



ADUR DISTRICT
C O U N C I L

27 September 2019

Adur Planning Committee	
Date:	7 October 2019
Time:	7.00 pm
Venue:	QEII Room, Shoreham Centre, Shoreham-by-Sea

Committee Membership: Councillors Carol Albury (Chair), Pat Beresford (Vice-Chairman), Les Alden, Stephen Chipp, Brian Coomber, Dave Collins, Lee Cowen and Paul Mansfield

NOTE:

Anyone wishing to speak at this meeting on a planning application before the Committee should register by telephone (01903 221006) or e-mail democratic.services@adur-worthing.gov.uk before noon on Friday 4 October 2019.

Agenda

Part A

1. Substitute Members

Any substitute members should declare their substitution.

2. Declarations of Interest

Members and Officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

Members and Officers may seek advice upon any relevant interest from the Monitoring Officer prior to the meeting.

3. Confirmation of Minutes

To approve the minutes of the Planning Committee meetings of the Committee held on 9 September 2019, which have been emailed to Members.

4. Items Raised Under Urgency Provisions

To consider any items the Chair of the meeting considers urgent.

5. Planning Applications

To consider the reports by the Director for the Economy, attached as Item 5.

6. Public Question Time

So as to provide the best opportunity for the Committee to provide the public with the fullest answer, questions from the public should be submitted by midday on Thursday 3 October 2019.

Where relevant notice of a question has not been given, the person presiding may either choose to give a response at the meeting or respond by undertaking to provide a written response within three working days.

Questions should be submitted to Democratic Services – democratic.services@adur-worthing.gov.uk

(Note: Public Question Time will last for a maximum of 30 minutes)

7. Adoption of Shoreham Harbour Joint Area Action Plan

To consider a report by the Director for the Economy, attached as Item 7.

Part B - Not for publication - Exempt Information Reports

Recording of this meeting

The Council will be voice recording the meeting, including public question time. The recording will be available on the Council's website as soon as practicable after the meeting. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Heather Kingston Democratic Services Officer 01903 221006 heather.kingston@worthing.gov.uk	Louise Mathie Senior Lawyer 01903 221050 louise.mathie@adur-worthing.gov.uk

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

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Adur Planning Committee
7 October 2019

ADUR DISTRICT COUNCIL

Agenda Item 5

Ward: ALL

Key Decision: Yes / No

Report by the Director for Economy

Planning Applications

1

Application Number: AWDM/1135/19 Recommendation – APPROVE

Site: Public Conveniences Beach Green, Shoreham-By-Sea

Proposal: Demolition of existing toilet block and construction of a building over three floors comprising multipurpose space at lower ground floor with cafe/restaurant above and covered roof terrace

2

Application Number: AWDM/1220/17 Recommendation – REFUSE

Site: 4 Waterside Road, Southwick

Proposal: Outline planning application with all matters reserved for 5 no. three-storey commercial units for workshop and office use (Use Class B1) with parking on ground floor to replace existing workshops.

3

Application Number: AWDM/0854/19 Recommendation – REFUSE

Site: 35 Stoney Lane, Shoreham-By-Sea

Proposal: Proposed vehicular access and hard surfacing.

4

Application Number: AWDM/1405/19 Recommendation – APPROVE

Site: 21 Stoney Lane, Shoreham-by-Sea, BN43 6LA

Proposal: Vehicular access.

5

Application Number: AWDM/1320/19 Recommendation – APPROVE

Site: 41 Hillside Road, Sompting, Lancing

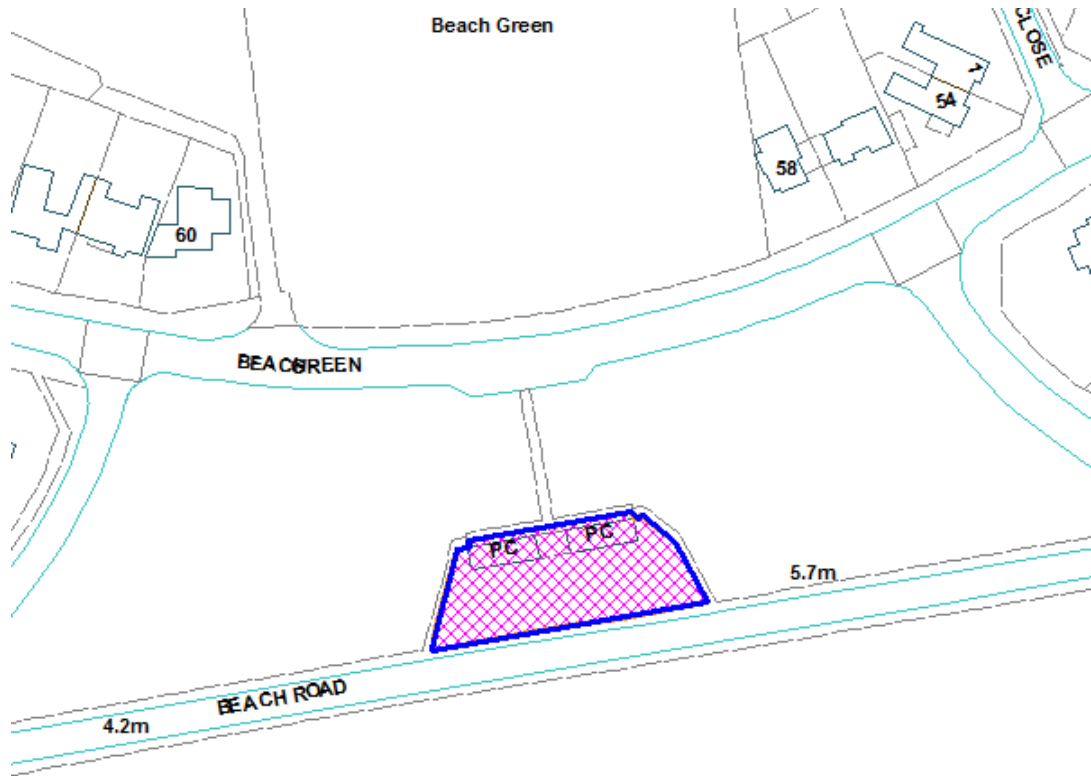
Proposal: Provision of disabled access ramp and extended wall.

Application Number: AWDM/1135/19 Recommendation – APPROVE

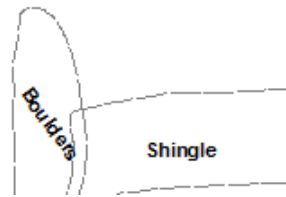
Site: Public Conveniences Beach Green, Shoreham-By-Sea

Proposal: Demolition of existing toilet block and construction of a building over three floors comprising multipurpose space at lower ground floor with cafe/restaurant above and covered roof terrace

Applicant: Boxpark Developments Limited Ward: Marine
Case
Officer: James Appleton



Shingle



Not to Scale

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The application site is owned by Adur District Council and, therefore, this application has to be determined by Planning Committee rather than by Officers

under delegated powers. Whilst there will be a separate lease entered into with the Council, if planning permission is granted for the development, this is not relevant to the determination of the planning application. As with all planning applications submitted to the Planning Authority, the application has to be considered on its planning merits having regard to policies of the Development Plan and all material planning considerations.

Site and Surroundings

The application site includes the large flat roof toilet and storage building located on the south side of Shoreham Beach Green. The site is bounded by two existing footpaths which lead up to a disused section of road (Beach Road). The land rises to the south with a bund adjacent to the road. The disused section of road forms part of the national cycle route and there is a locked gate/barrier at either end of the road.

The existing toilet block measures approximately 33 metres in length and the site has an overall area of 810 square metres. Beach Green is an open grassed area used as informal recreation space. There are two other footpaths which connect the toilet block with the zebra crossing and bus stop in Beach Green road.

To the north of the site is a further area of open space incorporating a playground and, to the east of this playground, is Beach Green Car Park. To the east and west of the site are residential properties predominantly chalet style and two storey dwellings. To the south of the site are a line of beach huts constructed on the shingle beach. The beach is designated as a Local Nature Reserve (LNR).

Proposal

The application proposes the demolition of the existing toilet block and the erection of a new café/restaurant incorporating replacement public toilets and community space. The building provides accommodation over 3 floors with the ground floor incorporating a kiosk/bar and communal area, changing rooms, male and female toilets, an accessible shower and a cellar and bin storage area. The first floor projects over the ground floor on the north elevation providing a covered forecourt. An external tap and showers are provided on the west elevation of the building.

The first floor would be built close to the level of the road to the south of the site. The first floor would incorporate the café/restaurant kitchen, storage, an accessible toilet and storage. The café/restaurant area would have a central bar area and the plans indicate covers for 94 with a further 36 covers on a paved terraced area. Parking for 24 bicycles is provided on the flat roof of the bin store. Access to the upper floor is provided by via an internal staircase and lift. On the third floor a roof terrace is proposed on a section of the roof with a small preparation kitchen, an enclosed plant room adjacent to the staircase/lift. Tables and benches are indicated on the terrace indicating space for a further 96 covers.

The building has been designed as a split level development making use of the existing contours and earth bund to the south of the site. This will result in some cut and fill

engineering operations as the ground floor is cut into the slope providing direct access from Beach Green with the first floor level with Beach Road to the south of the site.

In terms of the proposed materials, the Architect has chosen robust materials to withstand the harsh coastal environment. The ground floor is formed out of timber board shuttered concrete with Corten steel being used to clad the first floor and the enclosed staircase and lift at second floor level. Corten steel is effectively rusted steel and has an orange appearance. At first floor level, there is a long glazed window to the first floor café and the terrace is to be enclosed by 2.2 metre high powder coated aluminium framed glass screens. The terrace would also have a steel frame with a retractable waterproof awning.

Supporting Statements

The planning application includes a number of supporting statements and reports and these are summarised below:

Planning Statement

The planning statement assesses the scheme in connection with relevant national and Local Plan policy and concludes that,

“The applicant has engaged in pre-application discussion with ADC prior to lodging this application. The feedback was generally positive and the level of detail expected to accompany such an application agreed early on in the process. Further pre-application with local communities and groups was also embraced and is explained further in the Statement of Community Engagement.

The application is lodged having addressed all the relevant adopted planning policy as well as the NPPF where material to the issues raised.

With regards visual impact and design the building is proposed at a height that generally fits in with its surroundings and positively contributes to the character and use of the green space.

Issues around noise and disturbance from the use are addressed in a submitted Acoustic Assessment and concerns raised by the local community with regards parking is fully dealt with as part of the Transport Study. Ecology and biodiversity is addressed in a Preliminary Ecological Study and the project aspires to be ‘sustainable development’ in that it scores a ‘Very Good’ rating as part of its BREEAM Pre-Assessment.

The scheme meets adopted policy but also delivers on the aspirations of emergent policy in the form of a Neighbourhood Plan.”

Design and Access Statement

In support of the application a Design and Access Statement has been submitted, the following extracts deal with the design and layout:

“The client’s ambition for the site is to deliver contemporary architecture that recognises its specific context on Shoreham Beach Green.

The aim is not just to safeguard the provision & management of toilet facilities but to significantly upgrade the quality of the facilities and provide a brand new, high quality and well managed community and cafe space on the Shoreham beachfront.

The proposals are for a new building that will deliver toilet facilities to the public, a multifunction space available for community use and a beach side café and restaurant with a roof terrace to allow views to the sea and to the river Adur with the South Downs beyond.

The proposed building is positioned on the central axis of the green and is designed to sit into the slope and take advantage of the views to the north and south of the site. To enhance those views a roof terrace is proposed that will allow customers of this beachside café views to the sea as well as views of the river Adur.

The building has been set into the existing slope, with a depth to allow both upper and lower ground floors to enjoy direct external access, giving entrances to all of the proposed facilities.

The building form expresses its relatively simple structure and the desire to have a series of levels with pedestrian access. The roof has deliberately been kept flat to allow customer access up to this level and minimise extraneous embellishment.

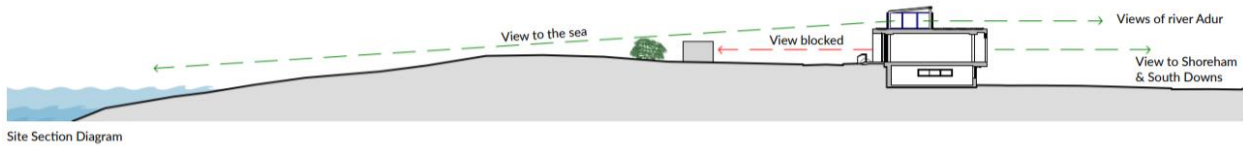
The café level is conceived as a picture frame for the views, framing the view to the north and blocking views to the residential properties to east and west.

The lower ground floor forms a solid and robust plinth to the café, with a long slot window cut into the west elevation to allow natural daylight into the space that will be available for public hire.

In order to service the roof terrace, an enclosure for stairs, lift and servery is proposed. This has been set at the eastern end of the building to allow views of the setting sun to be retained throughout the afternoon and evening.

To make the most of the roof terrace in this exposed seaside location, 2.2m high glazed screens and retractable waterproof awnings are indicated, allowing the view to be retained whilst protecting customers from wind and rain.

A single storey cellar and bin storage area is provided on the lower ground floor level, at the eastern end of the building. This is set into the slope, with the roof forming a bike park, accessible directly from the cycle route.



Site Section Diagram



North Elevation

MATERIALITY

The proposed palette of materials has been selected with the severe marine environment in mind.

A solid base is proposed in the form of timber board shuttered concrete. Corten Steel is to form the cladding for the upper ground floor café, a nod to the beach side location and similar to the East Beach Café in Littlehampton amongst others.

The roof top enclosure is to be clad in a mesh version of the rusted metal, keeping the tone of the building the same, but visually lighter. This type of material was used on a recent modern house on South Street, Lewes. The terrace is to be enclosed by 2.2m high powder coated aluminium framed glass screens. These are to form a continuous barrier without gaps to prevent the wind whistling through. The pergola powder-coated steel frame is to provide structure for the retractable waterproof awnings.

LAYOUT

The lower ground floor is proposed to accommodate new toilet facilities, room for community hire as well as ancillary plant room, bar and bin stores. The upper ground floor contains the café space, kitchen and an accessible WC, whilst the roof level has an outdoor roof terrace with access stair, servery and an outdoor plant area.

The toilets on the lower ground floor are for shared public and café customer use. It was decided to share these facilities to ensure that there is a vested interest for the café operator to monitor and care for the toilets.

For the male toilets, two pans and a trough urinal for five people are proposed. Six pans are proposed for the female WCs. Under BS6465, this provision caters for 300 people. In addition to this, a unisex accessible WC is located on the upper ground floor.

LANDSCAPING

The proposals will require cutting into the existing slope in some areas and filling of other areas.

The proposed contours will tie into the existing contours of the slope at the perimeter of the site but will be adjusted to suit the new building. The aim is to minimise the need for import or export of soil to the site.

It is proposed to reinstate grass to the landscaped banks, in keeping with the rest of the green. Planting to both the banks and roof terrace will be carefully considered to ensure non-invasive species are specified, for the protection of the local nature reserve on the shingle. Specifications will follow the guide agreed at a meeting with Friends of Shoreham Beach - as set out in the appendix to the Preliminary Ecological Appraisal by Phlorum.”

Acoustic Report

“Area background sound levels were measured with a class 1 sound level meter between 13th May and 22nd May 2019 inclusive, and included a weekend to ensure that any variation in the soundscape was sufficiently understood and captured.

The background sound levels were extracted from the dataset for the times when the new café/restaurant is anticipated to be open and running, ie 07:00 hours to 23:00 hours. In reviewing the time history plots for both background and ambient sound levels, it was noted that there was a decline in the soundscape from 19:00 onwards. Accordingly, the evening period (19:00-23:00 hours) was assessed to determine the most representative and frequently occurring background sound level as being 45 dB LA90, 15minutes. 45dB LA90,15minutes was used to calculate maximum noise levels for kitchen plant/external extract systems.

Whilst exact models and types of plant are not known at the time of writing, it is anticipated that the new premises will benefit from two kitchen extraction systems located towards to the Eastern/Southern part of the building. Having measured the background sound levels and being aware of the distance to the nearest residential properties, the sound power level and/or the sound pressure levels not to be exceeded may be determined. The process of reverse engineering has identified that the single kitchen extract/discharge units must not exceed a sound pressure level of 77 dB measured at 1m.

A worst-case scenario of both people noise from the upper terrace and kitchen extract systems has also been considered and compared specifically against a lowered internal threshold inside a living area (daytime). Given that people noise is not continuous and steady/anonymous, the internal BS8233:2014 value has been lowered by 5dB to provide a lower threshold to be met.

With 72 individuals on the external roof terrace, and kitchen plant operating, the predicted highest noise impact on residents is 29.9 dB(A), which would constitute 17.9 dB(A) internally, significantly below the 30dB(A) reduced criteria for internal daytime levels.

With regards to BREEAM scoring and consideration of POL05 and HEA05, two points may be considered for both the BS4142:2014 assessment and the likely internal ambient sound levels.

The robust modelling indicates that the site is capable of being operated as a café/restaurant with opening hours from 07:00 to 23:00 hours and assuming the implementation of mitigation measures listed in section 8, it is considered that planning permission would not likely be refused on noise grounds.”

BREEAM Report

In support of the application a BREEAM pre-assessment report has been prepared by XDA Consulting Ltd to demonstrate the sustainability of the Shoreham Beach Café scheme. The report states that the scheme has been reviewed against the BREEAM New Construction 2018: Retail (shell and core) criteria and concludes that a 'Very Good' rating can be achieved by the scheme and there is the potential for the score to be increased *“during design development to provide a comfortable buffer to ensure the rating is maintained.”*

Ecological Report

“A site survey was undertaken at Shoreham Green on the 28th May 2019. The habitats on site include a building (toilet block) and associated hardstanding (paths), planted beds and semi-improved grassland. The surveyed area was approximately 0.2 hectares.

The site is within the South Downs Biosphere reserve. It also borders Shoreham Beach LNR on its southern edge. Both these areas have a statutory designation. However, the site does not support any features that contribute to these nationally designated areas.

The site was not considered to support any breeding protected species, although it may provide commuting and foraging opportunities for birds, bats and badgers.

A precautionary approach in respect of commuting badgers and reptiles is considered sufficient to minimise any potential adverse impacts on these species groups.

It has been recommended that the site is enhanced by installing bird boxes.”

Transport Statement

The Transport Statement concludes that,

“It is not considered that the proposed development will be a traffic generator in its own right, as it is likely that the vast majority of customers will already be visiting Shoreham Beach. Furthermore, a number of pass by trips that could occur are likely to be undertaken on foot or by cycle, which will not have any adverse impact on the local highway network. Accordingly, any trips are likely to be linked trips or journeys undertaken by a sustainable mode of transport. Only a very small number of trips, such as deliveries and staff could be solely to the new facilities. Staff vehicles can be accommodated in the nearby car park and deliveries are permissible from the Bus Stop layby or single yellow lines, which provides access direct to the site. The proposed development is directly beside NCN2 and includes an appropriate level of on-site cycle

parking, which will encourage sustainable modes of travel to the cafe. On this basis, taking all relevant information into consideration, including the adequate provision of off-site parking and minimal daily traffic movements, it is considered that the proposed development will not have a severe impact on highway capacity or safety. Accordingly, the proposal fully complies with both local and national policy objectives and should not be refused on transport grounds.”

Flood Risk Assessment

The Flood Risk Assessment (FRA) concludes that,

“With reference to the Environment Agency (EA) Flood Map for Planning, the proposed development is located within Flood Zone 3. The proposed development is considered ‘Less Vulnerable’ under the National Planning Policy Framework (NPPF) The site is covered by Policy 4d15 of the Beachy Head to Selsey Bill Shoreline Management Plan (2006). For the short, medium and long-term, the management policy of ‘Hold the Line’ is proposed. This means that the existing level of protection provided by the defences will be maintained and upgraded in the future. For the purposes of this FRA, the 2070 flood level has been considered due to the commercial lifetime of the proposed development. For the purposes of planning commercial developments have a 65-year lifetime. Further Floor levels may not need to be raised for other types of development where buildings can be designed to be floodable e.g. Less Vulnerable. The EA has provided defended and undefended tidal modelled flood levels for the site from the Arun to Adur Flood Model (2012). In a 2070, 1:200 year defended flood event(4.48mAOD) the site could experience maximum flood depths of 1.59m, given a minimum site elevation of 2.89mAOD. As flood depths on site may be significant in this event, it is recommended that flood resilience measures are incorporated into the construction to allow quick recovery in the aftermath of a flood event. Should the lifetime of the proposed development be longer than anticipated (beyond 2070), climate change guidelines for the year 2115 should be considered. In a 2115, 1:200 year defended flood event (5.09mAOD) the site could experience maximum flood depths of 2.20m, given a minimum site elevation of 2.89mAOD. The site is not currently considered to benefit from formal EA defences to a 1 in 200-year standard of protection. The site however could be considered to somewhat benefit from tidal defences with a lower standard of protection. To the south of site, the coastal defences along Shoreham Beach offer a 1 in 100- year standard of protection. To the north of site, the defences along the River Adur/Shoreham Harbour, currently offer a standard of protection of 1 in 50-years, with a planned upgraded to a 1-in-300-year standard of protection in the ‘Shoreham Adur Tidal Walls’ scheme.

Following the guidelines contained within the NPPF and given that;

- *The proposed lies within an area where the long-term policy for the coastline is ‘Hold the Line’;*
- *Flood resilience measures are recommended at lower ground floor level to allow fast recovery following a flood event;*
- *Flood Warning Procedures are implemented,*

the proposed development is considered to be suitable assuming appropriate mitigation (including adequate warning procedures) can be maintained for the lifetime of the development.”

Sustainable Drainage

In response to concerns from the Council’s Technical Services Team, the applicant has provided an indicative drainage proposal with the following supporting statement,

“We have reviewed the requirements for the below ground surface water drainage for the above site based on the hierarchy of SUDS solutions available as per standard practice. The hierarchy being as follows:-

- 1. The use of soakaways on the site to allow the surface water to naturally permeate into the ground.*
- 2. If a soakaway is not viable, the use of attenuation tanks to control the flow rate into the main sewer.*
- 3. If a soakaway or attenuation tank is not viable, directly connect the new runs into the existing sewer.*

Using the above references, please see below our preliminary conclusion to date with regards to the below ground drainage strategy for the surface water disposal: -

- 1. The type of strata for the site is suitable for a soakaway as confirmed by the site investigation report. The ground water recorded in the boreholes from the SI report were at a 3.3m depth for DS102 and at a 5m depth in CP101, this is due to the steep slope of the site and location of the boreholes. Based on the depth of ground water, future heights of ground water due to high tides, the contours of the site, position of the new building and possible location of a new soakaway, it is concluded that to use a soakaway for the disposal of the surface water is not feasible.*
- 2. The second option is to use an attenuation tank for the surface water based on the surface area of the roof. Due to the contours of the site, it is proposed that two attenuation tanks can be located at the lower part of the site one on each side of the building, the outflow to the main sewer can then be limited to suit the water authorities requirements, please see attached a preliminary mark-up identifying these potential locations. This is subject to detailed design and discussions with the local authority and water authority.*
- 3. This option is not considered.”*

Statement of Community Involvement

This report sets out the key pre-application consultation with stakeholders and the local community and how the scheme has been amended to take into account comments received. The report refers to the key meetings taking place as follows:

28th May 2019 - Stakeholder Meeting at the Harbour Club

04th June 2019 - Public Consultation event at the Harbour Club

21st June 2019 - 2nd Public Consultation event at Beach Dreams Festival
03rd July 2019 - Presentation of Consultee responses at the Harbour Club.

Response to Representations

“Parking

A large proportion of comments from residents are in relation to parking and this was also a common theme emerging from the ‘face to face’ meetings with the local community. The application was accompanied by a professionally prepared Transport Assessment and this has now been the subject of comments from WSCC Transportation Team....

My own conclusion is that the fears of local residents are recognised, and have been debated in the various meetings with local groups and nearby neighbours, both the submitted TA and the response from WSCC accept the issue of combined trips and a high probability of many visitors being sufficiently local they have no need to drive. The practical reality here is that additional on-street parking to any significant level is highly unlikely and the operator can waypoint available ‘pay and display’ as well as other transport modes and parking as part of any website promotion with a map of the venue including the location of the car-park. BDL as the applicant are very supportive of resident proposals to introduce controlled parking zones to address residents parking concerns and direct visitor traffic to the car park.

On the basis of the advice before you I would suggest the issue of parking has been adequately resolved and does not therefore prevent a recommendation that permission be granted subject to conditions.

Highway Safety

In addition to parking the issue of ‘highway safety’ has been raised. In some respects the issues are linked as it seems clear many make reference to what is seen as an increase in on-street parking giving rise to dangerous road conditions with pedestrians crossing between parked cars.

In taking a view on this issue as Local Planning Authority it seems clear that the spectre of any highway safety issues, which are understandable points made by many local residents, is a scenario not endorsed by WSCC or the applicants own Transport Consultant. On this basis I hope you agree that ‘highway safety’ around this scheme is within acceptable bounds and not a reason to withhold planning permission.

Noise and Disturbance

Noise generation is also a regular point made in the submissions opposing the proposed development. This was consistently flagged by local residents particularly with the use operating later into the evening (after 7pm) when general background noise is predictably lower than in the day. This issue was given some considerable weight and prompted the applicant to commission a detailed technical assessment prepared by a well-respected local firm of specialists dated 5th July 2019.

The proposed hours of operation are relevant to any assessment of noise impact and the proposed opening hours are 07:00 to 23:00 hours. It is on this basis the noise assessment was undertaken. It is also worthy of note that following on from concerns expressed through pre-submission public engagement a glass screen was added at the top deck level as can be seen on the submitted plans.

Residents were particularly concerned by the noise associated with customers arriving and departing the premises along with noise from the top floor level which is more open to the elements. Original plans showed tables and chairs on the northern side of the building which have now been removed and instead located on the southern side facing the sea where noise sensitivity is notably lower.....

Some of the responses refer to the potential for all customers to leave the premises at 'exactly the same time' as part of an 11pm closure. This is a highly unlikely scenario as customers to most restaurants arrive and leave at different times and it is not logistically possible for all customers to pay the bill and depart at the same time.

This technical report has been scrutinised by in-house experts within Adur DC and I hope the feedback suggests the findings of the report are robust and a reasonable assessment of the facts and a low probability of excessive noise. The applicant will also need to apply for a license which will deal with the operational side of the business and set out specific conditions for the site to achieve the [Licensing Act objectives](#). One objective is to ensure any licensee 'does not cause public nuisance' of which noise nuisance to nearby properties is a core part and in that sense planning considerations overlap with licensing but this separate legislation provides added comfort to objectors on the issue of noise.

Design: Overdevelopment

Having read through the letters of objection many make reference to 'overdevelopment' and suggest instead a new building no larger than that currently on-site.

This would clearly not work given the quantum of commercial space would not viably fund the re-provided public provision (toilets, clean water outlet for beach hut users) and new community provisions (external showers and multi-use space). It is also fair to say that the applicant is anxious to find a high calibre occupier and this would not be achievable with a reduced floorspace.

The site sits at a centre point of the Beach Green open space itself a sizeable amount of land which also reads as part of a wider open space to the north of the highway. It is equi-distant from housing and does not read as any established site frontage where height and scale are of greater relevance. In short, the site location offers considerable freedom to accommodate a larger building than that currently on site, not least as a result of the site's topography a Lower Ground Floor only directly accessible from the north and an Upper Ground Level access from the roadway on the coast side of the building. The development accommodates a roof terrace to allow views across the beach to the sea.

Design Quality

Aside from complaints around overdevelopment some objectors are opposed to the design per se with a few even suggesting that the use of shipping containers is inappropriate. This latter point tends to suggest the misleading information anonymously distributed has clearly given the impression that the proposal is for a 'BoxPark' style container development. It also seems to suggest that at least some of those opposing the design have not viewed the proposed plans which include no such feature.

To be clear the applicant is 'Boxpark Developments' but this particular product is a high quality café/restaurant that will be occupied by a restaurant use – it is not a conventional Boxpark despite the efforts of some anonymous participants to suggest it is.

.....The design as tabled uses robust materials and is high quality architecture with an eye to the marine environment in which it forms a part. It is unashamedly commercial in its appearance as it needs to be and has to attract a high calibre restaurant operator, be durable against vandalism and the elements whilst providing shelter both internally and externally for customers to enjoy the bucolic aspects that the site offers.

Overlooking/Privacy Concerns

The proposed building has no side facing windows or openings on its east facing side and only a small width of gallery area to the west. The main outlook is south over the sea or north towards the green. Given separation distances are, for the most part, in excess of 90m it is not considered that the use of the building will give rise to any issue of overlooking or loss of privacy.

Other Matters

The above issues around parking, transport, noise and overdevelopment/design comprise the most consistently raised issues by neighbours and those contributors that live remote from the site. However, a number of other issues are flagged and addressed below:

Litter: Concerns include that the use will result in an increase in litter local to the site but also spilling onto the beach. However, the aim of this project is to secure a high quality restaurant occupier and it is in the interests of the occupier to curtail and control litter in the first instance but to also ensure the immediate locale is cleared of any litter arising from the operation of the use.

Ecology: Some concerns are expressed that the scheme might cause harm to the ecological value of the vegetated shingle and protected beach to the south. As part of the pre-submission consultation 'Friends of Shoreham Beach' worked constructively with the applicant to safeguard against such an eventuality. A meeting was held on 1st July at which these issues were discussed and the notes of the meeting included on the Planning Register. The mitigation measures proposed (litter and recycling) along with pathways through to the beach and potential new signage are all considered measures that satisfactory address this issue.

Loss of Park: The scheme does utilise an area of land south of the current footprint of the toilet block and in that sense does involve the loss of less usable current open space. However, it does represent a qualitative improvement on the public facilities available, offers greater surveillance of the open space and a focal point to ensure it is better used as part of a hub for the wider community.

Light Impact: At present no detailed lighting scheme is available and the application is not accompanied by any proposals for illuminated signage as this will inevitably follow the grant of planning permission. However, a 'Lighting Strategy' could reasonably form a requirement of any planning conditions. This would ensure the right balance between safe lighting to facilitate the use at the same time as prevent any light source having any impact on the amenity of neighbours.

Competition: Some participants suggest the scheme will not work and a successful operator will not be found whilst others suggest the new café/restaurant would put other nearby similar facilities out of business. Competition between restaurateurs is not a planning matter and, whilst the point is noted, it is not the role of the town planning service to safeguard any particular restaurant business."

Relevant Planning History

There is no relevant planning history to the site. It is noted, however, that the Council has sought to secure a developer for this site on two occasions and public consultation has also been undertaken in connection with proposed schemes.

Consultations

The **West Sussex County Council Highways Authority** comments as follows, "This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals which include up to 5 residential units or extensions to single units accessed from roads that do not form part of the Strategic Road Network (SRN). As such the comments provided by Strategic Planning should be considered to be advice only, with respect to this planning application.

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

Summary

This proposal is for the demolition of an existing toilet block and erection of a three-storey building comprising of multi-purpose (D2 use) space, restaurant and roof terrace (A3 use). The site is located on Beach Green, a C-classified road subject to a speed limit of 30 mph.

This application has been supported by a Transport Statement conducted by Reeves Transport Planning.

Access

No vehicular access is associated with this development. An inspection of collision data provided to WSCC by Sussex Police from a period of the last 5 years reveals 4 recorded collisions within the vicinity of the site. However, these collisions were not attributed to road layout. Therefore there is no evidence to suggest the nearby road network is operating unsafely or that the proposal would exacerbate an existing safety concern.

Parking and capacity

No vehicular parking spaces are proposed to serve this development. 24 cycle parking stands are proposed as a part of this development, to promote the use of alternative modes of transport to the site.

WSCC Parking Standards (August 2019) for A3 use requires 1 parking space per 5sqm of public area and 2 spaces per bar for staff parking. Furthermore, 1 space per 22sqm is required for D2 use. The LHA calculated that approximately 75 parking spaces would be expected for a development of this size. Weight is given to the fact that a number of users of the café would likely be visitors to the beach and nearby children's park as well; as such there would be a number of linked trips to the site. There is likely to be a percentage of trips that will be specifically undertaken to visit the café/restaurant however based upon the floor space and proposed use class, the LHA do not anticipate that the proposal would result in a severe material increase in vehicular movements. Weight is given to the fact that this development is proposed to be primarily a local community facility, as such it is anticipated that there will be a number of shared, diverted and local trips to the site that would be occurring as result of the beach location. It is also anticipated that due to the local nature of the proposal, a number of visitors to the proposed use would be local residents of Shoreham and users walking or cycling and classed as 'pass by' trips. The LHA does not anticipate that a large proportion of the visitors to the site would be users who have specifically diverted to Shoreham for the purpose of visiting the D2 or A3 use of the site. The LHA anticipate that requirement for parking could be accommodated within the existing Adur District Council Pay and Display Car Park to the northwest of the site.

For cycle parking, 1 space is required per 25 sqm of A3 floor space and 1 space per 4 members of staff, totalling to a demand of 27 cycle spaces. The applicant is therefore advised to increase the amount of cycle parking spaces to meet the anticipated demand, as a minimum. Details of this can be secured via condition. The site benefits from being connected to the National Cycle Network Route 2, which runs adjacent to the site; this is a 361mile cycle route along the south coast linking Dover with St Austell and provides further opportunities for connections on the wider network.

The LHA acknowledges that the site is situated close to Beach Green Public Car Park and within walking distance of Riverside Public Car Park. Bus stops at Beach Green offer services in Shoreham every 70 minutes. Shoreham High Street is an approximate 9 minute walk from the site, offering more regular, varied connections. Shoreham train station is located within 1.3km of the site. In addition, the existing pedestrian footways are street lit and well linked to the surrounding area, further increasing the sustainability of the site. As such, the LHA anticipates that the applicant has promoted sustainable modes of transport that are available within the vicinity and that the proposal would not result in a capacity issue on the surrounding road network.

The LHA acknowledge residents' concerns that the proposal could result in additional on-street parking. Although on street parking may occur at times, the LHA does not anticipate that all available on street parking would be used, given the available alternatives. Whilst on-street parking is limited in the immediate vicinity, there are comprehensive parking restrictions in place prohibiting vehicles from parking in places that would be detrimental to highway safety. Junction protection is present at the major junctions on the network. The LHA does not consider that the highway safety would be detrimentally affected through the proposed nil car parking provision. The Planning Authority may wish to consider the potential impacts of this development on on-street parking from an amenity point of view.

Conclusion

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal."

The LHA concludes that, if the LPA is minded to approve the application, it recommends conditions requiring the provision of covered and secure cycle parking and the submission of a Construction Management Plan.

The Highway Authority was re-consulted to undertake a site visit and assess some of the concerns raised by local residents.

Reconsultation Response

"Context

This proposal is for the demolition of an existing toilet block and erection of a three-storey building comprising of multi-purpose (D2 Use) space, restaurant and roof terrace (A3 Use). The site is located on Beach Green, a C-classified road subject to a speed limit of 30 mph.

WSSC in its role as Local Highway Authority (LHA) previously submitted comments for this application, dated 16/08/2019, raising no objections. A number of representations have been made in respect of highways matters. Following this, the LHA have undertaken a site visit on 09/09/2019. The following provides additional comments to address the points raised through the representations and clarify the assessment undertaken.

It should be noted that national planning policy, the National Planning Policy Framework (NPPF), identifies in paragraph 109 that development should only be resisted on transport grounds when the residual impact is considered "severe" or there would be an unacceptable impact upon highway safety.

Parking Availability and Illegal Parking

Many representations highlighted the potential issue of parking availability and illegal parking. An officer on-site confirmed that at the time of the site visit, roads exhibited regular vehicular movements but were not densely trafficked. Vehicles appeared to be travelling at the posted speed limit.

The nearby roads have parking restrictions to prevent parking at the accesses onto Beach green.

Much of Beach Green and nearby roads are protected by double and single yellow line parking restrictions. Beach Green has parking restrictions, with no parking Monday-Saturday 8AM-6PM on both sides of the carriageway to the front of the site. The bus stop has a separate restriction for no stopping 7AM-7PM except buses.

Adjoining roads such as Kings Walk have season restrictions in place between April 1st and September 30th which prohibits weekend parking between 8am and 6pm.

Whilst the roads do benefit from parking restrictions, any potential parking in breach of these restrictions could be dealt with as a parking offence and any illegal parking which causes an obstruction of the highway could be enforced by Sussex Police.

RTPI for the adjacent bus stop

We are still awaiting confirmation from colleagues regarding whether a Real-Time Information Sign would be appropriate in this location and will provide confirmation in due course.

Provision for disabled parking close to the facility

As a nil car parking provision is proposed, the LHA would not insist on disabled parking on-site. However, an assessment would be undertaken to assess the accessibility of the site for disabled users. An officer has undertaken a site visit and confirmed that there are disabled parking opportunities within close proximity of the site.

The car park located northwest of the site appears to be the best option for disabled parking opportunities. A zebra crossing at Beach Green will assist with access from the car park to the site. However, the existing footways within the site itself on the green are quite narrow and therefore it would be beneficial to have these widened to allow for improved access. Ideally the footpath within the site should be 2m wide.

Disabled parking can also be found at Riverside Car Park, 0.3 miles to the east of the site, an approximate 7-minute walk. This car park is open 24 hours a day. The footway is linked with tactile paved crossing points and joins up with the zebra crossing point to the north of the site. Blue Badge Holders are also able to park for up to 3 hours on single and double yellow where loading restrictions are not in force and providing that the vehicle is not causing an obstruction. Therefore, there are considered to be sufficient opportunities in the local area for disabled visitors to the development to park without formal on-site disabled car parking being provided.

Provision for lorries and the use of the bus layby

The LHA would not accept loading or unloading from a bus stop and the applicant is requested to demonstrate where this would take place from. The green is encircled by a raised grassy bank, meaning deliveries may be awkward if taken from the roadside. It may be beneficial for the applicant to state where deliveries are to be accommodated and this could be to the east of the bus stop, with hardstanding and a footpath leading

from this area to the site. The applicant should provide further details of the proposed servicing arrangements.

EV charging at Riverside Car Park

Given the applicant is not proposing any on-site car parking WSCC have not specifically asked for any electric vehicle charging provision as part of this development. Adur District Council are the proprietor of Riverside Car Park and should the applicant wish to provide electric vehicle charging provision in this car park, it would be for Adur District Council to take a view on this.

Emerging LCWIP upgrade to the NCN route

WSCC do not consider that the need to upgrade the surface of the NCN route that runs to the south of the development site would be Community Infrastructure Levy (CIL) compliant.

Conclusion

The LHA requests the following from the applicant:

- Details of servicing such as areas of hardstanding for lorries and associated footpath links
- Existing footpaths to be widened”

Adur & Worthing Councils:

The **Technical Services** Officer comments that,

The site lies in flood zone 3, but I consider that the proposed development would be acceptable in this location.

However, despite the application form stating that SUD s will be incorporated on this development no details are provided or eluded too. Therefore, as there is insufficient information for me to comment upon I have to object to this application.

Please obtain drainage proposal details, and can it be confirmed whether or not a lift pit will be required.

In response to the sketch proposal submitted by the applicant, the Council’s Principal Engineer states that,

“The principle is sound; however, the detail needs to be explained still.

If the designer intends to use the grates purely for attenuation and not for soakaway purposes the grated structures need to have an impermeable membrane / barrier to ensure water tightness together with a protected geotextile to prevent punctures of the membrane. I would also like to see a inline slit traps prior to the discharge into these structures

If the designer intends the grated structures to be used soakaways then they need to be at least 5 m away from the building.

At the moment, I need more information before I can accept these proposals.”

The **Planning Policy Manager** comments that,

“With regards to the principle of development, the site lies within the Built-Up Area Boundary, and within an area of open space. Policy 32 of the ALP resists loss of open space unless one of three criteria are met, which is not the case in this instance. However, the increase in land take appears minimal in proportion to the size of the open space, and does not appear likely to restrict the ability of the space to be used for recreational purposes. Furthermore, the inclusion of community space, showers and toilets as part of the proposed development will provide improved amenities. As such, in this particular instance, there is no policy objection on these grounds.

Policy 33: Planning for Sustainable Communities also supports improvements to social and community facilities (which would be enhanced by this development through the provision of community meeting space).

You will be aware that in 2014 Adur District Council designated the Shoreham Beach Neighbourhood Forum and Shoreham Beach Neighbourhood Area; a neighbourhood plan is in the early stages of preparation. Although the document is still at a very early stage of its development, please be aware that the regeneration of Beach Green and the inclusion of a cafe/community facilities at this location, are referred to in early drafts and supported by early (non-statutory) consultation exercises, as referred to in the applicant’s Planning Statement.

This proposal is also consistent with Policy 11: Shoreham By Sea of the ALP which states: “Areas including Beach Green, the Riverside car park and parts of the river frontage (on Shoreham Beach) will be improved through new landscape, signage and street furniture. Opportunities to improve footpaths and cycleways will also be taken.”

The Planning Statement accompanying this proposal has referred to the achievement of BREEAM ‘Very Good’ standard, which is consistent with the requirements of Policy 18.

I note provision of cycle parking spaces is to be provided, which is consistent with Policy 28 Transport and Connectivity.

Given the above, there is no policy objection to this proposal.”

The **Environmental Health** Officer comments that,

“The development is intended to provide a cafe and community space for Shoreham Beach and in normal circumstances, and having regard to the acoustic assessment that accompanies the application; I do not anticipate that such use would have any detrimental noise impact on the surrounding community.

It is possible that the ground floor community area could be used as a function room. In such circumstances, my main concern would be music noise and noise from people leaving the venue in high spirit. Noise escaping from the building can easily be controlled, however, controlling the noise people make outside the venue when they leave is more difficult. The best solution in such circumstances would be to manage the

risk of this occurring late at night. Thus, the impact of customers leaving the venue should be mitigated by conditioning the proposed hours, allowing some exceptions for Christmas and New Year.

I have no objections to the application in principle, subject to the following conditions being attached to any permission.

The premises shall only be open for the public between the hours of 07:00hrs until 23:00hrs, Monday to Saturday and 07:00hrs to 22:00hrs on Sundays and Bank Holidays, with the exception to Christmas Eve and New Year, where the public shall vacate the premises no later than 00:30hrs.

Only unobtrusive background music shall be provided for the upstairs terrace. For this purpose the music noise level shall not exceed 75dB (LAeq15min) at any internal perimeter of the terrace. i.e inside the glass screening on the roof terrace.

When amplified live or recorded music is played in the ground floor community room; windows and the external entrance, except for emergency evacuation, shall be kept closed. Access and egress to the room at these times shall be through the lobbied area serving the toilets and stairwell to the upper floors.

When amplified or live music is played in the first floor cafe area, all windows shall be kept closed.

Details of the kitchen extraction plant, including odour abatement and noise levels shall be provided and agreed by the local planning authority prior to installation.

Where windows need to be kept closed for the purpose of noise control, alternative ventilation details shall be provided and agreed with the local planning authority.”

In response to the applicants concerns about preventing windows being opened (to ensure natural ventilation and compliance with BREEAM standards) **Environmental Health have raised the following additional comments:**

As a result of deregulatory changes that have amended the 2003 Licensing Act, no licence is required for the playing of live or recorded music during the hours of 08.00 and 23.00, so long as there is an alcohol licence in place. It was for this reason I suggested conditions on any planning permission to prevent disturbance from licensable activity. However, I can see how these conditions could be problematic for non-licensable activities such as a keep fit class where the instructor may want to play music whilst having doors and windows open for ventilation on a warm day.

Keeping windows and doors closed is a simple way to contain music noise inside the building, and I am still of the view that if there were to be a function in the ground floor community room in the evening, then these doors and windows should be kept closed. After all, it would not be an issue keeping them closed if the outside weather was inclement. However, it would make sense to condition any permission differently for this purpose. We discussed a noise management plan, which was considered in the applicant's acoustic report. I can confirm that I would be happy to address noise

concerns through a noise management plan and the following proposed condition would work:

12. Prior to the occupation of the building a Noise Management Plan shall be submitted to and approved in writing with the LPA detailing the proposed use of the terrace and the use of the ground and first floor areas (with particular emphasis on amplified and or live music) and set appropriate maximum noise levels inside the building. Thereafter, the premises shall only be occupied in accordance with the approved Plan.

When producing the noise plan, the aim should be to prevent nuisance. Having an arbitrary noise level would not necessarily work. For example, the background noise level monitored and produced in the applicants acoustic report is 45dB(A). This is the LA90 measurement used to determine background noise levels. Whereas the ambient noise for the area monitored and produced in the report is 57dB(A) , this is a LAeq measurement taken over 16hrs. Having a condition that music levels should not exceed background would not be enforceable; as you can see the existing ambient noise level already exceeds the background level, and therefore you would not be able to measure any breach of such a condition.

