that “Shoreham Harbour has scope to provide for a significant level of mixed use development to achieve significant social and economic objectives through regeneration, comprising employment, housing and other uses”.

## **Regional Economic Strategy (2006-2016)**

- 2.9 The Regional Economic Strategy (RES) produced by SEEDA states the following:
- Priority 6: To invest in the long-term sustainable growth of key ports and to explore future prospects for smaller ports such as Shoreham.

## **Growth Point and Eco-Town status**

- 2.10 Central Government has demonstrated its commitment to regenerating Shoreham Harbour through designating the area as a new Growth Point as part of the Growth Points programme<sup>4</sup> and have provided significant funding to progress plans for the area.
- 2.11 In March 2010 Shoreham Harbour received further funding as part of the Government’s Eco-Towns programme. The funding agreement required that further technical assessment be undertaken to test the extent to which new development at the Harbour could meet with the Eco-Town standards as set out in the Eco-Towns Supplement to Planning Policy Statement 1<sup>5</sup>.
- 2.12 These designations, their associated conditions and the level of Government investment in the project to date will be taken into account when considering development applications within the regeneration area.

## **Coast to Capital Local Enterprise Partnership (LEP)**

- 2.13 The ‘Coast to Capital’ LEP covers the whole of West Sussex, Brighton and Hove, the Gatwick Diamond and the London Borough of Croydon. The Board was formally established in May 2011 and includes business and public sector representatives from across the area. The original LEP bid outlined the potential to create 100,000 jobs in the private sector over the next 25 years. Shoreham Harbour was identified in the original LEP bid document as an opportunity area for employment and business growth. To

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<sup>3</sup> In May 2010 the Government announced the abolition of the Regional Strategies, a key proposed change to the planning system further detailed within the Localism Bill launched in December 2010.

<sup>4</sup> Further information at <http://www.communities.gov.uk/publications/housing/partnershipsforgrowth>

<sup>5</sup> Download at <http://www.communities.gov.uk/publications/planningandbuilding/pps-ecotowns>

download a copy of the LEP bid, refer to [www.westsussex.gov.uk/LEP](http://www.westsussex.gov.uk/LEP). Coast to Capital has two key priorities:

- **Enterprise and entrepreneurship** – tackling low levels of enterprise and business formation so that the longer term competitive health of the area is secured.
- **International trade** – 60% of UK productivity gain is driven by businesses that are internationalised. The area has some slight competitive advantage in this, but the proposal is to significantly increase the numbers of firms who trade internationally.

### **Shoreham Port Authority and Port Masterplan**

- 2.14 Shoreham Port Authority has recently produced a Port Masterplan.<sup>6</sup> Although not a statutory planning policy document, the plan is reflective of the Port's future aspirations. The Masterplan has been subject to public and stakeholder consultation and should be taken into account when considering any new development in the vicinity of Shoreham Port. The Port Master Plan can be viewed at [www.shoreham-port.co.uk/Masterplan](http://www.shoreham-port.co.uk/Masterplan)
- 2.15 SPA is supportive of exploring the potential for an eco-town at the Harbour because it compliments the Port's own sustainability objectives. Examples of current sustainable development activities at the Port include:
- Supporting renewable energy generation including exploring plans for wind and solar power generation
  - Protection of wildlife habitats and heritage sites including an adjacent Site of Special Scientific Interest, Local Nature Reserve, Scheduled Ancient Monument and Village Green
  - Recently undertaking an environmental audit under the Eco Ports Initiative and working towards gaining certification under the Port Environmental Review System
  - Implementing measures to improve water quality and preventing water pollution
  - Working with the Environment Agency and Adur District Council to undertake ongoing improvements to the flood defence system
  - Ongoing monitoring and regulation of air quality and emissions from port-related traffic
- 2.16 Through physical consolidation and improving commercial viability, the development plans for the Harbour will help to ensure that Shoreham Port continues to play an important role in the local economy. The priority for the Port Masterplan is to provide a clear strategy of land use that maximises:
- Availability of operational land
  - Economic use of non-operational land and financial return from it

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<sup>6</sup> As recommended by the Department for Transport in its interim report on the Ports Policy Review (July 2007).

- 2.17 It is advisable to consult with the Port Authority as part of any pre-application discussions related to developments that fall within, or adjacent to, the Port Authority's jurisdiction.
- 2.18 Under Section 6 of the Port Masterplan, proposals for specific areas are set out as follows:

