

Ward: St Mary's, Marine, Southwick Green

Key Decision: Yes/ No

Public Consultation on the Draft Flood Risk Management Supplementary Planning Document for Shoreham Harbour

Report by the Director for the Economy

1.0 Summary

- 1.1 This report seeks Cabinet Member approval for a four week period of public consultation on a Draft Flood Risk Management Guide Supplementary Planning Document (SPD) for Shoreham Harbour and the accompanying Technical Report. Stakeholder consultation is a requirement of producing an SPD.
- 1.2 Some minor amendments to the format and contents of this draft document will be required before public consultation to include paragraph numbers and to address spelling mistakes.
- 1.3 The draft SPD sets out proposed guidance for decision-makers, landowners and developers about flood defences and flood mitigation measures at Shoreham Harbour. It has been produced by specialist flood consultants JBA and architects Baca on behalf of the Shoreham Harbour Partnership (comprising Adur District Council, Brighton & Hove City Council, West Sussex County Council and the Shoreham Port Authority) and in close collaboration with the Environment Agency.
- 1.4 SPDs provide detailed guidance on how planning policy will be implemented. This SPD will sit alongside the Shoreham Harbour Joint Area Action Plan (JAAP) which is currently being produced by the partnership to identify a set of locally supported and sustainable proposals for Shoreham Harbour over a 15 year plan period.

2.0 Background

- 2.1 Parts of the Shoreham Harbour Regeneration area are vulnerable to tidal flooding. Many waterfront sites identified in the JAAP for redevelopment to residential, employment and other uses will require a higher standard of flood protection than currently exists. The SPD will aid developers of these sites to demonstrate through the planning process that the development will be:
 - safe for its lifetime;
 - that flood risk has not been increased elsewhere as a result of the development;
 - that wherever possible, flood risk overall has been reduced as a result of the development.

- 2.2 The SPD will illustrate how flood defences and mitigation measures can be integrated to create not only distinctive, high quality structures but also a high quality public realm environment. Flood defences are by their very nature barriers which can physically divide and segregate one area from another. An important urban design goal for Shoreham Harbour is to promote permeability and linkages through and across sites and to ensure that new development is of a high design quality. Key elements of the scheme in this respect include:
- the ambition to provide a riverside walkway / cycle route at the Western Harbour Arm;
 - the impact that raising land will have on overall building heights
 - the impact a walled flood defence will have on the relationship with the river.
- 2.3 Delivering development at the harbour area will rely upon consistent and comprehensive flood defences to be delivered where multiple land ownerships exist. The Flood Risk Management SPD is an essential policy document to steer future development proposals and help to ensure a consistent approach to flood defence infrastructure delivery.
- 2.4 The Flood Risk Management Guide SPD and the accompanying Technical Report provide outline designs for suitable flood protection solutions as well as draft costs to assist the partnership in applying for external funding to help protect the area from flooding.
- 2.5 The SPD will be used by decision-makers, landowners and developers, and will help developers make planning applications and aid infrastructure delivery. This SPD will not form part of the Local Plan nor the JAAP, but it will be a critical element of the evidence base supporting both documents as well as being a material consideration when determining planning applications. It will be jointly adopted by Adur District Council and Brighton & Hove City Council after the consultation has taken place. The accompanying Technical Report will also be critical element of the evidence base.

3.0 Proposal

- 3.1 It is proposed that the draft SPD is subject to a 4 week period of public consultation during September. The responses received during this time will be an important source for updating the document prior to adoption by the Councils anticipated to be over the autumn period.

4.0 Legal

- 4.1 The adopted Flood Risk Management SPD will have status as a Supplementary Planning Document within the meaning of the Planning and Compulsory Purchase Act 2004 and its secondary legislation and as such will be given weight in the determination of relevant planning applications.

5.0 Financial implications

- 5.1 Any costs incurred in running the consultation period will be externally funded by the Shoreham Harbour Regeneration budget. A nominal contingency budget has been ring-fenced for this purpose and approved by the Harbour Project Board.

6.0 Recommendation

6.1 That:

the Cabinet Member for Regeneration approves the Draft Flood Risk Management Guide SPD and the accompanying Technical Report for a 4 week period of public consultation before formal adoption by the Council.

Local Government Act 1972

Background Papers:

None

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Schedule of other matters

1.0 Council Priority

1.1 The emerging SPD will:

- Enable new homes to be built
- Support high quality development
- Help with external funding bids to support flood defence delivery
- Help generate investment in the area

2.0 Specific Action Plans

2.1 The Supplementary Planning Document will not set out a plan of action, but will guide planning applications and support both the Adur Local Plan and the Shoreham Harbour Joint Area Action Plan.

3.0 Sustainability Issues

3.1 Supplementary Planning Documents should only be subjected to a Strategic Environmental Assessment or a Sustainability Assessment where significant environmental impacts exist. The principle of flood defence infrastructure has been established in the Draft Adur Local Plan, the Draft Joint Area Action Plan for Shoreham Harbour and the Western Harbour Arm Development Brief all of which have been assessed through separate Sustainability Assessments.

4.0 Equality Issues

4.1 The draft SPD will aid delivery of the JAAP and as such will ensure that all groups in the district have equal access to the range of opportunities generated by future plans for the harbour. For example provision of affordable housing, improved public transport, access to public open space, harnessing employment and training spin-off benefits for local deprived communities.

5.0 Community Safety Issues (Section 17)

5.1 Matter considered and no issues identified.

6.0 Human Rights Issues

6.1 Matter considered and no issues identified.

7.0 Reputation

7.1 The emerging SPD must be prepared in line with Government legislation and is subject to community consultation. The delivery of the guide seeks to improve the harbour area and therefore will have a positive impact on the reputation of the Council.

8.0 Consultations

- 8.1 A stakeholder workshop on the Flood Risk Management SPD has already taken place, with a further 4 weeks period of stakeholder consultation planned as detailed in this report. All comments received will be taken on-board through the development of the SPD.

9.0 Risk Assessment

- 9.1 The emerging SPD supports the JAAP and Adur Local Plan and as such forms part of the Council's LDF process. There is a statutory duty on the Council to produce a local development plan. Failure to meet the LDF milestones as set out in the Council's Local Development Scheme could impact on a number of Council's priorities including economic and social regeneration as well as the delivery of affordable housing.

10.0 Health & Safety Issues

- 10.1 Matter considered and no issues identified.

11.0 Procurement Strategy

- 11.1 Matter considered and no issues identified.

12.0 Partnership Working

- 12.1 The Flood Risk Management SPD for Shoreham Harbour is being prepared in partnership with Brighton & Hove City Council, West Sussex County Council and Shoreham Port Authority. The Environment Agency have been closely involved with its development.