The most appropriate design criteria would be for any amplified sound (including music and speech), to be inaudible within any nearby noise sensitive premises with or without one or more windows open. For this purpose, the music noise level would have to be set so that its contribution at the nearest residential premises was 10dB(A) below the existing background level. Alternatively Noise Rating Curves can be used. A NR Curve of 25 can be used for music noise thresholds; the single figure rating takes in to account the frequency content of the music which may be more appropriate, particularly for low frequency bass noise.

Reference is made to research commissioned by the Department for Environment, Food and Rural Affairs (Davies et al, 2005) "Noise from Pubs and Clubs". It is stated "that the use of NR Curve design criteria is commonly used by consultants". It is further stated "that the use of appropriate NR Curve criteria enables noise mitigation measures to be specified". It is with this in mind that I put this recommendation forward.

The ***Head of Place and Economy*** comments that, *"In response to your letter dated 22nd August 2019 regarding the proposals for a multi-purpose space and café / restaurant at Shoreham Beach Green, I thought it useful to provide the local economic context.*

Shoreham-By-Sea, and specifically those areas that have the potential to interact with the town centre, are becoming increasingly important. Beach Green has been identified for improvements; the change from a toilet block to an economically active facility will certainly accomplish this. In particular the multi-use element provides a number of community and economic opportunities.

The economic benefits of this development, on this site, will see a jobs gain whilst wider benefits include supporting existing cycle infrastructure. The demographic shift sees a younger, family orientated, market coming into Shoreham who will demand greater provision. Again, this development will provide a 'quality of life' offer. Finally, in coastal

communities, the tourism sector is a key component; this facility has the potential to also contribute to attracting visitors to the area.

Based on the factors above I have no objection to this development.”

The **Parks Manager** comments that,

“Trees and Landscaping

The area that this proposed development and the surrounding location is connected to the wider LNR status of the area. This obviously comes with a need to sensitively manage the landscape and surrounding area due to the nature of the fauna and flora within the natural environment.

I am in support of the project in principle provided there are a few measures put in place to protect the area; Strict management of vehicle movements, management of waste and other aspects of the built environment that could have a negative impact on the surrounding areas if not managed tightly. This would also fall to all subcontractors within this remit of the build. To explore opportunities further with the ecologist that we have already spoken to re landscape designs outside the front of the building to ensure that it complements the surrounding fauna and flora and does not have a negative impact on the sensitive nature of the surrounding area.”

I note the footprint of the proposed cafe/restaurant is bigger than the existing toilet block and would therefore result in the loss of existing open space.

I do not consider that the loss is significant as it includes part of the embankment to the south of the building that has limited recreational value. Furthermore, as the proposal includes community space and toilet facilities to serve users of the Beach, any loss would be compensated by enhancing facilities for community and leisure purposes.”

The **Environment Agency** comments that,

*“We have **no objection** to the proposed development as submitted. However we would recommend that the flood resilience measures identified within Section 7.6 of the Flood Risk Assessment (FRA) be implemented, and the applicants as per 7.8 of the FRA register with the Environment Agency's flood warning service, so as appropriate actions and measures can be undertaken in advance of any potential flood event.*

Advice to LPA

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The planning practice guidance (PPG) to the National Planning Policy Framework states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before

an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you consult with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with the guiding principles of the PPG.”

Southern Water Services comment that,

“Southern Water requires a formal application for a connection to the foul sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme.*
- Specify a timetable for implementation.*

- Provide a management and maintenance plan for the lifetime of the development.*

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The design of the proposed basements and on-site drainage system should consider the possibility of surcharging within the public sewerage system in order to provide the protection from the risk of flooding.

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk”

Representations

A total of 278 objections have been received on the following grounds:

(i) Design, Scale and Massing

- The original brief from the Council stated 'any prospective developer/operator should strive to protect and enhance the Green's natural beauty and resources.' And 'the design should reflect its coastal setting and the surrounding environment'.
- This design proposal fails on these requirements. It does not fit in with the local environment, it is far too large, the construction and cladding materials proposed have no local connection or sympathy with the beach location.
- Whilst, I think the development of the toilet block is a good idea, the scale and character of this development is not appropriate for Shoreham Beach.
- The design is ugly in my opinion and out of character with the beautiful environment of the beach.
- A lower scale café in keeping with the local environment would be very welcome but this development is too large.
- The assertion that the building has to be the height it is on the advice of the Environment Agency and the Police is flawed as, in the case of the Environment Agency, the advice is that the ground floor of the proposed building should be resilient (high up sockets etc) not that the building has to have multiple floors. The advice the Police have given regarding anti-social behaviour has not been released by Boxpark, however, it seems improbable that the Police would mandate a three-story building of this design, nor that a

design company with the accolades that Boxpark proudly quote couldn't think of ways to prevent anti-social behaviour around a lower building.

- The statement that the building needs to have sea and Downs views in order to attract the right tenants (to be commercially viable) is not evidenced and was clearly not the case when other local beach cafés such as Ikea, Widewater or Carats Café at the Port are concerned. A developer will want these views but there is no demonstration of the need for them.
- The design does not appear to address how access to the cellar and refuse store will be achieved from the back of house areas without staff having to go outside in all weathers and uncontrolled external environment.
- Vertical distribution of food and beverage between kitchens, back of house and customer areas, does not appear to have been accommodated and that it would be a safety issue should staff be carrying anything up or down the main staircase.
- A closed building is far too large for the area, it is 30% larger than The Perch in Lancing which has a lot more space around it and is set back much further from the road and with ample parking.
- Residents do not want this ugly building on Shoreham Beach, a unique area of natural beauty.
- The proposed development will have a detrimental effect on the residents of the area.
- The height of the building should not exceed the existing height on the grounds of overdevelopment and due to the height will overlook nearby homes and will be able to visibly see into first floor bedrooms.
- The height of the building will reduce the natural light to the green causing any surviving plant life to die.
- The proposed materials are industrial in style and do not blend in with the neighbouring residences.
- The sheer size and scale of the building and the proposed materials will certainly not integrate into the landscape and this will be clearly in contravention of the Adur Local Plan. Under 'Quality of the Built Environment and Public Realm', the Adur Local Plan states that new developments should be well designed and integrated into the landscape and townscape and contribute positively to Adur's character and distinctiveness.
- The top floor is exposed and will not be useful for a significant period every year. This would then require full enclosure which will change the external appearance in a negative way.

- Surely the Council cannot think that the design reflects its coastal setting and surrounding environment. It is, as its name says, an ugly box (Boxpark).
- If a building of this scale is constructed, there is likely to be a prolonged period of disturbance with construction vehicles, mess, dust, mud, potential vandalism and other consequential nuisance for the whole surrounding area.
- The proposed building is too dominant in this residential area and brutal in form without any thought to a sensitive design appropriate for this important location.
- The building really does not fit with the surrounding properties and area as houses and beach huts in the area are mostly white or light in colour. This development is to be clad in a dark wood and being so large it will not fit in, a lighter cladding and smaller size would seem much more appropriate.
- The design is too harsh and angular with the side elevations having the appearance of a container ship, the rust cladding effect simply serving to reinforce this notion.
- It is understood that the design is similar to one previously used by Boxpark in an urban location and so it would seem the cost expediency of a rehash design has been given preference over visual compatibility with the beach environment.
- The graphical illustration of the proposed structure almost certainly intends to flatter the proposed structure but it shows an edifice in which the stark steel girders and concrete blocks is characteristic of the early 1960s, totally lacking in imagination and with no attempt to provide a modicum of charm or elegance.
- The building should have curves, particularly the roof line. This colour should reflect the quality of the light that made Shoreham Beach an artists' colony, it should not be blocking that light. The squareness of the design does not reflect or enhance the coastal setting.
- In 2018, Adur Council refused permission of the development of nine houses on Firle Road on the grounds of scale, siting and design. These grounds could be used to resist the current proposal to ensure consistency and decision making.
- The brutalist industrial box-like concrete and rusted metal would be out of keeping with the local nature reserve destroying the only greenspace on and the profile of Shoreham Beach.
- The location deserves something truly unique and attractive to the area similar to the café designed by Thomas Heatherwick in Littlehampton.

- The proposal would conflict with the Local Plan and the NPPF in that it proposes a town centre use in an out of town location and no sequential test has been undertaken to assess the scope for this development to be accommodated in a town centre location.

(ii) Sustainability

- Boxpark has not made mention of the use of solar panels or a living green roof nor are they suggesting the use of grey water run-off.
- The building is not sustainable or of sufficient quality. It is stated the building will be erected in six months. It will not be built using any of the now standard sustainability elements, namely solar panels, heat pump thermal installations, plastics non-use policy or the use of high grade building materials necessary to withstand the punishing weather elements given its proposed location. In short it will be built to a price to achieve financial viability not longevity or interrelation into the local public realm.
- The development should surely strive to be carbon neutral, particularly given that the Council has recently signed up to the climate change emergency.

(iii) Highway, Parking and Access

- The assumption that the majority of customers will cycle or walk to the café is naive.
- Parking is already an issue on the surrounding roads, Beach Road and Kings Walk are often grid locked at busy times.
- Where would disabled drivers park?
- Delivery lorries parking in the bus stop, where do the buses stop?
- Whilst the application argues that the development will not generate additional traffic movements or parking requirements, this was not the case when permission was granted for the family pub restaurant, The Longshore, which complied with Local Authority standards.
- The proposed A3 and D2 Use Class would generate a maximum parking provision for customers of 131 spaces and 12 for staff, a total of 143 spaces. Comparison has been made with the public car park adjacent to The Perch which, whilst of a similar area is laid out as an efficient parking layout and has suitable surface and access to The Perch restaurant café. In contrast, the Beach Green car park is unsurfaced and is not laid out and, therefore, is unlikely to provide a similar number of space or provide suitable safe and appropriate facility close enough to the development to avoid alternative street parking to be sought by customers.
- There is no provision in Beach Green car park for disabled bays (5% of total) or provision of ducting for future charging points (20% of spaces).

- The pedestrian access from the car park through the vehicle entrance barrier towards the development is without the benefit of pavement along its entire length so cannot be claimed to be a safe route, especially for disabled customers due to conflict with car movements.
- Beach Green car park and the route and from is not lit and does not have CCTV so use at night constitutes a safety risk for customers and staff leaving the premises at night.
- The cycle racks are shown as being uncovered. This is not suitable for long term use by staff and customers staying for any period of time, nor does it comply with BREEAM requirements which will also require lighting to be provided.
- It has been assumed that use of the bus stop for disabled access and service vehicles will be allowed but there is no indication as to how this will be controlled by the applicant or, indeed, how the commercial vehicles will achieve turning access to this bus stop.
- There is no realistic assessment of traffic generation because of the applicant's assumption of shared trips. Although this is unlikely to be correct should the extensive café restaurant covers indicated be used by customers.
- In view of the limitations of Beach Green car park, the proposal would conflict with the Local Authority's Policy relating to access requirements for development (Policy T14).
- The application does not indicate how Biffa bins and glass waste will be collected from the development. There is a gradient from Roadside to sell a bin store that would make this arduous and dangerous.
- There is no mention of the expected servicing, either by way of Quantum or timing. It might be expected that cellar deliveries to developments such as this might be once a week by either HGV or 12 metre ridged vehicle with further food deliveries of say three per week, although the storage area adjacent to the kitchen appears very small. With potential conflict with customers and the extended trolley route over paving is unsuitable and unsafe for staff.
- It is ridiculous to assume that up to 200 customers and 25 staff will not make demands on local parking and traffic that the residential area will not be able to support.
- Parking is already a considerable problem on the beach with parked cars on pavements and the grass in River Close, even on double yellow lines, especially in the summer. Riverside car park might be available but I know from experience that visitors to the beach would rather park in residential streets if they can.

- The so-called Traffic Survey provides no evidence that extra car journeys will occur which for a 7.00am to 11.00pm, 7 day a week, all year round restaurant seems improbable.
- The Traffic Survey is misleading on the availability of bus services. There is only one service that runs every 70 minutes and it does not run at all on Sundays and it stops early teatime. The Transport report commissioned by the developer is distinctly lacking in thoroughness.
- Parking problems on the beach have caused the bus to back up and divert and lorries have had to do the same.
- The new Traffic Regulation Order, soon to come into operation, will exacerbate the problems for side roads in the vicinity of the site.
- Traffic flow on to and off the beach is already an issue at certain times of the day and speed restrictions are frequently ignored.
- With increased parking on pavements, accidents are likely as residents can often not see clearly when exiting their driveways.
- Residential parking in the area is already out of control with cars readily parking on the pavements either side of Beach Road approaching Beach Green and then beyond. Visibility for all vehicles, pedestrians and cyclists is restricted and the problem becomes far worse at the weekends and during the Spring and Summer months.
- There has been no real attempt to manage the parking situation on Shoreham Beach.
- There are several car parks on Shoreham Beach but, even on the busiest days, these are only ever partially full, why would anyone want to pay for parking when they can park for free on a pavement or a yellow line.
- There is only one Zebra crossing to the location with more visitors crossing the main access road. This can become dangerous, even more so when cars are parked on pavements blocking the view for both pedestrians and other road users. The Traffic Survey is flawed as it contains no survey of likely travel approaches, provides no evidence to back up the assertion that there will be no extra car journeys and make misleading claims about the public transport accessibility.
- The Traffic Survey makes an unfounded claim to the effect that, because the public car park on the beach is under utilised, there will be no additional parking burden on the local roads. This demonstrates a lack of knowledge of the area as the reasons why the public car park is underused is because visitors prefer free and, in some cases, illegal parking to paying the charges.

- The Traffic Survey is a totally unrealistic cycle distance calculation. The thirteen-minute travel time area is achievable only on a road bike at significant speed (16mph). As a distance that people are prepared to cycle to go to a restaurant, it is totally unrealistic. The walking calculation, based on the distance, is based on the distance that commuters walk not those engaged in leisure activities.

(iv) Overdevelopment

- At the current proposed size and opening hours this restaurant / event facility could seriously impact Shoreham's established outlets, which are already experiencing tough trading conditions.
- Conversely, this building appears commercially too large, who would be responsible should it remain empty and the developer ceases trading?
- Would the council be forced to allow it to become residential, or split use as the Perch?
- There is not a need for community space; there is a choice of halls/rooms available in Shoreham. Is this being used to increase the footprint?
- The three storey structure, 10 metres high and 849 square metres floorspace, would be higher than all other houses and buildings in the area and represent an overdevelopment of the site.
- The development is out of proportion and will dominate the open green space which is valued by residents, beach hut owners and visitors for its peaceful naturalness next to the local nature reserve.
- Shoreham Beach is a quiet residential area with a few small shops, restaurants and cafes some distance away at Ferry Road and West Beach, none are near the size or scale of the proposed development and would therefore be disproportionate to place a business of this scale in the middle of this tiny space and residential area.
- The proposal is 60% bigger than the current largest restaurant in Shoreham and 30% larger than The Perch and is clearly an events' venue to commercially benefit the few at the expense of the many.

(v) Noise Disturbance and Smell Nuisance

- The size and opening hours give reason for concern from excessive noise. The opening hours allow evening 'organised events', closing time would produce noise problems for those around the Green and car park.
- The proposed opening hours from 7.00am to 11.00pm weekdays and 7.00am to 10.00pm on Sundays and Bank Holidays are totally inappropriate and result in noise and disruption day and night.

- There would be significant disturbance from customers leaving the restaurant after closing time.
- The area is currently very quiet so that any noise from the green, even conversations late at night, can be heard from adjoining properties.
- With the prevailing wind, noise and disturbance from the roof terrace would be carried a long way into the beach and cause disturbance to a number of residential properties. The Committee should be aware that a two storey extension to The Bluebird Café at Ferring was recently, unanimously, rejected by Arun on the basis it would be out of keeping with and detrimental to the rural character of the locality and the appearance of the coastline.
- There are no other beach cafés (Sea lane or The Perch) which operate daily opening hours until 10.00am to 11.00pm and there is no reason why this should be agreed for Shoreham Beach. The proposed café restaurant catering for over 200 people with a bar and music facilities would be entirely out of character with the area and create unwelcome noise during its duration and almost certainly noisy disturbance by people going home from it by car or on foot late in the evening.
- The Beach Dreams Fest was referred to, an event which takes place once a year. This is not an appropriate precedent or basis for granting possible nuisance over 365 days a year between 7.00am and 11.00pm.
- There is no information or reference to how noise from within the development will be controlled and if there are to be restrictions on any amplified sound that will conflict with the current peaceful beach environment. There is potential noise disturbance from the extract and ventilation systems that will be necessary for the large kitchen areas.
- No provision has been made or suggested to control noisy delivery and collection from the development which will impact on local residents.
- No music should be played inside or outside of the building.
- The plant room on the roof should be enclosed not just positioned behind mesh as it will be vulnerable from salt erosion.
- The Noise Survey and subsequent predictions about noise impact are not accurate and must be questioned further.
- The Noise Survey is flawed; it assumes that the maximum noise impact will be upon residents who are inside their houses without giving any justification as to why residents will be inside at a time when diners would want to be on the roof terrace. Secondly, it assumes that at 11.00pm is an acceptable time for external noise to occur without any consideration of the residential nature of the location. Thirdly, the report assumes a 15db drop in noise from outside

to inside of houses through open windows which does not take into account that many local houses have patio door style openings.

- There is no assessment of the impact of the noise of visitors entering and leaving.
- The inevitability of fried food and cooking smells contaminating the adjacent beach is significant and there is an absence of details of any suitable systems being proposed. Details of carbon filtration should be required by condition.

(vi) Privacy

- The proposal would directly overlook adjoining residents' bedrooms being at the same level.
- There are safeguarding concerns as there are many children living in adjoining houses and there are safeguarding concerns.
- This is a very unneighbourly form of development which would be intrusive to local residents.
- The roof terrace looks straight into upper floors in the surrounding houses, including vulnerable adult residents close to the site.
- The developers state that the terrace has been designed to prevent overlooking where possible, acknowledging that there will be a loss of privacy for all the surrounding homes.

(vii) Other points of objection include:

- Light Pollution
- Increased litter and pollution
- Lack of detail regarding the collection of waste
- The bike area is not covered and would be a security risk.

A Petition signed by 91 residents has been submitted setting out objections to the development on the following grounds:

- Design: scale, appearance, materials, character
- Proposed operating hours
- Safeguarding issues
- Planning policies
- Highway safety, traffic and parking
- Noise, disturbance and smells
- Overlooking, loss of privacy
- An acceptable alternative would be a smaller two storey café, daytime opening, a known and trusted operator, less intrusive design, greater consideration to

safeguarding and environmental impacts and clear provision to address neighbour impacts.

68 letters of support have been received on the grounds that,

- the proposal would benefit the local economy.
- it is not too large – a smaller development would not be a destination and would fall into disuse.
- the current toilet block is disgusting now as it was 45 years ago and it is about time it was redeveloped.
- this is an opportunity to provide much needed public facilities and an attractive facility for the growing population to enjoy.
- the crisp contemporary design and materials selected will work given the size of the green. There are plenty of homes on the foreshore of a similar height.
- the location is ideal to encourage people out of their cars and walk or cycle from town.
- any concerns relating to hours of use and noise can surely be controlled by condition and via licensing.
- the venue would be a fabulous addition to the Shoreham Beach Community.
- there is a lack of family friendly facilities on Shoreham Beach. Having better changing and toilet facilities as well as a quality restaurant/café is much needed.
- the proposal would link well with the broadwalk extension and sea activities, and also deter some of the anti-social behaviour that occurs in the area.
- parking would not be an issue as there is a suitable sized car park opposite.

Beach Residents' Association comments that it,

“broadly welcomes the redevelopment of the old toilet block on Beach Green with a new café and community space, but we understand the concerns and anxieties of residents particularly those in the immediate vicinity. We urge the developer to make some changes to the plans in the interests of being a good and respectful neighbour. We have the following suggestions and comments regarding this planning application: -

Café and Community Space

A planning condition should be imposed to prevent the operation of permitted changes under the UCO & GPDO, such that (1) the cafe element is to be used for Class A3 purposes and for no other purpose, and the community space is to be used for the stated purpose and no other use, including any other use within Class D2.

It is noted that no hours of operation restrictions are contemplated for the community space (according to the application forms). If this space is let for private gatherings such as wedding celebrations then restrictions should be imposed on late evening use to protect local residential amenity. It is noteworthy that this element of the proposed use is not assessed in the submitted noise report. Potential exists of course for users of the community facility to access outside areas, further justifying the imposition of hours of operation restrictions across the application site and not just the building. The Planning Statement indicates that there will be an ability to hire the space from 9am - 5pm in the winter and 9am - 9pm in the summer, matching the existing WC opening hours. Any permission should be conditioned accordingly.

We would like a maximum noise level stipulated in the planning conditions measured at the nearest residential receptor. We would like to see an enclosed rather than open plant room on the top level to minimise noise and disturbance to neighbours.

Toilets

We are concerned that there are safeguarding issues in that the design for the proposed toilets does not have separate entrances for men and women and furthermore that there are no alternative means of escape in the event of an emergency. It appears that the changing rooms next to the toilets on the ground floor could not be used without walking through the community space which will be inconvenient. We would like to see an amendment in the plans to address these issues.

We expect public toilets to be provided throughout the demolition and construction phase, with no break in service.

Parking and access

Inevitably there will be some extra traffic resulting from the scheme and a proportion of visitors to the café are likely to arrive by car. We would like to see a parking voucher scheme or similar agreed with the council and the developer on behalf of the operator so that the Beach Green carpark is used by patrons rather than them parking on residential roads causing traffic issues and inconvenience to neighbours. The council should incentivise patrons to park in the designated car park by lowering the currently high parking charges so that it is more convenient to park there than not.

We suggest that the developer offers to pay for an information board showing bus times to help their customers access the café by public transport.

Boundaries

We seek assurances that the boundaries in the planning permission will not be breached and that the same boundary is stipulated in the lease.”

Worthing & Adur Chamber of Commerce comments that,

“As President of the Worthing and Adur Chamber of Commerce, I am writing in support of the application that will see the demolition of an existing structure and the creation of a multipurpose space, café, with an associated covered roof space on the Beach Green in Shoreham.

As the ‘business voice’ for the local area we welcome inward investment and support developing business. We ensure that businesses have their say when it comes to change and investment in the area. We support those prepared to make a positive difference in the local economy. The Chamber of Commerce works in partnership to ensure the benefits of commercial development are delivered, enhancing the area economically and to provide a better skilled workforce, better employment and business opportunities across the area. The Chamber will hope to see local procurement prioritised.

We believe that the application for the Shoreham Beach café should be recommended for approval.

The scheme will also add to the wider coastal area's appeal by linking the existing café/ restaurant seafront provisions, adding to the like of the Perch, Littlehampton's East Beach café and the developing West Wittering café. The proposed development will provide better facilities for water sports enthusiasts, a focus for the coastal West Sussex area. It will also offer stops for cyclists whilst enhancing the existing cycle route set out by Sustrans along the coastline.

We strongly believe that the proposals for Shoreham BeachBox will substantially raise the profile of and strengthen the position of Shoreham as a high-quality business destination.

With the above in mind, the Worthing and Adur Chamber of Commerce endorses the benefits that the proposed development will bring to the area and therefore we are happy to support this application.”

Coastal West Sussex comments that,

“As Chairman of the Coastal West Sussex Economic Partnership, I am writing in support of the application that will see the demolition of an existing structure and the creation of a multipurpose space, café with an associated covered roof space on the Beach Green in Shoreham.

With a focus on the ‘larger than local’ issues that impact on our coastal economy, the Coastal West Sussex Economic Partnership is a business led partnership bringing together senior leaders from industry, education and the public sector to take action and use its individual and collective talents to make a difference in the local economy.

As part of the Coastal West Sussex Partnership’s drive to provide a better skilled workforce, better connected coast and better employment and enterprise opportunities across the coastal area, we believe that the application for the Shoreham Beach café should be recommended for approval.

The changes in and around Shoreham by Sea have shaped Shoreham into what it is now; the application for the beach café will enhance the existing offering by providing much better facilities for both residents and visitors to the area.

The scheme will also add to the wider coastal areas appeal by linking the existing café/ restaurant seafront provisions, adding to the like of the Perch, Littlehampton's East Beach café and the developing West Wittering café. The proposed café will provide better facilities for water sports enthusiasts, where the coastal West Sussex area is becoming much greater attraction, and offer stops for cyclists, enhancing the existing cycle route set out by Sustrans along the coastline.

The multi-use element of the scheme provides an opportunity for the building to be multifaceted in its approach to future operations with potential for much greater engagement for water sports activities, cycle links, fitness activities, growth in the education of the natural foreshore as well as the provision of a high-class restaurant café which will be an attraction to visitors itself. Enhancing the natural offering for the

coastal West Sussex area will have a positive impact on the economic prosperity for the area.

It is determined that the economic benefits for the area will be directly increased by local employment opportunities as well as the associated benefits from other local companies. The changing demographic shift in Shoreham sees a younger, more family orientated market coming into the area who will demand greater and more varied provision of leisure and business activities. With the above in mind, the Coastal West Sussex Partnership endorses the benefits that the proposed development will bring to the area and therefore I am really happy to support this application and look forward to hearing about its progress."

Relevant Planning Policies and Guidance

Adopted Local Plan 2017 including Policies,

Policy 13: Adurs Countryside and Coast: *"Development to support informal recreation uses on the coast will normally be permitted subject to:*

i) built facilities being located within the adjacent Built Up Area"

Policy 15: - Quality of the Built Environment and Public Realm:

"Development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing siting, layout density, height, size, scale, materials, detailed design features and landscaping."

Policy 18: - Sustainable Design

"Non domestic floorspace must achieve a minimum standard of BREEAM 'Very Good' with a specific focus on water efficiency"

Policy 27: – Retail, Town Centres and Local Parades

"New development for town centre uses outside of the town centre boundary will be assessed in accordance with the NPPF sequential test."

Policy 28: – Transport and Connectivity

Policy 30: - Green Infrastructure

Policy 31: - Biodiversity

Policy 32: - Open Space, Recreation and Leisure

"The loss of existing open space, or sports and recreation buildings/facilities will be resisted unless:

i) *The development is for alternative sports and recreational provision*”

Policy 33: - Planning for Sustainable Communities - *“The Council will protect and support improvements to social and community facilities.”*

Policy 34: - Pollution and Contamination

Policy 36: - Flood Risk and Sustainable Drainage - *“New development must include some form of Sustainable Drainage System (SuDS).”*

Emerging Neighbourhood Plan

“Overall, our community engagement work has provided clear evidence that local residents need and want more than just a public toilet incorporated in the café building. There is substantial support for a community hub with the following elements:

Café

- *Cater for a range of residents (particularly young and elderly people)*
- *Reasonably priced*
- *Healthy eating options*
- *Not too loud (both sound and visually)*
- *Ability for parents to watch over children playing on the green*
- *Nice to have: high enough to provide views of the sea and The Downs, if it can be designed in a sensitive way that is in proportion and not overbearing*
- *Any products sold via a kiosk should be sensitive to the local environment, i.e. minimal packaging which is fully biodegradable and ‘wildlife-friendly’.*
- *Refuse and recycling bins must be seagull-resistant and conveniently placed to minimise the impact on the local nature reserve and marine environment.*

The provision of facilities to accommodate additional toilets for events Showers, lockers and changing rooms

- *Encourage staff to cycle instead of drive*
- *Encourage watersport enthusiasts to use these facilities instead of needing a van parked on the side of the road*
- *Flexible meeting space for community groups*
- *An area with removable partitions, integrated into the cafe operations as much as possible - not just a separate locked room, not used as a storage or junk room.*

Sustainable building design

- *Aim to achieve the maximum feasible generation of renewable energy and the highest possible levels of energy and water efficiency and waste management.*

- *Improved pedestrian and scooter/ skate /cycle lane. Secure scooter and cycle-parking to minimise motorised traffic to the venue.*
- *Assessment of public transport impacts and provision for pick-up drop-off area for taxis etc.*
- *Pedestrian crossing improvements from the north side of Beach Green (parking & playground area)."*

The policies of the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) are also relevant to the determination of this application.

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

The main issues to be addressed in assessing this proposal are:

- i) The principle of development including compliance with the Development Plan and National Planning Guidance;
- ii) The design, scale and massing of the scheme and its impact on the character and visual amenities of the locality;
- iii) Residential amenity;
- iv) Parking and Highway Safety
- v) Sustainability;
- vi) Ecology; and
- vii) Drainage.

i) The Principle of Development including compliance with the Development Plan and National Planning Guidance

The site is not allocated for development in the adopted Local Plan, however, the preamble to Policy 11 Shoreham-by-Sea refers to the potential for environmental enhancements at Shoreham Beach and Policy 11 states that,

"Throughout Shoreham-by-Sea, improvements to open space and the local environment will be carried out (some of which will be secured through funding associated with regeneration of Shoreham Harbour). Areas including Beach Green, the Riverside Car Park and parts of the river frontage (on Shoreham Beach) will be

improved through new landscaping, signage and street furniture. Opportunities to improve footpaths and cycleways will also be taken.”

The Local Plan refers to the emerging Neighbourhood Plan on Shoreham Beach and this is particularly relevant as the Council was aware that the Neighbourhood Plan was considering specific policies relating to Beach Green. There is some emerging policy support for the proposal, particularly in terms of incorporating community space, facilities to support the Beach as well as specific guidance about the form and scale of the building. The emerging policy indicates that the community engagement has provided clear evidence of the need for the scheme to incorporate a community hub. Whilst the Plan has little weight in view of its very early stage in plan preparation it is a material consideration.

Other policies in the Plan also support the principle of improved community facilities as well as facilities to support the recreational use of the beach. The site lies within the built-up area and Policy 13 indicates that built facilities that support informal recreation uses on the coast will normally be permitted.

Generally, the representations have indicated support for the principle of a café and replacement toilets, however, it has been the scale of the development that has caused concerns. The size of the proposed restaurant could raise potential conflicts with adopted Local Plan policy in relation to a town centre use being built in an out of centre location (policy 27) and the loss of public open space (policy 32) and these matters are addressed below.

Town Centre Policy

National planning guidance contained in the NPPF stresses the importance of planning policies and decision making supporting the role that town centres play at the heart of local communities and that they should take a positive approach to their growth, management and adaption. Paragraph 86 of the NPPF states that Local planning authorities should apply a *sequential test* to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. This guidance is reflected in policy 27 of the Local Plan.

The proposed café/restaurant is a town centre use and as the site is not specifically allocated for development, it could be argued that a sequential assessment is required. However, it is not considered that this is necessary in this case as already mentioned there is Local Plan and emerging policy support for the development. A need has been identified for improved community facilities on the beach and the café/restaurant is specifically located to benefit users of the beach and national cycle route. As a result, it is not a development that could be located in a town centre location.

The coastline, as a location, has been the focus for investment and improving facilities along Adur's coastline has specific policy support. The development of the Perch at Lancing and the current proposal for a new two storey restaurant on Worthing seafront

provide examples of similar developments either built or proposed to enhance the recreational offer along the south coast.

The town centre first policy is an important principle and one that is supported by Local Plan policy but your Officers do not feel that this proposal would undermine the vitality and viability of the town centre or direct investment away, given the particular locational requirements of the development (to serve the beach and local community). As the proposal also provides restaurant use at night this could be argued to compete with other town centre restaurants. However, the development has to be considered in its entirety and the restaurant use will help to support the overall viability of the project and help to deliver replacement toilets and community facilities reducing the financial burden on the Council. This is also a relevant consideration and interestingly is reflected in some of the concerns from local residents about the overall viability of the project.

Members will recall that there were concerns about the half built restaurant at Beach Green, Lancing and its impact on the appearance of the seafront. Whilst, the development was completed, this was only after a revised proposal which incorporated residential flats above the café/restaurant and gym. It is important that the development is viable particularly given the provision of public and community facilities and this is a relevant consideration in determining this application and assessing the overall planning merits of the case.

Loss of Open Space

The footprint of the proposed building is larger than the existing structure and therefore the proposal would result in the loss of some open space defined as amenity greenspace. The recreational value of this area of open space is not particularly great as it forms part of the slope and bund along Beach Road. Furthermore the ground floor of the building is providing replacement toilet facilities, community space and shower facilities for users of the beach. The proposal is supported by the Parks Manager.

The 2014 Open Space, Sport and Recreational Strategy identified that Beach Green has high value and high quality as amenity greenspace; albeit that overall in the Ward there is a surplus of amenity greenspace compared to other Wards and accepted standards. This strategy is currently being reviewed across Adur and Worthing.

In line with policy 32 of the adopted Local Plan a loss of open space can be justified if the development is for alternative sports and recreational provision, the need for which clearly outweighs the loss. In this case, there are considered to be sufficient grounds to justify the loss of open space. The Neighbourhood Plan identifies a need for community space and the replacement building would ensure the provision of public toilets and showers at no financial cost to the Council. It would be important to ensure that planning conditions are imposed to ensure the provision and retention of these public facilities.

ii) The Design, Scale and Massing of the Scheme and its Impact on the Character and Visual Amenities of the Locality

As indicated previously, the main concern about the proposed development is its overall size, scale, height and design. The design has clearly been influenced to maximize the opportunity for both sea views and views to the Downs. The building would appear two storey from Beach Road but three storey when viewed from the north. However, the roof terrace is set in from the first floor and represents a small section of the overall roof space (approximately 12% of the roof area). The remainder of the roof is to be left with a pebbled natural finish. There is scope for the pebbled roof to be planted to recreate vegetated shingle and the applicant has been requested to explore this as part of the landscaping condition.

As the submitted cross sections illustrate, the building at its highest point would be higher (approximately 600mm) than adjoining properties. It will clearly be a bold and prominent structure in this part of the beach, but your Officers do not consider that it would be overbearing to adjoining properties or the rest of Beach Green. In this respect, the proposed building would be 83 metres away from the nearest property and there is still a significant amount of recreational space around the proposed building and to the north of Beach Green Road.

There has been concern that the applicants partly justify the design approach by responding to concerns from the Police about anti-social behavior and the requirements of the Environment Agency (EA). Whilst the Police have not commented on the application policy 15 of the Local Plan states that development should have regard to reducing crime and it is accepted that a number of flat roof single storey buildings across Adur and Worthing are prone to vandalism. Whilst, it is accepted that the EA issues could be resolved by ensuring flood resilient measures are deployed at ground floor level, the clear design motivation is to provide elevated views to the sea and Downs and there is no objection, in principle, to this as an objective for the scheme. Indeed the desire to maximize sea views has greatly influenced a number of the designs of replacement dwellings on the Beach with two storey dwellings being replaced by three storey developments.

There has been concern about the size of the proposed café and restaurant compared to other seafront cafes and restaurants. Whilst, this has generally related to the number of covers, a number of representations have compared the proposal with The Perch at Lancing Beach Green. By way of a comparison in height and scale the applicant has provided a comparison which helps to put the scale of the proposal into context. The café/restaurant is smaller but the scheme incorporates a gym as well as flats at first floor level.



2 Overlay of Cafe Level Plans
1:100 @ A1



1 Overlay of North Elevations
1:100 @ A1

The use of Corten steel has provoked much criticism. However, your Officers consider that the proposed material is appropriate given the exposed coastal location of the site and the fact that it will not require maintenance and not deteriorate like other materials in this harsh marine environment. Extensive use of reinforced steel sheeting for the Adur Tidal Walls Project has clearly been a design reference and the material has been used in other exposed coastal locations, notably for the café at East Beach in Littlehampton designed by Thomas Heatherwick.

Whilst, the building may not have the design quality of East Beach café the design is of high quality and its robust relatively simple form will stand up to the harsh marine environment and provide an attractive addition to the coastline.

A number of representations have argued that the design approach is contrary to the Local Plan (policy 15) and emerging Neighbourhood Plan policy for the site as it is out of character with the area and is not *designed in a sensitive way that is in proportion and not overbearing*. Policy 15 of the Local Plan states that new development should, *enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development*. Given that the Beach is a predominantly residential area any design for a new commercial undertaking is likely to follow different design principles. Whilst design is a subjective matter it is considered that there is scope for a building of very different architectural form, design and materials to other residential properties in the area. Members will be aware that the Beach has evolved over many years and it is difficult to identify a prevailing character and may new

developments have sought to use innovative and more sustainable building materials. This is reflected in the emerging Design Code supporting the Neighbourhood Plan.

iii) Residential Amenity

Overlooking

As indicated previously, the building is located some considerable distance away from residential properties and is not considered that there would be any loss of amenity given the distances involved. The raised terrace has clearly been designed to maximize views to the west and the setting sun in the evenings but this is the only section where there could be any potential for overlooking. The distance between this western terrace and the closest residential property is 83 metres and at this distance no objection could be raised on overlooking grounds. Members will be aware that the Councils policy seeks to ensure that a minimum of 21 metres is allowed between two storey dwellings to avoid overlooking.

Noise and Disturbance

Given the size of the café/restaurant, concerns of local residents about noise and disturbance are understood and there have been a number of discussions between your Officers and the Environmental Health team about how best to control activities within the building to avoid noise nuisance to adjoining properties. Whilst, some consideration was given to limiting the use of the roof terrace in the evenings, the Environmental Health Officer, having regard to the acoustic report and the design of the roof terrace area, feels that so long as amplified music is controlled there is no need to restrict the use of the roof terrace and this could be used up to 11.00pm. The applicant comments that they are seeking some flexibility with opening hours but the actual hours will be determined once the operator of the café/restaurant is known.

Many residents have questioned why the site should be open in the evenings, particularly if this is primarily to serve users on the beach and for dog walkers etc using the coastal path. The proposal does, however, seek to serve not only users of the beach and users of the coastal path but also provide a restaurant destination during the evenings. The overall viability of the project is a relevant planning consideration and it is not considered that there is any planning objection in principle to the development that seeks to provide service to the local community during the day but also to provide a facility for restaurant use in the evenings. Whilst, many residents refer to other beach cafes that close at 7.00pm, many of these also open in the evenings, East Beach café in Littlehampton being one such example and many of the quoted other seafront café/restaurants also have functions and evening activities.

There are some concerns about noise generated from the community space and the restaurant particularly at night and the discussions with Environmental Health have been in connection with seeking to control noise levels to protect residential amenity. The acoustic report recommends a Noise Management Plan for the use of the roof terrace and Environmental Health have suggested that this should cover the whole building. This is recommended as a planning condition and this will provide an opportunity to restrict noise from activities within the building to protect adjoining

residential properties. A condition is also proposed to require details of any kitchen or extraction/ventilation systems to ensure that the development does not cause any smell nuisance to adjoining properties. This condition would also seek to restrict noise levels as recommended in the submitted acoustic report.

As the building is located away from street lighting a condition is also recommended that it would be important to control external lighting so that nuisance is not caused to adjoining properties. A condition is therefore recommended that no external lighting is added unless otherwise agreed with the Council.

There are also a number of concerns expressed by local residents about the noise associated with people leaving the restaurant late at night. In view of the size of the café/restaurant, these concerns are understood and the location of parking away from the building will mean that restaurant users are walking some distance to get to their cars and there is the potential for some noise disturbance.

As with other restaurants and public houses it will be important that the operator seeks to encourage users of the building to leave quietly and respect their neighbours. The planning consultant refers to other pubs and restaurants on Shoreham Beach in particular the Harbour Club which opens until late at night - 1.30 am and where there are residential properties much closer. The difference in this case is that this is introducing a commercial activity into an area where there has previously been little noise and the concern about the remoteness of parking away from the building is different to other establishments within Shoreham Beach. Nevertheless, it is not considered that groups of people walking away from the restaurant in the evening would create any significant noise disturbance and certainly would not be a justification to seek to limit the hours of use or seek to refuse planning permission.

iv) Parking and Highway Safety

It is acknowledged that there are existing parking issues on the Beach during the summer months as it is a popular destination for local residents to enjoy the beach. This is clearly why the Council has had a lot of interest for building a beach front café/restaurant.

The initial Highway Authority response was a desktop study and your Officers felt a more detailed assessment was required and, in particular, to respond to some of the key issues raised by local residents and stakeholders.

Members are aware of the advice in the NPPF that development should only be *“prevented or refused on Highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

Following a further review of the scheme, the Highway Authority has confirmed that it has no objection to the proposal. It does state that the issue of increased parking on surrounding roads might be an amenity issue but the proposal would not impact on highway safety or cause a severe impact on the road network.

In terms of parking during the day it is likely, as indicated by the Transport Assessment, that a significant number of customers would be using the facilities that are already on the beach or have been able to walk or cycle. It is accepted that the use of the community space at the same time as the café/restaurant could increase vehicle movements, however, it would be hoped that local community groups using the space by the very nature would be local and would be able to encourage alternative modes of transport.

Many residents have complained about the lack of parking enforcement on Shoreham Beach generally but particularly around Beach Green. Whilst, it is acknowledged this is a problem, it would be very difficult to resist the proposal based on a potential for increased illegal parking. Whilst, the Highway Authority has referred to the Police taking action against illegal parking, it would be unrealistic that the Police could address the extent of problems and this is a wider parking enforcement issue.

It is acknowledged that Beach Green car park is often not full even when there is considerable on street parking during summer months. This reflects the level of on street parking available on the Beach and the fact that people will generally avoid paying for parking when there is free parking on street available. It should be noted that all day parking charges of £4.00 might deter people wishing to spend the day on the beach, however, the short-term parking charges are low (see below) and would be attractive to those driving to use the café/restaurant.

- up to 30 mins - 50p
- up to 1 hour - 60p
- up to 2 hours - £1.20
- up to 4 hours - £2.50
- All day - £4.00

As a result, the Councils Parking Manager does not consider that there is any reason to reduce these charges for people visiting the new café/restaurant albeit this would be an option for the café/restaurant operator. The only way to reduce on street parking would be introducing a controlled parking zone (CPZ) but these are unpopular unless in very congested town centre locations.

The revised NPPF provides for greater emphasis on walking and cycling and states that applicants should:

- a) give **priority first to pedestrian and cycle movements**, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

The application has complied with point a) above by ensuring that it directly serves the south coastal cycle path and provides 24 bike stands. The Highway Authority has requested a further 3 spaces to meet current standards. The applicant is happy to provide 3 additional spaces but has expressed some concern at covering these stands given the exposed nature of the site. The applicant has spoken to local cycle groups and is keen to encourage the site as a cycle hub. It is unfortunate that the condition of the road has deteriorated and, at present, the barriers at both ends of this section of road and the condition of the road makes cycling not particularly easy along this section of the national cycle route.

Your Officers have discussed with WSCC whether the applicant should contribute to the upgrade of the cyclepath. The Highway Authority does not feel this is justified as being proportionate to the scale of development proposed and, as it is in public ownership, the path should be improved using other public funds (or S106 contributions from other developments). A Local Cycling and Walking Improvement Plan (LCWiP) is currently being prepared and this will help to identify key areas for investment and it is anticipated that it will identify this stretch of the national cyclepath for improvement.

In terms of public transport, there is a bus stop outside of the site but the service is poor during the day (once an hour) and the service does not run in the evenings. The suggestion of real time passenger information (RTPI) would assist and the views of the highway authority on this matter are highlighted. Initial discussions indicate that this would not be appropriate given the level of service and WSCC is generally prioritising other more popular and busy routes. Nevertheless, it would be important that the operator promotes bus travel and there is no reason why bus timetables should not be prominently displayed within the cafe/restaurant. A condition securing the provision of a Travel Plan is recommended as this would assist in promoting more sustainable modes of transport to the site.

There has been some criticism of the lack of disabled access to the site and there is some justification for this concern. The location is relatively remote from the public car park and the path from Beach Green road is narrow and not particularly accessible. As the NPPF suggests (point b) there is a need to address the needs of those with disabilities. The footpath falls outside of the application site, however, as Beach Green is owned by the Council a 'Grampian style' condition securing the improvement of this path could be imposed to ensure the improvement is made prior to the occupation of any part of the building. The Highway Authority does not consider that there is a need for dedicated disabled parking closer to the site.

The Highway Authority is understandably concerned about encouraging use of the bus stop for deliveries and the applicant has been discussing with the Council's Property team about the use of Beach Road. The Road is owned by the Council and access is allowed on occasion to Beach Hut owners and is used to access the foreshore. There would be scope to improve a section of this road to allow for deliveries.

At this stage, without details of who would operate the restaurant, the precise number of deliveries is not known. Whilst the Highway Authority has indicated that it would not object if deliveries were made from Beach Green Road, this would not be particularly convenient as there would be a fairly long walk with a trolley of supplies. The Highway Authority would not object to the use of Beach Road and once again the use of a Grampian style condition could ensure details of delivery movements and improvements to the surfacing of Beach Road prior to occupation of the building.

The Neighbourhood Plan suggests parking along Beach Road for Beach Hut owners. Whether this is acceptable or not would depend on the Council assessing how any additional parking would be controlled and it will be important to ensure no conflict occurs with cyclists using this section of disused road.