#### **Port Masterplan: Area Proposals**

- **South Quayside** (together with the outer layby berths) is the main operational area of the Port. The focus will be on continuing to improve operational efficiencies, develop new port trade, and accommodate the relocation of existing port operators. With the exception of the existing Power Station, and the Waste Water Treatment Plant, non-port operations would be resisted in this area.
- **Aldrington Basin** is the area with significant potential for change. It is mostly non-port uses. The area could be developed for either port-related activities or new employment (non-port related) development.
- **North Quayside** area has a mix of vacant land, port operators and other businesses, but with the relocation of certain non-port related uses, together with limited land reclamation and a new access road, it has the potential to develop as a new port operational area.
- **Southwick Waterfront** has the potential to be redeveloped for commercial and leisure purposes including increased marina berths with associated facilities, a new 'public hub', extra parking and improved public access to the waterfront. It is also an important Conservation Area.
- **Lock Gates / Dry Dock** area is a key functional part of the port, where the locks, port control and pumping station are located. It is identified as the main new engineering base together with a renovated dry dock and associated facilities. It is also an important Public Right of Way.
- **Harbour Mouth / Outer Lay-by** is the sea entrance to the Port with important tidal berths, new RNLI station, amenity areas and historic sites (Shoreham Fort, Lighthouse). Kingston Beach and the Fort have the potential to be improved as local community amenity areas.
- **Western Arm / River Adur** area has the potential for significant change with the relocation of port-related activities to other areas of the Port, the possible relocation of other uses and in the longer term redevelopment for residential, leisure and employment uses.
- **Public Beaches:** Southwick and Portslade beaches are important to local residents and watersport participants and there are opportunities for upgrading / enhancing them as valued local amenity areas.

Source: [www.shoreham-port.co.uk/Masterplan](http://www.shoreham-port.co.uk/Masterplan)

### 3 Strategic Vision and Priorities

- 3.1 As stated in the original Growth Point Programme of Development (submitted to Government in October 2008), the long term aim is to create a high-quality exemplar sustainable development at Shoreham Harbour potentially comprising a mix of residential, employment, community, education, leisure and ancillary retail development; to support the regeneration objectives of increasing housing and employment opportunities and skills in the area, whilst also raising environmental quality.
- 3.2 The key priorities underpinning the vision are set out below. These were identified through a consultation process with local Councillors and stakeholders and will be further explored during forthcoming consultation phases.

#### **Key Priorities:**

- Reducing inequalities by improving housing for local people and providing new homes in a range of sizes, tenures and types of accommodation to complement the existing housing stock and to meet identified needs, including affordable and family homes.
- Improving the area's economy by investing in the business environment and providing a range of premises for business and commerce to support and complement the wider economy of the Brighton and Hove diamond of growth and the long-term needs of the community; including promotion of high-value sectors.
- Reducing inequalities by equipping the area's residents and workers for the jobs of the future by providing facilities to enable them to acquire the education, training and skills they will need.
- Enabling Shoreham Port to continue to play an important role in the local and wider economy including consolidating it on land reclaimed from the sea to the east of the Harbour mouth.<sup>7</sup>
- Ensuring that development at Shoreham Harbour provides opportunities for people to live and work within easy reach, and that it is served by high quality integrated transport systems including walking, cycling and public transport routes and interchanges, reducing existing and new demand for travel by private car.
- Reducing the risks from flooding and coastal erosion in the area, in particular Shoreham Town Centre and the Canal area, and ensuring that risks are not increased elsewhere.
- Creating places that enable healthy and enjoyable living by improving existing and providing new: open spaces; recreation and sports facilities; and making it easier to get to the waterfront, coast and beaches, to the Adur Valley and

<sup>7</sup> Note: Land reclamation (in relation to the testing of 10,000 new homes at Shoreham Harbour) is now not being pursued following viability testing and assessment of impact on coastal processes.

other local facilities, and to the Downs.

- Protecting and enhancing the area's historic, environmental and other important assets including Shoreham Fort; Kingston Village Green and the Lighthouse; the Riverside Conservation area (Southwick); the Adur Estuary; and the vegetated shingle beaches, and providing better opportunities for them to be experienced and understood.
- Making the most of the area's coastal and waterfront location, including designing new development so that it complements the existing built environments of Shoreham town centre, Southwick, Fishersgate and Portslade; enhances the appearance of and access to river and canal-side waterfronts and beaches, and is appropriate to its setting within the largest urban area in Sussex.
- Improving Shoreham, Southwick and Portslade town centres and creating a new neighbourhood centre for Fishersgate.
- Enhancing community services and facilities, including providing new schools, to serve the existing and future population.
- Ensuring that the area is a leading example of sustainable living, including one that mitigates and adapts to climate change, where the natural environment is enhanced, natural resources are used wisely, and environmental issues are considered in a joined up way. New development will be designed, built and laid out in ways which reduce reliance on the private car; use energy and water efficiently; minimise waste; and keep the carbon-footprint as low as possible.

Source: Shoreham Harbour Members Steering Group 28/04/09

- 3.3 Technical studies currently being prepared as part of developing the Core Strategies and the Shoreham Harbour policies will further establish the spatial and viability implications of achieving these aspirations. These studies relate to capacity and viability, flood risk, transport, economic development, water resources, waste water treatment and sustainability.