As no parking is provided by the proposed development and the proposed building is located some distance away from the highway it is not possible to require the provision of electric charging points. However, the Council is currently assessing the scope to provide EV points in public car parks but this is not a requirement for the development.

v) Sustainability

The Local Plan indicates that for non-domestic floorspace there is a requirement to achieve a minimum standard of BREEAM 'Very Good', with a specific focus on water efficiency. The Policy states that developers will be expected to provide certification evidence of the levels for BREEAM at the design stage and on completion of the development. BREEAM stands for the Building Research Establishment Environmental Assessment Method and is an accredited, independent method for assessing the environmental performance of non-domestic development.

The applicant has employed consultants to undertake an initial BREEAM Assessment and this has concluded that the development would be able to meet the 'Very Good' rating set in the Local Plan. The applicant, however, has indicated that the cost of certification is significant and has indicated that he is willing to ensure that the development meets the criteria to achieve the 'Very Good' rating but is not required to carry out the full independent assessment. It is accepted that the independent assessment is a lengthy and costly exercise and, provided that a 'Very Good' rating can be achieved, your Officers consider that this would be acceptable in this case. Members will be aware that a similar approach was taken in connection with the development at the Sussex Yacht Club site and it should be noted that this is not a major development i.e. over 1,000 square metres.

In relation to renewable energy, the BREEAM Assessment states that a separate report has been undertaken and the applicant has been requested to update Committee on this matter. Nevertheless, the Local Plan Policy on the use of renewable energy only relates to major new development and states that there will be an expectation to incorporate renewable/low carbon energy production to provide at least 10% of predicted energy requirements.

vi) Ecology and Biodiversity

The Ecological Appraisal comments that habitats within the proposed development area were assessed as being of only value to wildlife within the local vicinity with potential to support foraging birds and bats. The report sets out various recommendations which can be incorporated into a planning condition. The report concludes that a precautionary approach to habitat clearance should be sufficient to avoid any harm to reptiles and that additional bird nesting provision could be incorporated into the design of the building.

The Ecological Appraisal notes the proximity of the Shoreham Beach Local Nature Reserve and identifies that the reserve supports the internationally scarce habitat of vegetated shingle. In addition to the ecology report, the applicant has met with Friends of Shoreham Beach (FoSB) and, in particular, their Ecologist, to discuss appropriate planting for the boxes on the roof terrace.

The FoSB also suggested a designated pathway onto the beach between the beach huts would be the best way to protect the Nature Reserve. The applicant has raised with the Council the possibility of installing a Boardwalk between Beach Huts to the south of the proposed site which would help to provide easier access onto the beach and also to protect the sensitive vegetated shingle. This would be a worthwhile project but one which will be pursued as a separate matter to the café/restaurant proposal.

Planning Balance

There have been a considerable number of objections to this development from local residents and concerns generally about the scale of the proposed development and adverse environmental and amenity impacts. The principle of replacing the toilets with a smaller café, however, is generally supported.

It is considered that the adverse impacts of the development can be addressed by planning conditions. It does appear that a number of residents have been concerned about the reference to Boxpark given their much larger café/restaurant outlets at Croydon and Wembley. However, this is a very different seafront proposal. At this stage an operator for the Café/restaurant has not been identified but the applicant is talking to local operators and there is no reason to suggest that the facility cannot be managed to address a number of the concerns raised by residents.

Parking is an issue on the Beach but this is an existing problem particularly during summer months. There are no objections from the Highway Authority and with a public car park close-by and the emphasis of NPPF to give first priority to cycling and walking any refusal reason based on parking could not be justified. A travel plan condition would help to encourage more sustainable modes of transport to the site.

The building will be a bold and prominent structure of the site and the proposal clearly seeks to maximise views to the north and south. The provision of replacement public facilities are a relevant and material planning consideration and it is important the commercial elements of the building support future costs of maintaining the community space, toilets and external shower. There is a significant capital cost involved with

developing the site and Members will be aware of issues surrounding the initial failed proposal to redevelop the site at Lacing Beach Green.

Whilst, the concerns of local residents are appreciated, overall the planning benefits of the development in terms of replacement public facilities, provisions of community space as well as the local economic benefits of investment, creation of jobs and enhancement to the visitor offer for the Sussex coast justify supporting the proposed development. The benefits for the wider area are highlighted by the positive support for the scheme by the local Chamber of Commerce and Coastal West Sussex Economic Partnership.

Recommendation

The Committee is recommended to **APPROVE** the application subject to the following conditions: -

1. Approved Plans.
2. Standard 3-year time limit.
3. External materials to be submitted to and approved by LPA prior to commencement of the development (excluding the demolition of the existing building).
Reason: To control the development in detail and in the interests of visual amenity.
4. No part of the development shall be first occupied until 27 cycle parking spaces have been provided in accordance with plans submitted to and approved in writing with the LPA.
Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.
5. Construction Management Plan
No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,
 - the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,

- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.
- Reason: In the interests of highway safety and the amenities of the area.*
6. Use Class Restrictions. The community space shall only be used in connection with uses falling within use class D1/D2. The café/restaurant and ground floor kiosk in connection with use class A3 and A5.
Reason: To accord with the terms of the application and to control any subsequent proposals for change of use.
 7. Prior to the commencement of development (excluding the demolition of the existing building) details of a sustainable urban drainage system (SUDs) shall be submitted to and agreed in writing with the LPA.
Reason: In the interests of securing sustainable drainage and preventing flood risk.
 8. The premises shall only be open for the public between the hours of 07:00hrs until 23:00hrs, Monday to Saturday and 07:00hrs to 22:00hrs on Sundays and Bank Holidays, with the exception to Christmas Eve and New Year, where the public shall vacate the premises no later than 00:30hrs.
Reason: In the Interests of residential amenity.
 9. No part of the development shall be first occupied until such time as a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority and the recommendations of the Plan shall thereafter be implemented and monitored to encourage more sustainable modes of transport to the site.
Reason: To encourage sustainable modes of transport to the site.
 10. No external lighting shall be installed on the building without details being first submitted to and approved in writing with the LPA.
Reason: In the interests of residential amenity.
 11. The development shall be undertaken in accordance with the recommendations of the submitted Ecology Report and the building shall not be occupied until bird boxes have been installed on the building as specified in the Ecology report.
Reason: To mitigate any adverse impacts on wildlife and to ensure a net gain in biodiversity.
 12. Standard Landscaping Condition
Reason: In the interest of visual amenity and to secure a net gain in biodiversity on the site.
 13. Details of any kitchen extract and mechanical ventilation system shall be submitted to and approved in writing with the LPA prior to the commencement of

development (excluding the demolition of the existing building). The kitchen extract and ventilation systems and in particular any external ductwork or discharge positions must not exceed 85 dB LWA or 77 dB(A) measured at 1 metre.

Reason: In the interests of residential amenity.

14. Prior to the occupation of the building a Noise Management Plan shall be submitted to and approved in writing with the LPA detailing the proposed use of the terrace and the use of the ground and first floor areas (with particular emphasis on amplified and or live music) and shall set appropriate maximum noise levels inside the building. Thereafter the premises shall only be occupied in accordance with the approved Plan.

Reason: In the interests of residential amenity.

15. The public toilets on the ground floor of the building and the external showers shall be open at all times to the public between the minimum hours of 9.00 am and 9.00 pm during the period of 1st April to 30th September in each year and between the minimum hours of 9.00 am and 5.00 pm during the period of 1st October to 31st March in each year. The toilets and external showers shall be maintained in accordance with a management/maintenance plan first submitted to and approved in writing by the LPA prior to the occupation of the building.

Reason: To accord with the terms of the application and to ensure the replacement of public facilities on the site.

16. The development hereby approved shall be constructed to maximise the efficiency of the use of energy, water and materials and to meet the equivalent of the BREEAM Very Good rating in accordance with the BREEAM Pre-assessment Report submitted with the application.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials having regard to the National Planning Policy Framework and policies 1, 15, 18, 20, 31 of the Adur Local Plan.

7TH October 2019

2

Application Number: AWDM/1220/17 **Recommendation – REFUSE**

Site: 4 Waterside Road, Southwick

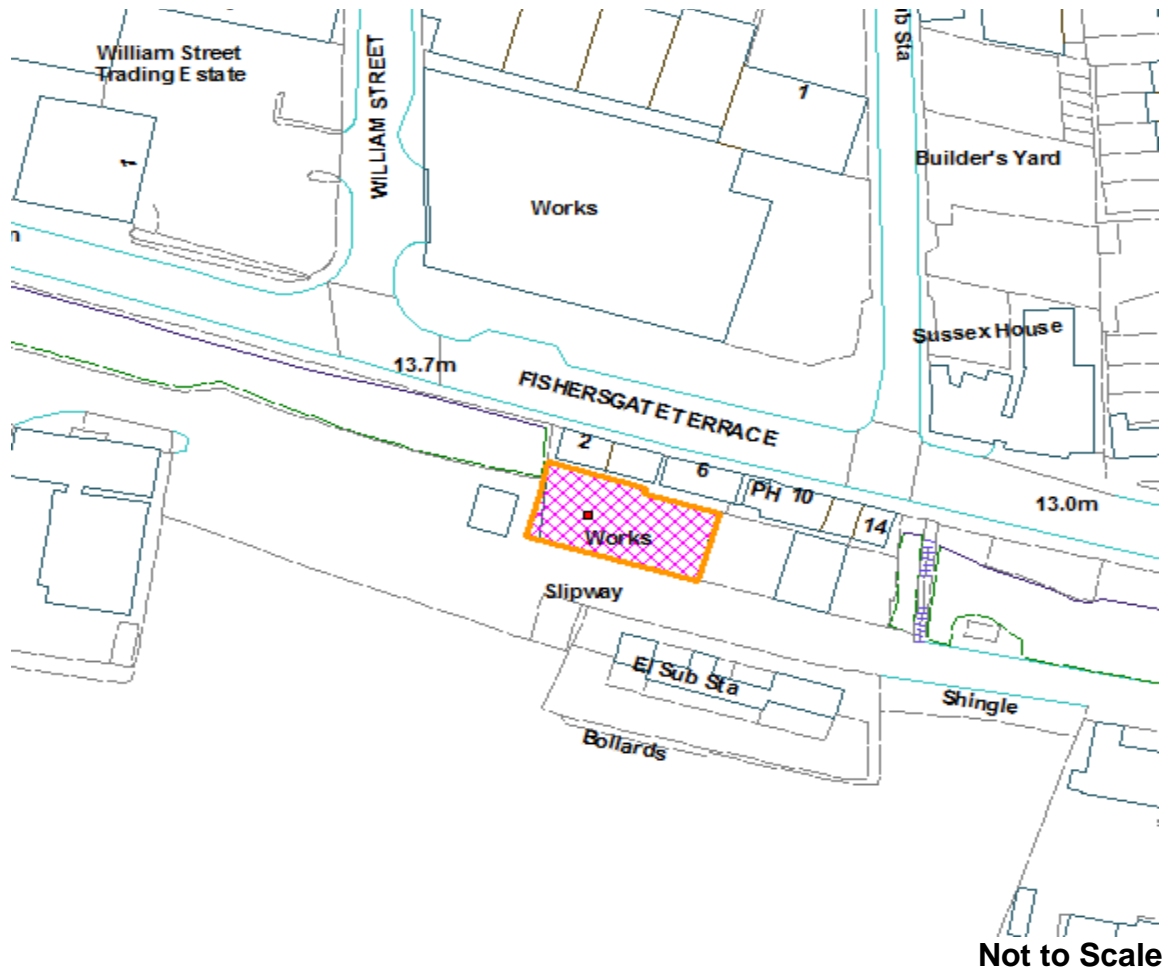
Proposal: Outline planning application with all matters reserved for 5 no. three-storey commercial units for workshop and office use (Use Class B1) with parking on ground floor to replace existing workshops.

Applicant: Mr Richard Howell

Ward: Eastbrook

Case

Officer: Peter Barnett



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Proposal, Site and Surroundings

The site is located within Shoreham Harbour, close to the fuel terminal in Fishersgate. It comprises a narrow strip of land on the north side of the access road to the fuel terminal (Waterside Road) which is occupied by 4no. pitched roof industrial buildings, in use as Class B2 shop fitting workshops. The site sits at the base of a tall retaining wall (in excess of 9m high) which supports dwellings in Fishersgate Terrace to the north above. To the south there are moorings for a number of fishing boats and an electricity substation. The applicant owns a small area on the opposite side of the road, adjacent to the substation, which is used for vehicle turning and manoeuvring.

Immediately to the east there is an undeveloped area with a further industrial building used for car repairs beyond that. To the west there is an open area used for parking with the Local Fuels oil terminal at the end of the road.

Permission is sought to demolish the existing industrial buildings and to construct new buildings for B1/B2 purposes. The application is in outline only with all matters (access, appearance, landscaping, layout and scale) reserved for future consideration. The application is seeking permission for the principle of the use only. However, the application is accompanied by detailed plans indicating a terrace of 5no. 3 storey

buildings with parking only on the ground floor and two floors of office/workshop space above. The elevation drawings indicate that the buildings will be 3 storeys high and flat roofed, abutting the retaining wall. The applicant has advised that the development is necessary as a means of reinforcing the wall and thereby protecting the dwellings above.

The plans indicate that three parking spaces would be provided for each unit.

Relevant Planning History

AWDM/1504/16 - Outline planning application with all matters reserved for 5 no. three-storey live/work units with parking to front to replace existing workshops – application withdrawn

Consultations

West Sussex County Council: 1st Response: No objection from a transport/highways aspect. Advise that submitted plans show that three cars can be accommodated per unit on the ground floor. To count toward parking provision the space should be at least 6m by 6m. The width of the units is shy of this however two spaces in tandem could still be accommodated with additional space on the frontage.

No detrimental highway safety or capacity impact on to the nearby publically maintained highway (Wellington Road) is anticipated. Details of access works and parking would be expected at reserved matters stage.

Further comments that WSCC as the Local Highway Authority (LHA) assessed the application on the basis of any highway safety or capacity impact on the nearby publically maintained road. Waterside Road is privately maintained and therefore our comments are limited. It is worth noting the junction of Waterside Road with the A259 is actually within the jurisdiction of East Sussex County Council / Brighton & Hove – therefore any comments relating to impact on this junction should be sought from them, as the LHA.

With regard to increased parking and blocking of the private access road we do not consider this would cause a safety concern on the nearby publically maintained highway. We have previously assessed the proposed parking arrangements as suitable for the proposed scheme. If any inconsiderate overspill parking blocks the through-route of traffic this could be dealt with as an offence under Section 22 Road Traffic Act 1988 (leaving vehicles in a dangerous position on the road including verge) and Section 137 Highways Act 1980 (wilful obstruction of the free passage along a highway). Both of these acts are enforceable by Sussex Police.

2nd Response: West Sussex County Council, in its capacity as the Local Highway Authority (LHA), have been re-consulted on proposals for 5 x commercial units with parking on the ground floor. The site is accessed via the privately maintained Waterside Road and previously no concern was raised regard impact on the nearest publicly maintained highway.

Amended plans indicate that an area to the east of the building for additional parking is proposed. The LHA does not raise transport grounds to resist the application. It is understood that the application is outline with all matters reserved. Details of access, car and bicycle parking would be expected at reserved matters stage.

As per previous comments the junction of Waterside Road with the A259 is within the jurisdiction of East Sussex County Council / Brighton & Hove –therefore any comments relating to impact on this junction should be sought from them, as the LHA.

3rd Response (following inclusion of access for consideration): Considering the road is privately maintained and access with public highway is not within West Sussex, previous comments would still stand.

I would however advise that car and bicycle parking is secured via conditioned, as per the plan.

Adur & Worthing Councils: The **Environmental Health** officer has no objections in principle. The design of the building will have to achieve the internal noise levels for office space as set out in BS8233:2014. The site should be sheltered from most of the traffic noise from above but the applicant should consider any industrial noise in the area.

Full contaminated land condition is required.

The **Waste Services** Officer notes that no provision has been made for waste collection and storage on site. How does the developer anticipate waste collections should be carried out?

2nd response following receipt of plan showing provision of 100ltr wheelie bins for each unit: Given that these are for business use it is probably sensible to allow for that kind of capacity although what is actually required will depend on the nature of the occupying businesses. No further comments from me.

The **Engineer** has no objections

The **Shoreham Harbour Regeneration** Officer objects. The proposal is likely to lead to increased parking on Waterside Road, both during construction and operation of the proposed development. This could constrain the operations of Shoreham Port.

Permission for residential development has previously been sought. If the Council is minded to approve this application, it is strongly recommended that a condition removing permitted development rights for change of use to residential is imposed.

Environment Agency: No objections. The site is located within tidal Flood Zone 3 of our Flood Map. This indicates land with a high probability (1 in 200 year) of flooding from the sea, in accordance with the national Planning Practice Guidance (PPG) The FRA states that the proposed finished floor levels for the first floor of the commercial units will be set at 7.53m AOD, which is above the 1 in 200 year tidal flood level for the year 2115 of 5.4m AOD.

The ground floor will be used for workshop/ garaging use, and flood resilience measures are proposed to limit damage and improve the ability of business to resume following any flood event.

We consider that the proposals are appropriate in this location, and have no objections to the proposals.

Southern Water: There is a public surface water sewer crossing the site. The exact position of the surface water sewer must be determined on site by the applicant before the layout of the proposed development is finalised. Recommend following condition: *“The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development.”*

Also recommend condition requiring details of foul and surface water sewerage disposal.

Health and Safety Executive: Do not advise against the proposed development provided there are no more than 100 occupants in any individual building.

Representations

2 objections received from Shoreham Port Authority and from DMH Stallard on behalf of Shoreham Port Authority on the following grounds:

- Waterside Road is a private road owned by the Port and provides access to several other businesses, including Shoreham Oil Terminal to the west of the site
- Road is regularly accessed by large vehicles carrying heavy loads (including combustible fuel)
- Will significantly increase the number of vehicles accessing Waterside Road
- Vehicles will reverse out on to the access road and is dangerous and fails to demonstrate that adequate consideration has been given to safety, contrary to policy SH2 of the emerging JAAP
- If ground floor parking areas are converted to additional business space this will lead to parking along Waterside Road, restricting flow of traffic and causing a safety issue
- Chevron parking is unlikely to be used in this way and will result in fewer parking spaces than shown
- Turning area lies outside of the applicant’s control and cannot be relied upon in perpetuity
- Local Fuels have expressed concern at the narrow congested single lane access. Further impact on the access could cause Local Fuels to lose contracts and adversely affect their business
- Application fails to provide any information about the sustainability of the proposed building or any renewable energy technologies, or EV charging points, contrary to policies 8 and 18 of the Adur Local Plan and JAAP policy SH1
- Fails to provide any environmental or ecological benefits
- During the construction phase, the single access road (Waterside Road) will be blocked for long periods. This will have very serious commercial implications for

- the operators of Shoreham Oil Terminal and the fishing community at Nicholson's Wharf, for whom this is the only access.
- Will obstruct fuel tanker movement and access for emergency vehicles
 - Will jeopardise existing businesses
 - Once complete the access road will be impacted by additional parked cars and deliveries associated with the new commercial units
 - Difficulties passing along this route will impede the expansion of port operational activities in the area, in conflict with the aims of the JAAP
 - Commercial growth will be prevented
 - Cars parked in tight formation will have to manoeuvre regularly in order to park and exit the units
 - It is an unsafe scheme will lead to traffic accidents involving cars and fuel tankers
 - Storing waste internally seems unusual
 - Development will compromise commercial operations and curtail growth of Shoreham Port
 - Does not constitute sustainable development and would cause significant harm, outweighing any benefits of the development

Objection received on behalf of Nicholson's Wharf Fishermen:

- Has any thought been given to the 15 fishing businesses who need 24 hour access to the boats with equipment and supplies?
- Where will all workmen and deliveries park? The road is narrow and in use 24 hours a day.
- Parking layout and numbers are unrealistic
- Overdevelopment

Objection received from Local Fuel plc:

- Fuel terminal imports refined petroleum products by ship, store several million litres at a time and deliver this product by road tankers which enter and exit site via Waterside Road.
- If granted, the current occupancy of 4 Waterside Road would increase from around 10 people to around 50 workers.
- Gross intensification and would lead to unacceptable increase in the number of people likely to be affected in the event of a major incident at the fuel terminal.
- Existing business at the site already causes significant disruption on the narrow access road. Deliveries block the road, preventing access to the fuel terminal and impeding visibility
- Proposed parking would be very tight and likely to result in cars parking on the small forecourt area or the access road
- No provision of access for disabled, including parking bays, toilets of access to other floors.
- Means of escape are inadequate.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 2, 4, 8, 15, 18, 19, 25, 28, 29, 30, 34, 35, 36
 Planning Contributions for Infrastructure Provision (ADC 2013)

Proposed Submission Shoreham Harbour Joint Area Action Plan May 2018 Policy CA5, SH1, SH2, SH3, SH5, SH6, SH7, SH9
Shoreham Harbour Interim Planning Guidance (ADC & Ptnrs 2011)
Shoreham Waterside North Interim Planning Guidance (for ADC & Ptnrs 2000)
West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003)
West Sussex 'Guidance for Parking in New Residential Developments' and 'Residential Parking Demand Calculator' (WSCC 2010)
National Planning Policy Framework (March 2012)
Shoreham Port Masterplan

Relevant Legislation

The Committee should consider the planning application in accordance with:
Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and
Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The site lies within the Shoreham Harbour Regeneration Area which is covered by the Proposed Submission Shoreham Harbour Joint Area Action Plan (JAAP). This contains a long-term vision, objectives and strategy for the Harbour area. The site falls specifically within Character Area 5 (Fishersgate and Southwick) and one of the area priorities is *“to safeguard and develop port operational areas to accommodate new and relocated port uses with limited land reclamation and a new access road (within the port boundary) in line with the Port Masterplan.”* Furthermore, port operational areas should be safeguarded for future commercial port operations. Policy SH2 states that *“New development within the harbour area should not conflict or unreasonably constrain the day to day operations and workings of the port and port-related uses”* and *“Proposals in the vicinity of port operational areas should give careful consideration to health and safety implications in relation to access to the waterfront and to the security of moorings and storage areas. Security and safety implications should be considered at the outset and discussed with Shoreham Port Authority at an early opportunity.”*

Policy 8 of the Adur Local Plan mirrors the aims of the JAAP and states that *“New development at the harbour will be expected to meet high standards of environmental efficiency and a Sustainability Statement will be required as supporting information to accompany all development proposals in the parts of the Shoreham Harbour Regeneration Area within Adur.”*

In this case, the application is in outline only and detailed design is not for consideration here. Should the development be considered acceptable in principle, the subsequent

reserved matters application will be expected to be accompanied by a sustainability statement.

The redevelopment of the site for business purposes raises a number of issues which are discussed in more detail below but it is considered that the site is suitable for business use in principle.

Visual amenity

The application is in outline form only so the submitted plans are indicative only. They show a three storey flat roofed building with glazed areas and recessed balconies on the first and second floors. The side elevations are shown as being blank. A building of this scale would not look out of place in this location, particularly against the backdrop of the tall retaining wall that exists, and it is not considered that such a building would have a harmful impact in visual terms, subject to final design details.

The building appears to fill most of the site with a narrow strip of land left at the front of the site which the applicant has suggested could be used for forecourt parking. Following concerns about insufficient parking being provided, an area to the east of the proposed building has subsequently been included which is shown as providing parking for 8 vehicles.

The plans also indicate that space would exist on the ground floor for waste storage and cycle parking. However, there are concerns that there would be insufficient space remaining on the site for servicing or deliveries to take place without blocking the access road. The narrow forecourt would not be wide enough to accommodate larger delivery vehicles or refuse vehicles and it is likely that these would be forced to park on the access road, resulting in obstruction. It is not considered that a smaller building would necessarily enable more space to be provided for servicing and parking without intruding onto the access road.

Residential amenity

The building would immediately abut the rear of dwellings in Fishersgate Terrace. However, those dwellings are at a higher level and the proposed building would be screened from view by the retaining wall. The top of the building is indicated as being below the top of the retaining wall and no loss of light or outlook will occur. The use of the building would be as offices within Class B1 and no adverse impact through noise or smell would be expected.

Accessibility and parking

As discussed above, the main consideration in respect of this application relates to parking and access. While it would appear that adequate parking provision can be secured it is not certain that access and deliveries to and from the building can take place without obstruction of the narrow access road in front of the site. Any obstruction of the road (which is not public highway) is likely to have a detrimental impact on the movement of lorries to and from the fuel terminal to the west of the site. It would be very difficult to prevent parking from overspilling onto the road or for delivery vehicles to block

the road. The plans also show a turning area on the opposite side of the road, meaning vehicles will be regularly crossing the road to manoeuvre. The submitted site plan shows parking provision for the proposed B1 units but does not include a delivery area. Problems are also likely to occur during the construction period.

While the road is not public highway, it is considered that the potential adverse impact that would arise as a result of this development on other users of the road would “conflict or unreasonably constrain the day to day operations and workings of the port and port-related uses” in conflict with the aims of the emerging JAAP policy SH2. For this reason, it is not considered that the application can be supported.

Flood risk

The site is located within an area at risk of flooding. The submitted FRA states that the proposed finished floor levels for the first floor of the commercial units will be set at 7.53m AOD, which is above the 1 in 200 year tidal flood level for the year 2115 of 5.4m AOD.

The ground floor will be used for workshop/ garaging use, and flood resilience measures are proposed to limit damage and improve the ability of business to resume following any flood event.

As such, there are no flood risk concerns.

Sustainable and resource efficient buildings

Policy 18 of the Adur Local Plan requires all non-domestic floorspace to achieve a minimum standard of BREEAM ‘Very Good’ and evidence will be expected at the design stage and on completion of the development that this standard has been achieved.

As this application is at outline stage only, with design reserved, it is considered that, while such information is desirable, it does not need to be submitted at this stage. Similarly, information about renewable energy technologies, or EV charging points, can also be required at the reserved matters stage and can be secured by condition should outline permission be granted.

Recommendation

REFUSE for the reason:

The proximity of the proposed development to Waterside Road is likely to result in associated vehicles obstructing the access road leading to conflict with other users or constraint of the day to day operations and workings of the port and port-related uses, contrary to Policy 8 of the Adur Local Plan and emerging policy SH2 of the JAAP.

7th October 2019

Application Number: AWDM/0854/19

Recommendation – REFUSE

Site: 35 Stoney Lane, Shoreham-By-Sea

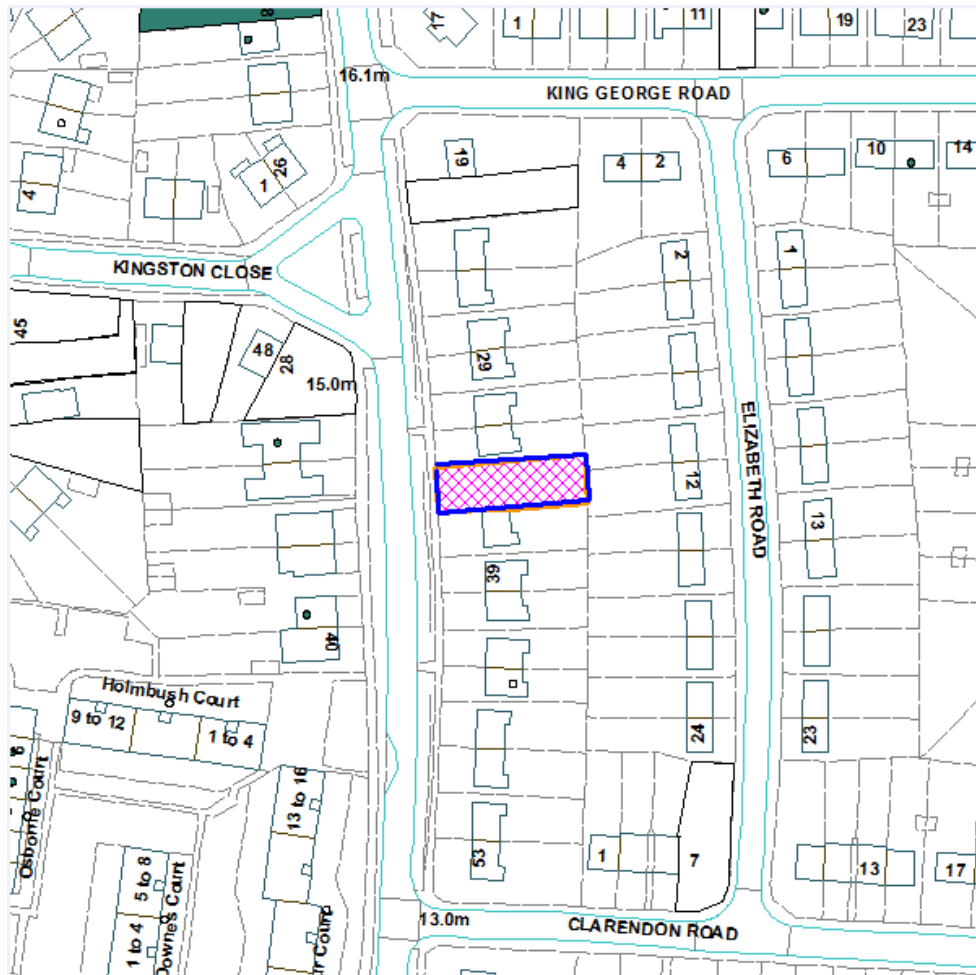
Proposal: Proposed vehicular access and hard surfacing.

Applicant: Sabrina Giuri

Ward: Southlands

Case

Officer: Eve Hearsey



Proposal, Site and Surroundings

The proposal seeks permission for a vehicular access to be formed at no. 35 Stoney Lane, Shoreham-by-Sea. A parking area is proposed within part of the front garden.

The property is a two storey semi-detached dwelling. This property and its neighbours on the east side of the road, between 23 and 69 Stoney Lane, sit above the level of the road and are separated from the road by a grassed bank containing a hedge. No. 45 has a vehicular access gained through the bank, with the hedge being removed at this part. There are also a couple of sets of pedestrian steps up the bank and through the hedge.

Another application for a vehicular access has been submitted for no. 21 Stoney Lane and is to be considered at this committee.

Both properties are owned by Adur District Council.

Relevant Planning History

SU/171/91 – Vehicular access at No.45 – refused

SU/47/98 – Vehicular access at No.45 – approved

SU/66/99 – Vehicular access at No.69 – refused for the following reasons:

1. *The proposal does not make provision for adequate visibility at the junction of the access with the carriageway of the highway and would be detrimental to highway safety*
2. *The proposal, in order to provide the requisite visibility, would require the removal of a section of the long-established hedge on the roadside bank which forms an attractive feature of the locality. Such hedgerow removal would detract from the streetscape and make it difficult to resist other similar proposals which cumulatively would result in the loss of the hedge and be detrimental to the environment of the area.*

Consultations

West Sussex County Council: The **Highways** Officer has made the following comments:

This application is for a proposed vehicular access (VCO) and hard surfacing. The site is located on Stoney Lane, a C-classified road subject to a speed limit of 30mph.

The proposed access will be approximately 4m wide at the carriageway edge. The access will be subject to a licence from the Area Engineer and will be required to be

constructed to a specification agreed with them. The provided plan indicates that the proposed gradient of the access will be 23.2%, equivalent to 1:4.3.

The gradient is steeper than the recommended maximum gradient of 1:15 for a vehicular access. The applicant should be aware that this could present issues in usability of the access and potentially in construction. The gradient of the access may result in vehicles grounding whilst entering and exiting the site. These issues are anticipated to be a detail/licensing issue however. The Area Engineer has been consulted and as part of the licence application would expect demonstration that vehicles would not cause damage to the highway or footway in this location. The applicant should be aware that a license could be refused if the detailed arrangements were considered unacceptable.

Visibility appears to be sufficient at this location and splays are achievable wholly within the highway boundary. Some trimming back of the existing highway hedge may be required to ensure sufficient visibility at the access. An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury accidents within the vicinity of the site. Therefore there is no evidence to suggest that the existing road network is operating unsafely or that the addition of a VCO would exacerbate an existing safety concern.

The proposed hard standing appears to accommodate parking for at least 2 vehicles. A turn on site would be preferred however this may not be achievable due to the site constraints. The LHA would not anticipate any highway safety concerns to vehicles reversing onto the public highway in this location.

Conclusion The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal. As mentioned above, the applicant is advised that the proposed crossover is subject to a licence which may not be granted should the detailed arrangements be considered unacceptable.

If the LPA are minded to approve the application, the following conditions and informative should be applied:

Conditions

Access The use of the car parking area shall not commence until such time as the vehicular access has been constructed in accordance with the details shown on the drawing titled Existing and Proposed Plans and Sections. Reason: In the interests of road safety.

Car Parking Space The use of the access shall not commence until such time as the parking area has been constructed in accordance with the details shown on the drawing titled Existing and Proposed Plans and Sections. These spaces shall thereafter be retained at all times for their designated purpose. Reason: To provide car-parking space for the use

Informative Vehicle Crossover – Minor Highway Works The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval

from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page: <https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-f-or-driveways-licence/> Online applications can be made at the link below, alternatively please call 01243 642105. <https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-f-or-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

Representations

Letter of support received from the occupier of 37 Stoney Lane:

- Parking has become more difficult recently. Therefore I support this application.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 15, 28, 30

National Planning Policy Framework (February 2019)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

Policy 15 of the Adur Local Plan states that development should respect the existing natural features of the site and should make a positive contribution to the sense of place, local character and distinctiveness of an area. It should have safe access to the highway network and not result in harm to highway safety.

Policy 30 states that green infrastructure will be protected and enhanced.

Visual amenity

The hedging to the front of the properties is unusual as it blocks access, both vehicular and pedestrian, to the houses on the east side of this stretch of road. Whilst there are a couple of places where there is a break in the hedge, with concrete steps within the

bank and a vehicular access at No.45, this side of the road is characterised by the bank and hedge with the houses set back and above the road, behind the hedge.

The formation of a vehicular access will necessitate the removal of a section of hedge adjacent to where there is an existing gap, thereby widening the gap. The bank is quite steep at this point and a 4m wide crossover will have a harmful visual impact. It should be noted that an application in 1999 for a similar proposal at No.69 Stoney Lane was refused due to the visual impact that arise from the loss of the hedge. It is likely that more hedging will be required to removed/cut back to increase visibility at the current proposed access.

For this reason, it is not considered that the application can be supported as it would result in the loss of a section of hedge and would set a precedent for further applications which would cumulatively result in the loss of the hedge to the detriment of the visual amenities of the locality.

Accessibility and parking

West Sussex Highways have advised that the gradient is steeper than the recommended maximum gradient of 1:15 for a vehicular access and that this could present issues in usability of the access and potentially in construction. Ultimately, a highways licence could be refused. However, no highway objection is raised.

Recommendation

REFUSE for the reason:

The proposal would require the removal of a section of the long-established hedge on the roadside bank which forms an attractive feature of the locality. Such hedgerow removal would detract from the streetscape and make it difficult to resist other similar proposals which cumulatively would result in the loss of the hedge and be detrimental to the environment of the area. The proposal is therefore contrary to policies 15 and 30 of the Adur Local Plan.

7th October 2019

Application Number: AWDM/1405/19

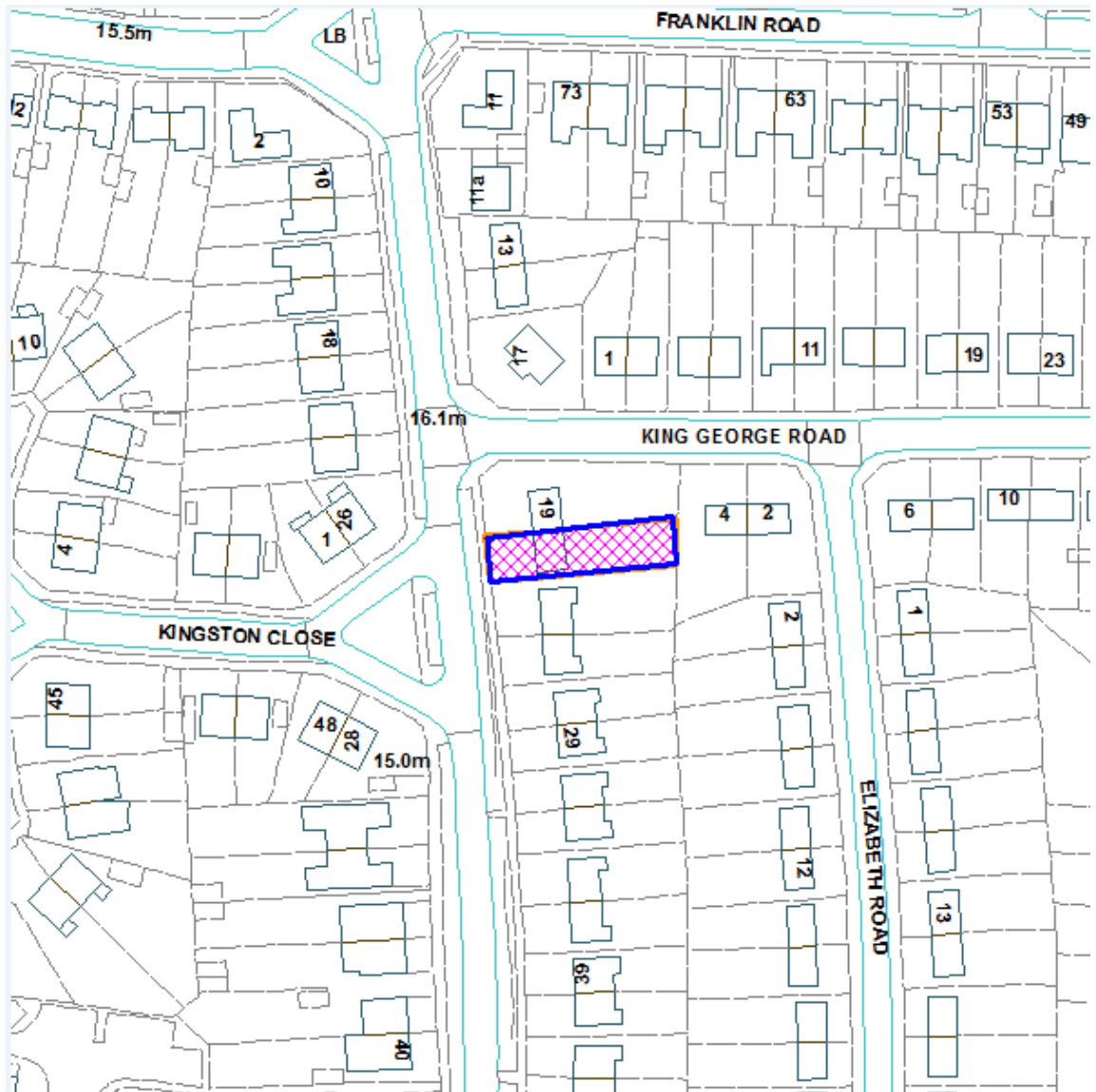
Recommendation – APPROVE

Site: 21 Stoney Lane, Shoreham-by-Sea, BN43 6LA

Proposal: Vehicular access.

Applicant: Ms Laura White
Case Officer: Eve Hearsey

Ward: Southlands



Not to Scale

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Proposal, Site and Surroundings:

The proposal seeks permission for a vehicular access at 21 Stoney Lane, on the east side of the Lane opposite the junction with Kingston Close.

The property is a two storey semi-detached dwelling. Most properties on the east side of the road, between 23 and 69 Stoney Lane, sit above the level of the road and are separated from the road by a grassed bank containing a hedge. However, No.21 sits to the north of the hedge line and the grass bank is less steep in this location.

Another application for a vehicular access has been submitted for no. 35 Stoney Lane and is to be considered at this committee.

Both properties are owned by Adur District Council.

Relevant Planning History:

SU/171/91 – Vehicular access at No.45 – refused

SU/47/98 – Vehicular access at No.45 – approved

SU/66/99 – Vehicular access at No.69 – refused for the following reasons:

- 1. The proposal does not make provision for adequate visibility at the junction of the access with the carriageway of the highway and would be detrimental to highway safety*
- 2. The proposal, in order to provide the requisite visibility, would require the removal of a section of the long-established hedge on the roadside bank which forms an attractive feature of the locality. Such hedgerow removal would detract from the streetscape and make it difficult to resist other similar proposals which cumulatively would result in the loss of the hedge and be detrimental to the environment of the area.*

Consultations:

West Sussex County Council: The comments of the **Highways** Officer are to be reported

Representations

To be reported

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 15, 28, 30

National Planning Policy Framework (February 2019)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or

refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

Policy 15 of the Adur Local Plan states that development should respect the existing natural features of the site and should make a positive contribution to the sense of place, local character and distinctiveness of an area. It should have safe access to the highway network and not result in harm to highway safety.

Policy 30 states that green infrastructure will be protected and enhanced.

Visual Amenity

The hedging to the front of the properties along this side of the road does not run as far north as No.21. The grassed bank is also less steep here. Consequently, the formation of a vehicular access at this point would not have a significant visual impact or cause harm to the character of the area.

For this reason, it is considered that the application can be supported as it would not result in the loss of the hedging that characterises this stretch of the road. In this respect it is materially different from the application at No.35, considered elsewhere on this agenda.

The plans originally showed the entire front garden replaced with permeable block paving. In order to soften the appearance of the parking area amended plans have been requested and received showing a planting strip retained at each side of the garden.

Highway Safety

The proposed access does not cross a steep bank in this case and the gradient is therefore considered to be acceptable in highway safety terms. Visibility appears to be sufficient at this location but the comments of the Highway Authority were still awaited at the time of writing. An update will be provided at the meeting.

Recommendation

The Committee is recommended to **APPROVE** the application subject to there being no objection from WSCC Highways and the following conditions: -

1. Approved Plans
2. Standard time limit

3. The use of the car parking area shall not commence until such time as the vehicular access has been constructed in accordance with the details shown on the approved plans
4. The use of the access shall not commence until such time as the parking area has been constructed in accordance with the details shown on approved plans

Informative Vehicle Crossover – Minor Highway Works

7th October 2019

5

Application Number: AWDM/1320/19

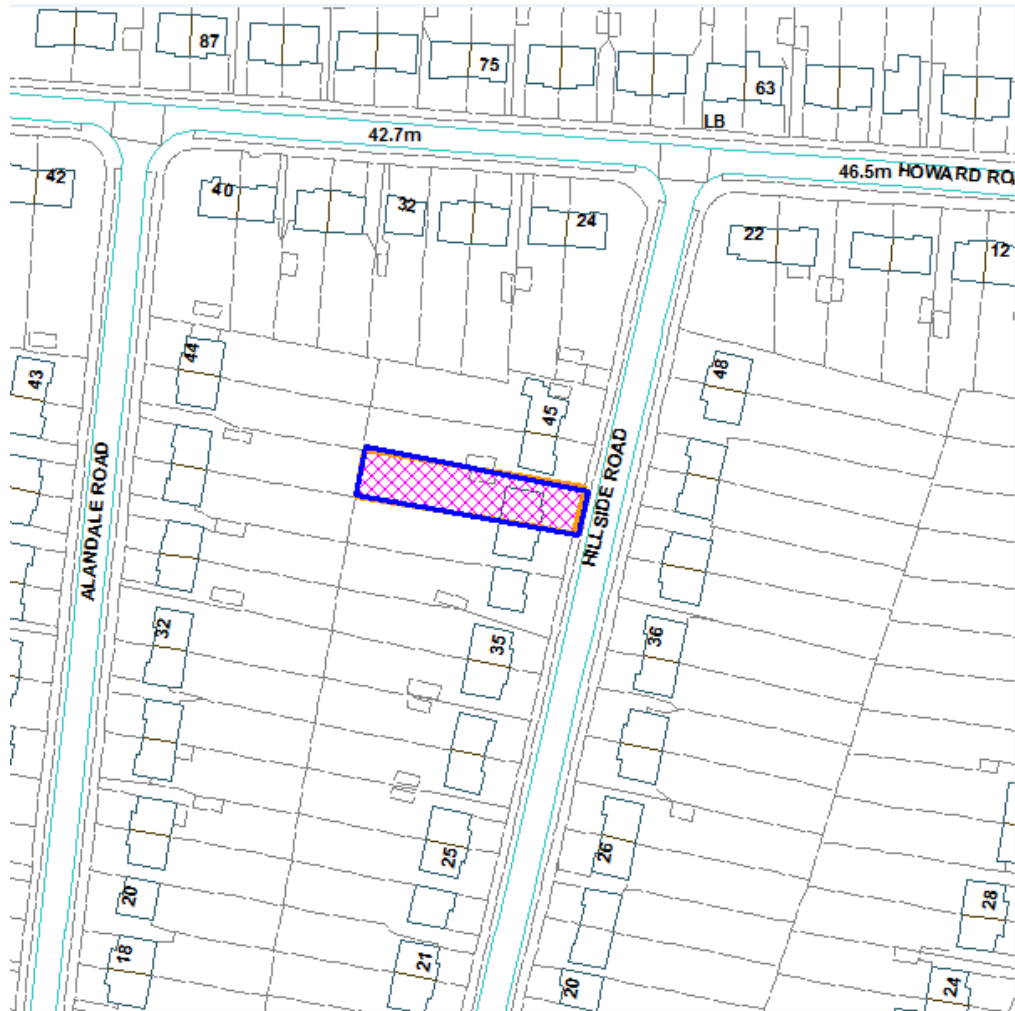
Recommendation – APPROVE

Site: 41 Hillside Road, Sompting, Lancing

Proposal: Provision of disabled access ramp and extended wall.

Applicant: Mr Mansfield
Case Officer: Hannah Barker

Ward:
Cokeham



Not to Scale

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This application is presented to the Committee as it has been submitted by Adur District Council with regard to a Home Improvement Assistance Grant.

Proposal, Site and Surroundings:

The proposal seeks permission to provide a low ramp, including a flat platform area, from the front door of the existing bungalow across the property frontage onto the driveway to the side of the bungalow. There is an existing low level wall enclosing the area outside the front door, this is to be extended and continue at the same height along the front of the bungalow.

The application site relates to a chalet bungalow, located in north Sompting, a residential area of similar style dwellings.

Relevant Planning History: None

Consultations: None undertaken

Sompting Parish Council: - No objection

Representations: None

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 15

'Supplementary Planning Guidance' No.2 'Extensions and Alterations to Dwellings'

National Planning Policy Framework (2019)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the flats and its surroundings.

Visual amenity

The proposed ramp from the front door to the driveway will be very shallow, and it would be purely to provide an incline to meet the level of the driveway to provide access for wheelchair use. The ramp and platform will be screened from the road by the front wall /upstand at 700 mm in height which is a continuation of the existing upstand at the front of the house.

The proposals are modest and contained adjacent to the front entrance of the house. The works will not compromise the visual amenities of the locality, they will not be dominant within the street scene.

Residential amenity

It is not considered that the access ramp will have any material effect on the residential amenities of neighbouring properties.

Recommendation

The Committee is recommended to **APPROVE** the application subject to the following conditions: -

1. Approved Plans
2. Standard 3 year time limit

7th October 2019

Local Government Act 1972 Background Papers:

As referred to in individual application reports

Contact Officers:

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Schedule of other matters

1.0 Council Priority

- 1.1 As referred to in individual application reports, the priorities being:-
- to protect front line services
 - to promote a clean, green and sustainable environment
 - to support and improve the local economy
 - to work in partnerships to promote health and wellbeing in our communities
 - to ensure value for money and low Council Tax

2.0 Specific Action Plans

- 2.1 As referred to in individual application reports.

3.0 Sustainability Issues

- 3.1 As referred to in individual application reports.

4.0 Equality Issues

4.1 As referred to in individual application reports.

5.0 Community Safety Issues (Section 17)

5.1 As referred to in individual application reports.

6.0 Human Rights Issues

6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

7.0 Reputation

7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

8.0 Consultations

8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

9.0 Risk Assessment

9.1 As referred to in individual application reports.

10.0 Health & Safety Issues

10.1 As referred to in individual application reports.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 Matter considered and no issues identified.

13.0 Legal

13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

14.0 Financial implications

- 14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.



ADUR DISTRICT
COUNCIL

Adur Planning Committee
7 October 2019
Agenda Item no. 7

Wards: Eastbrook, Southwick Green, St Mary's, Marine

Shoreham Harbour Joint Area Action Plan

Report by the Director of Economy

1.0 Summary

1.1 This report asks Planning Committee to note and comment on the Shoreham Harbour Joint Area Action Plan, the Main Modifications to the plan, the Planning Inspector's report on the plan's soundness and legal compliance, and the modified Adur Policies Map 2019.

1.2 Any comments will be considered by Joint Strategic Committee on 8 October 2019, which will be asked to recommend that Adur Council:

- Adopt and publish the Adur Policies Map 2019 (and Inset Maps), incorporating the policies and proposals in the Shoreham Harbour Joint Area Action Plan. This will supersede the Adur Local Plan Policies Map 2017 (and Inset Maps).
- Revoke the Shoreham Harbour Interim Planning Guidance and Western Harbour Arm Development Brief, which are superseded by the Shoreham Harbour Joint Area Action Plan.
- Delegate authority to the Head of Planning and Development to make any further minor non-material changes to the text of the plan, or to the content of the policies map in consultation with Brighton & Hove City Council and West Sussex County Council.

2.0 Background

2.1 The Shoreham Harbour Joint Area Action Plan (attached as Appendix 1) is a 15 year plan for the comprehensive regeneration of Shoreham Harbour and focuses on four key development areas: Southwick Waterfront and Western Harbour Arm (in Adur); Aldrington Basin and South Portslade (in Brighton & Hove). Overall these areas are expected to deliver 1,400 new homes, 23,500m² of new employment space, a consolidated port, improved flood defences, transport infrastructure, public spaces and community and leisure facilities. It has been prepared by the Shoreham Harbour Regeneration Partnership, which comprises Adur District Council, Brighton & Hove City Council, West Sussex County Council and the Shoreham Port Authority.

2.2 The proposals in Adur are described in more detail below:

- South Quayside (split between Adur and Brighton & Hove) - This is mostly a port-operational area. Port facilities will be safeguarded and improved. The area also includes a waste water treatment works, power station and renewable energy generation. These uses will be safeguarded.
- Portslade and Southwick Beaches (split between Adur and Brighton & Hove) - Access to the beaches for pedestrians and cyclists will be improved. Habitats will be created and protected to enhance biodiversity.
- Fishersgate and Southwick - This area includes a mix of port operations, employment space, residential areas and green space. Port facilities will be safeguarded and improved.

The area includes an allocation for proposed development at Southwick Waterfront. This will deliver a minimum of 4,000m² employment generating floorspace.

Lady Bee Marina will be expanded and improved. Green space will be improved and connected to create wildlife corridors and linear open spaces.

Improvements to existing housing estates will be supported. This includes the retrofit of energy efficiency measures.

- Harbour Mouth includes port-operational areas, existing housing and employment space, and Kingston Beach. Port operational areas will be safeguarded and improved.

The area includes the Grade II listed Kingston Buci lighthouse and Shoreham Fort, a Scheduled Monument. These will continue to be protected.

- Western Harbour Arm is, at present, mostly an employment area. It includes an allocation for proposed development at Western Harbour Arm Waterfront. This will deliver a minimum of 1,100 new homes and 12,000m² employment generating floorspace.

New flood defences will be built. A new waterfront route will improve connections for pedestrians and cyclists between Shoreham-by-Sea town centre and Kingston Beach. Habitats and biodiversity will be created and protected

2.3 Following the Council resolution on 2 November 2017, a Proposed Submission Joint Area Action Plan was published for statutory public consultation between 10 November and 22 December 2017. A total of 45 representations from 19 bodies and individuals were received during this period and were submitted in May 2018, alongside the JAAP and supporting evidence, to the Secretary of State for independent Examination.

2.4 Between 19 September and 21 September 2018, Planning Inspector Anne Napier MRTPI held public hearings at the Shoreham Centre, Shoreham-on-Sea, on aspects of the JAAP as part of the Plan's Examination.

2.5 Following consideration of comments received during the Proposed Submission consultation and discussions at the public hearing sessions of the Public Examination, the three authorities proposed a number of main modifications to the Plan. The full schedule of Main Modifications is included in Appendix 2 to this report. These are summarised below:

- Clarification of the approach required within the Plan area for decentralised and renewable energy, with clear and specific guidance, including in relation to the Shoreham Heat Network and its potential impact on sites within the regeneration area;
- More robust support for identified protected employment areas;
- Clarity on the required approach to flood risk assessment on non-allocated 'windfall' sites, a requirement to consider the most up-to-date flood risk evidence, and strengthened consequential protection for the environment and sites elsewhere;
- A requirement for the provision of up-to-date ecological information for all development applications, and clear guidance on the need for like-for-like compensatory habitats;

- Identification of the need for air quality impact assessments for development proposals;
- Clarification of the approach to public open space and green infrastructure, including that provided by the proposed segregated cycle route along the A259 corridor;
- Amendments to the requirements for the assessment of the design of development proposals, including the provision of public art, and the impact of proposals on existing living conditions of neighbouring occupiers and those of potential future occupiers;
- Identifying the need to consider the navigational safety of vessels in the harbour mouth; and
- The provision of a robust monitoring mechanism to support the delivery of the Plan.

2.6 The full schedule of Main Modifications is included in Appendix 2 to this report.

2.7 Following the Examination public hearings, a six week consultation on these modifications took place from 21 January to 4 March 2019. Eleven representations were received and submitted to the Inspector for consideration; these are included in Appendix 3 to this report together with the Councils' responses.

2.8 The Inspector submitted her report to the authorities on 7 August 2019 concluding that the JAAP is 'sound' and legally compliant, provided that the main modifications are made to the Plan. The remainder of the JAAP proposed for adoption is consistent with that approved at Joint Strategic Committee in October 2017 and Council in November 2017.

2.9 A copy of the Inspector's Report is available in Appendix 4. The Report has been published for public inspection and is available to view on the Council's website. In light of the Inspector's conclusions the JAAP may now be adopted.

3.10 The Plan is presented to Adur Planning Committee in order to note the progress of the Plan, and to provide opportunity for Committee Members to comment on the Plan, the Main Modifications, the Inspector's Report and/or the revised Adur Policies Map 2019. Joint Strategic Committee will be asked to note and consider any comments made by the Planning Committee.

3.11 Adoption of the JAAP will be considered by West Sussex County Council on 18 October 2019 and Brighton & Hove City Council on 24 October 2019. After adoption by each council, separate six week periods for legal challenge will begin. If the three authorities adopt the JAAP it will become part of the

statutory development plan for the plan area. That means that it will be used by the District Council as the basis for determining planning applications within the Shoreham Harbour Regeneration Area alongside the Adur Local Plan.

3.12 The Town and Country Planning (Local Planning) (England) Regulations 2012 require the adopted policies map to illustrate geographically the application of the policies in the adopted development plan. It is therefore proposed that Council adopts a revised map, incorporating the policies in the JAAP. The Adur Policies Map 2019 (and Insets) is included in Appendix 5.

3.13 The JAAP supersedes the Shoreham Harbour Interim Planning Guidance (2011) and the Western Harbour Arm Development Brief (2013). It is proposed that the Council revoke these planning guidance documents and remove them from the website.

3.14 It is proposed that authority should be delegated to the Head of Planning and Development to agree any further necessary minor modifications to be made to the JAAP for factual updates and clarity, which do not materially affect the Plan, following consideration by Brighton & Hove City Council and West Sussex County Council.

3.0 Proposals

3.1 It is necessary to adopt the Plan in order to ensure that it carries the appropriate legal weight in decision-making. Applications for development must be determined in accordance with the development plan unless material considerations indicate otherwise - giving the JAAP a vital role in shaping the development of the Shoreham Harbour Regeneration Area. The plan sets out strategic priorities for the area, and demonstrates how need for development will be met. Alternative development options for the JAAP plan area have been considered at the various stages of the preparation of the JAAP.

3.2 The JAAP has been found to be sound and legally compliant subject to the main modifications required by the Inspector. As provided by s23(4) of the Planning and Compulsory Purchase Act 2004 the council cannot adopt a plan that is materially different from that recommended by the Planning Inspector; the Council cannot choose to accept some of the modifications and not others. The only options available to the council at this stage are to either adopt the plan in its entirety, with all of the Main Modifications required by the Inspector, or not to adopt the plan at all.

3.3 A considerable amount of resources over many years have been expended on the preparation and examination of the plan and to not adopt the plan at this stage would risk this being wasted and undermine the joint working

which has occurred with the Council's two partner authorities and the Shoreham Port Authority.

3.4 Progression of the JAAP to a stage where it has been found sound, legally compliant and able to be adopted is a considerable achievement, and represents the culmination of many years' work. Adoption will incorporate the JAAP into the city's Development Plan and support the wider regeneration of the Shoreham Harbour area.

3.5 The Joint Area Action Plan has evolved through a number of stages of public consultation, as follows:

- Draft JAAP - 2014
- Revised Draft – December 2016
- Proposed Submission JAAP – November 2017
- Proposed Main Modifications – January 2019

3.6 Following adoption of the Local Plan (which takes effect immediately on the resolution of the Council), the Council must make the Local Plan publicly available for inspection 'as soon as reasonably possible' - together with the Policies Map, Adoption Statement and final Sustainability Appraisal report. Parties involved in the process will also be notified. There will be a six-week period within which legal challenges may be made, although the Local Plan would remain in effect pending the outcome of any challenge.

3.7 These documents will be available to view on the Councils' website. Hard copies will be available to view at the Councils' offices and libraries in Shoreham, Southwick, Portslade and Hove.

4.0 Legal

4.1 The statutory background to the adoption of the JAAP is set out in paragraph 3.2 of this report. Moreover, the legislation requires that the JAAP, being a development plan document, may only be adopted by a resolution of Full Council.

4.2 As soon as reasonably practicable after adoption, the JAAP and adoption statement must be published on the Council's website and made available for inspection at the Council's principal offices and other appropriate locations (Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012).

5.0 Financial implications

5.1 There are no specific unbudgeted resource implications arising from the adoption of the Shoreham Harbour Joint Area Action Plan. The Council has received external funding of £115,700 for 2019/20 for this work.

5.2 The main financial input has been in staff resource, commissioning evidence studies and paying for the Examination into the plan. This has been met through external funding and the Councils own budgets.

6.0 Recommendation

6.1 It is recommended that Planning Committee note and comment on:

- Shoreham Harbour Joint Area Action Plan (JAAP)
- Main Modifications to the Shoreham Harbour JJAAP
- Planning Inspector's report on the JAAP's soundness and legal compliance
- Adur Policies Map 2019 (revised to incorporate the policies in the JAAP)

1.2 Any comments will be considered by Joint Strategic Committee on 8 October 2019, which will be asked to recommend that Adur Council adopts the JAAP (as modified) along with the revised Policies Map.

- Report by the Director of the Economy to Joint Strategic Committee on Proposed Submission Shoreham Harbour Joint Area Action Plan:
<https://www.adur-worthing.gov.uk/media/media,146214,en.pdf>
- Appendix 1: Shoreham Harbour Joint Area Action Plan (2019)
- Appendix 2: Main Modifications to the Shoreham Harbour Joint Area Action Plan
- Appendix 3: Representation on the Proposed Main Modifications and the Councils' responses
- Appendix 4: Planning Inspector's Report on the Examination of the Shoreham Harbour Joint Area Action Plan
- Appendix 5: Revised Adur Policies Map 2019 (and Inset Maps)

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Schedule of Other Matters

1.0 Council Priority

1.1 'Platforms for Our Places': Our Financial Economies. This includes building/ commissioning infrastructure. The use of section 106 contributions will facilitate the delivery of infrastructure, to meet the identified needs of new and existing residents / businesses. This will help to contribute towards meeting many of the Council priorities. 'Our Social Economies': delivering housing to meet identified needs, particularly affordable housing' Also delivering and safeguarding open space, sports and leisure facilities which contribute to health and wellbeing. 'Stewarding our Natural Resources': Sustainability is inbuilt within the JAAP; the plan also supports the provision of sustainable transport measures; the public realm is also addressed.

2.0 Specific Action Plans

2.1 Policy 8 of the Adur local Plan 2017 commits the Council to work in partnership to produce the Shoreham Harbour Joint Area Action Plan.

3.0 Sustainability Issues

3.1 The Plan seeks to balance economic, environmental and social objectives. Policies include those relating to climate change and protection and enhancement of habitats and biodiversity.

4.0 Equality Issues

4.1 An Equalities and Health Impact Assessment was undertaken to accompany the submission version of the JAAP.

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 regeneration of Shoreham Harbour has been a long standing objective of the Council and its regeneration project partners. The Plan has been subject to extensive consultation, and Examination into soundness and legal compliance. Failure to adopt the plan could negatively impact the reputation of the Council.

8.0 Consultations

8.1 The Joint Area Action Plan has evolved through a number of stages of public consultation, as follows:

- Draft JAAP - 2014
- Revised Draft – December 2016
- Proposed Submission JAAP – November 2017
- Proposed Main Modifications – January 2019

8.2 Following adoption of the Local Plan (which takes effect immediately on the resolution of the Council), the Council must make the Local Plan publicly available for inspection 'as soon as reasonably possible' - together with the Policies Map, Adoption Statement and final Sustainability Appraisal report. Parties involved in the process will also be notified. There will be a six-week period within which legal challenges may be made, although the Local Plan would remain in effect pending the outcome of any challenge.

8.3 These documents will be available to view on the Councils' website. Hard copies will be available to view at the Councils' offices and libraries in Shoreham, Southwick, Portslade and Hove.

9.0 Risk Assessment

9.1 Matter considered and no issues identified

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 Shoreham Harbour Joint Area Action Plan has been prepared by Shoreham Harbour Regeneration Partnership. This comprises Adur District

Council, Brighton & Hove City Council, West Sussex County Council and Shoreham Port Authority.

12.2 The regeneration partnership works closely with a number of other organisations, including the Environment Agency, Sussex Wildlife Trust, Natural England, and Highways England.

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SHOREHAM HARBOUR REGENERATION



SHOREHAM HARBOUR JOINT AREA ACTION PLAN

68 OCTOBER 2019

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INTRODUCTION



Introduction

1.1 What is the Joint Area Action Plan (JAAP)?

1.1.1 The *Shoreham Harbour Joint Area Action Plan* (JAAP) is a strategy for the regeneration of Shoreham Harbour and surrounding areas. It includes proposals and policies for new housing and employment generating floor-space; and for upgraded flood defences, recreational and community facilities, sustainable travel, environmental and green infrastructure improvements.

1.1.2 An area action plan is a type of local plan for an area of significant change. The JAAP sets a planning policy framework to guide development and investment decisions within the Shoreham Harbour Regeneration Area up to 2032.

1.1.3 The plan builds on and complements the *Adur Local Plan (2017)* and the *Brighton & Hove City Plan Part One (2016)*. Planning applications within the regeneration area must comply with the strategy and policies in the JAAP, as well as the relevant local plans, unless material considerations indicate otherwise.

1.1.4 The plan contains:

- a long-term vision, objectives and strategy for the Shoreham Harbour Regeneration Area
- themed area-wide policies on:
 - climate change, energy and sustainable building
 - Shoreham Port
 - economy and employment
 - housing and community
 - sustainable travel
 - flood risk and sustainable drainage
 - natural environment, biodiversity and green infrastructure
 - recreation and leisure
 - place making and design quality
- proposals for seven character areas, including four allocations for new development
- an outline of how the Shoreham Harbour Regeneration Project will be delivered, monitored and implemented

1.2 Where is the Shoreham Harbour Regeneration Area?

1.2.1 Map 1 shows the location of Shoreham Harbour. It is between the coastal resorts of Brighton and Worthing, on the Sussex coast in south-east England. The harbour is around 55 miles from London and 30 miles south of Gatwick Airport.

1.2.2 Map 2 shows the boundary of the regeneration area. It stretches around 3 miles from the Adur Ferry Bridge in Shoreham-by-Sea through to Hove Lagoon. It is bounded to the north by the West Coastway railway line, and to the south by the River Adur and the English Channel. The A259 runs east-west through the regeneration area.

1.2.3 Shoreham Harbour straddles the local authority boundary between Adur district (within West Sussex) and the City of Brighton & Hove. The regeneration area includes parts of Shoreham-by-Sea, Kingston-by-Sea, Southwick, Fishersgate, Portslade-by-Sea and Hove.

Map 1 - Location of Shoreham Harbour



Map 2 - Shoreham Harbour Regeneration Area



- - Local authority boundary
- ▭ Shoreham Harbour Regeneration Area



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1.3 Who prepared the plan?

1.3.1 The plan was prepared by the Shoreham Harbour Regeneration Partnership. This is made up of Adur District Council, Brighton & Hove City Council, West Sussex County Council and Shoreham Port Authority.

1.3.2 The partnership also works closely with a number of other organisations. These include the Environment Agency, Homes England, Highways England, Natural England and Historic England.

1.3.3 The plan has been jointly adopted by Adur District Council, Brighton & Hove City Council and West Sussex County Council.

1.4 Why was the plan prepared?

1.4.1 The regeneration of Shoreham Harbour and surrounding areas is a long-standing aspiration of all the project partners. The partnership has produced this plan to identify realistic, deliverable and sustainable proposals for the regeneration area.

1.4.2 The JAAP is part of a long-term strategy to revitalise the area. It will deliver new and affordable housing and modern employment floor-space on previously developed land.

1.4.3 The JAAP will help to generate investment and access funding for improved infrastructure, including sustainable transport, flood defences and sustainable drainage. It supports the safeguarding of the important function of Shoreham Port, including the importing and handling of aggregates and minerals.

1.4.4 The plan promotes the port as a hub for renewable energy generation, contributing to national and local carbon reduction targets. The JAAP also promotes the creation and enhancement of green infrastructure links through the area.

1.5 How was the plan prepared?

1.5.1 There were four stages to preparing the JAAP:

- **Stage 1:** Information gathering, baseline analysis and identifying issues (2008 – 2012)
- **Stage 2:** Consideration of options, developing spatial framework, preparing development briefs for areas of change (2012 – 2014)
- **Stage 3:** Consulting on the plan, updating evidence, exploring technical issues, addressing delivery issues (2014 – 2016)
- **Stage 4:** Publication of the proposed submission JAAP, submission to the Secretary of State for independent examination, followed by formal adoption by the councils (2017 – 2019).

1.6 How was the community involved?

- 1.6.1 Working with local residents, businesses, community and local interest groups is an important part of the plan-making process. These individuals and groups have made a critical contribution to shaping the proposals and policies in the JAAP.
- 1.6.2 As well as formal periods of public consultation, there has been ongoing engagement with communities throughout the plan-making process.
- 1.6.3 The consultation process complied with statutory regulations¹ and the *Statement of Community Involvement (SCI)* of each of the partner councils².

¹ The Town and Country Planning (Local Planning) (England) Regulations 2012

² *Adur and Worthing Statement of Community Involvement* (2019); *Brighton & Hove Statement of Community Involvement* (2015); *West Sussex Statement of Community Involvement* (2018)

1.7 What is the status of the JAAP?

- 1.7.1 The JAAP is a local plan³ for the Shoreham Harbour Regeneration Area. The JAAP is part of the development plan for both Adur and Brighton & Hove. The *Adur Local Plan* and *Brighton & Hove City Plan Part One* designate the regeneration area as a broad location for change⁴.
- 1.7.2 The councils will assess all planning applications and investment decisions within the regeneration area against the strategy, proposals and policies in the JAAP, as well as the relevant local plans.
- 1.7.3 Sections 1.8 to 1.12 set out how the JAAP relates to other policies, plans and strategies.
- 1.7.4 The JAAP supersedes the following policy documents:
- *Shoreham Harbour Development Brief: South Portslade Industrial Estate and Aldrington Basin* (2013)
 - *Shoreham Harbour Development Brief: Western Harbour Arm* (2013)
 - *Shoreham Harbour Interim Planning Guidance* (2011)

³ As defined in The Town and Country Planning (Local Planning) (England) Regulations 2012. Also referred to as a Development Plan Document as defined in the Planning and Compulsory Purchase Act 2004.

⁴ Policy 8 of the *Adur Local Plan* (2017); Policy DA8 of the *Brighton & Hove City Plan Part One* (2016).

1.8 European policy

Strategic Environmental Assessment

- 1.8.1 Relevant European legislation includes the Strategic Environmental Assessment (SEA) Directive (2001)⁵. This requires assessment of the plan against environmental objectives to ensure that it is sustainable⁶.
- 1.8.2 The *Sustainability Appraisal* of the Shoreham Harbour JAAP meets the requirements of the SEA Directive.

Equality & Health Appraisal

- 1.8.3 EU policies also require plan –makers to consider the impact that proposals may have on health and equality⁷. This applies to these protected characteristics:
- gender
 - race
 - disability
 - age
 - sexual orientation
 - religion or belief

⁵ Directive 2001/42/EC transposed into UK legislation in The Environmental Assessment of Plans and Programmes Regulations 2004

⁶ The UK is expected to leave the EU in March 2019. The European Union (Withdrawal Bill) will convert existing EU law (such as EU regulations and EU decisions) directly in the UK's legal systems. The Bill will preserve laws made in the UK to implement EU obligations (e.g. the laws which implement EU directives).

⁷ Transposed into UK legislation in the Equality Act 2010

1.8.4 The *Equality and Health Appraisal* of the JAAP meets these requirements.

1.8.5 Under the Habitats Directive (1992) and Birds Directive (2009)⁸ plan-makers must consider the potential effects of proposals on protected sites⁹.

Habitats Regulations Assessment

1.8.6 Both the *Adur Local Plan* and *Brighton & Hove City Plan Part One* were screened for Habitats Regulations Assessment (HRA). These reports concluded that a full HRA is not required as there are no significant impacts on protected European sites.

1.8.7 The proposals in this plan have also been screened for HRA. The *Shoreham Harbour Joint Area Action Plan Habitats Regulations Assessment Screening Report* (2018) concluded that a full HRA is not required as there are no significant impacts on protected European sites.

1.9 National policy

National Planning Policy Framework and Planning Practice Guidance

1.9.1 The JAAP was prepared in conformity with the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

1.9.2 The NPPF applies a presumption in favour of sustainable development. It requires local planning authorities (LPA) to assess their housing and employment space needs, and to plan positively to meet those needs.

1.9.3 The NPPF promotes the role of ports. This includes the importance of safeguarding capacity for landing minerals and aggregates.

1.9.4 The NPPF also promotes the shift towards a green economy and encourages policies that promote district level renewable energy generation and green infrastructure as set out in this plan.

1.9.5 Where appropriate the JAAP highlights sections of the NPPF and PPG which support the policies in the plan.

Duty to Cooperate

1.9.6 The Duty to Cooperate is a legal duty for local planning authorities to engage with each other on cross boundary issues. Engagement must be active, constructive and ongoing to make local plans more effective.

1.9.7 The JAAP was prepared by a partnership of local authorities working together across the boundaries. The regeneration project is jointly governed by Adur District Council, Brighton & Hove City Council and West Sussex County Council. Joint working arrangements are set out in a *Memorandum of Understanding* between the project partners.

1.9.8 The *Shoreham Harbour Duty to Cooperate Statement* (2017) sets out in more detail the cross boundary engagement in the preparation of this plan.

⁸ Directive 92/43/EEC and Directive 2009/147/EC transposed into UK legislation in The Conservation of Habitats and Species Regulations 2010

⁹ Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites.

	National policy statements		1.10 Sub-regional policy		Coastal West Sussex and Greater Brighton Local Strategic Statement
1.9.9	The <i>National Policy Statement for Ports</i> (2012) was produced by the Department for Transport under the Planning Act 2008 ¹⁰ . It provides the framework for decision making on proposals for new port development.	1.10.1	Greater Brighton City Deal	1.10.5	The Coastal West Sussex and Greater Brighton Strategic Planning Board is made up of lead councillors from Adur, Arun, Brighton & Hove, Chichester, East Sussex, Horsham, Lewes, Mid Sussex, and West Sussex councils and the South Downs National Park Authority. Through the board the councils work together to identify and manage cross-boundary planning issues.
1.9.10	The statement highlights the changing role of ports in relation to energy supply and generation. This includes securing energy supplies, providing facilities to support offshore renewable sites and to house power stations fuelled by biomass.	1.10.2			
1.9.11	The <i>Overarching National Policy Statement for Energy (EN-1)</i> (2010) outlines the increasing importance of renewables as part of the energy mix.	1.10.3	Coast to Capital Strategic Economic Plan	1.10.6	In 2016, the councils adopted an updated <i>Coastal West Sussex and Greater Brighton Local Strategic Statement</i> (LSS). This statement sets the following strategic objectives:
	UK Marine Policy Statement				<ol style="list-style-type: none"> 1 Delivering sustainable economic growth 2 Meeting strategic housing needs 3 Investing in infrastructure 4 Managing environmental assets and natural resources
1.9.12	The <i>UK Marine Policy Statement</i> (2011) sets out the government's vision for 'clean, healthy, safe, productive and biologically diverse oceans and seas'. It is the overarching framework for preparing marine plans across the UK. These will be used for decisions affecting the marine environment.	1.10.4			

¹⁰ Planning Act 2008 s. 5(9)

- 1.10.7 The LSS sets nine spatial priorities for the area. Spatial Priority 1 relates to Shoreham Harbour and Shoreham (Brighton City) Airport. For Shoreham Harbour this includes:
- 1 Improved road access to and from the A27 and A259 and to local transport infrastructure including public transport, walking and cycling.
 - 2 Improved flood defences.
 - 3 Consolidated port activities in the eastern harbour arm and safeguarding sufficient capacity at mineral wharves to ensure a steady and adequate supply of minerals to meet foreseeable future demands.

Brighton and Lewes Downs Biosphere Management Strategy

- 1.10.8 UNESCO¹¹ designated the Brighton and Lewes Downs as The Living Coast Biosphere Reserve in 2014. Biospheres are defined as “sites of excellence”:
- ‘to balance conservation and socioeconomic development between nature and people, and to explore and demonstrate innovative approaches as learning sites for sustainable development’.*
- 1.10.9 The *Biosphere Management Strategy* has three objectives. These are:
- 1 Nature Conservation
 - 2 Sustainable Socio-Economic Development
 - 3 Knowledge, Learning and Awareness

- 1.10.10 The *Shoreham Harbour Joint Area Action Plan* will enable the delivery of a high quality, exemplar, mixed-use sustainable development and improved environmental quality. This includes:
- a comprehensive flood defence solution
 - development that reduces car ownership and promotes sustainable modes of transport
 - improved green infrastructure and access to open spaces
 - provision of enhanced public realm along the river frontage
 - policies in the *Adur Local Plan* and *Joint Area Action Plan* that recognise the need to enhance green corridors and improve ecological connectivity.

11 United Nations Educational, Scientific and Cultural Organisation

		1.11 Local policy	
	South Inshore Marine Plan		
1.10.11	The Marine Management Organisation adopted the <i>South Inshore Marine Plan</i> in June 2018. This covers the south coast and tidal rivers between Folkestone and the River Dart, Devon.	1.11.1	<i>Both the Adur Local Plan and the Brighton & Hove City Plan Part One identify the regeneration of the Shoreham Harbour area in their strategic objectives. Both plans also contain a policy that identifies the harbour as a 'broad location' for future strategic development.</i>
1.10.12	Marine plans and local plans overlap between high and low water marks. The South Inshore Marine Plan includes the coastline at Shoreham Beach, and Southwick and Portslade-by-Sea. It also includes the Eastern and Western Arms of the River Adur.	1.11.2	This plan is consistent with the local plans for both Adur and Brighton & Hove. In case of any conflict between policies in these plans and the JAAP, the most recently adopted plan will have precedence ¹² .
1.10.13	The plan will manage the sustainable development of marine industries such as shipping, marine aggregates, fishing and windfarms, as well as the conservation and protection of marine habitats and species.		
		Adur Local Plan	
		1.11.3	Adur District Council adopted the <i>Adur Local Plan</i> in December 2017. The plan provides a strategy for development in Adur ¹³ up to 2032. Policy 2 (Spatial Strategy) states:
			1.11.4
			Policy 8 (Shoreham Harbour Regeneration Area) sets out the policy and priorities for each character area and states that: <i>"The Council will facilitate the delivery of a minimum of 1,100 new dwellings and a minimum of 16,000sqm of employment generating uses (including B1 uses) within that part of the Shoreham Harbour Regeneration Area Western Harbour Arm during the plan period to 2032 (as shown on the Policies Map)."</i>
			1.11.5
			Policy 4 (Planning for Economic Growth) allocates land for employment generating uses in Adur up to 2032, including 16,000m ² of floor-space in the part of the Shoreham Harbour Regeneration Area within Adur.

¹² See Section 38(5) of the Planning and Compulsory Purchase Act 2004

¹³ The plan excludes the parts of the district within the South Downs National Park.

Brighton & Hove City Plan

- 1.11.6 Brighton & Hove City Council adopted the *Brighton & Hove City Plan Part One* in March 2016. The plan provides the overall strategic and spatial vision for the future of Brighton & Hove¹⁴ up to 2030.
- 1.11.7 Strategic Objective 6 states:
“Through joint working with Adur District Council, West Sussex County Council and the Shoreham Port Authority, maximise the potential of Shoreham Harbour for the benefit of existing and future residents, businesses, port-users and visitors through a long term regeneration strategy.”
- 1.11.8 Policy DA8 (Shoreham Harbour) sets out the policy and priorities for each of the harbour character areas and states that the JAAP process will further explore and test the delivery of:
- 300 new residential units within Brighton & Hove
 - 7,500m² net additional employment floor-space

Minerals and Waste Plans

- 1.11.9 Shoreham Port contains a number of minerals wharves and waste management facilities. West Sussex and Brighton & Hove councils are minerals and waste planning authorities for the regeneration area.
- 1.11.10 *West Sussex Joint Minerals Local Plan* (2018) safeguards sufficient capacity to ensure a steady and adequate supply of minerals whilst supporting regeneration aspirations set out in this document. The Plan was adopted in July 2018.
- 1.11.11 Brighton & Hove City Council, East Sussex County Council and the South Downs National Park Authority adopted the *Waste and Minerals Plan* in 2013. The *East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan* was adopted in 2017. The plan safeguards wharf capacity at Shoreham Harbour.

Shoreham Beach Neighbourhood Plan

- 1.11.12 In 2014, Adur District Council approved the Shoreham Beach Neighbourhood Area and designated the Shoreham Beach Neighbourhood Forum. The forum is working with the community to produce a neighbourhood plan to address issues in the area. The neighbourhood plan area is contiguous with Marine ward. This overlaps with the regeneration area at Shoreham Fort, Shoreham Sailing Club and Silver Sands.

14 The plan excludes the parts of the city within the South Downs National Park.

Shoreham Harbour policy

Shoreham Harbour Flood Risk Management Guide

1.12.1 The partnership, working closely with the Environment Agency, produced the *Shoreham Harbour Flood Risk Management Guide Supplementary Planning Document (SPD)* (2015). This sets out illustrative concepts for an upgraded flood defence network along the Western Harbour Arm, and a summary of the cost and requirements of developers in relation to mitigating flood risk. These documents will also be used to provide information for funding applications. The SPD also provides guidance for flood mitigation at the other allocations.

Shoreham Harbour Green Infrastructure Strategy

1.12.2 The partnership is currently preparing a green infrastructure strategy. This will set out proposals for ecological enhancements throughout the regeneration area as well as the creation of a green corridor as part of an enhanced green infrastructure network.

Shoreham Harbour Transport Strategy

1.12.3 The *Shoreham Harbour Transport Strategy* (2016) has been prepared to support delivery of the JAAP through a programme of transport infrastructure improvements, transport services and travel behaviour change initiatives. It is supported by a technical evidence base, which is set out in the *Shoreham Harbour Transport Strategy Baseline Analysis* document (2014).

Shoreham Port Masterplan

1.12.4 Shoreham Port Authority produced the *Shoreham Port Masterplan* (2010) and *Shoreham Port Masterplan Review* (2017). Although it is not a statutory planning policy document, the plan sets the port's future development and must be taken into account when considering new developments in or near the port.

1.12.5 This plan includes many of the proposals identified in the masterplan where relevant to the regeneration project.

SPATIAL STRATEGY



2.1 What is the vision for Shoreham Harbour?

By 2032, Shoreham Harbour Regeneration Area will be transformed into a vibrant, thriving, waterfront destination comprising a series of sustainable, mixed-use developments alongside a consolidated and enhanced Shoreham Port which will continue to play a vital role in the local economy.

The redevelopment of key areas of the harbour will provide benefits for the local community, natural environment and economy through increased investment, improved leisure opportunities, enhanced public realm and the delivery of critical infrastructure that will help respond positively to climate change.

- 2.1.1 This section sets out the vision, themes, objectives and strategy for the regeneration of the Shoreham Harbour area up to 2032.
- 2.1.2 The vision is to maximise the potential of the area for the benefit of existing and new residents, businesses, port-users and visitors through a long-term regeneration strategy. This will be achieved through partnership working between local authorities and Shoreham Port Authority and with local landowners to facilitate the redevelopment of key sites.
- 2.1.3 The aim is to deliver a series of appropriately located, high quality, sustainable, mixed-use developments including new housing, employment floor-space, leisure opportunities, improved public space and associated infrastructure including flood defences and transport improvements.

- Sustainable development
- 2.1.4 Sustainable development “*meets the needs of the present without compromising the ability of future generations to meet their own needs*”¹⁵. The planning system contributes to achieving sustainable development¹⁶. The NPPF identifies three overarching objectives to sustainable development:
 - an economic objective, contributing to building a strong, responsive and competitive economy.
 - a social objective, supporting strong vibrant and healthy communities.
 - an environmental objective, contributing to protecting and enhancing the natural, built and historic environment.
 - 2.1.5 Sustainable development is an overarching theme for this plan, and the local plans for both Adur and Brighton & Hove.

15 Resolution 42/187 of the United Nations General Assembly
16 NPPF (2019) Paragraph 7

2.2 What are the objectives of the regeneration project?

Objective 1: Climate change, energy and sustainable building

To minimise carbon emissions, address the challenges of climate change and create a renewable energy hub.

To ensure all new developments use energy and water as efficiently as possible, use energy from renewable technologies, use sustainable materials, reduce waste, incorporate innovative approaches to open space, biodiversity, and green infrastructure, encourage uptake of low carbon modes of transport and support sustainable lifestyles in existing and new areas.

To maximise opportunities to deliver sustainability objectives through large-scale zero and low-carbon energy technologies to serve the harbour and wider area; particularly those that take advantage of the harbour's coastal location. Shoreham Port will be supported in becoming an important hub for renewable energy generation for the benefit of the sub-region as well as locally.

2.2.1 Local plans are legally required to include policies to ensure that development and the use of land *"contribute to the mitigation of, and adaptation to, climate change"*¹⁷.

2.2.2 Planning helps to shape places to secure radical reductions in greenhouse gas emissions, minimise vulnerability and provide resilience to the impacts of climate change. It also supports the delivery of renewable and low carbon energy and associated infrastructure¹⁸.

2.2.3 Shoreham Port has EcoPort status from the European Sea Ports Organisation. The regeneration partnership aims to maximise the harbour area's potential as a hub for renewable energy.

2.2.4 Shoreham Port is the largest commercial port between Southampton and Dover, and the closest Channel port to London.

2.2.5 The port plays an important economic role in the area. Around 1,700 people are employed in the port and a further 1,000 nearby. It is an important location for the import and export of aggregates, timber, steel, oil and cereals.

2.2.6 *Shoreham Port Masterplan* sets out Shoreham Port Authority's strategy for the growth and development of the port. The regeneration proposals in this plan provide an opportunity for consolidating, reconfiguring and enhancing the operations of Shoreham Port.

Objective 2: Shoreham Port:

To support a growing, thriving port.

To facilitate the delivery of the adopted *Shoreham Port Masterplan*, the provision of a modernised, consolidated and sustainable port and to promote the important role of the port in the local and wider economy.

¹⁷ Planning Act 2004 s.19 (1)(a) (as amended by Planning Act 2008 s.182)

¹⁸ NPPF (2019) paragraph 148

Objective 3: Economy and employment:

To stimulate the local economy and provide new jobs.

To provide new, high quality employment floor-space and improve the business environment to support the needs of local employers. To equip local communities with the training and skills required to access existing and future employment opportunities.

- 2.2.7 Local planning authorities must plan to meet the development needs of business and support economic growth¹⁹. The proposals in this plan will contribute to providing employment space in the local area.
- 2.2.8 For Adur, an *Employment Land Review* (2014) identified the requirement for: 15,000 to 20,000m² office and research and development floor-space (use classes B1a and B1b); and, 35,000 to 40,000m² warehouse floor-space (use class B8).
- 2.2.9 For Brighton & Hove, the *Employment Land Review* (2012) identified the requirement for 112,240m² office floor-space (use classes B1a and B1b); and, 43,430 m² industrial floor-space (use classes B1c, B2 and B8).

¹⁹ NPPF (2019) paragraph 80

Objective 4: Housing and community:

To provide new homes and contribute to meeting identified housing need.

To contribute to meeting the housing needs of Adur and Brighton & Hove through delivering new homes of a range of sizes, tenures and types, including affordable and family homes as well as associated supporting community infrastructure.

- 2.2.10 Local planning authorities must plan to meet objectively assessed needs for new housing and identify deliverable sites or broad locations with potential for new housing. Local plans must also include policies to deliver community infrastructure and local facilities. The proposals in this plan will contribute to delivering housing in the local area.
- 2.2.11 Adur needs 6,825 homes up to 2032). This is 325 homes per year. The full objectively assessed housing need cannot be met and the *Adur Local Plan* aims to deliver 3,718 dwellings over the plan period.
- 2.2.12 The objectively assessed housing need for Brighton & Hove that informed the *City Plan Part One* was 30,120 homes up to 2030. It was accepted this could not be met. Consequently the adopted *City Plan Part One* sets a housing target of 13,200 dwellings over the plan period.

Objective 5: Sustainable travel

To improve connections and promote sustainable transport choices.

To promote sustainable transport choices through ensuring that new developments are well served by high quality, integrated and interconnected networks, improved pedestrian, cycling and public transport routes and seeking to reduce demand for travel by private car in innovative ways.

- 2.2.13 Local plans should promote development at locations that minimise trip generation and encourage the use of sustainable modes of transport²⁰. Transport policies can support reductions in greenhouse gas emissions, as well as contribute to wider sustainability and health objectives²¹
- 2.2.14 The *Shoreham Harbour Transport Strategy* includes a programme of transport infrastructure improvements, transport services and travel behaviour change initiatives.

²⁰ Circular 02/2013 'The Strategic Road Network and the Delivery of Sustainable Development'

²¹ NPPF (2019) paragraph 103

Objective 6: Flood risk and sustainable drainage

To reduce the risk of flooding and adapt to climate change.

To ensure that development avoids and reduces the risks from flooding and impacts on coastal processes and that risks are not increased elsewhere as a result. To ensure that appropriate and comprehensive flood infrastructure is delivered. To ensure surface water run-off and water pollution have been reduced by the introduction of sustainable drainage systems.

- 2.2.15 Local plans should direct development away from areas at high risk of flooding. This is determined through the Sequential Test, and if necessary, the Exception Test²².
- 2.2.16 Both Adur and Brighton & Hove councils have carried out sequential and exceptions tests for the regeneration area. These have found the wider sustainability benefits of development at Shoreham Harbour outweigh the flood risk. Development must be safe, without increasing the flood risk elsewhere.

Objective 7: Natural environment, biodiversity and green infrastructure

To add to the natural capital of the Shoreham Harbour Regeneration Area by delivering net gains to biodiversity and a multifunctional green infrastructure network.

To conserve and protect the area's important environmental assets, wildlife habitats and ecosystem services, and to enhance the biodiversity of the area by creating new habitats. To minimise and mitigate impacts on the natural and local environment from soil, air, water or noise pollution.

To support the objectives of the Brighton & Lewes Downs Biosphere Management Strategy through the creation of green links within and beyond the harbour area, changes in the design and management of spaces to create a functioning green infrastructure network, including new green spaces and biodiverse green roofs and walls.

- 2.2.17 Local plans should contribute to and enhance the natural and local environment and effective reuse of brownfield land²³.
- 2.2.18 The JAAP seeks the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. It is important future proposals take into account natural capital and seek to deliver net gains to biodiversity.

Objective 8: Recreation and leisure

To enhance and activate the harbour for leisure, recreation and tourism and encourage active, healthy lifestyles.

To create places that promote healthy and enjoyable living by improving existing and providing new green infrastructure including open spaces and green links as well as leisure and recreation opportunities. To improve connections to and use of the waterfront, coast and beaches as attractive destinations for both locals and visitors.

2.2.19 Local planning authorities should plan for recreational and leisure facilities and services to meet the needs of existing communities and new development. Planning plays an important role in promoting healthy and active lifestyles. This includes the provision of open space, sports and recreation facilities²⁴.

2.2.20 Local plans should also include policies to protect and enhance public rights of way and access²⁵.

²⁴ NPPF (2019) paragraph 96

²⁵ NPPF (2019) paragraph 98

Objective 9: Place making and design quality

To promote high design quality and improve townscape.

To promote developments of high design quality that maximise the waterfront setting, respect local character and form and enhance key gateways and public spaces.