## **4 Planning Policy Framework**

- 4.1 The aim of this section is to outline the main considerations for planning applications in the interim period whilst the Shoreham Harbour policies are being prepared.
- 4.2 ADC and BHCC are the local planning authorities for Shoreham Harbour, responsible for preparing local planning documents and determining the majority of planning applications. For sites within the ADC part of the Harbour WSCC determines planning applications for minerals and waste as well as for other 'County matter' (e.g. schools, libraries) and is the highway authority for roads and transportation within the County. BHCC is the highways authority for areas of the Harbour that fall within its Council boundaries.
- 4.3 Set out below is an overview of key documents and policies that should be taken account of in preparing planning applications for sites within the Harbour area. There are a number of significant changes currently taking place more widely within the planning system and these changes will be taken account of accordingly as they emerge. Other relevant national planning policy and legislation should also be taken into account, in particular, relating to development within ports and Harbours.
- 4.4 In the interim period applications for changes of use and for new developments that promote the regeneration objectives (as set out at 3.2) and are in clear conformity with the future vision for the area (as set out in this IPG and Port Masterplan) will continue to be encouraged. All applications will be assessed against relevant national and local planning policies as set out in Section 4.
- 4.5 Development that is inconsistent with the regeneration objectives but could reasonably be permitted temporarily (without prejudicing the longer term vision) may be granted time-limited permissions of up to 5 years where appropriate.

### **Port Authority Permitted Development Rights**

- 4.6 The Shoreham Port Authority has permitted development rights for certain types of development within the Harbour area meaning that planning permission from the local planning authority is not required. These rights are set out within the Shoreham Harbour Acts and also reflected within the General Permitted Development Order (GPDO) 1995; Part 17, Development By Statutory Undertakers, Class B (Dock, Pier, Harbours, Water transport, canal or inland navigation undertakings) as set out below:

## **Class B Dock, pier, harbour, water transport, canal or inland navigation undertakings**

### **Permitted development**

B. Development on operational land by statutory undertakers or their lessees in respect of dock, pier, harbour, water transport, or canal or inland navigation undertakings, required -

(a) for the purposes of shipping, or

(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.

### **Development not permitted**

B.1 Development is not permitted by Class B if it consists of or includes –

(a) the construction or erection of a hotel, or of a bridge or other building not required in connection with the handling of traffic,

(b) the construction or erection otherwise than wholly within the limits of a dock, pier or harbour of –

(i) an educational building, or

(ii) a car park, shop, restaurant, garage, petrol filling station or other building provided under transport legislation.

### **Interpretation of Class B**

B.2 For the purposes of Class B, references to the construction or erection of any building or structure include references to the reconstruction or alteration of a building or structure where its design or external appearance would be materially affected, and the reference to operational land includes land designated by an order made under section 14 or 16 of the Harbours Act 1964(7) (orders for securing harbour efficiency etc., and orders conferring powers for improvement, construction etc. of harbours), and which has come into force, whether or not the order was subject to the provisions of the Statutory Orders (Special Procedure) Act 1945(8).

## Interim policy guidance

4.7 The area that this IPG applies to is identified on the map within Appendix 1.

### Interim Policy Guidance

- Development within the Shoreham Harbour IPG area will be encouraged if it is consistent with the vision and regeneration objectives as outlined in section 3 above, with the Port Masterplan and with relevant national and local planning policies.
- Development may not be supported if it is considered likely to prejudice the emerging Shoreham Harbour policies and regeneration objectives set out in section 3 and/or is inconsistent with the Port Masterplan and relevant national and local planning policies.

The following considerations apply to respective forms of development:

i) The following uses may be supported within the Harbour area in locations which are appropriate for the respective use, in accordance with national and local planning policies, and should not conflict with port operations and port-related uses: residential, B1 business uses, tourism, retail, leisure / recreation related uses and non-residential community uses.

ii) New development, extensions and changes of uses relating to port operational and port-related uses may be supported in the eastern arm and canal of the port, particularly on the south side.

iii) B2 (General Industrial) and B8 (Storage & Distribution) development, that does not require a port-side location, will not normally be supported in locations identified in the Port Masterplan for future mixed-use (where it includes residential). Planning permissions may be granted for a temporary period so as not to conflict with future development plans.

## Key planning considerations

4.8 In line with relevant national and local policies, key factors in considering new development and changes of use in the Harbour area are likely to include:

- **Consistency with regeneration vision and priorities:** Pre-application discussions with ADC or BHCC are advisable to further discuss alignment with regeneration plans as set out at 3.2
- **Consistency with Sustainable Development standards:** Shoreham Harbour is currently exploring its potential to meet Eco-Town standards as outlined above. A Sustainability Statement setting out the extent to which these standards have been taken into account will be expected as



part of planning applications. Refer to Appendix 2 for guidance on how to meet sustainable development standards.

- **Impact on Shoreham Port operations:** Consultation with Shoreham Port Authority is advisable at an early stage and a statement demonstrating how the Port Masterplan has been taken into account will be expected as part of all planning applications.
- **Impact on Minerals and Waste:** The impact of development on safeguarded wharves and existing waste facilities and the extent to which the development contributes to meeting future needs for minerals imports and waste management will be taken into account. Further detail is set out within the objectives and policies of the emerging Minerals and Waste Core Strategies.
- **Flood Risk:** The approach to development in flood risk areas (as set out in PPS25: Development and Flood Risk) must be adhered to. The Strategic Flood Risk Assessments (SFRA) for Adur and Worthing and for Brighton & Hove identified the majority of Shoreham Harbour as being located within Flood Zones 2 and 3. These SFRA's will be updated as more detailed flood risk information becomes available. Contact Planning Policy section of either ADC or BHCC for the latest information.
- **Environmental impacts on traffic generation, noise, air quality, vibration and other forms of pollution:** Depending on the nature of the development a traffic impact assessment and travel plans may be required. The impact on Air Quality Management Areas at Shoreham High Street, Old Shoreham Road in Southwick and South Portslade/Hove will also be considered.
- **Proximity to Health and Safety Executive (HSE) Consultation Zones:** Limited parts of the Harbour area are subject to development constraints due to their proximity to hazardous installations. ADC, BHCC and Shoreham Port can provide further detail of affected areas and implications on request.
- **Contaminated land:** A site investigation and remediation strategy may be required to accompany planning applications for development on contaminated land. Further investigations are currently underway to establish the extent and nature of contamination on sites within the harbour area.
- **Impact on water quality and marine habitats:** For developments likely to impact on the marine environment, the Environment Agency, Marine Management Organisation and Natural England should be consulted at an early stage.