To protect and enhance the area's historic assets including the Scheduled Monument at Shoreham Fort, listed buildings and conservation areas.

2.2.21 Local plans should include policies that set out the quality of development expected in the area. New development should:

- function well
- establish a strong sense of place
- optimise the potential of the site
- respond to local character and history
- create safe and accessible environments
- be visually attractive²⁶

²⁶ NPPF (2019) paragraph 127

2.3 What is proposed in the plan?

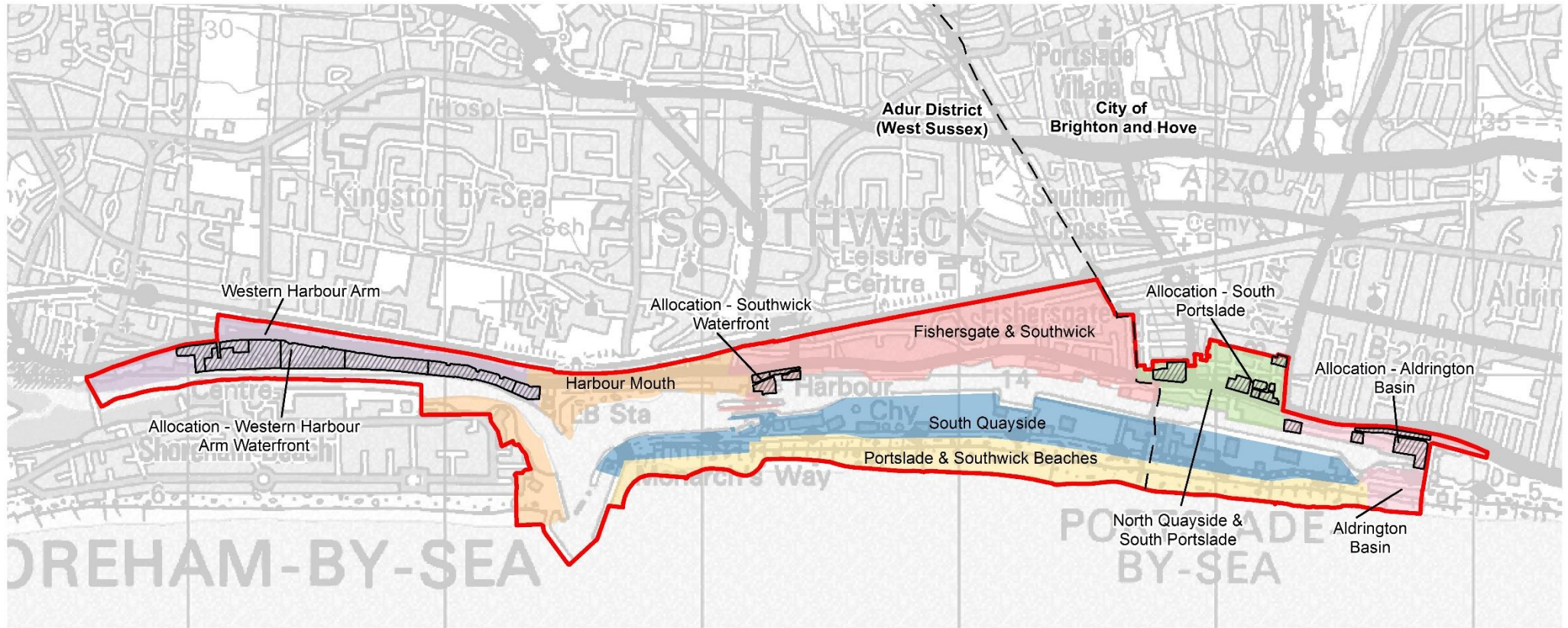
2.3.1 This plan splits the regeneration area into seven character areas. These are shown in Map 3. The areas are:

- CA1: South Quayside
- CA2: Aldrington Basin
- CA3: North Quayside and South Portslade
- CA4: Portslade and Southwick Beaches
- CA5: Fishersgate and Southwick
- CA6: Harbour Mouth
- CA7: Western Harbour Arm

2.3.2 Section 4 of this plan includes specific policies and proposals for each of these areas. This includes four allocations for new development. The allocations are:

- Aldrington Basin (within CA2)
- South Portslade (within CA3)
- Southwick Waterfront (within CA5)
- Western Harbour Arm Waterfront (within CA7)

Map 3 - Character areas



- Shoreham Harbour Regeneration Area
 - Local authority boundary
 - SH_Allocations_outline
- Character Areas:**
- Character Area 1: South Quayside
 - Character Area 2: Aldrington Basin
 - Character Area 3: North Quayside & South Portslade
 - Character Area 4: Portslade & Southwick Beaches
 - Character Area 5: Southwick Waterfront & Fishersgate
 - Character Area 6: Harbour Mouth
 - Character Area 7: Western Harbour Arm

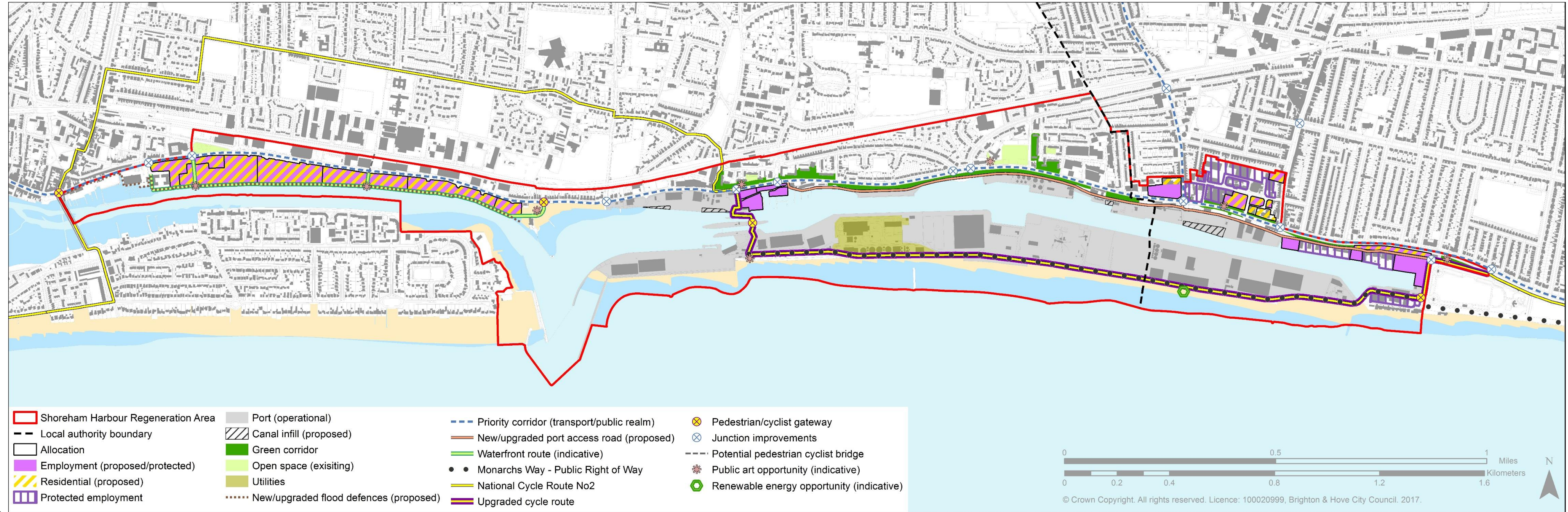


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- 2.3.3 Map 4 illustrates the key proposals in the plan. These include:
- CA1 – South Quayside**
- 2.3.4 South Quayside is mostly a port-operational area. Port facilities will be safeguarded and improved.
- 2.3.5 The area also includes a waste water treatment works, power stations and renewable energy generation. These uses will be safeguarded.
- CA2 – Aldrington Basin**
- 2.3.6 Aldrington Basin includes a mixture of port operations, employment space and some residential areas. Port facilities will be safeguarded and improved.
- 2.3.7 The area includes an allocation for proposed development of a minimum of 4,500m² employment generating floor-space and 90 new homes.
- CA3 – North Quayside and South Portslade**
- 2.3.8 North Quayside is mostly a port-operational area. Port facilities will be safeguarded and improved.
- 2.3.9 South Portslade is mostly an employment area. It includes an allocation for proposed development of a minimum of 3,000m² employment generating floor-space and 210 new homes.
- CA4 – Portslade and Southwick Beaches**
- 2.3.10 Access to Portslade and Southwick Beaches for pedestrians and cyclists will be improved. Habitats and biodiversity will be created and protected.
- CA5 – Fishersgate and Southwick**
- 2.3.11 Fishersgate and Southwick includes a mixture of port operations, employment space, residential areas and green space. Port facilities will be safeguarded and improved.
- 2.3.12 The area includes an allocation for proposed development at Southwick Waterfront. This will deliver a minimum of 4,000m² employment generating floor-space.
- 2.3.13 Lady Bee Marina will be expanded and improved. Green space will be improved and connected to create wildlife corridors and linear open spaces.
- 2.3.14 Improvements to existing housing estates will be supported. This includes the retrofit of energy efficiency measures.
- CA6 – Harbour Mouth**
- 2.3.15 Harbour Mouth includes port-operational areas, existing housing and employment space, and Kingston Beach. Port operational areas will be safeguarded and improved.
- 2.3.16 The area includes the historic buildings of Kingston Buci lighthouse and Shoreham Fort. These will be protected.
- CA7 – Western Harbour Arm**
- 2.3.17 Currently the Western Harbour Arm is mostly an employment area. It includes an allocation for proposed development at Western Harbour Arm Waterfront. This will deliver a minimum of 1,100 new homes and 12,000m² employment generating floor-space.
- 2.3.18 New flood defences will be built. A new waterfront route will improve connections for pedestrians and cyclists between Shoreham-by-Sea town centre and Kingston Beach. Habitats and biodiversity will be created and protected.

Map 4 - Regeneration proposals





2.4 What are the constraints in the regeneration area?

2.4.1 Map 5 shows some of the main planning constraints in the regeneration area. Development and regeneration proposals need to consider these constraints.

Slipways and hards

2.4.2 There are several historic slipways and hards in the Western Harbour Arm area. Many of these are in a poor state of repair and are unusable for modern craft. However they are an important part of the heritage and character of Shoreham-by-Sea.

Historic buildings and conservation areas

2.4.3 The regeneration area includes part of the Shoreham-by-Sea Conservation Area and the Riverside section of the Southwick Conservation Area.

2.4.4 Shoreham Fort is a Scheduled Monument.

2.4.5 There are three Grade II listed buildings:

- Royal Sussex Yacht Club
- Sussex Arms Public House
- Kingston Buci Lighthouse

Nature reserves

2.4.6 The Adur Estuary Site of Special Scientific Interest (SSSI) is close to the regeneration area. The Western Harbour Arm, in particular, is within the impact risk zone for this site. Parts of the SSSI are also an RSPB nature reserve.

2.4.7 There are Local Wildlife Sites (LWS) at Shoreham Beach and Basin Road South. Shoreham Beach is also a Local Nature Reserve (LNR).

Open space

2.4.8 Kingston Beach and The Ham are registered as village greens. This safeguards these areas as public spaces.

2.4.9 Other public open spaces include:

- Fishersgate Recreation Ground
- The Garden, a pocket park at Coates Court, Southwick
- The Sanctuary, a pocket park at Laylands Court, Fishersgate

2.4.10 The regeneration area is also close to Hove Lagoon and Vale Park.

Air quality

2.4.11 There are two Air Quality Management Areas (AQMAs) that are partly within the regeneration area. The Brighton & Hove and Portslade AQMA in the east. And the Shoreham AQMA in the west.

2.4.12 These AQMAs have been designated due to the high level of pollutants from road vehicle emissions. Each AQMA has an Air Quality Action Plan which sets out how this is managed.

Hazardous substances

2.4.13 There are three Health and Safety Executive (HSE) Consultation Zones in the regeneration area. These limit the types of development that are allowed close to sites where hazardous substances are handled. There is also a Development Proximity Zone at the Fishersgate site.

2.4.14 The Western Harbour Arm site will become inactive during the plan period. Adur District Council will seek to revoke the hazardous substances consent for this site at that time.

AREA-WIDE POLICIES



3.1 Objective 1: Climate change, energy and sustainable building

To minimise carbon emissions, address the challenges of climate change and create a renewable energy hub.

To ensure all new developments use energy and water as efficiently as possible, use energy from renewable technologies, use sustainable materials, reduce waste, incorporate innovative approaches to open space, biodiversity, and green infrastructure, encourage uptake of low carbon modes of transport and support sustainable lifestyles in existing and new areas.

To maximise opportunities to deliver sustainability objectives through large-scale zero and low-carbon energy technologies to serve the harbour and wider area; particularly those that take advantage of the harbour's coastal location. Shoreham Port will be supported in becoming an important hub for renewable energy generation for the benefit of the sub-region as well as locally.

3.1.1 Section 19 (1A) of the Planning and Compulsory Purchase Act (2004) (as amended) legally requires local planning authorities to include in their plans *"policies designed to secure that the development and use of land ... contribute to the mitigation of, and adaptation to climate change"*.

3.1.2 The National Planning Policy Framework (NPPF) states that:
*"The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."*²⁷

3.1.3 In line with the carbon reduction targets in the Climate Change Act 2008, the NPPF states that local authorities should take a proactive approach to mitigating and adapting to climate change²⁸. Local plans should provide a positive strategy for increasing the use and supply of renewable and low carbon energy, heating and cooling, and identify suitable areas for renewable and low carbon energy sources²⁹.

3.1.4 Planning Practice Guidance (PPG) states that the inclusion of policies to contribute to the mitigation of, and adaptation to, climate change is a consideration when examining a plan for soundness³⁰.

²⁷ NPPF (2019) Paragraph 148

²⁸ NPPF (2019) paragraph 149

²⁹ NPPF (2019) paragraph 151

³⁰ PPG (2014) paragraph 6-002

3.1.5 The harbour falls within The Living Coast, the Brighton & Hove Downs Biosphere, which promotes world class management of the environment. Shoreham Harbour is identified as a future hub for low carbon energy and decentralised energy generation.

3.1.6 The Coast to Capital Local Economic Partnership (LEP) and the Greater Brighton City Deal are promoting the potential for district heating networks and an eco-technology cluster at Shoreham Harbour. There is significant potential to leverage investment and resources for delivery in this area.

Sustainable building and design

3.1.7 The *Adur Local Plan* includes a requirement for a Sustainability Statement to accompany development proposals within the parts of the regeneration area in Adur. Guidance is set out within *Sustainability Statements Guidance Note: Shoreham Harbour*.

3.1.8 *Brighton & Hove City Plan Part One* policy CP8 Sustainable Buildings sets out requirements for sustainability standards and issues that must be addressed by all development proposals.

Creating an exemplar renewable energy hub

3.1.9 Shoreham Harbour Regeneration Partnership was awarded funding under the second wave of the government's Eco-Towns programme in 2009 and a Capacity and Viability Study (2010) was commissioned to explore its potential to meet the programme criteria. A *Shoreham Harbour and Adur District Energy Strategy* (2009) and *Brighton & Hove Renewable and Sustainable Energy Study* (2012) have also been carried out which both highlighted the potential of the harbour to significantly contribute towards meeting the renewable energy needs of the sub-region.

3.1.10 Shoreham Port has European 'Eco Port' status and, as a community trust Port, is motivated to maximise its potential as a hub for renewable energy generation and waste heat distribution.

3.1.11 Building-related energy consumption is a significant contributor to greenhouse gas emissions. The hierarchy of demand reduction, efficient energy supply and renewable energy provision represents the most cost-effective means of reducing energy consumption and greenhouse gas emissions for new developments.

3.1.12 Passive design makes the best use of site orientation, building form, layout, landscaping and materials to maximise natural light and heat, whilst avoiding overheating by providing passive cooling and ventilation.

Low and zero-carbon technologies include, but are not limited to the following:

- Solar-thermal water heating
- Air, ground or water source heat pumps
- Efficient gas boiler
- Gas combined heat and power (CHP)
- Solar photovoltaic (PV) panels
- Wind turbines

Heating and cooling networks

3.1.13 Heating and hot water for buildings account for 40% of UK energy use and 20% of greenhouse gas emissions. The Climate Change Committee estimates that district heating can meet 20% of domestic heating and hot water needs by 2030. The Climate Change Act 2008 obliges the UK to cut 80% emissions by 2050. The Clean Growth Strategy (2017) includes policies to roll out low carbon heating, and phase out the installation of high carbon fossil fuel heating.

In accordance with Policies DA8 and CP8 of the *Brighton & Hove City Plan Part One*, and Policies 8 and 19 of the Adur Local Plan, the councils are proactively encouraging opportunities that arise to incorporate waste heat or other heat sources into the heat networks for the city. The Brighton & Hove Energy Study (2013) identified the potential for district heating networks in and around Shoreham Harbour within a long list of priority areas.

All new development will be expected to incorporate low and zero carbon decentralised energy generation and will be required to either connect where a suitable heating/cooling network is in place (or would be at the time of construction) or design systems to be compatible with future connection to a network. All development proposals must demonstrate that the heating and cooling systems have been selected in accordance with the heating and cooling hierarchy as set in Table 1:

Table 1: Heating and cooling hierarchy

System	
1.	Connection to existing heating/cooling network (most preferred)
2.	Site-wide heating/cooling network
3.	Building-wide heating/cooling network
4.	Individual heating/cooling systems (least preferred)
Technology	
1.	Renewable/waste energy sources (such as biomass, heat pumps, solar thermal) (most preferred)
2.	Low carbon technologies (such as gas-CHP)
3.	Conventional systems (such as gas or direct electric (least preferred)).

In order to safeguard future connection to heating/cooling networks, individual heating/cooling systems will not normally be permitted, unless it can be demonstrated that it is not feasible and/or viable to provide a centralised communal wet heating system.

The councils will require the submission of a feasibility assessment to provide a rationale for the chosen heating/cooling system. This should incorporate a high level assessment of the potential to extend the heating/cooling network beyond the development area in future. Development must adhere to the guidelines set out in Chapter 3 – Design – of the CIBSE Heat Networks Code of Practice for the UK.

Within the proposed Shoreham Heat Network Area, buildings must allow adequate plant room space for future connection and for future building/network interface equipment (such as heat exchangers). Indicative requirements are set out in Table 2:

Table 2: Indicative space requirements for heat exchange substation equipment within building plant rooms

Heating capacity (kW) (space heating and ventilation)	Approximate building size (m ³)	Space required by the heating equipment (m ²)
30	1,000 – 1,500	2
200	10,000 – 15,000	4
400	20,000 – 30,000	5
800	40,000 – 60,000	6

3.1.19 Heat in buildings must operate at an appropriate temperature for future connection to a heat network. The targeted difference between flow and return temperatures on the primary heat network shall be no greater than 30°C for supply to new buildings.

3.1.20 Plant rooms must be situated to consider potential future pipe routes. Pipe runs from the plant room to the highway or proposed heat network main route must be protected and remain accessible for future installation.

3.1.21 In the event that a developer considers compliance with the heating/cooling hierarchy to be unviable, proposals should be submitted with a viability assessment, to justify departure from the hierarchy. Viability assessments must:

- Be compliant with the CIBSE Heat Networks Code of Practice for the UK.
- Be completed by a suitably qualified individual³¹.
- Include baseline energy consumption and carbon emissions calculations for regulated and non-regulated energy use.
- Compare the economies of a heat network solution³² against individual heating scenario³³.
- Provide a breakdown of the cost estimates and assumptions used for the assessment.
- Include linear heat density calculations for the site.
- Present Internal Rate of Return (IRR), capital expenditure, cost and carbon savings as outputs.

³¹ For example a CIBSE Heat Network Code of Practice Qualified Consultant

³² This includes the cost of a communal boiler system, heat meters, heat interface units and plate heat exchanger.

³³ Such as individual gas boilers alongside an equivalent level of microrenewables that would be required to meet energy efficiency requirements.

Shoreham Heat Network

3.1.22 Shoreham Harbour Regeneration Partnership, Adur District Council, West Sussex County Council and Shoreham Port Authority have formed the Shoreham Heat Network Partnership. The Heat Network Delivery Unit (HNDU)³⁴ has provided part funding to explore the potential for heat networks in and around Shoreham Harbour. The *Shoreham Harbour Heat Network Study* (2016) mapped heat demands and identified potentially viable scenarios for network development. The Shoreham Harbour District Energy Feasibility Study (2018) proposes a 2km network serving the allocated sites at the Western Harbour Arm, the site of the former Adur Civic Centre and a number of existing buildings in Shoreham-by-Sea town centre.

3.1.23 The study finds that a network served by marine source heat pumps and gas CHP technologies would provide affordable, low carbon heat and the combination of technologies provides a more robust, lower risk solution than a single heat source. Engagement with Shoreham Port Authority has identified the potential for abstraction and discharge points in the mouth of the River Adur, subject to appropriate environmental permits.

3.1.24 The heat network partnership is carrying out a detailed feasibility study and preparing the business case for detailed project development of the Shoreham Heat Network. All new development in and around the Western Harbour Arm development is required to connect to the proposed network once complete. Development coming forward before the heat network is delivered is required to be connection ready, and to connect once the network is in place. The council will secure the connection of the approved schemes through planning conditions and/or Section 106 agreements.

Wind

3.1.25 The Rampion offshore wind farm is under construction 13km off the Sussex coast to the south and east of Shoreham Harbour. The development will comprise up to 116 wind turbines with a gross capacity of up to 400MW. There will be potential supply chain benefits for Shoreham Harbour and the local economy.

3.1.26 Shoreham Port Authority has also installed two medium scale (100kw) on-shore wind turbines in the South Quayside area as an effective way of increasing renewable energy generation and reducing carbon emissions. The turbines will generate, on average, 555,000kWh electricity per year to power the nearby port Pump House.

3.1.27 Proposals for turbines are subject to environmental impact assessment as part of the planning application process.

³⁴ HNDU is now part of the Department for Business, Energy and Industrial Strategy (BEIS). It was formerly part of the Department for Energy and Climate Change (DECC), which was abolished in 2016.

Solar Photovoltaics

- 3.1.28 The expanse of warehouses roofs in the harbour area offer significant potential for solar PV power generation. Shoreham Port Authority has worked with Brighton Energy Co-operative to install a large number of solar panels on a number of these roofs. The project is funded by community investors buying shares in the co-operative.
- 3.1.29 There is also the potential for solar energy generation on the roofs of the Adur Homes estates at Southwick and Fishersgate. The regeneration partnership will support Adur Homes to explore these opportunities.

Sustainable use of water

- 3.1.30 Shoreham Harbour is supplied with water from the Brighton Chalk Aquifer. This is an important and heavily exploited resource. The Environment Agency has classified the location as falling within an area of 'serious water stress', where demand for water is high and resource availability is low.
- 3.1.31 New development at the harbour offers the opportunity to incorporate sustainable drainage systems (SuDS). These can provide a range of sustainability benefits in addition to managing surface water, including enhancing biodiversity and reducing flood risk.
- 3.1.32 Water efficiency standards can help to deliver the objectives set out within both the *Biosphere Management Strategy* (2014-2019) and the *South East River Basin Management Plan* (2016). The basin plan contains an action that requires local authorities to seek the use of water efficiency standards that exceed the Building Regulations where there is local evidence to support this need.

Policy SH1: Climate change, energy and sustainable building

1. Development proposals should demonstrate how they maximise opportunities to support local sustainability objectives and commitments.
2. A completed Sustainability Checklist will be required to accompany all development proposals in the areas of the harbour within Brighton & Hove. A Sustainability Statement will be required to accompany all development proposals within Adur.
3. Where it is feasible and viable, development should seek to achieve zero-carbon status, in particular within the four site allocations. This will include the use of passive design measures. Proposals must demonstrate good thermal performance and air tightness to prevent heat loss.
4. Developers should demonstrate how they can contribute towards the regeneration partnership's objective of becoming a hub for renewable energy generation.
5. The councils will support proposals for low and zero carbon energy generation, including solar photovoltaics.

Decentralised energy, heating and cooling networks

6. All new development will be expected to incorporate low and zero carbon decentralised energy generation, including heating and cooling. The councils will support the development of heating and cooling networks and associated infrastructure. All development proposals must demonstrate that heating and cooling systems have been selected in accordance with the heating and cooling hierarchy as set out in Table 1.
7. Where no heat network is in place, development proposals must be designed to be connection ready, and will be expected to demonstrate that all specifications below have been met:
 - All buildings must use a centralised communal wet heating system rather than individual gas boilers or electric heating.
 - All buildings must allow adequate plant room space to allow for connection at a later date.

- Plant rooms must be situated to consider potential future pipe routes. The developer must identify and safeguard a pipe route to allow connection between the building and the highway or identified network route where available.
- The developer must not in any other way compromise or prevent the potential connection.

Shoreham Heat Network

8. Development within the proposed Shoreham Heat Network area³⁵ will be required to connect to district heating networks where they exist, or incorporate the necessary infrastructure for connection to future networks.

³⁵ As identified in the *Shoreham Harbour District Energy Feasibility Study* (2018) or subsequent update.

Sustainable use of water

- 9. All developments should seek to achieve high standards of water efficiency and explore potential to implement measures to recycle, harvest and conserve water resources.**
- 10. All new homes should achieve (as a minimum standard), internal water use of no more than 110 litres per head per day and all new commercial buildings should meet the BREEAM 'excellent standard'.**
- 11. Opportunities should be sought to link together development within the regeneration area with site-wide recycled water networks, taking advantage of the diversity of water sources and uses on-site. This process will be supported by the local authorities. Where a recycled water network is delivered on site, all buildings are required to connect, if practical to do so.**

To support a growing, thriving port.

To facilitate the delivery of the adopted Port Masterplan, the provision of a modernised, consolidated and sustainable port, and to promote the important role of the Port in the local and wider economy.

- 3.2.1 Shoreham Harbour contains the entirety of the working Trust Port of Shoreham. Since 1760 the Shoreham Port Authority has had responsibility for operating and managing the port. The continued existence of a thriving and expanding commercial port is an integral part of the regeneration proposals.
- 3.2.2 As a Statutory Harbour Authority, Shoreham Port Authority is responsible for the management of navigational safety within harbour limits between Hove Lagoon, the Old Toll Bridge on the River Adur and the outer Port limits. Shoreham Port Authority is also a Competent Harbour Authority within the provisions of the Pilotage Act 1987.
- 3.2.3 Shoreham Port Authority provides conservancy and a vessel information service for ships and craft using the port, including the maintenance of navigational channels, moorings, lights and the provision of hydrographic, tidal and other information. There are also a number of byelaws which govern operations and activities within the harbour limits.
- 3.2.4 The current level of use at Shoreham Port is 700 to 900 ship arrivals per year, which results in a trading throughput of approximately 1.8 to 2 million tonnes per year. The main commodities that are imported and exported at the port are aggregates, timber, scrap metal, cereals, oil and, increasingly, steel. The *Shoreham Port Masterplan Review (2017)* aims to provide the capacity for a 25% increase in trade over the masterplan period.
- 3.2.5 The port is a significant local employer. There are now over 100 businesses based at the port and about 1,600 people working on site. Employers range from large multinationals, national firms, through to a variety of small and medium sized firms including motorbike repairs and cheese suppliers.
- 3.2.6 Delivery of the proposals identified in the *Port Masterplan* have the potential to create a further 500 local port-related jobs.

3.2.7 Land restrictions are an obstacle to growth within the port. It is therefore important to maximise the productivity of the existing port land. The JAAP aims to do this by focusing commercial port activity at the Eastern Arm and Canal, and by ensuring that vacant and underused sites are used to their full potential.

3.2.8 Non-port related industries currently located within the Eastern Arm and the Canal will be relocated, in order to expand the port's capacity and secure future operations. In parallel, current port-related activities in the Western Harbour Arm will be relocated where and when possible through securing alternative sites within the harbour, or elsewhere in the region. This will enable the land to be used for other developments.

Port Masterplan

3.2.9 Shoreham Port Authority's strategy for growth is set out in the updated *Shoreham Port Masterplan Review* (2017) and involves consolidating port-related uses within the Eastern Arm, Canal and South Quayside. The JAAP aims to promote the masterplan objective of enhancing the port's role in the local community, particularly in terms of jobs and trade growth.

Eco-Port Status and Renewable Energy Hub

3.2.10 Shoreham Port Authority has an environmental policy and has EcoPort status, shared with other ports in Europe. The port uses power for lighting on the terminals, operating the lock gates and water pumps which are used to keep the water at a constant level. Opportunities are being explored to reduce the reliance on traditional forms of energy by producing energy locally from renewable sources instead.

Adapting to Climate Change

3.2.11 In accordance with the *National Ports Policy Statement* (2012), new port infrastructure will typically be long-term investments which will need to remain in operation over many decades, in the face of a changing climate. Consequently, proposals for new development must consider the impacts of climate change when planning the location, design, build and operation of new port infrastructure.

Land Reclamation and Infilling

3.2.12 Previous development proposals for the harbour have included the reclamation of land out to sea on the south side of South Quayside, however the costs of implementation were considered to be prohibitive in the short to medium term. Whilst large scale land reclamation is not considered viable, it has been proposed on a limited scale within the canal, including at Britannia Wharf, as well as at Albion and Turberville Wharves, where it is hoped to increase the overall capacity and efficiency of the site.

Permitted Development Rights

3.2.13 Shoreham Port Authority has permitted development rights for certain types of development within the harbour 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) 2015; Part 17, Development By Statutory Undertakers, Class B (Dock, Pier, Harbours, Water transport, canal or inland navigation undertakings).

Minerals Wharves

- 3.2.14 The NPPF provides protection to mineral wharves, stating that local planning authorities should safeguard existing, planned and potential sites for bulk transport of minerals, secondary materials and marine- dredged aggregates³⁶.
- 3.2.15 Minerals wharf capacity at Shoreham Harbour makes a significant contribution to meeting the needs for aggregate imports in the sub-region. Most of the wharf capacity is contained within the Eastern Arm and Canal.
- 3.2.16 Policy WMP 15 of the *East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (2013)* safeguards existing, planned and potential minerals wharf facilities and their consequential capacity for receiving and processing sea-borne imported aggregates at the Shoreham Port. The policy does allow for some redevelopment of wharves if overall capacity is maintained at the harbour. It is recognised that this capacity could be in the West Sussex portion of the harbour.
- 3.2.17 The *East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted 2017)* identifies the area of the Port falling within Brighton & Hove for safeguarding where policy WMP15 will apply.
- 3.2.18 Policy M10 of the *West Sussex Joint Minerals Local Plan (2018)* safeguards permanent mineral wharves at Shoreham Port for the purpose of minerals transportation. The policy further safeguards temporary consents granted at New Wharf and Kingston Wharf, to ensure they can continue to operate without prejudice, whilst they have planning permission. The plan states (paragraph 6.10.11) further temporary permissions may be granted for mineral related development at these sites if there is not a conflict with other development plan policies and objectives. These temporary permissions can contribute positively to ensuring a steady and adequate supply of minerals to the area. Safeguarding of these sites will cease once permission expires.
- 3.2.19 There are several larger safeguarded sites within the heart of the port operational area that are actively used to discharge aggregates which offer unused capacity and therefore potential to mitigate the loss of wharves elsewhere in the port.
- 3.2.20 The regeneration partnership is exploring how best to deliver the safeguard sites policies at Shoreham Harbour to protect the overall wharfage capacity at the port whilst maintaining flexibility over which sites can contribute to meet aggregate needs.
- 3.2.21 In accordance with the NPPF, Shoreham Port Authority will continue to work closely with local minerals planning authorities in preparing their annual Local Aggregate Assessment based on a rolling average of 10 years sales data, other relevant local information and an assessment of all supply options (including marine dredged, secondary and recycled sources).
- 3.2.22 West Sussex County Council has prepared a *Statement of Common Ground (2016)* between the project partners, and the neighbouring minerals authorities (East Sussex County Council and South Downs National Park Authority) to establish co-operation and collaboration between the parties in addressing strategic cross-boundary issues as they relate to planning for minerals infrastructure and their safeguarding at Shoreham Port. The statement sets out matters of agreement and commitment to a future policy approach, reflecting the aspirations for regeneration at the harbour.

³⁶ NPPF (2019) Paragraph 204

Policy SH2: Shoreham Port

- 1. New development proposals within the port area will be assessed against the objectives of the *Port Masterplan*, which will be treated as a material consideration.**
- 2. Parts of the harbour as identified within this plan will be safeguarded for port operational uses and will be the focus for commercial port activity. Non-port related activities will be resisted in those areas.**
- 3. Acceptable uses will need to demonstrate the requirement for a port-side location or are ancillary to a use requiring a port-side location.**
- 4. Sui generis uses appropriate to a port-side industrial location will also be acceptable provided they generate comparable levels of employment to B1-B2 use classes.**
- 5. New development within the harbour area should not conflict or unreasonably constrain the day to day operations and workings of the port and port-related uses.**
- 6. Proposals in the vicinity of port operational areas should give careful consideration to health and safety implications in relation to access to the waterfront and to the security of moorings and storage areas. Security and safety implications should be considered at the outset and discussed with Shoreham Port Authority at an early opportunity.**
- 7. Proposals for uses that support the port's status as an 'Eco port' and hub for renewable energy generation will be encouraged.**
- 8. New port infrastructure proposals should consider the impacts of climate change when planning the location, design, build and operation of new port infrastructure.**
- 9. Proposals for the upgrade, intensification, and refurbishment of sites so they meet modern business standards and are more resource efficient will be supported.**
- 10. There should be no net loss of employment floor-space in port operational areas as a result of new development proposals unless exceptional circumstances can be demonstrated.**

To stimulate the local economy and provide new jobs.

To provide new, high quality employment floor-space and improve the business environment to support the needs of local employers. To equip local communities with the training and skills required to access existing and future employment opportunities.

- 3.3.1 The development of the harbour area is a long-term aspiration. In the short to medium term (5-10 years) it is essential to ensure that the initial phases of development do not compromise the operations of businesses on sites which are unlikely to come forward until later in the process. The regeneration partnership is committed to continuing a process of dialogue to ensure mutually appropriate development as and when sites come forward.
- 3.3.2 The JAAP proposals have been prepared in line with consideration of their impacts on the local economy. A preliminary *Economic Impact Assessment* (GL Hearn, 2013) has been undertaken which has indicated that the proposals could generate a significant net increase in employment and additional economic output. The proposals will also promote increased supply chain opportunities, with the new business base created by the proposals potentially supporting further indirect job creation in the local economy.
- 3.3.3 Whilst the proposals will result in overall losses of employment land footprint as land is redeveloped for other uses, the profile of the new employment space that is created and retained will support the objectives identified in the Brighton & Hove and Adur Employment Land Studies, particularly by:
- Renewing older and poor quality industrial stock and delivering quality workshop and industrial space to meet the needs of key creative/digital industries as well as emerging high-tech manufacturing and environmental technologies sectors.
 - Expanding Adur's under-developed office market through the provision of new office accommodation and thus supporting growth in higher value-added sectors.
 - Providing an opportunity to deliver small, affordable, start-up office space for which there is a continuing need in Brighton.
- 3.3.4 Proposals that incorporate initiatives and opportunities to secure apprenticeships, training and new job opportunities for the local area will be encouraged.

- 3.3.5 As part of planning obligations associated with major development schemes developers may be required to contribute towards the provision of good quality employment and training opportunities during construction.
- 3.3.6 The regeneration partnership will continue to work with key stakeholders and local service providers to improve access and links to training and skills opportunities for local people. The Coast to Capital Local Enterprise Partnership (LEP) has produced a Skills Strategy (Skills for Growth, 2015) which identifies the need for improved employee skills across the LEP area. The Partnership will proactively engage with the LEP on this matter.
- 3.3.7 Some existing employment areas are protected within the relevant character area policies. The councils will monitor conversions of employment space to residential development through the monitoring framework set out in the Appendix. If necessary, in response to the identified monitoring indicator trigger, the councils will consider seeking to remove permitted development rights in accordance with Article 4 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

Policy SH3: Economy and employment

1. **The JAAP proposals support the delivery of a minimum of 16,000m² of new employment generating floor-space in Adur and 7,500m² in Brighton & Hove.**
2. **To prevent the loss of employment floor-space and associated jobs in the local area, the authorities will aid the relocation of existing occupiers displaced by new development within the regeneration area, district or sub-region depending upon individual requirements.**
3. **Prior to sites coming forward for redevelopment to alternative uses, planning permissions for continuation of current employment uses may be granted for temporary periods on a case-by-case basis.**
4. **The Councils will seek agreement with developers to secure appropriate training and job opportunities for local residents.**
5. **New development will be required to contribute to the improvement of the local highways network and public realm to improve the street environment for local businesses.**
6. **Proposals should seek to incorporate or contribute towards enhancements to areas of public realm identified as being of poor quality.**

Retail uses

7. **As part of mixed-use redevelopments, small-scale, ancillary retail uses are acceptable provided that such activity will assist in enlivening key frontages and supporting existing retailing areas. Proposals should be appropriate and complementary in relation to Shoreham-by-Sea town centre and the existing district centre designation on Boundary Road/Station Road.**
8. **New development for town centre uses (other than small-scale ancillary uses mentioned in clause 1) outside of the defined town centre boundary (or Primary Shopping Area in the case of retail uses) will be assessed in accordance with the National Planning Policy Framework sequential and impact tests. An impact test will be required for any proposed retail development outside of the Primary Shopping Area with a net sales floor-space of 1,000m² or more.**

To provide new homes and contribute to meeting housing need.

To contribute to meeting the housing needs of Adur and Brighton & Hove through delivering new homes of a range of sizes, tenures and types, including affordable and family homes as well as associated supporting community infrastructure.

- 3.4.1 Both Adur and Brighton & Hove are geographically constrained by the sea and by the South Downs National Park to the north. Most of the remaining green space is protected through environmental designations, to prevent coalescence of settlements and for its recreation and amenity value. As a result, there is a limited supply of sites where new homes can be built and therefore development mainly consists of building on previously developed (brownfield) sites and small scale infill sites. Despite this, the demand for new homes continues to grow creating a challenge for local authorities in identifying new sites.
- 3.4.2 Housing needs assessments for both Adur and Brighton & Hove have identified a shortfall in housing provision in relation to need, in particular affordable and family sized homes. Supporting the delivery of new housing areas is central to the vision of transforming the harbour into an attractive waterfront community. The JAAP will support the regeneration of a number of brownfield sites which have been identified as suitable for residential development, balanced with the protection of key employment sites in other parts of the harbour.
- 3.4.3 Most residential development within the Shoreham Harbour Regeneration Area is expected to be multistorey flats. A small number of terraced town houses may be appropriate on a small number of allocated sites.
- Social and community infrastructure*
- 3.4.4 To ensure the regeneration of Shoreham Harbour promotes healthy, sustainable communities, it is important that appropriate and sufficient social and community infrastructure is provided in accessible locations to serve all parts of the community. An increase in population in the area will place pressure on existing facilities and create the need for new infrastructure provision.
- 3.4.5 Social infrastructure refers to emergency services, schools and colleges, health facilities, community spaces and cultural venues in the area.
- 3.4.6 Specific items of supporting infrastructure that will need to be delivered for Shoreham Harbour are set out within the Infrastructure Delivery Plans (IDPs) that accompany the *Adur Local Plan* and *Brighton & Hove City Plan Part One*.

- 3.4.7 These are live documents that are continuously updated and identify the range of different stakeholders that are responsible for delivery as well as associated costs, funding sources, priorities and progress.
- 3.4.8 Specific requirements relating to delivery of the Western Harbour Arm proposals are set out under 4.7 – Western Harbour Arm.
- 3.4.9 The Brighton & Hove IDP sets out specific requirements to support the proposed increase in residential population at South Portslade Industrial Estate and Aldrington Basin. In particular planning obligations towards education and health/medical services will be sought from new developments coming forward.
- 3.4.10 The *Adur Local Plan (2017)* includes Policy 33: Planning for Sustainable Communities that resists the loss of existing community facilities. Also refer to *Policy SH10: Infrastructure Requirements* in this plan.

Policy SH4: Housing and community

1. **Sites identified for residential-led redevelopment should contribute a minimum of 1,400 new homes across the harbour area by 2032, comprising 1,100 within Adur and 300 within Brighton & Hove.**
2. **Developers will be required to ensure that proposals deliver a mixed and balanced community through providing a mix of dwelling types, sizes and tenures in accordance with identified local needs including suitable family accommodation.**
3. **New residential development will be expected to make provision for a mix of affordable housing, including social rented, affordable rented and intermediate housing in accordance with local plan policies.**
4. **Development will be required to contribute towards provision of community and social infrastructure, in accordance with the relevant Infrastructure Delivery Plan.**
5. **Residential development in close proximity to existing or proposed employment activities and port uses must be carefully designed and incorporate appropriate mitigation measures to prevent future conflicts arising and maintain the continued operation of business uses.**
6. **Innovative solutions to mitigation will be encouraged to ensure that residential-led development proposals are capable of existing with neighbouring uses, as well as the long-term development scenario envisaged in the JAAP.**

To improve connections and promote sustainable transport choices.

To promote sustainable transport choices through ensuring that new developments are well served by high quality, integrated and interconnected networks, improved pedestrian, cycling and public transport routes and seeking to reduce demand for travel by private car in innovative ways.

- 3.5.1 Transport improvements will be required to support the JAAP proposals and reduce the impact of existing and future traffic congestion and related air quality and noise impacts, in particular the impacts on the two Air Quality Management Areas (AQMAs). Measures that reduce reliance on the private car and improve sustainable transport choices will be promoted.
- Road Network**
- 3.5.2 The coastal settlement pattern of the regeneration area is linear with most of the key roads connected by the A259 which runs east to west through the Shoreham Harbour area. The A27 provides the strategic inland route taking much of the through traffic; however there is a significant volume of local traffic along the A259 including heavy goods vehicles.
- 3.5.3 Access to the main operational port area is via two main entrances off the A259 which are not well connected to the A27. The advisory lorry route to Shoreham Harbour from the A27 is via the A293. As a result heavy goods vehicles often pass through either residential areas (via the advisory routes) or the town centres of Shoreham-by-Sea and Portslade.
- 3.5.4 At peak periods journey times for vehicles on the A259 are slow, for example Shoreham High Street. As a gateway to the regeneration area the A259 will be required to facilitate development traffic and provide access to local services, and reducing congestion on this key route is therefore essential to the regeneration proposals.
- Public Transport**
- 3.5.5 Public transport accessibility to the harbour is generally good with four local railway stations on the West Coastway line serving most of the population within a 20 minute walk. Despite good accessibility, the railway line acts as a physical barrier to north – south movements for other road users.
- 3.5.6 Capacity constraints on the Brighton Main Line and West Coastway have been identified by Network Rail as significant challenges facing this part of the rail network.
- 3.5.7 There are frequent buses along the A259. However, north-south movements are limited due to the road layout and severance created by the A259 and roads running under the railway line. In addition, there is scope to improve public perception of the bus network.

Walking and cycling

- 3.5.8 Shoreham Harbour is well served by pedestrian infrastructure; however the environment for pedestrians is considered to be poor and unattractive in places, and may not encourage short walking trips. In places the network is narrow, in poor condition, close to road traffic or poorly lit. The railway line and A259 both act as barriers to pedestrian movements causing severance.
- 3.5.9 Two key pedestrian routes connect across the harbour - the Adur Ferry Bridge from Shoreham-by-Sea town centre to Shoreham Beach and the harbour lock gates to Southwick Beach. Whilst both are well used, up until recently neither of these has offered a high quality pedestrian environment. The Adur Ferry Bridge now provides a much improved pedestrian and cycle connection between Shoreham Beach and Shoreham-by-Sea town centre and railway station.
- 3.5.10 To the east, the Brighton & Hove seafront provides a heavily used promenade for pedestrians and cyclists and a series of recreational activities. This ends abruptly at Hove Lagoon immediately to the east of Shoreham Harbour.
- 3.5.11 Southwick Beach and Carats Cafe act to some extent as destinations that help draw people to walk along the eastern part of the harbour and across the lock gates from Southwick. There is a significant opportunity to improve the quality of this experience. There are also opportunities to create visitor destinations around Shoreham Fort on Shoreham Beach and the lighthouse on Kingston Beach.
- 3.5.12 Monarch's Way is a long distance footpath running between Worcester and Shoreham Harbour. The route runs along Basin Road South and then along the promenades of Hove and Brighton before turning inland. Natural England is leading the delivery of the England Coast Path: a national trail that will run the entirety of the coast of England. This is planned to share the route along Basin Road South then cross the harbour at the lock gates and follow the A259 as far as Adur Ferry Bridge. In the longer term the waterfront route at the Western Harbour Arm could be designated as part of the route.
- 3.5.13 The National Cycle Route 2 (NCN2) from Dover to Penzance runs through the regeneration area. This route also uses Basin Road South, before crossing the lock gates and taking an inland route to Shoreham town centre and the Adur Ferry Bridge.
- 3.5.14 The *Shoreham Harbour Transport Strategy* identifies a dedicated, safe and continuous cycle facility along the A259 from Wharf Road to Adur Ferry Bridge, providing a core cycle route, a critical item of infrastructure. Reducing the intimidating nature of the A259 corridor for cyclists with quality surfacing, clear signing, and provision for cycles at side roads or accesses.
- 3.5.15 The A259 does not currently have good infrastructure for cyclists and is heavily used by motor vehicles, including HGVs. However the road provides the most direct route between Hove and Shoreham-by-Sea. Many cyclists therefore use this route. The partnership is exploring the potential for dedicated cycle facilities along this route.
- 3.5.16 Adur & Worthing Councils have committed to producing a Local Cycling and Walking Infrastructure Plan (LCWIP) to improve safe routes for walking and cycling, and seek funding to implement these. The LCWIP will incorporate proposals identified in this plan and the Shoreham Harbour Transport Strategy.

Transport Strategy

- 3.5.17 The *Adur Local Plan & Shoreham Harbour Transport Study* (2013) and addendums (2014; 2016) assessed the impact of proposed housing and employment development at Shoreham Harbour on the highway network. It proposes a package of mitigation measures which will reduce the impact of development and encourage a shift in travel patterns to sustainable modes of transport. This package consists of sustainable transport measures, behaviour change initiatives and junction capacity improvements.
- 3.5.18 The *Shoreham Harbour Transport Strategy* was developed alongside the JAAP to support regeneration and development at Shoreham Harbour. The strategy contains a package of integrated transport measures that will guide the provision of transport infrastructure for the next 15 years.

- 3.5.19 The strategy takes a balanced view of transport provision in the regeneration area focusing on improvements to the existing road network and measures to encourage the use of sustainable modes of transport. Five key outcomes are identified in the Transport Strategy:
- OC1 Reduced levels of congestion
 - OC2 Strengthened sustainable transport mode share
 - OC3 Improved connectivity
 - OC4 A safe and attractive environment
 - OC5 Adequate parking provision and controls
- 3.5.20 Examples of behaviour change initiatives include travel plans, car sharing schemes, encouraging shared car ownership, and cycle training. This study is part of the evidence base for the Shoreham Harbour Transport Strategy and development proposals will be expected to contribute towards the package of measures identified.

Parking

- 3.5.21 Guidance produced by West Sussex County Council states that car parking provision for residential development should: take account of the expected levels of car ownership; ensure high quality of design; make efficient use of land. The guidance outlines that expected levels of car ownership and demand should be determined taking account of the type, size and tenure of the proposed development.
- 3.5.22 Brighton & Hove standards currently outline maximum levels of parking, however it is anticipated that new guidance will put a priority on minimising off-street car parking provision in accessible locations.
- 3.5.23 Due to the constrained nature of allocated sites at Shoreham Harbour, innovative approaches to parking will be required. The Transport Strategy identifies a localised approach to car parking provision such as using appropriate parking controls and the use of car clubs.

Policy SH5: Sustainable travel

1. New development in the regeneration area must demonstrate how it intends to reduce the need to travel by car and should help to deliver sustainable transport improvements as identified in the *Shoreham Harbour Transport Strategy*.
2. Development will be required to contribute towards implementation of the area-wide travel behaviour change and travel choice programme set out in the *Shoreham Harbour Transport Strategy*.
3. The layout and streetscape of the allocations should be designed to give pedestrians and cyclists priority over vehicular traffic wherever possible.
4. Developments will be required to contribute towards the delivery of transport infrastructure which reduces congestion and increases the use of sustainable transport modes. Specific measures are identified in the *Shoreham Harbour Transport Strategy* including junction capacity improvements, improvements to bus and rail infrastructure and better cycling and pedestrian routes and facilities.
5. Improvements should focus on the following priority corridors and seek to minimise the impact of traffic, including HGV's, on surrounding communities:
 - A259
 - A283
 - A293
6. To improve the connectivity of the regeneration area, development proposals must provide or contribute towards the delivery of a comprehensive and well integrated transport network with strong linkages to town / district centres, the harbour waterfront / coastline, the South Downs, access routes and surrounding neighbourhoods. Specific network improvements for these supporting links are identified in the *Shoreham Harbour Transport Strategy*.
7. Proposals that incorporate facilities and/or initiatives to promote the use of the river as a means of transport, such as provision of pontoons and additional moorings will be encouraged.
8. Improvements must be consistent with recommendations in the *Shoreham Harbour Streetscape Guide* and *Shoreham Harbour Transport Strategy*.

Parking

9. Car parking provision will be considered as part of the overall package of measures that impact on the need to travel resulting from the development. Proposals should include adequate levels of car parking for residential development or measures to promote lower levels of car ownership.
10. For commercial development, car parking provision should be in line with local authority maximum standards.
11. The amount of surface and on-street car parking should be minimised wherever possible and innovative solutions to the provision of car and cycle parking are encouraged as informed by the *Shoreham Harbour Transport Strategy*. Measures could include the creation of new car clubs or the extension of existing car clubs, by providing additional vehicles in appropriate locations and access to membership, to cover the regeneration area.
12. All new development proposals will be required to provide adequate, appropriate and secure cycle parking and storage facilities.

3.6 Objective 6: Flood risk and sustainable drainage

To reduce the risk of flooding and adapt to climate change.

To ensure that development avoids and reduces the risks from flooding and impacts on coastal processes and that risks are not increased elsewhere as a result. To ensure that appropriate and comprehensive flood infrastructure is delivered. To ensure surface water run-off and water pollution have been reduced by the introduction of sustainable drainage systems.

- 3.6.1 Parts of the regeneration area are at a high risk of flooding due to the proximity to the coastline and the River Adur, exacerbated by the low lying topography of some sites. This is especially true for the Western Harbour Arm, parts of Aldrington Basin, Southwick and Portslade beaches as well as the port operational area.
- 3.6.2 Tidal flooding presents the most significant risk to the area. The *Adur & Worthing Strategic Flood Risk Assessment* and *Brighton & Hove Strategic Flood Risk Assessment* identify a number of sites located within Tidal Flood Zones 2, 3a, 3b and Non-functional Flood Zone 3b. This latter category recognises that some sites have the same risk of tidal flooding as Flood Zone 3b but do not have a significant storage or conveyance potential which materially impacts flood risk elsewhere. In addition to this tidal flood risk, some areas are also affected by fluvial and surface water flooding.
- 3.6.3 Working closely with the Environment Agency, the partnership has prepared a *Shoreham Harbour Flood Risk Management Guide* SPD which sets out the types of flood risk present in the harbour area, the vision for a comprehensive flood defence network along the Western Harbour Arm and the requirements of developers in relation to mitigating flood risk in the regeneration area. This guide has been adopted by both Adur and Brighton & Hove councils. A key consideration of the SPD is the impact that climate change will have on rising sea levels, storm frequency and storm magnitude.
- 3.6.4 Brighton & Hove City Council, in partnership with Adur District Council and the Environment Agency, has produced the *Brighton Marina to River Adur Coastal Strategy Study*. This document examines how the stretch of coastline between Brighton Marina and the River Adur (up to the Canal lock gates in Southwick) will change over the next 100 years. This includes identifying erosion and flood mitigation measures that need to be delivered over this period.

3.6.5 Proposed flood defence improvements identified in this strategy would enhance the standard of protection for allocated sites identified in this plan, such as Southwick Waterfront and Aldrington Basin. The proposals identified in the strategy are therefore fully supported by the Partnership. A similar strategy, *The Rivers Arun to Adur Flood and Erosion Management Strategy* (2010) has already been adopted by DEFRA. This strategy includes a large part of the River Adur taking in the Western Harbour Arm.

3.6.6 The NPPF highlights the need to direct development away from areas at highest risk of flooding³⁷. Development Plans should apply a sequential, risk-based approach to the location of development to minimise risk from flooding and take account of the impacts of climate change. The proposals in this plan have been assessed through the Sequential and Exceptions Tests carried out in preparation of the Brighton & Hove City Plan Part One (2016) and the Adur Local Plan (2017). Therefore, a sequential test will not be required for proposed development within the allocations, unless the proposal departs significantly from the terms of the allocation.

3.6.7 Proposed development outside the allocations in this plan and within flood zone 2 or 3 will require a sequential test to be carried out as part of the site-specific flood risk assessment³⁸. To support the regeneration of the area, applicants will be expected to search for alternative sites at a lower risk of flooding within the character area the site is situated in (as identified in this plan). Where necessary, having regard to the potential vulnerability of the site and the development proposed, an exceptions test will also be required.

3.6.8 Policies in Part 4 of this plan identify the site-specific flood defence and mitigation measures required within the character areas. Development in the Western Harbour Arm in particular will be required to deliver significant flood risk mitigation infrastructure. Responsibility for the delivery and maintenance of flood defences will belong to the landowner.

³⁷ NPPF (2019) Paragraph 157

³⁸ Subject to the criteria in the PPG

Policy SH6: Flood risk and sustainable drainage

1. The partnership will support the delivery of measures to mitigate flood risk and coastal erosion in the regeneration area. Development proposals in the regeneration area must comply with the principles and approach to flood risk management set out in the *Shoreham Harbour Flood Risk Management Guide* (2015), or subsequent guidance and must take account of the most up to date flood risk management evidence and policy in consultation with the relevant authorities, including the Environment Agency.
2. Prior consent of the Environment Agency is required for any works within 16m of the tidal River Adur. All proposed flood defences, flood defence upgrades, slipways, pontoons and floodgates will require prior approval of the Environment Agency, either through the Environment Agency Permit or as part of the Marine Management Organisation license. New development will need to be setback from the river's edge where flood defence maintenance is required. Set back distance should be discussed and agreed with the relevant authority including the Environment Agency. Maintenance arrangements for flood defences should be agreed with the Environment Agency and the local authorities prior to construction.
3. Where development creates new or alters flood flow routes, the site specific Flood Risk Assessment must assess the potential flood hazard posed by them to ensure that flood risk is not increased elsewhere.
4. Residential development proposals must protect against a breach scenario through the application of an appropriate finished floor level of 5.77m AOD.
5. Non-residential development proposals must be designed to be safe for the proposed lifetime of the development, assumed to be at least a 60 year period from the date of receiving planning permission, unless otherwise agreed with the Local Planning Authority.
6. Where undefended land levels are below the 1 in 200 year tidal flood event for 2115, flood defences should be provided to 5.4m AOD. For sites where existing defences / land levels do not meet the heights outlined above, developers will be required to deliver flood defences to this height to meet the required standard of protection.
7. Where sheet piling is being proposed, a piling risk assessment must be carried out to demonstrate that any proposed piling will not result in contamination of groundwater or migration of contamination off-site. Wherever possible piling should be non-percussive vibro or push piling to minimise impacts to migratory fish. Use of percussive methods should be restricted to times when ecological impact is minimal. Displacement piling methods are generally preferred on contaminated sites as they produce no spoil so that contamination is not exported to the surface.
8. Where proposals seek to retain existing wharf walls as part of the flood defence infrastructure, an extensive structural survey will be required to ensure the development will be safe for its lifetime.

9. **Where pontoons and mooring opportunities are provided as part of delivery of new flood defences, the following requirements apply:**
 - **Pontoons should be designed to be freestanding structures.**
 - **Where boats are to be moored directly onto piling, a structural survey is required to consider whether defences could take the loading over their expected lifetime.**
 - **Where loss of habitat occurs due to construction of moorings or pontoons or from boats resting on intertidal habitat, creation of new like for like compensatory habitat will be required.**
10. **Proposals should demonstrate how the risks of surface water runoff and water pollution have been reduced including through the introduction of sustainable drainage systems (SuDS) and water capture/recycling technology. SuDS must also be applied to hard landscaping (including paving and road carriageways).**
11. **New developments must incorporate open space, appropriate planting, green roofs and/or green walls (suitable for coastal growing conditions) to reduce levels of surface water runoff and consequent risk of flooding.**
12. **Proposals which seek to provide basement parking in tidal/fluvial flood zones will only be acceptable where adequate mitigation and emergency planning are included as part of the planning application. Developers will be required to demonstrate that drainage and separators will not release potential contaminants to the environment.**
13. **Proposals must include an emergency strategy to ensure the safety of residents at times of flooding.**

3.7 Objective 7: Natural environment, biodiversity and green infrastructure

To add to the natural capital of the Shoreham Harbour Regeneration Area by delivering net gains to biodiversity and a multifunctional green infrastructure network.

To conserve and protect the area's important environmental assets, wildlife habitats and ecosystem services and to enhance the biodiversity of the area by creating new habitats. To minimise and mitigate impacts on the natural and local environment from soil, air, water or noise pollution.

To support the objectives of the Brighton & Lewes Downs Biosphere Management Strategy through the creation of green links within and beyond the harbour area, changes in the design and management of spaces to create a functioning green infrastructure network, including new green spaces and biodiverse green roofs and walls.

- 3.7.1 The regeneration area falls within the Brighton & Hove Downs Biosphere. As such, the JAAP aims to contribute towards meeting its three objectives of:
- Nature conservation
 - Sustainable socio-economic development
 - Knowledge, learning and awareness
- 3.7.2 New development within the regeneration area is expected to be outstanding from an environmental perspective and all opportunities to promote biodiversity need to be considered. The councils will require the submission of an Ecological Impact Assessment (EcIA) carried out in accordance with British Standards (BS42020:2013 Biodiversity – Code of practice for planning and development) and CIEEM guidance, or subsequent updates.
- 3.7.3 Ecological impacts should be assessed and recommendations for appropriate mitigation, compensation and enhancement made. Negative impacts should be avoided wherever possible. It is possible to significantly reduce negative impacts of development on the ecology of an area through mitigation measures.
- 3.7.4 Any potential wildlife habitats that will be lost or negatively impacted as a result of development will need to be compensated for and enhanced wherever possible.
- 3.7.5 There is potential for development at the Western Harbour Arm to lead to loss of, or harmful impact to, intertidal habitats in the River Adur. Adur District Council is currently working with partners to develop a strategy to address this issue, and identify suitable locations for compensatory habitat creation. Nevertheless, developers will be required to demonstrate that impacts cannot be avoided before mitigation and/or compensatory measures are considered.
- 3.7.6 The *Shoreham Harbour Ecology and Green Infrastructure Study (2015)* identifies the potential impacts of development proposed within this plan. It also updates previous ecological surveys and proposes green infrastructure improvements.

Designated sites and biodiversity

- 3.7.7 In accordance with the NPPF and with *Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services*, it is essential that any development in the harbour takes into account the sensitivities of the local and natural environment and protects and enhances it wherever possible³⁹.
- 3.7.8 Located just outside the regeneration boundary to the west, is the Adur Estuary, a Site of Special Scientific Interest (SSSI) of particular ecological significance for its inter-tidal mudflats. It also contains one of the few saltmarsh habitats in West Sussex.
- 3.7.9 The Adur Estuary is an important habitat for a range of species, including estuarine plants and wading birds (particularly redshank, dunlin and ringed plover). The ringed plover population regularly exceeds 1% of the total British population, making the SSSI of national importance for this species.
- 3.7.10 The entire regeneration area is within the Impact Risk Zone (IRZ) for the Adur Estuary SSSI. An IRZ provides an initial assessment of potential risks to an SSSI posed by development proposals. Allocation Western Harbour Arm Waterfront is most likely to impact the SSSI. Consultation with Natural England is expected for these sites.
- 3.7.11 The eastern end of Shoreham Beach Local Wildlife (LWS) falls within Character Area 6: Harbour Mouth. A large part of the LWS is also designated as a Local Nature Reserve (LNR) whose boundary is adjacent to the regeneration area. The site's main interest is coastal vegetated shingle, an internationally rare and threatened habitat. It also provides a high tide roosting area for wading birds that have fed on the mudflats within the Adur Estuary.
- 3.7.12 Basin Road South LWS is located at the eastern end of the regeneration area, adjacent to Allocation Aldrington Basin. This site is also designated for coastal vegetated shingle. The *Shoreham Harbour Vegetated Shingle Assessment* (2015) found that the site is predominantly made up of imported material and has undergone periods of disturbance.
- 3.7.13 The Basin Road South LWS is 1.1ha in size. The assessment found the extent of vegetated shingle to be 0.43ha (39%) concentrated along the northern and southern fringes. The status of this site will be reviewed through the *Brighton & Hove City Plan Part Two*. The partnership is working to identify opportunities for coastal vegetated shingle habitat creation at Portslade and Southwick Beaches.
- 3.7.14 The Shoreham Harbour area as a whole is of regional importance for passage bird species and is of county importance for wintering birds as a result of the sheltered nature of the site. The area is also of local importance for breeding birds. It will be important to consider the impacts of increased recreational activities as a result of new development at the harbour on these sensitive areas.
- 3.7.15 A Reptile Survey (2009) has indicated the presence of an exceptional population of common lizards and a good population of slow worms on the North Canal Bank on the harbour's Eastern Arm, south of the A259. A Great Crested Newt Pond Survey (2009) concluded that due to a general lack of ponds and standing water bodies within the area, there is a negligible risk of impacts on this protected species as a result of the proposals.

³⁹ NPPF (2019) Paragraph 170

Green infrastructure and wildlife corridors

3.7.16

There are a number of strategically important green corridors in and around the harbour area including the nationally important routes of the South Downs Way and the Monarchs Way long distance footpath. As highlighted in both the recent Adur District Council and Brighton & Hove City Council open space strategies; the beaches, foreshore and wider seafront area act as a blue/green corridor supporting a broad diversity of species. Other local links include:

- National Cycle Route 2 along the coast links Shoreham with Worthing to the west and Brighton to the east. Between Shoreham-by-Sea town centre and the Canal lock gates at Southwick this route is diverted inland to avoid the busy A259. It is anticipated that the proposed pedestrian/cycle route along the waterfront at the Western Harbour Arm, and a designated A259 cycle route could create a more direct route.

- By 2020, Natural England expects to deliver the England Coast Path, a new National Trail around England's entire coast. The Partnership is working with Natural England to progress this project. It is anticipated that the new and improved routes at the Western Harbour Arm, Canal lock gates and Portslade and Southwick Beaches will ultimately form part of this route.
- Regional cycle route 79 (12) following the Adur River valley connects Horsham to the south coast at Shoreham.
- Within Brighton & Hove, there are three north-south corridors providing important wildlife links and some public access between the harbour and the South Downs:
 - Southwick Hill down to Fishersgate – public access throughout although very narrow in parts of the urban area.
 - Foredown Hill to Vale Park in South Portslade – series of green spaces with intermittent public access.
 - Benfield Valley linking the downs to Old Shoreham Road with consistent public access.

3.7.17

The Shoreham Harbour Ecology and Green Infrastructure Study (2015) makes a number of proposals to enhance the green infrastructure and biodiversity of the harbour and surrounding areas. These include:

- The preparation of a green infrastructure strategy for the regeneration area and links to surrounding areas.
- A259 green corridor. The study identifies fourteen green spaces located along the A259. These act as a series of 'stepping stones' for wildlife. These sites include designated spaces such as Kingston Beach village green, but also the embankments between the A259 and the port, and the grassed amenity spaces around the Adur Homes estates at Southwick and Fishersgate. The Partnership is working with Adur Homes, Action Eastbrook and local communities to deliver improvements to these sites. Specific proposals are included within each character area policy in Section 4 of this plan. Further detail will be included in the Shoreham Harbour Green Infrastructure Strategy.

- Portslade and Southwick Beaches green corridor. The Shoreham Harbour Vegetated Shingle Assessment identified significant potential for coastal vegetated shingle habitat creation along these beaches. Habitat creation could be delivered as part of improvements to coastal defences and through the delivery of the England Coast Path and improved cycle route along the beaches.
- Linear intertidal habitat creation. The study identifies opportunities to deliver habitats as part of new flood defences along the waterfront. This includes timber baulking and ‘vertical beaches’ attached to sheet piling.
- Green roofs and walls. These could compensate for the loss of open mosaic habitats at ground level on vacant or unused sites. These should be appropriately planted for the coastal location, including vegetated shingle.

- 3.7.18 New development at the harbour should act as a catalyst to enhance green corridors and linkages, particularly where higher density developments result in limited opportunities to provide open space on site.
- 3.7.19 The national cycle network provides a valuable basis from which to extend greenways in this location to better connect Shoreham to urban areas such as Hove, Lancing and Worthing. Proposals for improving this route are set out within the *Shoreham Harbour Transport Strategy*.

- 3.7.20 Other recommendations from green infrastructure assessments in relation to biodiversity include:
- Enhance and create new open spaces and habitats at locations such as Shoreham Fort and Shoreham (Kingston Buci) Lighthouse with improved access linkages for visitors.
 - Consider and improve wildlife corridors wherever a new green corridor is developed or enhanced as part of the new development.
 - The role of parks, allotments, school playing fields, private residential gardens and cemeteries in providing valuable green corridors and wildlife habitats should be recognised in this area.
 - Protect the species rich grasslands beside the harbour and integrated grassland into new areas of waterfront open space where possible.
 - Building designs should incorporate green roofs and areas of planting wherever possible.
 - Existing open spaces and parks would benefit from more wildlife planting and a varied mowing regime.

Water quality

- 3.7.21 The overall groundwater quality of the Brighton Chalk Aquifer is currently classified as “poor” in the Water Framework Directive (WFD) Cycle 2 2015 classification. The quantitative and chemical quality are both classified as “poor”. The overall water quality of the Adur Estuary is classified as “moderate”. The ecological quality is classified as “good” whilst the chemical quality is classified as “fail”.
- 3.7.22 The Water Framework Directive required all bodies of water (including surface water, coastal waters and groundwater) to achieve “good” status by 2021 and to be prevented from deteriorating in quality. It will be important for development proposals to undertake the necessary risk assessments to demonstrate Water Framework Directive compliance. Applicants are advised to refer to the Clearing Waters for All guidance.
- 3.7.23 The Environment Agency monitors the quality of bathing water at Southwick Beach. Since 2013, water at this location has achieved “excellent” status. This means that the bathing water meets the standard for the highest, cleanest class for the revised Bathing Water Directive, which has stricter standards than those for the old Directive.

Air Quality

- 3.7.24 Road vehicles are the greatest contributing factor to poor air quality in Adur and Brighton & Hove, with vehicles emitting a variety of pollutants including carbon monoxide, nitrogen oxides, volatile organic compounds and particulate matters.
- 3.7.25 There are two Air Quality Management Areas (AQMAs) that lie partly within the regeneration area. Brighton AQMA includes Kingsway / Wellington Road (A259) Church Road (A293), Boundary Road / Station Road (B2194) and parts of South Portslade to the south of North Street. Shoreham AQMA runs along Shoreham High Street (A259) from Norfolk Bridge to Surry Street.
- 3.7.26 There is also an AQMA in Southwick on the A270 between Kingston Lane and Southview Close. This is outside the regeneration area, but may be impacted by journeys arising from new development.
- 3.7.27 Air Quality Action Plans (AQAPs) will continue to play a key role in helping to manage issues of localised air pollution.

Noise

- 3.7.28 Noise can be a significant issue in built-up urban areas, and can act as both a disturbance and a threat to human health. DEFRA has undertaken a comprehensive noise mapping study, the results of which indicate that there are parts of the regeneration area where road traffic noise exceeds World Health Organisation guidelines.
- 3.7.29 The main generator of background noise in the Regeneration area is road traffic. The A259, A293 and B2194 have high levels of noise pollution related to traffic movements with noise levels decreasing with distance from these roads.
- 3.7.30 Rail-related noise is also an issue in some parts of the regeneration area with levels decreasing with distance from the railway line. Some of the industrial and port-related land uses in the regeneration area also generate high levels of noise.

Contamination

- 3.7.31 The nature of current and historic industrial activities at Shoreham Harbour raises significant potential for contamination to be present, which could adversely impact site users, buildings and the environment, including surface and groundwater quality. Pollution to controlled waters may result in contravention of objectives set out within the Water Framework Directive (WFD).
- 3.7.32 Former land uses have included Portslade Gas Works, oil storage, and coal and timber yards. Current uses also include coal and timber yards, as well as a power station, aggregate sorting and storage sites, garages, oil and petrol storage areas, a waste water treatment facility and other waste uses. Consequently, significant risks of pollutant linkages have been found in the area.
- 3.7.33 In accordance with the NPPF, it will be important for development proposals to undertake the necessary site assessment in line with best practice approaches. All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and

in accordance with most recent guidance⁴⁰.

- 3.7.34 Current guidance includes:
- BS 10175:2011+A1:2013 Code of practice for the investigation of potentially contaminated sites.
 - BS ISO 5667-22:2010 Water quality sampling guidance on the design and installation of groundwater monitoring points.
 - BS ISO 5667-18:2001, BS 6068-6.18:2001 Water quality sampling guidance on sampling of groundwater at contaminated sites.
- 3.7.35 In order to ensure appropriate consideration of land contamination, the following reports/documents should be reviewed prior to the submission of a planning application:
- The risk management framework provided in CLR11, model procedures for the management of land contamination.
 - The Environment Agency guiding principles for land contamination and the land contamination sections in the Environment Agency's Groundwater Protection: Principles and Practice.

Waste and recycling

- 3.7.36 In keeping with the objectives of the *Biosphere Management Strategy* (2014-2019). It is important that the JAAP supports the shift towards sustainable management of waste and seeks to ensure waste is fully considered during design, construction, post-construction and demolition phases of new development.
- 3.7.37 The East Sussex, South Downs, and Brighton & Hove Waste and Minerals Plan (2013) provides planning policies to guide the management of waste and production of minerals over the plan period to 2026. In addition, the *East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan* (2017) identifies areas of safeguarding for current and future waste management capacity. This includes areas at Shoreham Port.
- 3.7.38 West Sussex County Council and the South Downs National Park Authority have adopted the *West Sussex Waste Local Plan* (2014). The Waste Local Plan covers the period to 2031 and provides a basis for making consistent land-use decisions for waste management facilities.

⁴⁰ NPPF (2019) Paragraph 178

Policy SH7: Natural environment, biodiversity and green infrastructure

1. The partnership will prepare a green infrastructure strategy and identify mechanisms for its implementation for the regeneration area and its surroundings.
2. The partnership will work with stakeholders, developers, landowners and communities to deliver an improved green infrastructure network including:
 - A259 green corridor improving and connecting improvement sites alongside the road, including embankments and grassed amenity space.
 - Portslade and Southwick Beaches including coastal vegetate shingle habitat creation.
 - Intertidal habitat creation, including baulking and vertical beaches as part of flood defence works.
 - Green walls and roofs, and appropriate street planting.
3. The partnership will promote and require the creation and enhancement of open space and green infrastructure in accordance with the emerging *Shoreham Harbour Green Infrastructure Strategy* and Brighton and Lewes Downs Biosphere objectives.
4. All development applications must be accompanied by up-to-date ecological information to ensure no net loss, and seek to provide a net gain to biodiversity, in particular to Habitats of Principal Importance (formerly known as BAP habitats). The indirect impacts of development, such as recreational disturbance, on designated nature conservation sites and other significant habitats must be considered. Appropriate mitigation must be identified, along with the means for its delivery and maintenance.
5. The *Shoreham Harbour Streetscape Guide* (2012) states that all vegetation must be salt tolerant and suitable for a coastal environment. Trees must be securely staked, hardy and able to withstand strong winds.
6. Development proposals will be required to include schemes to conserve, protect and enhance existing biodiversity and to create appropriate habitats, taking into account appropriate, coastal protected sites and species. Measures to enhance biodiversity include, but are not limited to:
 - Incorporating green walls and roofs and appropriate planting schemes for the location, using locally native species wherever possible.
 - Providing bird-nesting and bat-roosting boxes.
 - Providing areas of vegetated shingle.
 - Using SuDS to create wetland habitat features, which help store and clean surface water.
 - Creating, restoring or enhancing off-site habitats, in particular through contributions to management and monitoring plans for, local conservation sites such as Shoreham Beach and Widewater Lagoon Local Nature Reserves.
 - Where appropriate, development will be required to incorporate ecological enhancements to the marine/estuarine/ riverine environment in order to promote biodiversity.

7. Where impacts on biodiversity cannot be avoided or mitigated, compensatory actions will be required, taking account of an up-to-date ecological survey. Like-for-like compensatory habitat should be provided at or close to the site, subject to agreement with the relevant authorities, including Natural England and the Environment Agency.
8. Development will be required to integrate new green infrastructure, including biodiverse green roof (bio-solar where appropriate), green walls and suitable planting, and to contribute to enhancements to the green corridor.

Water quality

9. All development must comply with the Water Framework Directive. Development must protect surface and groundwater quality. Only clean surface water should be discharged into the River Adur, the Canal and groundwater. Pollution control measures will be required to deal with surface water run-off where this is discharging straight into the River Adur or the Canal, especially where waterside vehicular access is promoted.
10. All marina developments must consider the installation of pump out facilities to reduce the risk to water quality from recreational boating. The size of the pump out facility should be appropriate to that of the development and agreed by the local authority prior to construction.
11. Development should seek to provide ecological enhancements through the use of sustainable drainage systems (SuDS).
12. All development must consider implications upon the sewerage and water supply network and ensure that capacity is adequate. New development must connect to the sewerage and/or water supply system at the nearest point of adequate capacity in collaboration with the service provider.

Air quality

13. Air quality impacts should be considered at an early stage in the design process to ensure that creating new exposure to poor air quality is avoided. Development proposals must be accompanied by an assessment of the air quality impacts for existing and future occupants. This assessment must have regard to the cumulative impacts of committed and planned development on air quality.
14. Development within or adjacent to an Air Quality Management Area (AQMA), or that is likely to have an impact on an AQMA, will be required to provide a contribution towards implementing Air Quality Action Plan objectives, such as sustainable transport improvements.
15. Proposals will be required to demonstrate that appropriate mitigation measures are introduced to ensure that new and existing residents are not exposed to poor air quality.

Noise

16. **Development proposals should adhere to the following basic principles of noise control - Noise sources should be separated from sensitive receptors. Then noise should be controlled at source. Finally, the sensitive receptor should be protected.**
17. **Particular consideration will be required in relation to noise generated by transport and arising from adjacent industrial, trade and business premises, construction sites, activities in the street and on-going port and marine-related activities.**

Contamination

18. **Applications for development within a 10 metre radius of potentially contaminated sites will be required to submit a desk study, conceptual model, site investigation and risk assessment.**

Waste and recycling

19. **All development proposals will be required to incorporate facilities that enable and encourage high rates of recycling and re-use of waste and materials.**
20. **All new development will be required to demonstrate that waste is minimised both during the construction phase and the lifetime of the building.**
21. **Development proposals shall be accompanied by a Site Waste Management Plan.**

3.8 Objective 8: Recreation and leisure

To enhance and activate the harbour for leisure, recreation and tourism and encourage active, healthy lifestyles.

To create places that promote healthy and enjoyable living by improving existing and providing new green infrastructure including open spaces and green links as well as leisure and recreation opportunities. To improve connections to and use of the waterfront, coast and beaches as attractive destinations for both locals and visitors.

Beaches and water sports

- 3.8.1 The public beaches play a significant role in the provision of amenity space in the harbour for residents and visitors. They provide recreational and leisure opportunities as well as providing landscape, environmental and biodiversity benefits.
- 3.8.2 Some of the beaches, such as Southwick Beach, Shoreham Beach and, to a lesser extent, Kingston Beach are well used for traditional seaside activities (walking, swimming, sunbathing and fishing). The Shoreham Beach area is well used by windsurfers and kite surfers. Paddle boarding is becoming an increasingly popular sport for coastal areas.
- 3.8.3 When weather conditions are right, the harbour is well used as a surfing destination. Recreational surfing takes place throughout the harbour area, including Southwick Beach and within the harbour arms. Facilities for these users and other coastal sport users do not exist, but could include:
- outdoor/indoor showers,
 - bathrooms, and changing rooms.

Sailing and facilities for boat-users

- 3.8.4 The harbour is home to a number of sailing facilities including:
- Lady Bee Marina (Southwick Waterfront)
 - Riverside Yard (Southwick Waterfront)
 - Sussex Yacht Club (Western Harbour Arm / Southwick Waterfront)
 - Shoreham Sailing Club (Harbour Mouth)
 - Shoreham Rowing Club (Harbour Mouth)
- 3.8.5 All five areas have a strong leisure and recreation function with the first three providing berthing opportunities for larger vessels. These three currently have capacity for around 120 pontoon berths although access is a constraint to further pontoon capacity. Shoreham Port Authority is seeking to increase berthing capacity at Lady Bee Marina.
- 3.8.6 Whilst there is good provision of uses in and around the regeneration area, access is constrained in some places, and some facilities are in poor condition in need of replacement, improvement or re-provision.

Slipways and Hards

- 3.8.7 There are a number of historic slipways and hards in the Shoreham area. These were formerly used to launch and land boats onto and from the water. However most of these are now unable to function effectively for various reasons such as having been in-filled, being too steep, being dilapidated or being inaccessible and lacking sufficient parking and turning areas for trailers.
- 3.8.8 West Sussex County Council, working in partnership with Adur District Council and the Shoreham Slipways Group, are working towards providing new and improved public slipways for the Shoreham area. These new facilities will help support the local economy through enabling visiting anglers, divers and day boat users to access the harbour. The enhanced access to the water will help to restore Shoreham's maritime heritage.
- 3.8.9 A key planning consideration for locating a new public slipway is the need for sufficient appropriately laid out parking and turning areas for vehicles and trailers to manoeuvre.

Pedestrian Routes

- 3.8.10 Strategic routes for rural walkers are concentrated in the South Downs and stop at the outskirts of built up areas. Currently these do not connect well into the town centres and to the sea. Walking routes in the urban areas of the regeneration area are not well designed and signage is poor. The Adur Ferry Bridge has significantly improved the quality of the pedestrian environment in that area.
- 3.8.11 The pedestrian network running east to west along the majority of the regeneration area north of the coast / waterfront is limited to the path that runs along the A259 and as such currently offers a very poor experience for cyclists and pedestrians.

Cycle Paths

- 3.8.12 National cycle route NCN2 runs through the harbour from Hove Lagoon, along the southern section of the canal (the South Quayside area) across the canal locks, then runs inland to re-emerge in Shoreham-by-Sea. It then crosses over Adur Ferry Bridge and continues on to the seafront to the west. This route links Brighton in the east and Worthing in the west and is part of a long distance cycle route from Dover to Penzance.
- 3.8.13 The section from Hove Lagoon to Brighton in the east and Shoreham Beach to Worthing in the West is almost entirely 'traffic-free' with dedicated cycle paths. The section in between that runs through the harbour area is classified as 'on-road', with no dedicated cycle facilities. This route is well used by cyclists for leisure and recreation. It is also a popular commuting route for cyclists, although a high number of commuters use the A259 from the lock gates in Southwick as this is the quickest and most direct route.

3.8.14 In addition, the harbour area has good cycling links to the South Downs in the north. The Downs Link Bridleway that runs along the river Adur from Ropetackle to the South Downs is a key cycling and pedestrian link which connects Shoreham with the South Downs and which continues up to the North Downs in Surrey. However, signage to this route from the town centre is poor. Other routes to the South Downs from the regeneration area are also poorly signposted.

Open Space

- 3.8.15 Provision of new and enhanced areas of open space will be essential to creating a pleasant harbour side environment. Multi-functional open spaces provide a range of health benefits and can create pleasant new spaces for people to sit, relax and interact helping to build a sense of community and identity for the harbour.
- 3.8.16 The NPPF⁴¹ requires that planning policies should be based on robust, up-to-date assessments of local needs for open space, sports and recreation facilities and opportunities for new provision.
- 3.8.17 The *Adur District Open Spaces Study* (2014) sets open space provision standards for the district.
- 3.8.18 For Brighton & Hove, open space standards are set out within the *Open Space Update Study* (2011).

⁴¹ NPPF (2019) Paragraph 96

Policy SH8: Recreation and leisure

1. **New development proposals will be required to contribute to the provision of multifunctional public open space / green infrastructure onsite. The type and quantity of open space will be determined by the scale and type of development, having regard to the identified needs, local standards and the *Shoreham Harbour Green Infrastructure Strategy*. Development will be expected to optimise the amount of onsite provision. Where it is not possible to meet all or part of the open space requirements on site, subject to agreement of the council(s), an appropriate alternative provision, such as enhanced public realm, and/or contribution towards off site provision will be required.**
2. **Brighton & Hove City Council and Adur District Council will work with developers to explore the role, function and more detailed design of green spaces as they come forward. These areas could help to meet local need for a range of open spaces including parks and gardens, amenity green space, provision for children and young people, outdoor sports facilities, allotments and community gardens.**
3. **Improved linkages to existing open space assets and green corridors will be encouraged.**
4. **In accordance with local plan policies, the loss of existing open space will be resisted unless it has become surplus to requirements or would be replaced with equivalent or improved provision in a suitable location. In the case of any loss of open space, mitigation measures include, but are not limited to:**
 - **Better access to remaining open space.**
 - **Provision of an alternative site.**
 - **Significant enhancements to remaining open space including features to improve open access to the waterfront.**
5. **The provision of appropriate measures to enhance water sports and other traditional coastal activities will be supported.**
6. **Major waterfront development schemes are expected to incorporate features that improve open access to the waterfront. These may include facilities for boat users, additional moorings, floating pontoons/docks, slipways and inlets. Early consultation with Shoreham Port Authority and statutory bodies such as the Environment Agency and Marine Management Organisation is advised.**
7. **Development schemes that result in the loss of an existing slipway or hard and that fail to incorporate a new useable slipway (with sufficient parking/turning space) on-site may be expected to contribute towards re-provision of the facility off-site.**
8. **Where a new/improved slipways or hards are provided or reinstated it will be necessary to consult with the relevant highway authority to ensure appropriate public highway status is recorded including rights of motor vehicle use.**
9. **Where additional moorings are provided consideration must be given to the management of additional waste and sewage arising. Appropriate services, such as toilets and pump out facilities, should be provided where appropriate.**
10. **The partnership will work with Natural England to support the delivery of the England Coast path through the Shoreham Harbour Regeneration Area.**

3.9 Objective 9: Place making and design quality

To promote high design quality and improve townscape.

To promote developments of high design quality that maximise the waterfront setting, respect local character and form and enhance key gateways and public spaces.

To protect and enhance the area's historic assets including the Scheduled Monument at Shoreham Fort, listed buildings and conservation areas.

3.9.1 High quality urban design is an integral element of successful developments. Good design encompasses architectural design, form, height, scale, siting, layout, density, orientation, materials, parking and open space. Major development proposals may be subject to design review process at the pre-application and application stages in order to ensure the highest quality of design.

3.9.2 New developments should be well-designed and integrated into the landscape and townscape, and should contribute positively to the harbour's character and distinctiveness. Existing poor-quality design should not set a precedent.

3.9.3 Improvements to the public realm (streets and public spaces) provide an opportunity to enhance the quality, character and distinctiveness of the harbour. Good use of 'natural surveillance', natural and artificial light and careful siting of buildings and street furniture can improve the layout of an area, reduce perceived and actual crime and opportunities for anti-social behaviour, and make an area more pleasant to use. *Secured by Design* provides further guidance on incorporating crime prevention measures into development.

Public realm

- 3.9.4 Buildings within a development should be arranged to create well defined spaces, each with a clear purpose and function. The spaces within a development should not consist simply of the land left over once the footprints of buildings and the positions of roads and accesses have been established. Defining the nature and use of the spaces early in the design process can help inform the siting and design of buildings, hard and soft landscape and, if applicable, distribution of uses that will enclose these spaces.
- 3.9.5 A successful place is easy to get to, visible and easy to move through. Physical elements can enhance access and links and add interest and help create a safer environment. The ability to see a public space from a distance, parking arrangements and convenient public transport can also contribute to better access.

- 3.9.6 Successful public places typically offer a variety of uses and activities in and/or around it that suits its users. The right mix and spatial clustering of uses can be critical to attracting a range of people and animating a space. All new development should present an interesting and attractive frontage particularly at street level for pedestrians.
- 3.9.7 A successful place can encourage all sorts of people to meet and interact, creating a stronger attachment to their community and to the sense of place that fosters these types of social activities. In general, comfort and sociability relate to people's sense of safety, cleanliness and overall character of a place. The presence and quality of hard and soft landscaping and the nature of vehicular traffic will also influence these perceptions. Substantial traffic and associated perceptions about danger, noise and air quality may make movement through spaces difficult and deter people from lingering in them.

Public art

- 3.9.8 Public art can play an important role in creating and enhancing local distinctiveness. It provides an opportunity to involve local communities in place making, and to offer work opportunities to artists, including from the local area. Where appropriate, the partnership and councils will expect to be involved in the selection process. Public art can include architectural details, public realm elements, landscaping schemes, sculpture, water features, street furniture and lighting effects. It should be directly related to its setting, and therefore be an integral element of a proposal.

Design principles

- 3.9.9 Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible, and promote health and well-being⁴². Good design is critical to ensuring development functions well, is visually attractive, and is sympathetic to local character, in order to create attractive, welcoming and distinctive places to live, work and visit⁴³.
- 3.9.10 The selection of external materials and finishes is often a critical factor in determining how well a new development relates visually to its surroundings. By adopting the local palette of materials, and the ways in which these are combined and detailed, new development can reinforce local distinctiveness.
- 3.9.11 Scale and massing of buildings is a major factor in determining the visual character of an area. The aim should be to create a sense of harmony and visual continuity between new and old. Elements of any building that are visible from a highway are of particular importance.

- 3.9.12 Internal and external space standards and layout are an important aspect of good quality homes. The councils will expect development proposals to meet the nationally described space standards, which cover minimum gross internal floor, ceiling heights and storage space requirements.

Outside space

- 3.9.13 An element of useable private outdoor amenity space should be provided for the occupants of new residential development. Private amenity space can make an important contribution in improving the health, well-being and general quality of life of the area's residents and has the potential to support and enhance local biodiversity. The provision of space for seating, play, drying and storage space is part of securing good design and a good standard of residential development in the regeneration area.
- 3.9.14 Appropriate forms of provision include gardens, balconies, patios, roof terraces and shared amenity spaces in flatted forms of development. Factors such as access to the amenity space, its orientation, scope for privacy, size and usability will be key considerations.

⁴² NPPF (2019) Paragraph 127

⁴³ NPPF (2019) Paragraph 127

Amenity

- 3.9.15 As development at Shoreham Harbour is expected to be high density, proposals for new development need to consider their impact upon neighbours as well as future users, residents and occupiers. Most potential negative impact can be addressed through design and mitigation measures if these are considered early in the design stage of a development.
- 3.9.16 New buildings should be carefully designed to avoid overlooking. The most sensitive areas are: living rooms; bedrooms; kitchens. Public spaces and communal areas will benefit from a degree of overlooking due to the increased level of surveillance it can provide.
- 3.9.17 Outlook is the visual amenity enjoyed by occupants when looking out of their windows or from their garden. New development should ensure the proximity, size or cumulative effect of any structures do not have an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers. Particular care should be given to development that adjoins properties with a single aspect.

- 3.9.18 New development should take reasonable steps to avoid overshadowing windows to habitable rooms or open spaces and gardens. This may be particularly difficult in the denser areas of the area. However, it is important in these areas to prevent overshadowing of amenity space and open spaces given the limited amount of open spaces and the existing amount of overshadowing.
- 3.9.19 Sunlight and daylight will be affected by the location of the proposed development and its proximity to, and position in relation to, nearby windows. The councils will assess whether acceptable levels of daylight and sunlight are available to habitable spaces. Reports will be required for both minor and major applications where a proposal has the potential to materially reduce daylight and sunlight levels.
- 3.9.20 Lighting is an important element of design quality; whilst necessary for safety reasons it can also add character and highlight elements of architectural quality. However, it is also important to ensure that light shines on its 'target' and does not waste energy or contribute to 'sky glow'.

Heritage

- 3.9.21 Shoreham Harbour benefits from a number of historic assets which are proposed to be protected and enhanced to contribute towards maintaining the cultural history of the area and visual interest within the landscape and local views. The harbour area includes:
- Parts of the Shoreham-by-Sea Conservation Area
 - The Riverside section of the Southwick Conservation Area.
 - Three Grade II Listed Buildings:
 - Royal Sussex Yacht Club
 - Sussex Arms Public House
 - Kingston Buci Lighthouse
 - Shoreham Fort (Scheduled Monument).