## Brighton & Hove City Council – Adopted Local Plan (2005) saved policies<sup>8</sup>

4.9 The majority of the Local Plan policies have been saved. Of particular relevance to Shoreham Harbour are the following:

4.10 Policy EM12 makes provision for interim development control in the context of earlier regeneration policies for the Harbour, anticipating that these would be superseded by a more detailed policy document in the future.

### **Policy EM12: Shoreham Harbour – mixed uses**

Planning permission will be granted for Port related activities prior to the construction of a transport link, provided they do not add to the environmental disadvantages suffered as a result of HGV traffic passing along the roads used for port access and provided they do not generate unreasonable levels of noise dust, fumes and other forms of pollution.

Planning permission for redevelopment of the site for employment, housing, leisure, specialist marine and small scale retail uses, hotel accommodation and public open space will be granted in accordance with a future development brief for the area, provided the proposals do not add to the environmental disadvantages suffered as a result of HGV traffic along the existing roads used for Port access and provided they do not generate unreasonable levels of noise, dust, fumes and other forms of pollution.

The proposed mix of uses: location details; design; landscaping and access arrangements; will be expected to comply with a future development brief. Planning permission will not be granted for permanent extensions to existing Port related activities, industrial buildings or new industrial development within the area.

Planning permission will be granted for temporary Port related development and temporary buildings for existing industrial users prior to the construction of a transport link provided they do not add to the environmental disadvantages suffered as a result of HGV traffic passing along the roads used for Port access and provided they do not generate unreasonable levels of noise, dust, fumes and other forms of pollution. Redevelopment of the site will be phased to allow for the completion of transport infrastructure improvements and the relocation of the existing industrial and commercial uses to land proposed for reclamation<sup>9</sup> in Adur District.

<sup>8</sup> Download: [http://www.brightonhove.gov.uk/downloads/bhcc/local\\_plan\\_2005/adopted\\_local\\_plan-saved\\_policies\\_july\\_08\\_Chapter05.pdf](http://www.brightonhove.gov.uk/downloads/bhcc/local_plan_2005/adopted_local_plan-saved_policies_july_08_Chapter05.pdf)

<sup>9</sup> Since adoption of the Local Plan, land reclamation proposals have been found to not be viable or implementable in the foreseeable future.

## Brighton & Hove City Council - Local Development Framework

### *Core Strategy Proposed Submission Document (February 2010)*

- 4.11 Information about the current status of the BHCC Core Strategy can be found by visiting the Local Development Framework page on [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk).
- 4.12 The submitted Core Strategy contains a specific Policy DA7 for the Harbour area. Technical Background Papers were also submitted about the status of the Shoreham Harbour regeneration strategy.
- 4.13 **Policy DA7 – Shoreham Harbour and South Portslade<sup>10</sup>**: Shoreham Harbour and South Portslade are identified as a Development Area. Policy DA7 sets out the City Council's priorities for the area and the aim to create a highly sustainable neighbourhood adhering to the latest standards for sustainable development including, amongst other things, new and higher quality jobs, new homes with a mixture of tenure and housing types, new retail, leisure and community facilities with a high quality network of public open space, and modernised and consolidated port activity.
- 4.14 **Shoreham Harbour Area Background Papers 1 & 2<sup>11</sup>** : A Technical Background Paper and a Statement of Common Ground accompanied the Core Strategy Submission document to provide clarity on the joint working arrangements with ADC and the other partners.

### **Sustainable Building Design – Supplementary Planning Document (June 2008)**

- 4.15 Brighton and Hove's adopted Sustainable Building Design Supplementary Planning Document (SPD) (2008) sets out recommendations for minimum standards of sustainable design in new development within the City. These standards are set out in full in Appendix 2.

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<sup>10</sup> Download at: [http://www.brighton-hove.gov.uk/downloads/bhcc/ldf/REg\\_27Core\\_Strategy\\_Proposed\\_Submission\\_February\\_2010v2.pdf](http://www.brighton-hove.gov.uk/downloads/bhcc/ldf/REg_27Core_Strategy_Proposed_Submission_February_2010v2.pdf)

<sup>11</sup> Download at: [http://www.brighton-hove.gov.uk/downloads/bhcc/ldf/CS\\_Sub-Shoreham\\_background1\\_2.pdf](http://www.brighton-hove.gov.uk/downloads/bhcc/ldf/CS_Sub-Shoreham_background1_2.pdf)

## Adur District Council – Adopted Local Plan (1996) saved policies<sup>12</sup>

- 4.16 Within Part 10, Business, Industry and Warehousing of the Local Plan, key saved policies relating to the Harbour include:

### **Policy AE7: Shoreham Harbour**

The District Planning Authority recognises the primary function of Shoreham Harbour as a commercial Port. Development will be approved within the area of the Port covered by Inset Plan 3 if it does not affect the operation of the Port or prejudice its economic viability and subject to Policies AT3 and AT4.