Policy SH9: Place making and design quality

- 1. Schemes should be designed to reflect the character of the marine environment and should be sensitive to views of the waterfront, surrounding landscape and historic features.**
- 2. Waterfront development schemes are encouraged to incorporate features that improve public access, views and experience of the marine environment. This may be externally in the form of landscaped viewing areas and/or internally as an integral part of building design.**
- 3. Development proposals should improve the quality, accessibility, security and legibility of public streets and spaces. The public realm elements of the development proposals must be designed in accordance with the *Shoreham Harbour Streetscape Guide* (2012). The design of spaces between and around buildings must consider all of the following key design aspects:
 - Purpose and function
 - Access and linkages
 - Uses and activities
 - Comfort, image and sociability**
- 4. Having regard to the indicative opportunities for public art identified within Map 4, major development will be expected to incorporate an integral public art element(s), in accordance with the scale of development proposed and in agreement with the council.**
- 5. All development proposals must demonstrate a high standard of design that enhances the visual quality of the environment and makes a positive contribution to creating places that are safe, inclusive and accessible; and which promote health and wellbeing. In particular, proposals for development will be expected to consider all of the following key design aspects:
 - High quality building materials, architectural design and detailing.
 - Suitable scale and massing in relation to housing type and local context, including landscape, townscape character and historic environment.
 - Appropriate internal space standards in accordance with each authority's policy requirements.**
- Buildings should provide strong enclosure to public spaces and streets, and should maintain a clear distinction between public, semi-private and private space.
- 6. All new residential development will be required to provide useable private outdoor amenity space appropriate to the scale and character of the development.**
- 7. Development proposals must demonstrate that the effects of the development on the amenity of proposed future and existing users, residents and occupiers would not be unacceptable. When designing new development, applicants will be required to consider the effect of their proposal upon all of the following:
 - Visual privacy and overlooking
 - outlook
 - overshadowing
 - sunlight and daylight
 - artificial lighting
 - disturbance from noise, odour, vibration, air pollution**

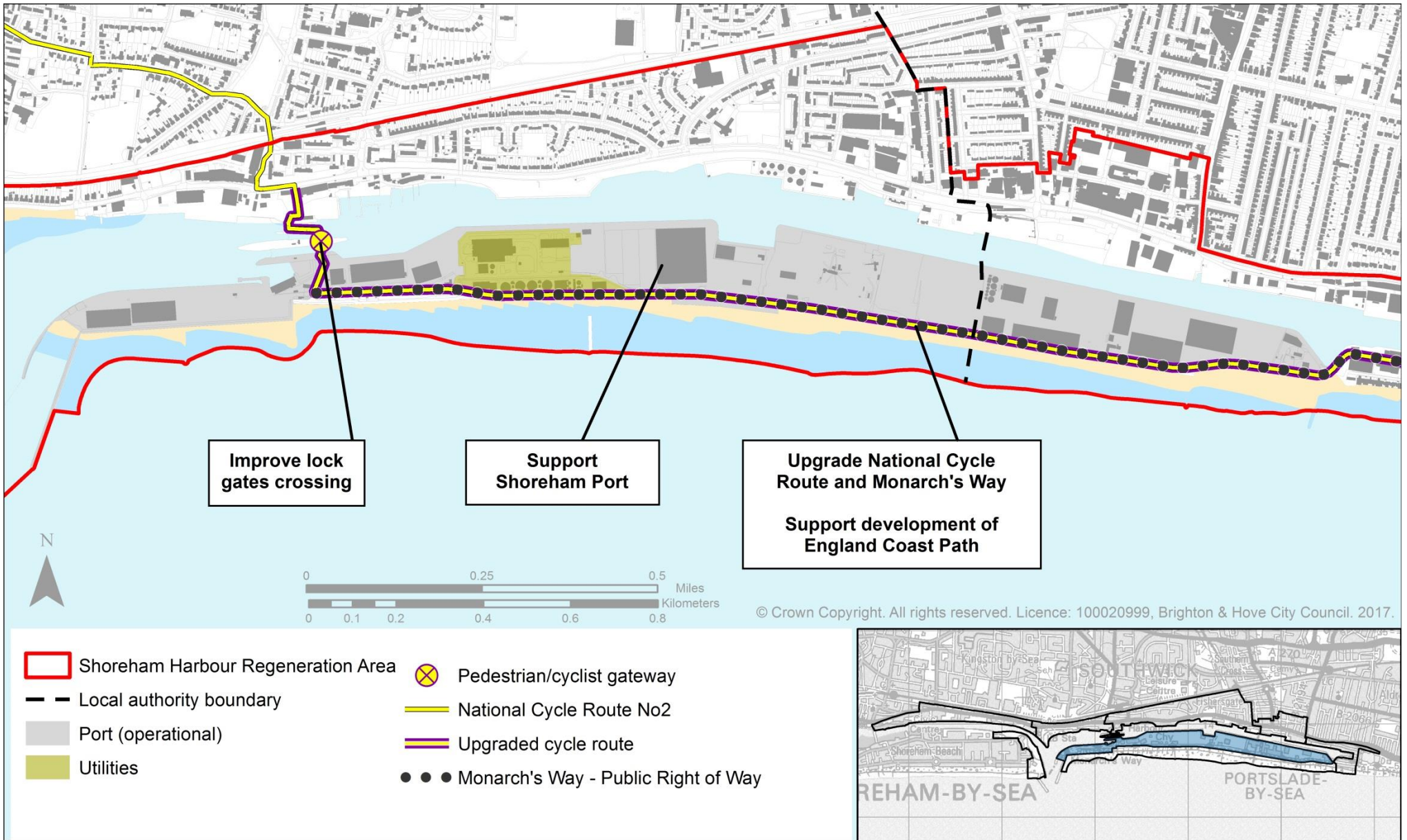
CHARACTER AREA PROPOSALS



SOUTH QUAYSIDE



Map 6 – CA1: South Quayside



4 Character area proposals

4.1 Character Area 1: South Quayside

Area priorities

- **To support Shoreham Port Authority in improving operational efficiency, developing new trade and exploring opportunities for sustainable energy generation, in line with the adopted Port Masterplan.**
- **To accommodate the relocation of existing port operators from elsewhere within the port.**
- **To accommodate the future capacity requirements for Shoreham Wastewater Treatment Works.**
- **To improve Basin Road South as a popular recreational route for walking and cycling, providing access to the beaches.**
- **With the exception of the existing and planned power stations, and the wastewater treatment works, non-port related operations will not be permitted in this area.**

About the area

- 4.1.1 CA1 - South Quayside is the main operational area of Shoreham Port. It is a long, narrow area between Basin Road South and the waterfront. The area stretches from the mouth of the harbour along the southern side of the Eastern Arm of the River Adur, and the Canal as far as the eastern ship turning head.
- 4.1.2 The full length of South Quayside is 2,370 metres. Within the Canal, there are 11 berths totalling 1,575 metres in length. In the Eastern Arm of the River Adur, the Outer Layby terminal extends further with two berths of 257 metres. There is a significant concentration of port trades and quayside activity.
- 4.1.3 In the quayside area, cargo handling and ship unloading are carried out using mobile cranes and lift trucks. Plant installations used by operators include a major aggregates grading and handling plant, a ready-mix concrete plant and gantry cranes at a steel stockyard.

- 4.1.4 Visiting fishing trawlers and other vessels often moor up alongside the power station. There are a number of security gate entry points to the port area, and the area north of Basin Road South is a secure area with no public access.
- 4.1.5 The regeneration strategy for the harbour is dependent on consolidating port-related activities within the Eastern Arm and Canal. South Quayside will be safeguarded for port operational uses. As well as improving operating efficiencies for the port, it will enable waterfront land to be redeveloped for alternative uses along the Western Harbour Arm.
- 4.1.6 South Quayside is sufficiently removed from residential areas that it can accommodate activities and uses that otherwise might harm residential amenity through noise and disturbance. Major facilities likely to remain for the timespan of the plan period include Shoreham Power Station and Shoreham Wastewater Treatment Works.



Wind turbines at Outer Layby



Solar panels on warehouse roofs

Utilities

- 4.1.7 Shoreham Power Station is a combined cycle gas turbine station. Its capacity is 420MW. The power station is owned and operated by Scottish Power. Cooling water discharges to an outflow at Southwick Beach.
- 4.1.8 Energy studies and consultation with local environmental groups have highlighted the potential of using the waste heat from the plant to supply local customers. The physical separation of the power station from potential customers, such as residential areas on the north side of the harbour, would require significant investment in directional drilling to feed pipes under the Canal.
- 4.1.9 Without adaption, the current configuration of the station does not enable provision of heat at a sufficient grade that could be utilised in a district network. Furthermore, a back-up power source would be required as the station is not in continuous use.
- 4.1.10 In 2016, Shoreham Port Authority installed two 100 kW wind turbines on Basin Road South. The turbines will generate, on average, 555,000 kWh electricity per year to power the nearby port pump house. The Port Masterplan proposes additional turbines further east, as shown on Map 6.
- 4.1.11 Shoreham Port Authority has worked in partnership with Brighton Energy Co-operative to install solar panels on many of the port buildings.
- 4.1.12 At present, Shoreham Wastewater Treatment Works (owned by Southern Water) has sufficient capacity to accommodate the levels of new development being proposed through this plan and the local plans for Adur and Brighton & Hove.

Transport and connections

- 4.1.13 Heavy goods vehicles serving the port, as well as the public, access this area via the main port entrance at the junction of Wharf Road and Kingsway (A259). Basin Road South runs the length of the southern side of the port along the seafront to Carat's Café and the adjacent public car park.
- 4.1.14 To the western end of the quayside and forming the crossing over to the north side of the harbour, the area around the lock gates is a key functional part of the port. Shoreham Port Authority has reclaimed a small area of land here by the pump house to accommodate an engineering function.
- 4.1.15 As outlined in Character Area 4, the lock gate crossing is a public right of way and part of the National Cycle Route (NCN2). Running parallel with the cycle route along Basin Road South is the Monarch's Way which is part of a long distance national walking trail. The route is popular with locals and cyclists and has the potential to be made more of a focal point with better signage, interpretation and way-finding.

- 4.1.16 Proposed improvements to both Southwick Waterfront and to the beach areas are likely to increase public usage of this area and it will be important to maintain appropriate buffers between the operational port areas and public spaces.

Policy CA1: South Quayside

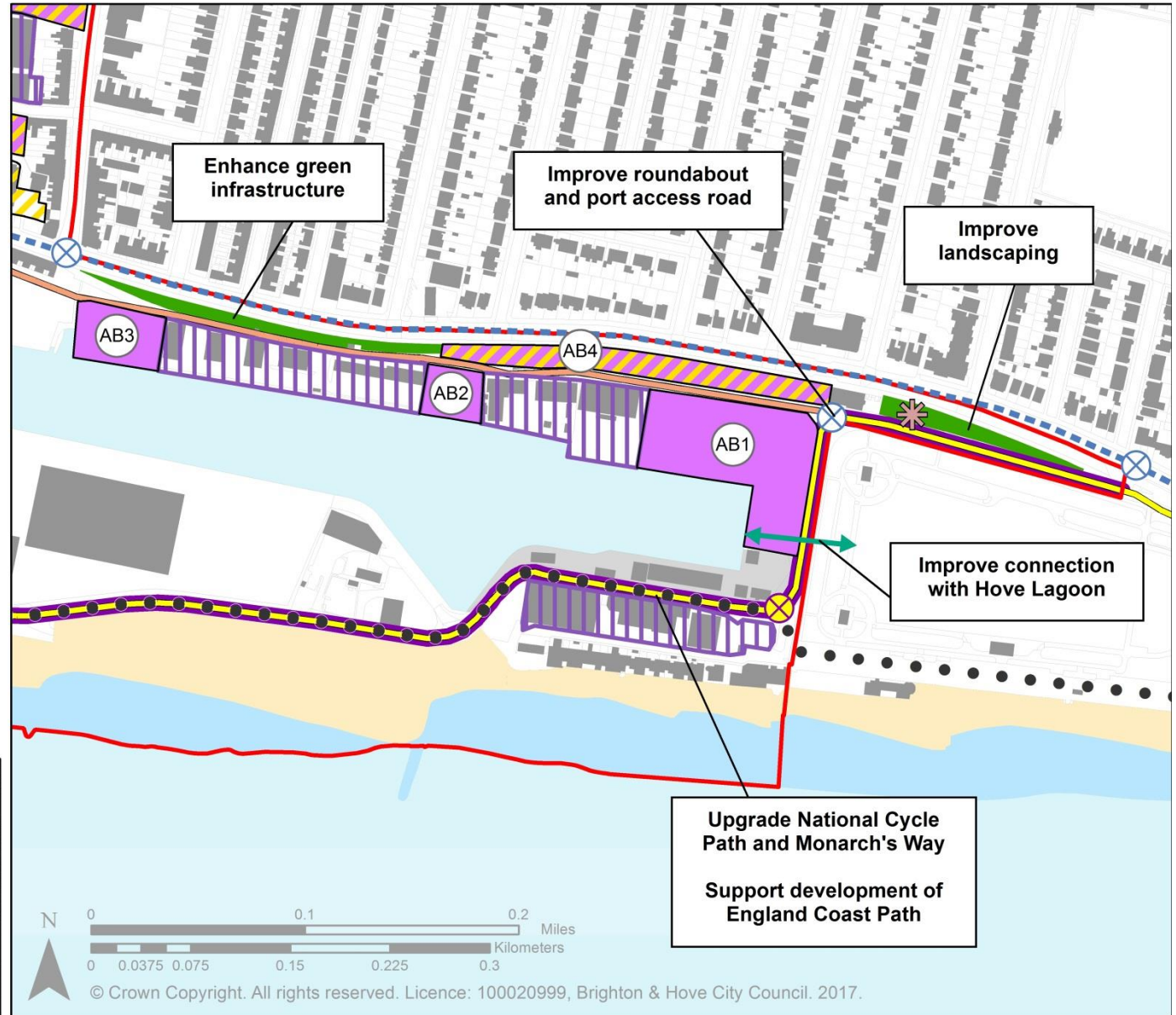
- 1. South Quayside is safeguarded for future commercial port activity and for the relocation of existing port operators from elsewhere in the harbour. With the exception of the existing power stations, and waste water treatment plant, non-port operations are not permitted in this area.**
- 2. South Quayside will be promoted as a hub for renewable energy generation, including appropriately located solar and wind generation.**
- 3. Wastewater treatment infrastructure will be safeguarded to serve future population changes.**
- 4. The partnership will seek improvements to the lock gate crossing for the benefit of pedestrians and cyclists. These must not detract from its primary port operational function.**
- 5. The partnership will seek Improvements to Basin Road South, National Cycle Route (NCN2) and Monarch's Way public right of way including signage, interpretation, boundaries, surfacing, way finding and access to the beaches.**

ALDRINGTON BASIN



Map 7 - CA2: Aldrington Basin

- Shoreham Harbour Regeneration Area
- Allocation
- Residential (proposed)
- Employment (proposed/protected)
- Protected employment
- Port (operational)
- Green corridor
- Priority corridor (transport/public realm)
- New/upgraded port access road (proposed)
- Monarchs Way - Public Right of Way
- National Cycle Route No2
- Upgraded cycle route
- X Pedestrian/cyclist gateway
- X Junction improvements
- ✱ Public art opportunity (indicative)



4.2 Character Area 2: Aldrington Basin

Area priorities

- **To designate Aldrington Basin as an allocation for new mixed use development. To designate a strategic employment/mixed-use area (Allocations AB1 to AB4).**
- **To accommodate a mix of new and improved port operational facilities as well as compatible non-port employment generating floor-space (use classes B1, B2 and B8).**
- **To accommodate appropriately located mixed-use development (use classes A1, A2, A3, B1 and C3).**
- **To secure improvements to legibility, permeability and connectivity through high quality building design, townscape and public realm; respecting and complementing the character of surrounding areas.**
- **To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.**
- **To ensure that all development takes into account the findings and recommendations of current Strategic Flood Risk Assessment and the Shoreham Harbour Flood Risk Management Guide SPD (2015) or subsequent update.**
- **To ensure that new development proposals take account of noise and air quality impacts and that improvements are sought wherever possible.**
- **To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including a green corridor along the A259.**
- **To support the delivery of the England Coast Path through the Aldrington Basin area.**

About the area

- 4.2.1 CA2 – Aldrington Basin forms the eastern gateway to the harbour with the main port entrance at the junction of Wharf Road and Kingsway (A259). The basin is situated immediately adjacent to Hove Lagoon. It marks the end of the Hove seafront promenade and a transition to the industrial character of Shoreham Harbour.
- 4.2.2 The northern part of the area is formed of a steep slope from Basin Road North, up to Kingsway (A259). Overlooking the basin, to the north of Kingsway, is the West Hove residential area comprised of mostly two storey housing built in the 1920s and 1930s.
- 4.2.3 Since the mid-1800s, Aldrington Basin has been predominantly occupied by industrial and port-related uses. Over time, a number of physical interventions such as land reclamation, the addition of landing stages and wharves and the arrival of the Western Esplanade residential dwellings at the beginning of the twentieth century, have shaped its current character.

This area contains a mixture of employment uses ranging from offices, retail outlets, a restaurant and pub at Kingsway level through to light industrial, storage and marine-related uses down in the basin itself. Some of the sites are owned and leased by Shoreham Port Authority including Hove Enterprise Centre, Brighton & Newhaven Fish Sales, and Quayside offices. The remaining sites are in private ownership.

This area also includes Ferry Wharf, a disused minerals wharf, which is also a safeguarded waste site. If proposals for development come forward for this site then policies for re-provision of wharf capacity and waste management capacity will apply.

The steep slope down to the basin from Kingsway means the location is able to accommodate land uses and activities that may otherwise harm residential amenity due to noise, smell, dust or other disturbance. Maritime House and Hove Enterprise Centre contribute towards meeting the local demand for affordable, flexible workshop and office space and have high occupation rates.

A key consideration for development in the basin is that the eastern end of the Canal acts as the main turning head for ships. Remodelling of this area may be a long term opportunity. This would require significant investment.



Harbour entrance at Wharf Road



View east towards Western Esplanade

Transport and connections

Although the access route from the A259 in to the basin works relatively well, it creates a tight turning circle for commercial vehicles. The transport strategy includes junction improvements to each of the main accesses in to the port from the highway, including:

- Wellington Road (A259) – Church Road (A293) – Basin Road North
- Kingsway/Wellington Road (A259) – Boundary Road/Station Road (B2194) – Basin Road North

Shoreham Port Authority intends to upgrade and extend the route on the north side of the canal from the existing mini-roundabout linking to an improved Wellington Road (A259)-Church Road (A293) junction. This is to make the route more suitable for HGV traffic and to lead port-traffic more directly on to the advisory route.

Refer to the Shoreham Harbour Transport Strategy for details of the package of measures proposed to support the development of this allocation.

Improve Basin Road South cycle route and Monarch's Way

4.2.11 Basin Road South runs parallel to South Quayside provides vehicular access to the main operational port areas. It also forms part of the National Cycle Network (NCN2) which runs along Wharf Road and Basin Road South before crossing the lock gates. NCN2 will eventually connect many of the urban areas along the south coast. Despite the poor condition of this route for cycling and walking, the poor quality of the public facilities and generally dated appearance, it remains a popular route and the beaches are frequented by local families, swimmers, surfers and artists particularly during the summer months.

4.2.12 The road is also a public right of way which forms the end of the historic Monarch's Way route, a long distance footpath (990km) that approximates the escape route taken by King Charles II in 1651 after being defeated in the Battle of Worcester. There is considerable potential to improve the quality of this route.

Improve connections with Hove Lagoon and Hove seafront

4.2.13 Hove seafront promenade ends at Hove Lagoon. This area is very popular for walking, cycling and general recreation and there are a range of water-sports offered at Hove Lagoon. The Hove Deep Sea Anglers Club is adjacent.

4.2.14 Beyond this point is a row of secluded 1920s residential properties on Western Esplanade overlooking private beaches. This, combined with the industrial character of the harbour, acts as a barrier for wayfinding between Hove Lagoon and seafront and Portslade and Southwick beaches to the west.

4.2.15 The transport strategy includes proposals to improve the cycling and walking routes through this area. Where sites and groups of sites come forward, opportunities to create direct public or semi-public access to the waterfront should be explored.

4.2.16 New signage and improved visual and physical access from Aldrington Basin to Hove Lagoon would help to soften the boundaries of the basin and could be achieved through relatively minor interventions in formal landscape and site layout of Hove Lagoon. This connection could be achieved through the development of pathways and crossings to achieve direct, safe access.

4.2.17 Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA2 – Aldrington Basin between Portslade Beach and Hove seafront promenade.

Environment

4.2.18 Kingsway (A259), Wharf Road and Basin Road North fall within the Brighton & Hove Air Quality Management Area (AQMA) designated in 2013.

4.2.19 The area is crossed by several underground water mains and sewers (the latter conveying wastewater to the nearby waste water treatment works). This infrastructure needs to be protected and new development needs to ensure its operation remains unaffected.

Flood risk and sustainable drainage

4.2.20 Existing ground levels across the area vary from a minimum of 3.5m Above Ordnance Datum (AOD) to greater than 10m AOD. A large portion of the site is at a level of less than 4.5m AOD.

4.2.21 Due to its elevated position, sites along the A259 Kingsway are not at a significant risk of flooding. For sites between the A259 Kingsway and the coast, there is a risk of tidal flooding. The Brighton & Hove Strategic Flood Risk Assessment (JBA: 2012) identifies most of the Aldrington Basin area as Flood Zone 2 and 3a with some small areas of Flood Zone 3b for tidal flooding. The estimated maximum flood depth for this area for the 1:200 year tidal event is 0.50m, with some areas estimated to flood to a depth of just 0.20m.

4.2.22 The risk associated with this form of flooding increases significantly when sea level rise associated with climate change is factored in. In this scenario, maximum estimated flood depths increase to about 1.4m with increased flood velocities. Development in this location will need to take this flood risk constraint into consideration.

4.2.23

Developers should include SuDS and building level resistant and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. The approach set out in the following publications (or subsequent replacement documents):

- [Adur & Worthing Councils](#) and/or [Brighton & Hove Council's SFRAs](#)
- *Water. People. Places: A guide for master planning sustainable drainage into developments*
- [CIRIA SuDS Manual](#)

4.2.24

Refer to the *Shoreham Harbour Flood Risk Management Guide SPD (2015)* for full details of requirements in relation to protection from flooding.

Green infrastructure

- 4.2.25 The embankments sloping up from Wharf Road and Basin Road North to Kingsway (A259) form part of the proposed green corridor through the regeneration area. The partnership will promote green infrastructure improvements in these areas through the emerging Shoreham Harbour Green Infrastructure Strategy. Development in this area will be expected to take these aspirations into consideration.
- 4.2.26 The Wharf Road embankment, adjacent to Hove Lagoon, is a prominent location at the main eastern gateway to the harbour. The partnership will seek landscape and ecological improvements such as planting of native hedgerows, plug planting of suitable species and the enhancement of the existing butterfly bank. Appropriate public art will also be encouraged.
- 4.2.27 The Basin Road North embankment extends east from the Boundary Road/Station Road junction. The partnership will seek improvements such as planting of native hedgerows and plug planting of suitable species.



Wharf Road embankment and Hove Lagoon from Kingsway



Basin Road North embankment

Development opportunities

- 4.2.28 The release of sites for redevelopment in and around the basin requires careful management given the close proximity of port operations and residential areas at Western Esplanade and to the north of Kingsway.
- 4.2.29 The partnership will work with businesses and service providers to identify their needs and overcome barriers to growth in order to improve the basin as a modern thriving local business cluster. As shown on Map 7, key proposals for this area are set out below.

Strategic employment area

4.2.30

Employment generating uses (use classes B1, B2 and B8) will remain the predominant land use within Aldrington Basin. The partnership will work with land owners to promote the redevelopment of sites to deliver better quality, modern accommodation. Key opportunity sites are as follows:

- North Basin Quay (Site AB1 - see Map 7) is situated at the eastern end of the Canal; bounded by Basin Road North, Basin Road South and opposite Hove Lagoon. Redevelopment for high quality, modern employment floor-space will be encouraged. In order to improve the connection between Hove Lagoon and the harbour an element of ancillary leisure, retail and food and drink uses fronting open space will be supported.
- Aldrington Marina (Site AB2 - see Map 7) is on the southern side of Basin Road North, between Maritime House and Hove Enterprise Centre. Development for high quality, modern employment floor-space will be encouraged.

4.2.31

The following sites are protected:

- Ferry Wharf (site AB3 on Map 7) is safeguarded for the import of aggregates and other minerals unless similar wharf capacity can be re-provided on an alternative suitable site. If development proposals come forward then policies for re-provision of wharf capacity will apply. Future development at Ferry Wharf could provide modern employment floor space that is compatible with port related uses.
- The Shoreham Port Authority-owned Hove Enterprise Centre and Maritime House are successful operations supplying flexible workspace and will be protected for employment generating uses throughout the plan period.
- The other plots south of Basin Road North (site AB2) may also be appropriate for redevelopment for modern, good quality employment space. These will be protected for employment and port related uses.
- Port operational areas will be safeguarded for commercial port operations and related uses.

4.2.32

Mixed-use development

New mixed-use development is promoted on plots between Basin Road North and Kingsway (site AB4 on Map 7). Proposals must demonstrate that they are compatible with existing employment uses at the basin level.

4.2.33

Plots between The Gather Inn to the east and Ocean Sports Board Riders to the west could be redeveloped for a mix of uses with employment floor-space (use class B1) on lower storeys fronting Basin Road North and mixed-employment (use classes A2, B1, and ancillary A1) fronting Kingsway and residential apartments (use class C3) on upper storeys.

Development form and typology

4.2.34

The following principles for development form are proposed:

- For new employment floor-space at the basin level, flexible employment uses are proposed arranged as two to three storey buildings on under-used plots.
- Mixed employment and residential uses with a dual frontage onto Kingsway (mixed commercial activities with residential accommodation on upper storeys) and Basin Road North (employment uses).
- Buildings in the basin itself should be simple and flexible with a contemporary appearance and character in keeping with the aesthetic of the harbour.
- New buildings should be of a modern design which complements the existing historic character.

Policy CA2: Aldrington Basin

- 1. Aldrington Basin is designated as a strategic employment/mixed use area.**
- 2. The partnership will work with developers and stakeholders to deliver:**
 - a. a minimum of 90 new dwellings (use class C3)**
 - b. a minimum of 4,500m² employment floor-space (use classes B1, B2 and B8)**
 - c. ancillary leisure, retail and food and drink floor-space**
- 3. Site allocations at Aldrington Basin (shown on Map 7) are:**
 - a. AB1 – North Basin Quay: Allocated for port related and compatible employment floor-space (use classes B1, B2 and B8). Between Hove Lagoon and the Canal an area of open space fronted by ancillary leisure, retail and food and drink uses will be supported in order to improve the connection between Hove Lagoon and the harbour.**
 - b. AB2 – Aldrington Marina: Allocated for new employment floor-space (use classes B1, B2 and B8)**
 - c. AB3 – Ferry Wharf: Allocated for port related and compatible employment floor-space (use classes B1, B2 and B8).**
 - d. AB4 – Kingsway/Basin Road North: Allocated for mixed use redevelopment (use classes B1 and B2 at Basin Road North level, use classes A2, B1 and ancillary A1 at Kingsway level, and use class C3 on upper storeys).**
- 4. Port operational areas are safeguarded for commercial port operations and related activities.**
- 5. Hove Enterprise Centre and Maritime House are protected for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises. The council will resist proposals for change of use to other types of floor-space.**

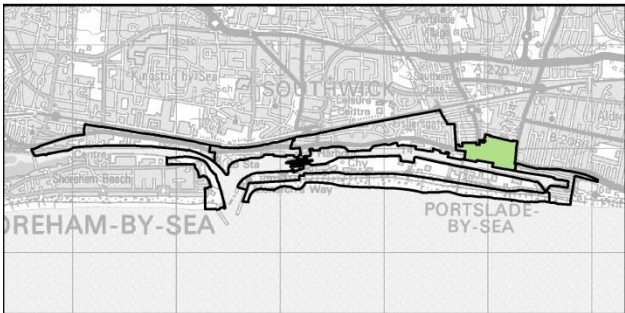
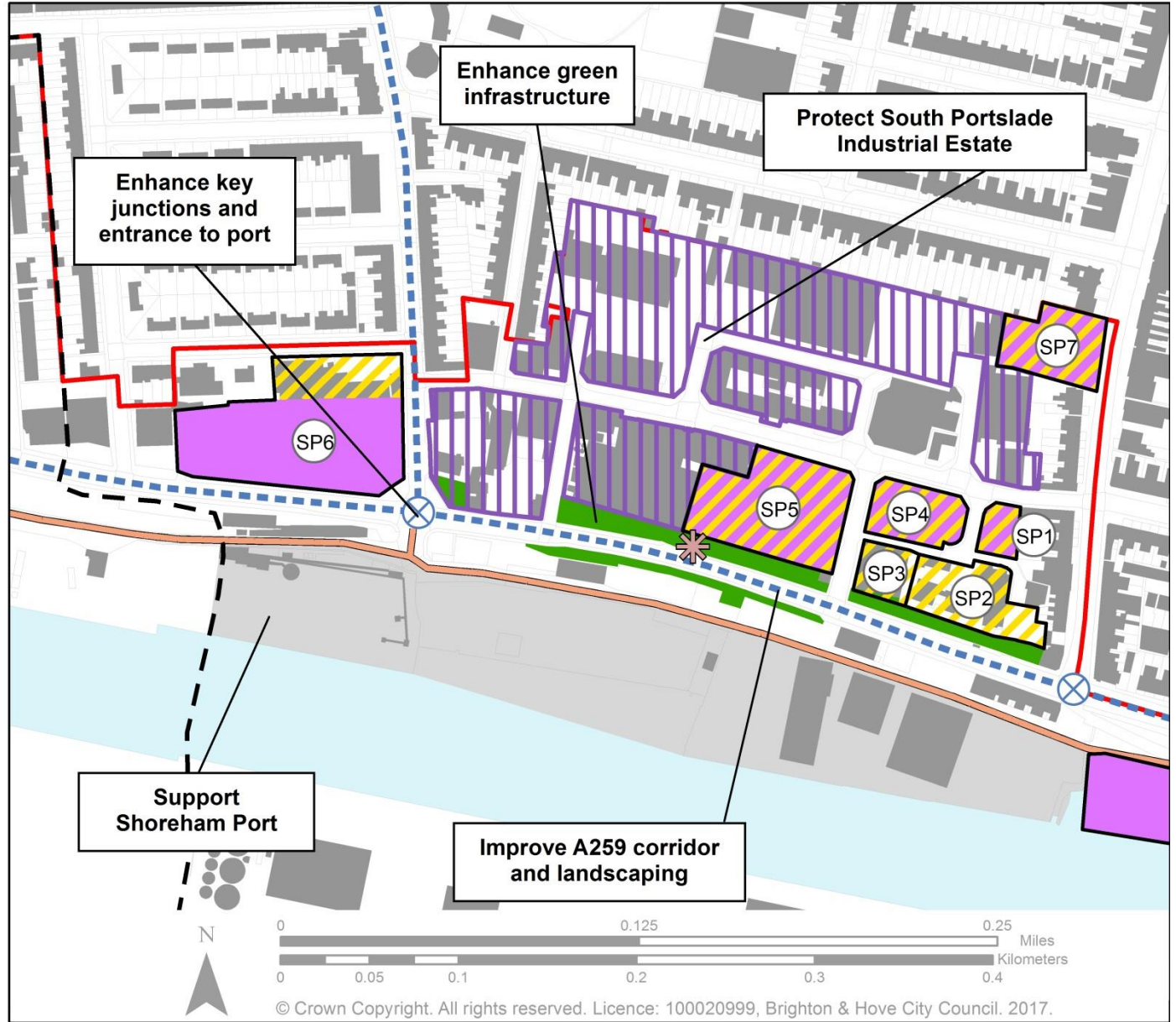
6. For sites AB1, AB2, AB3:
- a. Building heights of two to three storeys are generally considered acceptable.
 - b. If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites.
7. For site AB4:
- a. Building heights should be justified with regard to analysis of the local urban design context, orientation, sunlight and daylight impacts, and apply high quality design principles.
 - b. Development should maintain a sense of openness and promote views through to the harbour wherever possible. The scale of development should provide a positive impact on the street environment along Kingsway.
 - c. Development should provide an attractive character along the A259 and contribute towards the street scene.
8. Where appropriate, proposals will be expected to enhance townscape around key linkages and junctions, in particular Kingsway (A259) – Wharf Road junction and Wharf Road – Basin Road North – Basin Road South junction.
9. The partnership will work with developers and stakeholders to support and identify mechanisms for implementing ecological and landscaping improvements to embankments between Kingsway (A259) and Wharf Road/Basin Road North as part of the green corridor alongside the A259.
10. Where open space requirements cannot be met on site, development will be required to contribute towards existing open spaces, such as Hove Lagoon, Portslade Beach, Wish Park and/or Vale Park.
11. The partnership will work with developers and stakeholders to deliver the package of transport measures for Aldrington Basin as set out in the Shoreham Harbour Transport Strategy. Critical measures include:
- Improvements to the following junctions:
 - Wellington Road (A259) – Church Road (A293) – Basin Road North
 - Kingsway/Wellington Road (A259) – Boundary Road/Station Road (B2194) – Basin Road North
 - Upgrade and extension of Basin Road North.
 - The following cycling infrastructure improvements:
 - Improvements to the cycling facilities along the A259
 - Improvements to NCN2 to create a safe and continuous route along Wharf Road and Basin Road South
 - Improvements to pedestrian and cycle crossing points.
 - Improvements to bus stops.

NORTH QUAYSIDE AND SOUTH PORTSLADE



Map 8 – CA3: North Quayside and South Portslade

- Shoreham Harbour Regeneration Area
- Local authority boundary
- Allocation
- Residential (proposed)
- Employment (proposed/protected)
- Protected employment
- Green corridor
- Port (operational)
- Priority corridor (transport/public realm)
- New/upgraded port access road (proposed)
- X Junction improvements
- ✱ Public art opportunity (indicative)



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4.3 Character Area 3 – North Quayside and South Portslade

Area Priorities

- **To designate South Portslade as an allocation for new mixed use development. To designate a strategic employment/mixed-use area (Allocations SP 1 to SP7).**
- **To accommodate a mix of new and improved employment generating floor-space (use classes B1, B2 and B8).**
- **To accommodate appropriately located mixed use development (B1, and C3).**
- **To revise the boundary of South Portslade Industrial Estate and protect for employment generating uses.**
- **To safeguard and develop North Quayside as a new and improved port operational area accommodating new and relocated port uses with limited land reclamation and a new access road (within the port boundary) in line with the Port Masterplan.**
- **To secure improvements to legibility, permeability and connectivity through high quality building design, townscape and public realm; respecting and complementing the character of surrounding areas.**
- **To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.**
- **To improve connections and townscape around key linkages including Boundary Road/Station Road (B2194) district retailing centre, Church Road (A293) and along Wellington Road (A259).**
- **To ensure that all development takes in to account the findings and recommendations of the current Strategic Flood Risk Assessment and Flood Risk Management Guide SPD (2015).**
- **To ensure that new development proposals take account of noise and air quality impacts and that improvements are sought wherever possible.**
- **To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including a green corridor along the A259.**

About the area

- 4.3.1 The North Quayside area of the port and South Portslade are home to a diverse mix of mostly industrial premises nestled within a residential neighbourhood. Land uses on the south-side of the A259 are predominantly port-related, industrial and aggregate uses including the safeguarded Britannia Wharf.
- 4.3.2 South Portslade Industrial Estate is defined predominantly by employment generating uses. This includes car garages, offices and product fabrication.
- 4.3.3 To the north and west of the industrial estate, the area is abutted by residential properties, in some cases on the same street (such as Church Road (A293) and St. Peter's Road).
- 4.3.4 To the east is the district retailing centre of Boundary Road/Station Road (B2194), leading to Portslade Station.
- 4.3.5 There are several community uses such as the City Coast Church and Community Centre, St Peter's School and the Brighton & Hove City Council-owned Belgrave Day Centre.

Transport and connections

- 4.3.6 Refer to the *Shoreham Harbour Transport Strategy* for details of the package of measures proposed to support the development of this allocation.
- 4.3.7 The southern edge of the industrial estate is defined by the stark environment of Wellington Road (A259). Although benefitting from views to the sea over the working harbour, the A259 suffers from weak frontages and buildings backing on to its northern side, poor quality public realm and a lack of frontage to the south. The townscape environment, particularly along Wellington Road is run down and unsightly which has a detrimental impact on the perception of this part of the harbour.
- 4.3.8 The industrial estate's internal road network is not well connected to its surroundings and is bound to the north and west by rows of terraced housing. There are two main north-south access roads, Boundary Road/Station Road (B2194) and Trafalgar Road/Church Road (A293). These are well used by HGVs and link the harbour to the A270 and A27.

Improving key junctions

- 4.3.9 The Wellington Road (A259) – Church Road (A293) junction is particularly impacted by air quality issues, relating in particular to heavy goods vehicles. This limits the types of uses that are suitable to be situated in close proximity.
- 4.3.10 There is currently a narrow one-way port access road (Basin Road North) on to Wellington Road (A259) at the junction with Boundary Road/Station Road (B2194). Shoreham Port Authority intends to upgrade and extend this road to the junction with Church Road (A293) to form a more accessible route through the operational port.
- 4.3.11 These routes are key gateways into the harbour area and the Transport Strategy promotes improvements to both the Wellington Road (A259) – Church Road (A293) – Basin Road North junction as well as the Wellington Road/Kingsway (A259) – Boundary Road/Station Road (B2194) – Basin Road North junction.

Improving connections and streetscape

- 4.3.12 Opportunities exist to enhance the permeability of South Portslade Industrial Estate in order to repair and reconnect sites to adjacent neighbourhoods and key routes. Improvements to cycle routes and pedestrian crossings as well as improved connections with stations are proposed.
- 4.3.13 During the plan period, opportunities may exist to create new and improved north-south connections. Beyond the plan period, further opportunities may exist to unlock and extend routes (pedestrian or vehicular) such as Ellen Street and West Street.
- 4.3.14 Linkages to existing recreation and open space assets such as Hove Lagoon, Vale Park, Wish Park and Portslade and Southwick Beaches will also be promoted.

Flood risk and sustainable drainage

4.3.15 South Portslade is situated outside of the area that is at risk of tidal and fluvial flooding. However the Brighton & Hove Strategic Flood Risk Assessment (SFRA, 2012) identifies some parts of the area as being at risk of surface water flooding in both the 1 in 30 and 1 in 200 year events. This is particularly the case around the junction of Church Road and Wellington Road as this is a localised area of lower lying land.

4.3.16 Surface water flooding can result in pollution to water and development in this location will need to take this flood risk constraint into consideration. Sustainable drainage systems (SuDS) have been identified for areas to the north of the allocation.

4.3.17 Surface water run-off and SuDS are assessed by the Lead Local Flood Authority. These improvements will benefit development in this location. Developments should therefore contribute towards improvements to limit the surface water flooding. Refer to the *Urban Sustainable Drainage System Feasibility Study* (2015, Brighton & Hove City Council) for further details.

4.3.18 Refer to the *Shoreham Harbour Flood Risk Management Guide SPD* (2015) or subsequent update for full details of requirements in relation to protection from flooding.

Green infrastructure

4.3.19 The grassed frontages on the northern side of Wellington Road (A259) and the steep embankment between Wellington Road (A259) and Basin Road North form part of the proposed green corridor through the regeneration area.

4.3.20 The partnership will promote green infrastructure improvements in these areas through the emerging Shoreham Harbour Green Infrastructure Strategy. Development in this area will be expected to take these aspirations into consideration.

4.3.21 The grassed frontages to Wellington Road (A259) have the potential to provide multifunctional amenity space for adjacent development sites. The partnership will seek landscape and ecological improvements such as the creation of wildflower meadows, plug planting of suitable species, planting of native hedgerows.

4.3.22 Adjacent development should incorporate green walls and roofs. The sites also have potential for sustainable drainage (SuDS) features such as rain gardens or swales. Appropriate public art will also be encouraged.

4.3.23 The Basin Road North embankment could be improved to provide a more attractive southern edge to Wellington Road (A259).

4.3.24 Vale Park is situated just outside the regeneration area. The partnership will seek improvements to enhance the ecology and amenity of this public open space.

4.3.25 The *Shoreham Harbour Green Infrastructure Strategy* will set out full details of requirements in relation to green infrastructure and biodiversity.



Wellington Road frontage

Development opportunities

4.3.26 North Quayside will remain safeguarded for port-related operational uses as part of the consolidation of port activities.

Allocation: South Portslade

4.3.27 Much of South Portslade Industrial Estate will be protected for employment generating uses. This protection will be extended to include sites to the west of Church Road (A293). A number of sites will be released to accommodate mixed use development including both employment generating and residential floor-space. Key proposals are shown in further detail in Map 8.

4.3.28 Although Brighton & Hove City Council owns some of the land within the estate, the majority of sites within the estate are privately owned. This may provide the opportunity for the partnership to coordinate a comprehensive redevelopment approach. Key planning considerations for the renewal of this area include impact on employment floor-space supply, impact on existing businesses and the compatibility of introducing new residential uses within the existing employment uses to the north and port operational uses to the south.

Managed release of sites for mixed-use redevelopment opportunities

4.3.29 Due to the proximity of a concentration of well-established predominantly industrial uses, the release of sites within the estate for redevelopment requires careful management. The core of the industrial estate will remain protected for employment uses and extended to include sites to the west of Church Road (A293).

4.3.30 A limited number of carefully selected plots around the periphery are promoted for redevelopment. These sites have been selected either where they are vacant and redundant from their existing use, where their location makes them peripheral to the employment area core or where redevelopment would provide wider regeneration benefits. Locations where redevelopment opportunities are promoted are as follows:

- Sites SP1, SP2, SP3 and SP4 (see Map 8) are bounded by Camden Street, North Street and Wellington Road (A259). With the exception of the existing shops and amenities on North Street and Boundary Road / Station Road, much of this block could be comprehensively redeveloped for a mixed use scheme, in particular focussing on improving the frontage visible from the A259.
 - Prestwich House (site SP1) is suitable for mixed use redevelopment comprising employment uses (use classes B1) on lower storeys and residential (use class C3) on upper storeys.
 - The former Belgrave Day Centre (site SP2) and Wellington House (site SP3) could be redeveloped to accommodate residential development (use class C3).
 - Regency House (site SP4) remains suitable for employment uses (use classes B1 or B2) compatible with the adjacent residential use. If redeveloped the site could accommodate a mix of uses including employment (use class B1) on lower storeys and residential uses (use class C3) on upper storeys.

- The Former Flexer Sacks (site SP5 on Map 8) is suitable for mixed use redevelopment comprising employment uses (use class B1) on lower storeys and residential (use class C3) on upper storeys. Leisure and assembly uses (use class D) may be permitted provided they are compatible with residential and employment uses in the vicinity.
- Site SP6 is bounded by Church Road, Wellington Road and St Peters Road (see Map 8). The northern portion of the site fronting onto St Peters Road is suitable for residential development (use class C3). The southern portion of the site is allocated for new employment development (use classes B1, B2, and B3) provided it is compatible with adjacent residential development.
- Station Road (site SP7 on Map 8) is suitable for mixed use redevelopment comprising active commercial and retail uses at ground floor (use classes A1, A2, A3 and B1) and residential (use class C3) on upper storeys and to the rear of the site.
 - The depth of the site would allow the creation of a small number of mews / terraced houses off the main street.

4.3.31

Residential uses

New residential developments will provide much needed new homes and help contribute to the creation of a softer edge to the fringes of the port operational and employment areas. They will also help to deliver public realm and infrastructure improvements through contributions arising from planning obligations.

4.3.32

At South Portslade, a mix of apartments, terraced town houses and mews housing would be appropriate, with the majority of residential dwellings likely to be arranged as flatted accommodation, for example, apartments arranged to complete urban blocks or forming new perimeter blocks. A number of sites in South Portslade are proposed as apartment blocks of varying heights overlooking Wellington Road and the port to the south.

4.3.33

Opportunities exist to create a two to three storey mews housing typology on the northern portion of site SP6 and to the rear of Station Road on site SP7.

4.3.34

Redefining the core employment area boundary

The South Portslade Industrial Estate is protected for employment generating uses and an extended core employment area is proposed. The original boundary was based on the Employment Area designation in the adopted Brighton & Hove Local Plan (2005). The area is extended to include sites to the west of Church Road (A293).

4.3.35

North Street remains the core spine of the employment area fronted by modern employment floor-space. Opportunities will be sought by the partnership to support and promote the provision of modern employment floor-space and improve the business environment within the redefined core employment area.

4.3.36

Supporting community assets

There are several valued community assets within the area including City Coast Church and Community Centre, St Peters Primary School. New developments in the area should take into account the proximity to these activities, seek to enhance the quality of their environment wherever possible and mitigate potential impacts.