- 4.17 Policy AE7 protects the ongoing viability of Shoreham Port and recognises its primary function as a commercial port and its integral role in the local economy. Land subject to Policy AE8 allows for non-port related uses where port-related use is impracticable or where wider benefits may be secured as a result.

### **Policy AE8: Shoreham Harbour**

On land shown subject to this policy on the Proposals Map, permanent development unrelated to the commercial Port of Shoreham-by-Sea will be permitted where port-related uses is impracticable without unacceptable impact or where wider benefits may be secured as a result. All development proposed under this policy will be assessed in relation to Policy AT3 or Policy AT4 as applicable.

- 4.18 The use of the Harbour area for water-based leisure and recreation is acknowledged within Part 13, Recreation, Leisure and Tourism. Key policies for consideration include AR13, AR14 as well as AR15, AR16 and AR17.

### **Policy AR13: Shoreham Harbour**

The District Planning Authority will normally permit the development of facilities for active or passive recreation at Shoreham Harbour (in the areas covered by Inset Plan 3) subject to:-

- (a) no conflict with the operation and natural expansion of the Harbour's commercial activities;
- (b) no conflict with nature conservation;
- (c) local environmental considerations; including effect on the residential amenity of nearby dwellings, and
- (d) on-site car parking arrangements and access to the public highway being acceptable under Policy AT12

<sup>12</sup> Download full list of Saved Local Plan policies: <http://www.adur.gov.uk/docs/planning/ldf/amr-saved-policies-2009-2010.pdf>

### **Policy AR16: Public hard**

In any proposals for the comprehensive development or redevelopment of land adjacent to any public hard within the Local Plan area, developers will be required to provide improvements to the hard, including access to it, and conveniently sited parking for cars and trailers.

This policy shall not be taken to preclude the re-siting of a public hard (subject to the necessary legal procedures) if this is necessary to produce a satisfactory development or redevelopment, providing the standard and effectiveness of use of the facility remains the same or is improved.

- 4.19 The Local Plan also includes a number of other saved policies that may be considered relevant to development at the Harbour depending on the nature of the proposal. These may be found at:  
<http://adc/intranet/planning/ldf/annual-monitoring-report.htm>

### **Adur District Council – Local Development Framework**

#### *Emerging revised Core Strategy*

- 4.20 The Adur Core Strategy is currently being drafted and first round public consultation on the district-wide housing and employment land targets will take place in July/August 2011. For information on the current status of the Core Strategy refer to [www.adur.gov.uk/planning/ldf/core-strategy.htm](http://www.adur.gov.uk/planning/ldf/core-strategy.htm).
- 4.21 The emerging Core Strategy policies have not yet been subject to consultation and are therefore not stated in this IPG.

### **Minerals and Waste Policy Framework**

- 4.22 Development impacting upon waste and minerals in the Harbour area is currently subject to the policies of the following plans. These policies aim to safeguard specific sites for the importation of minerals (e.g. landing crushed rock and marine-dredged aggregate) and management of waste (e.g. exporting metal for recycling):

#### *West Sussex Minerals Local Plan (2003)*

- 4.23 Until the emerging Core Strategy is adopted, a number of policies from the adopted Minerals Local Plan have been saved.<sup>13</sup> Of key relevance Saved Policy 40 aims to safeguard and improve wharves in West Sussex and

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<sup>13</sup> Download at  
[http://www.westsussex.gov.uk/your\\_council/strategies\\_and\\_policies/policies/mineral\\_and\\_waste\\_policy/local\\_plans.aspx](http://www.westsussex.gov.uk/your_council/strategies_and_policies/policies/mineral_and_waste_policy/local_plans.aspx)

specifically safeguards five areas within Shoreham Harbour as minerals wharves. Please refer to Appendix 3 of this IPG for a map of these sites.

**Policy 40: Safeguarded wharves**

Wharves with current or potential mineral use will be safeguarded from inappropriate development. The improvement, modernisation and increase in capacity of aggregate wharves will be encouraged provided that such operations would not have an unacceptable impact on the environment and would not cause a significant increase in disturbance due to factors including increases in noise, dust and traffic.

*East Sussex and Brighton & Hove Minerals Local Plan (1999)*

- 4.24 All of the policies within the East Sussex and Brighton & Hove Minerals Local Plan have been saved.<sup>14</sup> Of key relevance, Policy 8 highlights the importance of retaining aggregates facilities at the Port and limiting further effects of increased traffic.

**Policy 8: Aggregates**

The mineral planning authority supports the retention of the existing facilities for receiving and processing sea-borne imported aggregates at the Port of Shoreham. Planning permission for new or improved facilities will normally be granted where it can be shown that the effects of the traffic generated would be acceptable and would not give rise to significant environmental problems in Hove. Proposals should accord with agreed port development policies for Shoreham.

*West Sussex Waste Local Plan Revised Deposit Draft (2004)*

- 4.25 Although not part of the statutory development plan, the West Sussex Waste Local Plan Revised Deposit Draft (2004) was approved by the County Council for development control purposes in December 2005. Work undertaken on the plan is being fed into the preparation of the Minerals and Waste Core Strategy.
- 4.26 Policy A1A of the Draft Waste Local Plan safeguards existing waste management sites from development that would prevent or prejudice their use. Existing sites safeguarded under this policy within the regeneration area are:
- Shoreham-Brighton Road - Household Waste Recycling site (Ref:AD65)

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<http://www.eastsussex.gov.uk/environment/planning/development/mineralsandwaste/mineralslocalplan.htm>

- Shoreham Waste Water Treatment Works, Basin Road, Southwick (Ref:AD66)

**Policy A1A: Existing Waste Management Sites**

Development that would prevent or prejudice the use of the following sites for waste management uses will not be permitted unless sufficient operational capacity remains within the County to meet identified waste management needs or a replacement site has been identified and permitted:

- (a) the existing permanent waste management sites listed at the end of the Plan; and
- (b) the sites allocated in Policy A1 as shown on the Proposals Map; and
- (c) new sites permitted and developed for waste management uses during the plan period.

Proposals for new built facilities for the collection, sorting, transfer, treatment or recovery of waste will be acceptable in principle at existing permanent waste management sites safeguarded under this policy, provided that they can be accommodated without conflict with other development plan policies.

*East Sussex County Council and Brighton & Hove City Council Waste Local Plan (2006)*

4.27 The East Sussex and Brighton & Hove Waste Local Plan was adopted in 2006 and its policies are saved until the emerging Core Strategy is adopted.<sup>15</sup> The plan has a similar policy to safeguarding existing waste sites under policy WLP5 and deals with changes to existing facilities under policy WLP6. Existing waste facilities listed in the plan that fall within the regeneration area include:

- Skip It, Basin Road, South Portslade - Skip It Containers (Plan Ref 10)

**WLP5: Safeguarding Sites**

Development proposals which would prevent or prejudice the use of the following sites for waste management uses will be resisted:

- a) the preferred sites and areas of search identified in this plan for strategic waste development;
- b) existing waste management sites with permanent planning permission.

<sup>15</sup> Download at <http://www.eastsussex.gov.uk/environment/planning/development/mineralsandwaste/wastelocalplan.htm>

### **WLP6: Expansions or Alterations to Existing Facilities**

Proposals for expansion or alterations to existing waste management facilities will be permitted, subject to other policies of the plan where relevant, where it is demonstrated that:

- a) the development is required to meet current environmental standards; or
- b) the development is required to improve the operational efficiency of the facility; or
- c) the development would contribute towards achieving net self sufficiency of the Plan area in waste management facilities

### *Emerging Waste and Minerals Core Strategy for East Sussex and Brighton & Hove*

- 4.28 The second key stage of consultation on the Preferred Strategy took place in early 2010.<sup>16</sup> The (yet to be adopted) strategy includes a proposed policy CS10b on safeguarding wharves that enables provision of wharfage capacity within West Sussex to be taken account of:

### **CS10b: Safeguarding of wharf and rail facilities**

The Councils will safeguard rail and wharf facilities in order to contribute towards meeting the regional apportionment set out within the South East Plan and to support modal shift in the transport of minerals.

Capacity for landing and processing of minerals at the following wharves will be safeguarded unless alternative provision is made elsewhere within that port such that there is no net loss of capacity for handling minerals:

- Berths 1 to 5 at North Quay, Newhaven Port
- **Halls Aggregate Wharf, Shoreham Port**
- **Britannia Wharf, Shoreham Port**
- **Ferry Wharf, Shoreham Port**
- Rye Wharf, Rye Port
- Rye Marine Wharf (Rastrums Wharf), Rye Port

Further research in relation to any necessary Appropriate Assessment under the Habitats Regulations is currently taking place and due to be completed by the end of 2009 and will be taken into account for the submission document.

The Councils acknowledge because Shoreham Port is partly within West Sussex, that landings at wharves in the West Sussex part may also help meet demand in Brighton & Hove and the western part of East Sussex. So on that basis alternative provision of equivalent capacity of wharfage within either part of Shoreham Port may be acceptable.

<sup>16</sup> Further information at:

<http://www.eastsussex.gov.uk/environment/planning/development/mineralsandwaste/consultation2009.htm>



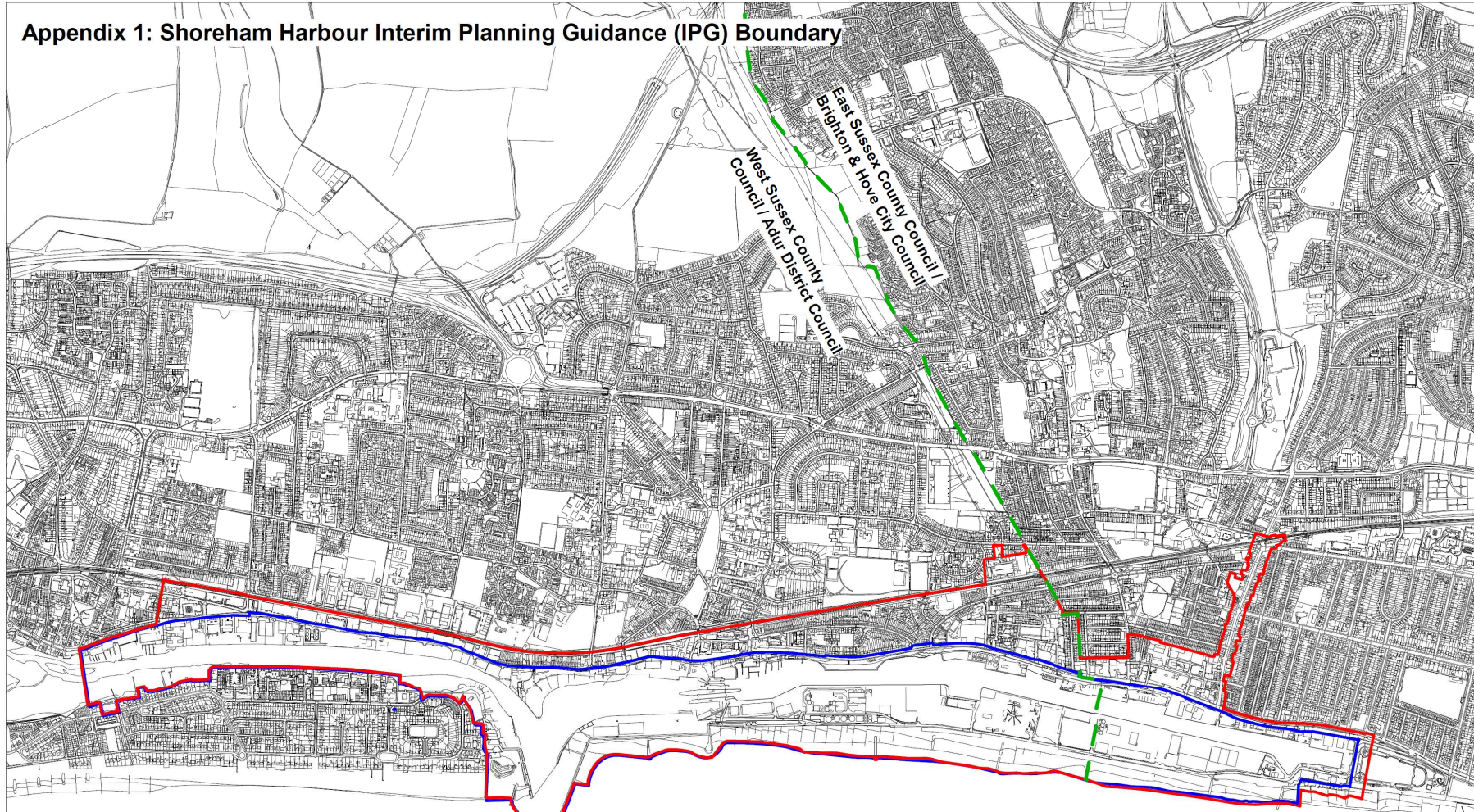
*Emerging Waste and Minerals Core Strategy for West Sussex*

- 4.29 The first draft of the Core Strategy, the 'Preferred Option' was subject to public consultation during 2007. Work on the Preferred Options document was discontinued but it will be used to inform the preparation of the current Minerals and Waste Core Strategy. Policy CSM6 – Wharves and Railheads safeguards wharves and railheads with current or potential mineral use and permits the improvement and modernisation of existing wharves and railheads. Policy CW2 relates to the safeguarding of existing waste management sites. Further information can be found at [www.westsussex.gov.uk/mwdf](http://www.westsussex.gov.uk/mwdf).
- 4.30 WSCC commissioned a study to look at its existing wharves and railheads<sup>17</sup>. This provides evidence of the current imports and future potential capacity of existing and safeguarded facilities and makes recommendations for their safeguarding. The Wharves and Railheads Study (2008) has informed the options presented in Background Paper 4: Transportation of Minerals and Waste, Version 2 (December, 2009), background evidence for the latest Minerals and Waste Core Strategy. Informal stakeholder engagement on the options presented in Background Paper 4 took place between December 2009 and February 2010. For more information please refer to the website at [www.westsussex.gov.uk/mwdf](http://www.westsussex.gov.uk/mwdf).
- 4.31 An appropriate policy approach that reflects the studies will be incorporated into the emerging Minerals and Waste Core Strategies and the Shoreham Harbour policies in due course. In the interim, proposed development will need to reflect the objectives and policies of the Minerals Local Plans and Waste Local Plans or in cases affecting wharf capacity be subject to a Planning Obligation to secure equivalent wharfage capacity elsewhere within the Harbour.

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<sup>17</sup> Land and Mineral management (2008). West Sussex Wharves and Railheads Study.

# Appendix 1: Shoreham Harbour Interim Planning Guidance (IPG) Boundary



**Key**

- West Sussex County Council and Adur District Council / East Sussex County Council and Brighton & Hove City Council Boundary
- Shoreham Harbour IPG Boundary
- Shoreham Port Authority Boundary



kilometers  
Scale: 1:14,770

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## **Appendix 2: Guidance on meeting Sustainable Development standards at Shoreham Harbour**

### **A.1 Planning Application Requirements**

For planning applications within Brighton & Hove City Council area:

- Brighton & Hove City Council have adopted guidance in place (detailed at A.3 below) and all development proposals in the Brighton & Hove part of the harbour will be expected to adhere to this guidance.

For planning applications within Adur District Council area:

- Adur District Council is in the process of drafting Supplementary Planning Guidance on Climate Change which will set out the sustainability standards that will be applied to different types of development proposals across the district, including the Harbour.
- In the interim period whilst Adur Council's guidance is prepared, the Brighton Sustainability checklist along with the Eco-Town PPS1 guidance may be used as guidelines as to the standards expected of new developments.
- A Sustainability Statement will be expected to accompany all planning applications for residential, mixed use and other types of significant development proposals outlining the extent to which these standards have been adhered to.
- It is advisable to discuss with Development Management services at pre-application stage.

### **A.2 Brighton & Hove Standards: Sustainable Building Design Supplementary Planning Document (SPD) (2008)**

- Brighton and Hove's adopted Sustainable Building Design Supplementary Planning Document (SPD) (2008) sets out recommendations for minimum standards of sustainable design in new development within the City.
- The minimum standards recommended to developers in this SPD vary depending on the type of development (e.g. residential or commercial), its size (e.g. from individual homeowners to major development) and its location (e.g. Greenfield or Brownfield). The recommended standards include meeting certain code levels on the Code for Sustainable Homes and meeting certain BREEAM standards.
- The SPD also recommends that for certain new developments, developers should complete Sustainability Checklists, Energy Reports as well as demonstrate various sustainability improvements that will be achieved through the development. Visit:<http://brighton-hove.sustainabilitychecklist.co.uk/> for further information.

### A.3 Eco-town Standards

- The potential for an 'Eco-town' or 'Eco-Quarter' at the Harbour is currently being investigated. All new development proposals in the IPG area should be aware of and aspire to meeting the standards as outlined in 'Planning Policy Statement: Eco-towns – a supplement to Planning Policy Statement wherever possible. The standards outlined in the PPS are wide ranging.

As a guide, a summary of the key standards set out in the PPS are as follows:

- **Zero carbon in eco-towns:** The definition of zero carbon in eco-towns means that over a year the net carbon dioxide emissions from all energy use within the buildings on the eco-town development as a whole are zero or below.
- **Climate Change adaptation:** Future eco-towns should be Sustainable communities that are resilient to and appropriate for the changing climate. Eco-towns should deliver a high quality local environment and meet the standards on water, flooding, green infrastructure and biodiversity set out in this PPS, taking into account a changing climate for these, as well incorporating wider best practice on tackling overheating and impacts of a changing climate for the natural and built environment.
- **Homes standards** include:
  - Building for Life Silver Standard
  - Code 4 of the Code for Sustainable Homes (minimum)
  - Lifetime homes standards and space standards
  - Inclusion of real time energy monitoring systems, public transport information and high speed broadband access
  - Provision of at least 30 per cent affordable housing
  - High levels of energy efficiency in the fabric of the building (having regard to changes in building regulations and definition of zero carbon)
  - Achieve at least 70 per cent carbon reductions relative to current Building Regulations (Part L 2006) on the site of the housing development itself (Eco-towns as a whole must be zero carbon – see above)
- **Healthy lifestyles:** development should be well designed contributing to promoting and supporting healthier and more active living and reducing health inequalities.
- **Green infrastructure:** Forty per cent of the eco-town's total area should be allocated to green space, of which at least half should be public – particular attention should be made to provision of local production of food from community, allotment and/or commercial gardens.
- **Biodiversity:** Eco-towns must deliver a net gain in biodiversity.
- **Water:** Eco-towns in areas of serious water stress should aspire to water neutrality, ie achieving development without increasing overall water use across a wider area. New development should:

- be designed and delivered to limit the impact on water use
  - meet the water consumption requirement of Level 5 of the Code for Sustainable Homes or similar high standards of water efficiency (for non-domestic development).
  - Incorporate measures to improve water quality and manage surface water, groundwater and water courses to prevent flooding
  - Incorporate Sustainable Drainage Systems (SuDS)
- **Flood risk management:** Development should:
    - aim to reduce and avoid flood risk wherever practicable
    - not increase the risk of flooding elsewhere
    - ideally be located in flood zone 1
- **Waste:** New development should produce a sustainable waste resources plan setting out:
    - targets for waste and recycling should be substantially more ambitious than the 2007 national Waste Strategy targets for 2020
    - how buildings will be designed to facilitate achievement of these targets, including the provision of waste storage arrangements
    - evidence that consideration has been given to the use of locally generated waste as a fuel source for combined heat and power (CHP) generation
    - how no construction, demolition and excavation waste is sent to landfill

# Appendix 3: Map of Safeguarded Wharves