Policy CA3: South Portslade and North Quayside

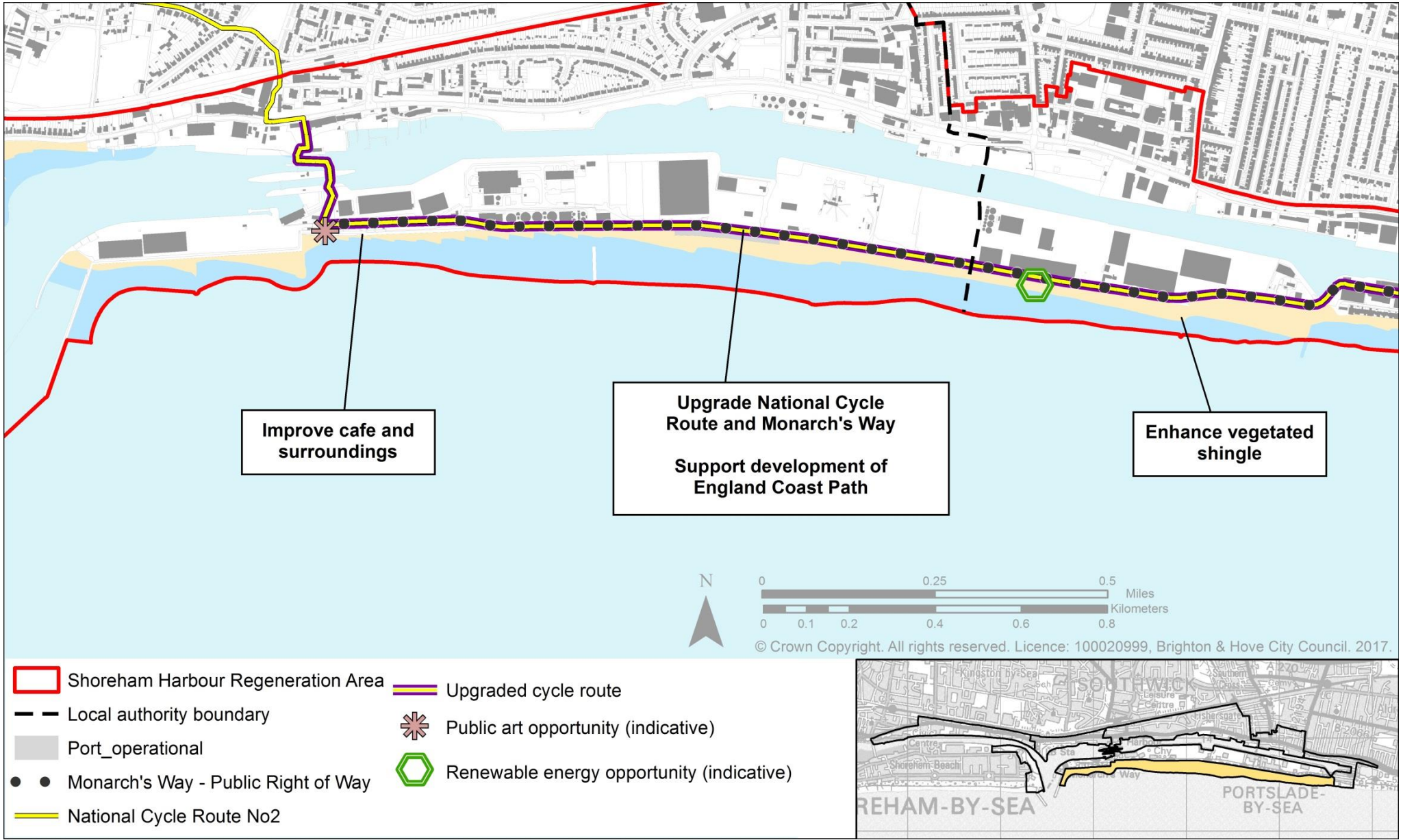
1. North Quayside is safeguarded for future commercial port operations and related activities.
2. South Portslade is designated as a strategic employment/mixed use area.
3. The partnership will work with developers and stakeholders to deliver:
 - a. a minimum of 210 new residential dwellings (use class C3).
 - b. a minimum of 3,000m² employment floor-space (use classes B1, B2 and B8).
 - c. ancillary leisure uses.
4. Site allocations at South Portslade (shown on Map 8) are:
 - a. SP1 – Prestwich House (and adjoining): Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys).
 - b. SP2 – Former Belgrave Centre (and adjoining): Allocated for residential development (use class C3).
 - c. SP3 – Wellington House: Allocated for residential development (use class C3).
 - d. SP4 – Regency House: Allocated for mixed use development (use class B1 on lower storeys and use class C3 on upper storeys).
 - e. SP5 – Former Flexer Sacks: Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys. Associated leisure and assembly (use class D) uses may be permitted provided they are demonstrated to be compatible with residential and employment uses in the vicinity.
 - f. SP6 – Church Road/Wellington Road/ St Peter’s Road: The southern portion of the site is allocated for new employment development (use classes B1, B2 and B8). Employment uses must be compatible with adjacent residential development. As part of a comprehensive redevelopment, residential development is acceptable on the northern portion of the site, fronting onto St Peter’s Road.
 - g. SP7 – Station Road: Allocated for mixed use redevelopment (use classes A1, A2, A3 and B1 fronting Station Road and use class C3 to the rear and on upper storeys)
5. South Portslade Industrial Estate (as shown on Map 8) is protected for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises. The council will resist proposals for change of use to other types of floor-space.
6. For sites SP1, SP2, SP3, SP4, SP5, and the southern portion of site SP6:
 - a. Building heights up to six storeys are generally considered acceptable.
 - b. New buildings should be set back from Wellington Road to allow the enhancement and extension of the proposed green corridor.
7. For site SP7, and the northern portion of site SP6:
 - a. Building heights up to three storeys are generally considered acceptable.

8. **Comprehensive redevelopment may offer potential for greater building heights, subject to consultations through the planning application process, detailed design considerations and meeting the principles of the emerging Urban Design Framework.**
9. **Where appropriate, proposals will be expected to enhance townscape around key linkages and junctions, in particular Boundary Road/Station Road (B2193) – Wellington Road (A259) junction and Church Road (A293) – Wellington Road (A259) junction.**
10. **The partnership will work with developers and stakeholders to support and identify mechanisms for implementing ecological and landscaping improvements to the Wellington Road frontage as part of the green corridor alongside the A259.**
11. **New developments fronting Wellington Road should be set back beyond the proposed green corridor. Given the proximity to both the road and port operational uses this will prevent a canyoning effect and ensure that residents are protected from noise and air quality impacts.**
12. **Where open space requirements cannot be met on site, development will be required to contribute towards the creation of the proposed green corridor along the A259, and/or existing open spaces, such as Vale Park, Hove Lagoon and/or Portslade Beach.**
13. **The partnership will work with developers and stakeholders to deliver the package of transport measures for North Quayside and South Portslade as set out in the Shoreham Harbour Transport Strategy. Critical measures include:**
 - **Improvements to the following junctions:**
 - **Wellington Road (A259) – Church Road (A293) – Basin Road North**
 - **Kingsway/Wellington Road (A259) – Boundary Road/Station Road (B2194) – Basin Road North**
 - **Improvements to the cycling facilities along the A259. Improvements to pedestrian and cycle crossing points.**

PORTSLADE AND SOUTHWICK BEACHES



Map 9 – CA4: Portslade and Southwick Beaches



4.4 Character Area 4 – Portslade and Southwick Beaches

Area priorities

- **To seek improvements to the quality, access, appearance and maintenance of the public right of way, beach promenade, public areas and beach environment.**
- **To support the delivery of the England Coast Path along the beaches.**
- **To protect and enhance important habitats and species, such as coastal vegetated shingle as part of a green corridor along the beaches.**

About the area

- 4.4.1 Basin Road South runs parallel to South Quayside and provides vehicular access to the main operational port areas. It forms part of the national cycle network (NCN2) which runs along Wharf Road and Basin Road South before crossing the lock gates. NCN2 will eventually connect many of the urban areas along the south coast. Basin Road South also forms part of Monarch's Way walking trail which runs along the road to Hove Lagoon before continuing along the seafront promenade.
- 4.4.2 The England Coast Path currently being developed by Natural England is likely to follow this route. The partnership will work with Natural England to secure improvements to the route through this area.
- 4.4.3 There is potential to improve this access route, whilst maintaining the security of the adjacent port operational areas.
- 4.4.4 At the eastern end of Portslade beach is Basin Road South LWS; designated for coastal vegetated shingle. This site is part of the operational port and remains in active use. Vegetated shingle covers less than half of the site and is not considered to be an outstanding example of its type. However it is the largest example of this habitat within Brighton & Hove.
- 4.4.5 There are further areas of coastal vegetated shingle spread out along the coastal frontage. These are relatively isolated from each other. There is therefore potential to connect these habitats to create a continuous corridor as part of an enhanced green infrastructure network. There is potential for raising public awareness through better demarcating of habitats and interpretive signage.
- 4.4.6 Despite the industrial feel of this route, it remains popular and the beaches are frequented by local families, swimmers, surfers and artists, particularly during the summer months. There is also a café and public car park. The Adur District Council-owned beach huts adjacent to the café have recently been refurbished (2010) and remain oversubscribed. There may be an opportunity to increase the number of beach huts.

Policy CA4: Portslade & Southwick Beaches

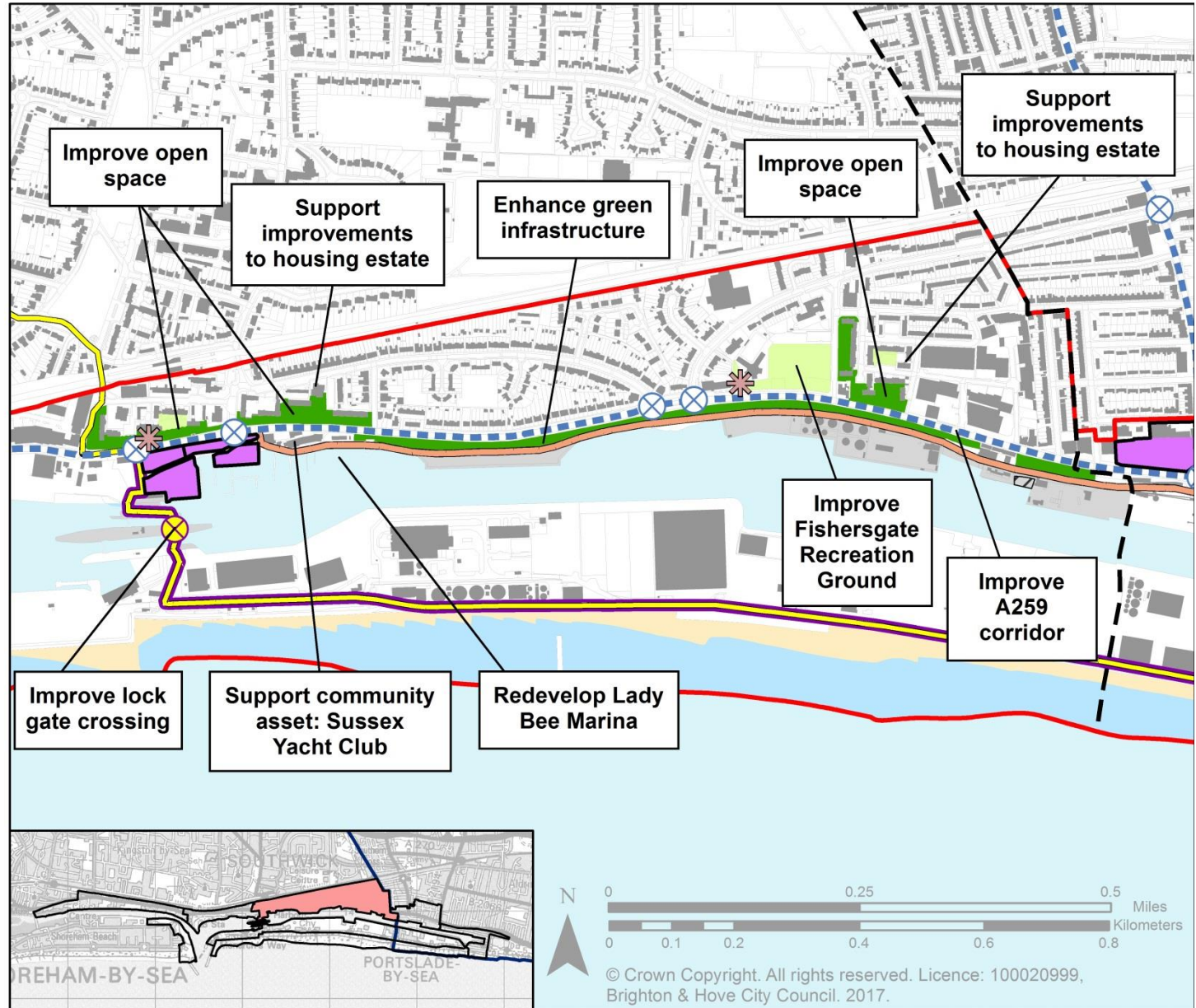
- 1. The beach areas and adjacent public spaces will be safeguarded for the protection of coastal processes, marine habitats and the enjoyment of local communities and visitors.**
- 2. The partnership will promote and deliver the enhancement and creation of vegetated shingle habitats to create a continuous corridor along the beaches. Compensatory habitat creation and safeguarding will be required for any loss or disturbance to existing habitats.**
- 3. The partnership will promote improvements to the seafront café and immediate surrounding area.**
- 4. The partnership will promote opportunities to improve the quality of the National Cycle Route No. 2 and Public Right Of Way corridor in accordance with the Transport Strategy.**
- 5. The partnership will work with Natural England to support the delivery of the England Coast path through the Portslade and Southwick Beaches area.**
- 6. The partnership will promote opportunities to improve the quality of public access areas connected to the beaches including:**
 - Work with local community to identify suitable locations for the incorporation of public art.**
 - Explore potential for increasing beach huts and converting some to artist's studios.**
 - Explore opportunities for environmental improvements to the car park entrance and boundaries including landscaping, fencing, signage, lighting and an enhanced entrance.**

FISHERSGATE AND SOUTHWICK



Map 10 – CA5: Fishersgate and Southwick

- Shoreham Harbour Regeneration Area
- Local authority boundary
- Allocation
- Employment (proposed/protected)
- Green corridor
- Port (operational)
- Open space (existing)
- Canal infill (proposed)
- Priority corridor (transport/public realm)
- New/upgraded port access road (proposed)
- National Cycle Route No2
- Upgraded cycle route
- X Pedestrian/cyclist gateway
- X Junction improvements
- ✱ Public art opportunity (indicative)



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4.5 Character Area 5 – Fishersgate and Southwick

Area priorities

- **To designate Southwick Waterfront as an allocation for new mixed use development.**
- **To support the comprehensive redevelopment of Southwick Waterfront to accommodate a mix of new and improved employment generating uses (use classes B1, B2 and B8).**
- **To safeguard and develop port operational areas to accommodate new and relocated port uses with limited land reclamation and a new access road (within the port boundary) in line with the Port Masterplan.**
- **To support the comprehensive reconfiguration of Lady Bee Marina.**
- **To address deprivation through partnership working with Adur Homes, Action Eastbrook Partnership and local service providers.**
- **To improve sustainable transport links with surrounding communities.**
- **To support improvements to local housing estates and community facilities, including enhancing Fishersgate recreation ground.**
- **To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including landscape enhancements to social housing estates.**
- **To support the delivery of the England Coast Path through the Southwick Waterfront area.**

About the area

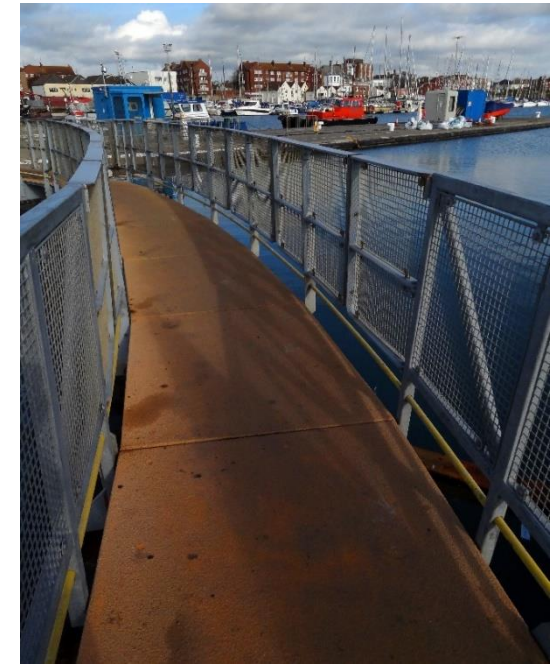
- 4.5.1 The Fishersgate and Southwick area comprises a mix of residential, community, open space, recreational, port and employment uses. Within the residential community there are pockets of deprivation which is the focus for the work of the Action Eastbrook Partnership.
- 4.5.2 The area extends from the district boundary to the lock gates over the Canal.
- 4.5.3 The eastern end of this character area comprises the Fishersgate neighbourhood, between the railway line to the north and the busy A259 to the south. There is a footbridge over the railway line at Fishersgate station. The residential areas located here are in very close proximity to the industrial activities of the port including the fuel storage facility as well as a nearby industrial estate and electricity substation.

There are a number of community assets including two community centres, a recreation ground with children's play area, Shoreham Academy's Gateway Centre, and a children and family centre. Fishersgate has been identified as a focus area requiring better facilities for youth services. Currently there is no dedicated youth centre close by, although there are a number of community facilities which could offer or do offer a youth service provision.

The area is a densely populated urban area with a high proportion of flats. The housing is predominantly terraced with some semi-detached houses and two Adur Homes-owned estates with multi-storey flatted developments reaching up to six storeys high. The surrounding public landscaped space is fairly sparse but serves as a green buffer between housing and the road.

The Mill Road Industrial Estate, located to the east of the Fishersgate area, comprises a mix of retail units, manufacturing warehouses, office space and storage (including self-storage) warehouses. In the west of this character area is the Grange Industrial Estate which comprises a mix of retail units, manufacturing units, printing companies and distributing warehouses.

Southwick Waterfront, adjacent to the lock gates, has been identified as an allocation for new employment floor-space. The lock gates carry the National Cycle Route (NCN2) across the harbour and are an important pedestrian route to South Quayside and Southwick Beach. Many of the buildings and public realm in this area is of poor quality. However it is adjacent to the popular Lady Bee Marina and Southwick Riverside Conservation Area, which includes the Grade II listed Sussex Yacht Club boat store.



Lock gate and Southwick Waterfront



Lady Bee Marina and Southwick Riverside Conservation Area

Transport and connections

- 4.5.8 Refer to the Shoreham Harbour Transport Strategy for details of the package of measures proposed to support the development of Allocation Southwick Waterfront and the wider character area.
- 4.5.9 Southwick town centre is located north of the railway line, outside the regeneration area. There are two access points linking the centre of Southwick with the Southwick Waterfront area. Pedestrian and cycle connections linking Fishersgate with surrounding areas are poor. The A259 is the main east-west route.
- 4.5.10 The transport strategy proposes a range of measures for this area including junction improvements to the A259/Lady Bee Marina junction; A259 bus priority measures; improvements to the NCN2 cycle route across the lock gates; an A259 cycle facility linking and improved cycle and pedestrian crossing points and public realm.
- 4.5.11 Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA5 – Fishersgate and Southwick, crossing over the lock gates.

Flood risk and sustainable drainage

- 4.5.12 Most of Fishersgate and Southwick are situated outside of the area at risk of tidal and fluvial flooding for present day flood risk. The estimated flood depth for this site during a 1 in 200-year tidal flood event has been shown to be relatively low (up to 0.4m). The 2115 prediction factoring in climate change however indicates that flood depths could increase to between 1m and 1.6m and much of the site becomes at risk of flooding.
- 4.5.13 At the Southwick Waterfront allocation, existing land levels vary from 3.6m AOD (Above Ordnance Datum) to in excess of 8m AOD. The majority of the site is at a level of between 4.0m and 5.0m AOD. Only the northern section of the site exceeds 5.0m AOD.
- 4.5.14 Parts of the waterfront fall within Tidal Flood Zones 2 and 3. The estimated maximum flood depth for this area for the 1:200 year tidal event is 0.40m.
- 4.5.15 The risk associated with this form of flooding increases significantly when sea level rise associated with climate change is factored in. In this scenario, maximum estimated flood depths increase to about 1.4m with increased flood velocities. Development in this location will need to take this flood risk constraint into consideration.

- 4.5.16 The Brighton Marina to River Adur Strategy identifies improvements to flood defence infrastructure in this locality. Improvements will help protect areas identified for development and because no residential development is identified for this allocation, it is considered appropriate that building level resilient and resistant measures will be sufficient.
- 4.5.17 Surface water flooding is also a risk to the site as it can result in pollution to water. Development in this location will need to take this flood risk constraint into consideration.
- 4.5.18 Developers should include SuDS and building level resistant and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. The approach is set out in the following publications (or subsequent replacement documents):
- [Adur & Worthing Councils and/or Brighton & Hove Council's SFRAs](#)
 - [Water. People. Places: A guide for master planning sustainable drainage into developments](#)
 - [CIRIA SuDS Manual](#)
- 4.5.19 Refer to the *Shoreham Harbour Flood Risk Management Guide SPD* (2015) for full details of requirements in relation to protection from flooding.

Green infrastructure

- 4.5.20 East of Lady Bee Marina the North Canal Bank slopes steeply from the canal up to the A259. This undeveloped grassland provides an important green infrastructure role as a linear wildlife corridor, and is an important habitat for common lizards and slow worms.
- 4.5.21 The partnership will support Shoreham Port Authority to manage and enhance this area. Potential interventions include landscape and ecological improvements such as planting of native hedgerows, plug planting of suitable species and improved sustainable transport links.
- 4.5.22 To the north of Fishersgate Terrace/Albion Street (A259) the social housing estates are set amongst areas of grassed space. These spaces have significant enhancement potential to provide both amenity space to residents and ecological benefits. Two pocket parks have already been created at Coates Court, Southwick and Laylands Court, Fishersgate. The partnership will continue to work with Adur Homes and Action Eastbrook Partnership to improve these areas
- 4.5.23 The grassed areas around the housing estates, the North Canal Bank and Fishersgate Recreation Ground form key elements of the proposed green corridor through the regeneration area.
- 4.5.24 The *Shoreham Harbour Green Infrastructure Strategy* will set out detailed proposals for these areas.



North Canal Bank



Fishersgate Recreation Ground



Frontage to housing estate

Development opportunities

4.5.25 For the foreseeable future the waterfront area adjacent to Fishersgate will remain safeguarded for port-operational uses. As port uses change over time it will be important to take account of the effect on nearby residential areas.

Allocation: Southwick Waterfront

4.5.26 Southwick Waterfront has been identified for a minimum of 4,000m² new employment floor-space and provision of small scale business units (use classes B1 and B2). It is acknowledged that a lower level of development may be achieved if some buildings are refurbished, rather than redeveloped. Residential development is not appropriate due to the proximity of port operations.

4.5.27 A public right of way, and part of the national cycle route (NCN2) run through the area, crossing over the lock gates. Public realm in this area is poor. This could be improved as part of new development and the delivery of the England Coast Path.

Lady Bee Marina and Riverside Conservation Area

4.5.28 Lady Bee Marina currently contains an eclectic assortment of interesting buildings, many dating from the 19th and early 20th centuries. The marina has a quaint, maritime charm and includes a chandlery and pub/restaurant. It has 120 pontoons for private boats and is a popular spot for anglers and dog walkers.

4.5.29 Parts of Lady Bee Marina fall within the Riverside Conservation Area including the Grade II listed Royal Sussex Yacht Club. The Riverside Conservation Area also includes several residential dwellings, a pub and the former Southwick Town Hall now used for offices.

4.5.30 The Port Masterplan describes this location as lacking design quality and integrity with spatial constraints causing car parking to be marginalised and squeezed into any available space. It identifies the area as having significant potential for enhancement to improve the leisure offer within the port.

4.5.31 There is a flat area of green space to the east of the marina, accessed on foot via a narrow path or steps down the steep retaining north canal bank from the A259. This is commonly used for dog walking and angling however suffers from littering. The Port Masterplan identifies this area as having potential for improvements including a canal-side walkway, a new service road, car park, dry boat store and new base for local youth groups. This location could act as a buffer between the more industrialised North Quayside area and a new revitalised marina.

Policy CA5: Fishersgate and Southwick

1. Southwick Waterfront is designated as a strategic employment area (Allocation Southwick Waterfront).
2. The partnership will work with, developers and stakeholders to deliver a minimum of 4,000m² new employment floor-space. The partnership will support the redevelopment of sites to deliver high quality, modern employment floor-space.
3. The partnership will work with developers and stakeholders to deliver the reconfiguration of Lady Bee Marina. This will include:
 - Improved marina facilities, expanded berthing capacity and waterside leisure provision, including a new slipway, utilising canal edge water space to the east.
 - Complimentary waterside facilities.
4. Port operational areas, including the dry dock, are safeguarded for future commercial port operations and related activities.
5. Ongoing protection will be provided for the functioning of the dry dock ensuring that land uses in the immediate vicinity do not compromise its ongoing efficient use.
6. Development should respect and connect with surrounding areas. Where appropriate, proposals will be expected to enhance townscape around key linkages and junctions, in particular pedestrian and cycle routes from Southwick station and Southwick Green across the lock gates to the beaches, and an improved alignment of the Nautilus House access road serving Allocation Southwick Waterfront and the dry dock.
7. The partnership will support Adur Homes, Action Eastbrook Partnership and local service providers to deliver improvements and harness benefits arising for harbour-side communities. Emerging priorities include:
 - Enhancing Fishersgate Recreation ground.
 - Supporting and enhancing local community facilities.
 - Supporting improvements to housing estates.
 - Promoting opportunities to support communities in improving green infrastructure to provide amenity to residents and enhance biodiversity.
8. The partnership will support and identify mechanisms for implementing ecological and landscaping improvements to the frontage of housing estates to Fishersgate Terrace/Albion Street (A259), Fishersgate Recreation Ground and the North Canal Bank as part of the green corridor along the A259.
9. The partnership will work with developers and stakeholders to deliver the package of transport measures for Fishersgate & Southwick as set out in the *Shoreham Harbour Transport Strategy*. Critical measures include:
 - Improvements to the following junctions:
 - Albion Street (A259)-Riverside junction serving Lady Bee Marina.
 - Improvements to the Albion Street (A259) junction serving Southwick Waterfront.
 - Improvements to cycling facilities along the A259.
 - Improvement to the pedestrian and cycle route across the lock gates.
 - Improved pedestrian and cycle crossing points.
 - Bus stop improvements.
10. The partnership will support the delivery of the Southwick Waterfront access road, with limited canal infill where required, to create space for an access road and waterside footway / cycle path.

HARBOUR MOUTH



- Shoreham Harbour Regeneration Area
- Port (operational)
- Canal infill (proposed)
- Albion Street Lorry Park
- Shoreham Fort
- Kingston Beach Village Green
- Priority corridor (transport/public realm)
- Waterfront route (indicative)
- National Cycle Route No2
- Upgraded cycle route
- ⊗ Pedestrian/cyclist gateway
- ⊗ Junction improvements
- ✱ Public art opportunity (indicative)



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4.6 Character Area 6 – Harbour Mouth

Area priorities

- **To support the conservation of Shoreham Fort.**
- **To enhance connections between Shoreham town centre, Shoreham Beach and Shoreham Fort through environmental and landscaping improvements.**
- **To support the redevelopment of Shoreham Rowing Club and enhance the public realm environment of Kingston Beach.**
- **To explore options for the future use of the Albion Street lorry park.**
- **To support Adur Homes in exploring options for redevelopment of housing sites.**
- **To support the delivery of the Shoreham Heat Network.**

About the area

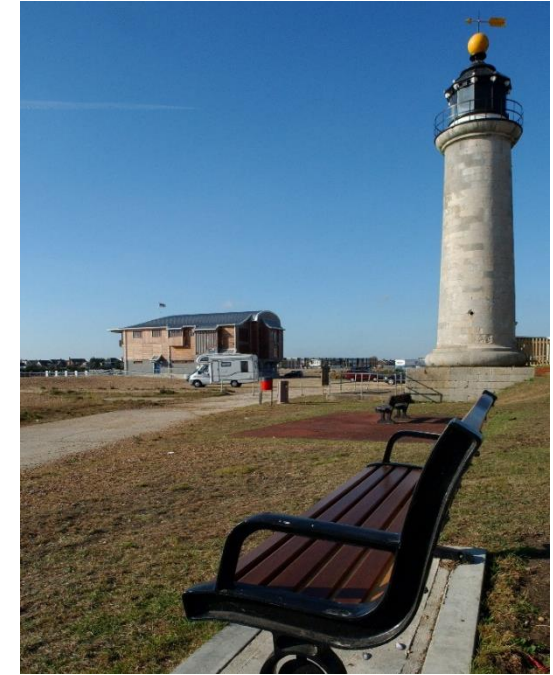
- 4.6.1 CA6 – Harbour Mouth is split across either side of the River Adur at the mouth of the river. This is the entrance to the harbour. The southern section is also within the area covered by the emerging Shoreham Beach Neighbourhood Plan.
- 4.6.2 The remains of Shoreham Fort, a Scheduled Monument, are on Shoreham Beach. The fort was completed in 1857 and is one of the celebrated south coastal defences built under the Victorian Prime Minister Lord Palmerston. It is of national historical importance and was a vital part of the south coast defence system.
- 4.6.3 A local charity, the Friends of Shoreham Fort supported by Shoreham Port Authority, have taken responsibility for conserving the fort. This area is a popular destination for walkers. It is well used by anglers and home to the National Coastwatch Institute look-out tower.
- 4.6.4 In recent years there have been various plans for the fort including local interest for incorporating an educational facility and improving the public toilet block.

- 4.6.5 The Environment Agency plan to improve the layout, surfacing and public realm of the car park area at the Fort through the Shoreham Adur Tidal Walls scheme. The fort will benefit from this improvement. In addition, an upgrade including improved signage, benches, and potentially a café/visitor centre facility would further improve the area.
- 4.6.6 To the west of the fort is Shoreham Beach, a residential community almost entirely surrounded by water, connected to the town centre by Norfolk Bridge and the Adur Ferry Bridge. The beach area has a fascinating history. It was originally empty scrub created by a shingle bank that developed over centuries through longshore drift.
- 4.6.7 The beach itself is designated as a Local Nature Reserve (LNR) and Local Wildlife Site (LWS). The designating feature of the LNR is its rare and beautiful flowering vegetated shingle that has adapted over time to the harsh conditions.
- 4.6.8 On the riverside of Shoreham Beach is Silver Sands, a small sandy beach between Sussex Wharf and Soldier's Point, which sees the flowering of wild Geranium and Childing Pink, a nationally rare and protected plant species.
- 4.6.9 Directly opposite the harbour mouth is Kingston Beach, designated with Village Green status to safeguard it as a public space. The beach is home to Shoreham Rowing Club as well as the new RNLI lifeboat building, a maritime themed, low carbon building of significant architectural merit.
- 4.6.10 Kingston Beach is also home to the Grade II listed Kingston Buci Lighthouse, a distinctive local landmark. There is a wealth of local history that could be better interpreted in this location through imaginative signage. There is significant potential to improve the landscaping and street furniture to make it more accessible and appealing as a local amenity area.
- 4.6.11 Directly opposite Kingston Beach is a row of terraced housing, including several Adur Homes-owned properties.
- 4.6.12 To the east of these properties on the south-side of the A259 is the port operational area; whilst on the north-side of the A259 are a number of dwellings, Albion Street Lorry Park, and a range of light industrial and employment generating uses.
- Development opportunities**
- 4.6.13 The existing port operational area will be retained for port use. There are significant opportunities to improve the amenity value of Shoreham Fort and Kingston Beach for the benefit of local residents and visitors.
- 4.6.14 The Albion Street lorry park is no longer required in this area. The partnership is exploring alternative uses for the site, including relocation of businesses from elsewhere in the regeneration area.
- 4.6.15 Adur Homes is exploring opportunities to redevelop a number of older properties on the northern side of Albion Street. The partnership will support the redevelopment of these sites.
- 4.6.16 The proposed waterfront route along the Western Harbour Arm will end at Kingston Beach. The partnership is exploring options to integrate this route with the village green and connect to the proposed A259 cycle route.

4.6.17 The Shoreham Heat Network Partnership is progressing the delivery of a district heating network. The Shoreham Harbour District Energy Feasibility Study (2018) proposes a network served by marine source heat pumps and gas CHP. The study identifies the Middle Pier at the mouth of the harbour as a potential abstraction point for marine source heat pumps, and a discharge point to the west of the lifeboat station.



Shoreham Fort and Shoreham Beach



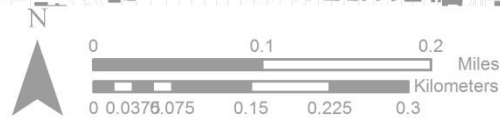
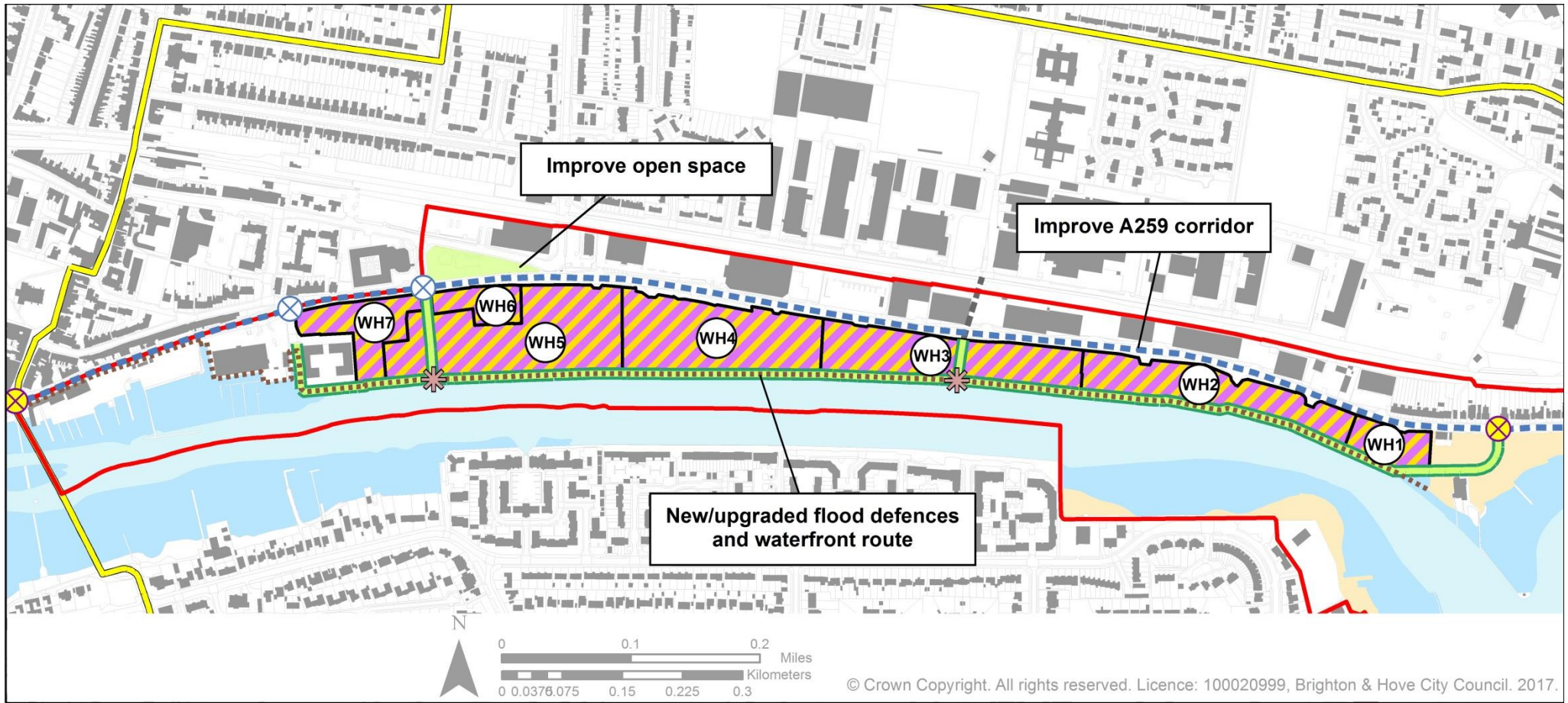
Kingston Buci Lighthouse and Shoreham Lifeboat Station

Policy CA6: Harbour Mouth

1. The existing port operational areas will be safeguarded for future commercial port activity.
2. The partnership will work with the community and stakeholders to support the conservation of Shoreham Fort and enhancement of the surrounding area including:
 - Explore potential to provide visitor centre / café.
 - Improved car parking configuration and delineation of bays, including disabled parking.
 - Explore potential to improve public toilet block.
 - Improve sense of arrival and entrance on to site, ensuring disabled access as well as improved access between the car park and Shoreham Beach.
 - Upgrade of street furniture such as benches, signage, bins and lighting.
 - Improved way-finding connections to new footbridge.
3. The partnership will ensure that the Shoreham Beach Local Nature Reserve is protected. In particular the most sensitive sections of the beach in terms of ground nesting birds and vegetated shingle.
4. The partnership will work with the community and stakeholders to improve Kingston Beach including:
 - Redevelopment of Shoreham Rowing Club.
 - Upgrade of public open space areas in accordance with the Shoreham Harbour Streetscene Guidance and Shoreham Harbour Green Infrastructure Strategy.
 - Improve delineation/ formalisation of parking area.
 - Promote opportunities for interpretation of marine environment and biodiversity.
5. The partnership will promote appropriate streetscape planting along Albion Street and Brighton Road (A259) to extend the green corridor.
6. The partnership will support Adur Homes to maximise the use of its housing sites, including potential redevelopment.
7. The partnership will explore options for the alternative uses for Albion Street lorry park.
8. The partnership will explore options to deliver the eastern entry to the proposed Western Harbour Arm waterfront route.
9. The councils will support the development of infrastructure to deliver the Shoreham Heat Network.

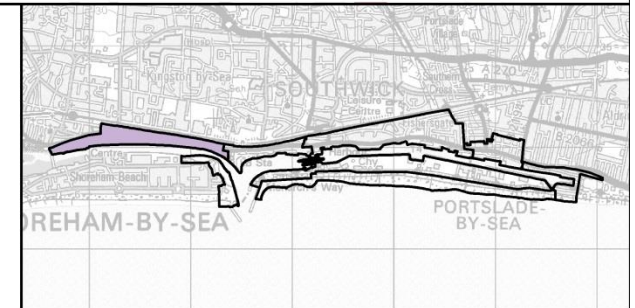
WESTERN HARBOUR ARM





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- Shoreham Harbour Regeneration Area
- Allocation
- Residential (proposed)
- Employment (proposed)
- Open space (existing)
- New/upgraded flood defences (proposed)
- Priority corridor (transport/public realm)
- Waterfront route (indicative)
- National Cycle Route No2
- Potential pedestrian cyclist bridge
- X Pedestrian/cyclist gateway
- X Junction improvements
- ✳ Public art opportunity (indicative)



Area priorities

- **To designate Western Harbour Arm Waterfront as an allocation for new mixed use development.**
- **To facilitate the comprehensive development of the Western Harbour Arm Waterfront to become an exemplar sustainable mixed-use area (use classes B1 and C3).**
- **To improve legibility, permeability and connectivity through high quality building design, townscape and public realm, ensuring to respect and complement the character of surrounding areas.**
- **To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.**
- **To facilitate the strategic relocation of industrial uses to elsewhere in the harbour or local area to free up waterfront opportunity sites.**
- **To improve access arrangements to create better linkages with Shoreham town centre and surrounding areas.**
- **To improve connections around key linkages including Shoreham High Street/Norfolk Bridge (A259) – Old Shoreham Road (A283), Brighton Road (A259) – New Road – Surry Street, and Brighton Road (A259) – Ham Road.**
- **To deliver a comprehensive flood defence solution integrated with a publicly accessible waterfront route including pedestrian / cycle way and facilities for boat users.**
- **To ensure that new development proposals mitigate noise and air quality impacts.**
- **To enhance the area’s natural biodiversity by incorporating multi-functional green space, creating and improving habitats and improved green infrastructure links.**
- **To support the delivery of the England Coast Path through the Western Harbour Arm area.**
- **To support the delivery of the Shoreham Heat Network.**

About the area

- 4.7.1 CA7 – Western Harbour Arm is on the northern bank of the River Adur between the Harbour Mouth and the historic centre of Shoreham-by-Sea. The area is highly constrained by Brighton Road (A259) and the railway. The Western Harbour Arm is the principal approach to Shoreham-by-Sea from the east. To the north of the railway line, the area is abutted by residential neighbourhoods and a large industrial estate.
- 4.7.2 Shoreham-by-Sea town centre, a few minutes’ walk to the west has a peaceful, coastal charm consisting of predominantly two storey terraced cottages on streets leading off from the primary shopping area. There are open views across the River Adur to the south as well as river glimpses between buildings where remnant slipways and hards remain. There is a marked contrast moving east out of the town and along Brighton Road (A259) where there are only limited views of the waterfront and public access to it.

Along the Western Harbour Arm there are a range of different employment uses. The waterfront sites are predominantly large industrial and open storage premises including fuel storage, plastics manufacturing, aggregates handling and metal recycling. The majority of the sites are privately owned.

Closer to Shoreham-by-Sea town centre is The Ham, an open space which includes a popular skate park. There is a car show room and some office and workshop units such as the Riverside Business Centre and Ham Business Centre.

On the northern side of the A259 are mainly 'big box' retail warehouses, a supermarket and the local municipal waste facility.

A number of the premises along Brighton Road (A259) are coming to the end of their useful life and are no longer ideally suited for modern business needs: either requiring significant investment on-site, or relocation to a better facility elsewhere.

The river wall and flood defence infrastructure is in need of upgrade and repair and some of the land stands vacant and underused.

Transport and connections

The Brighton Road (A259) road frontage is harsh and unattractive due to the industrial uses that prevent views across the water. The road is a very popular route with cyclists despite the lack of a formal cycle lane, poor surfacing and heavy use by heavy goods vehicles.

Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA7: Western Harbour Arm between Kingston Beach and Adur Ferry Bridge.

Environmental considerations

The Western Harbour Arm is subject to a number of environmental constraints which need to be taken into account when planning for the area. These include:

- Proximity to the Adur Estuary, a Site of Special Scientific Interest (SSSI).
- Proximity to Shoreham Beach, a Local Nature Reserve (LNR) and Local Wildlife Site (LWS).
- Shoreham-by-Sea Air Quality Management Area (AQMA) that covers the town centre and the western part of the Western Harbour Arm.
- A municipal waste site.
- A metal recycling facility. It is proposed that this be relocated.
- A Health and Safety Executive (HSE) Consultation Zone which determines the distance for different types of development from a 'major hazard' based on the current gas storage use. It is proposed that this be relocated.
- The presence of contaminated land.
- The presence of underground water mains and sewers. This infrastructure needs to be protected and new development needs to ensure its operation remains unaffected.

Historic Assets

- 4.7.11 The Western Harbour Arm is partly within the Shoreham-by-Sea Conservation Area. The conservation area includes 47 listed buildings; including the Grade I listed St Mary de Haura Church. The church is clearly visible from Shoreham Beach, the South Downs and much of the wider area and it will be important for any new development at the harbour to respect views of the church and its setting.
- 4.7.12 Also visible from the Western Harbour Arm are the Kingston Buci Lighthouse (Grade II listed) and Shoreham Fort, a Scheduled Monument.
- 4.7.13 There is a wealth of local maritime history that could be better interpreted in this location and there is significant potential to improve the landscaping and setting of the river. This will make the area more attractive and accessible.

Flood risk and sustainable drainage

- 4.7.14 The Western Harbour Arm is adjacent to the lower reaches of the River Adur where it flows into the English Channel. Given this low lying location, there are a number of potential sources of flooding which will be a key consideration in planning for the future of this area.
- 4.7.15 Sites along the Western Harbour Arm are vulnerable to surface water, fluvial, and, most significantly, tidal flooding, meaning that any new residential development would need to be lifted up above likely flood levels. Development will need to be protected through flood defence provision and will need to be safe for the intended building lifetime taking into account climate change and sea level rise.
- 4.7.16 The Adur and Worthing Councils' Strategic Flood Risk Assessment (SFRA) identifies a number of sites in this area as Tidal Flood Zone 2, 3a and Non-functional Flood Zone 3b. This latter category recognises that some sites have the same risk of flooding as Flood Zone 3a but do not have a significant storage or conveyance potential which materially impacts flood risk elsewhere. Some sites also fall within Fluvial Flood Zones 2, 3a and 3b.

- 4.7.17 The partnership has worked closely with the Environment Agency to develop a comprehensive vision for an upgraded flood defence network to protect a redeveloped Western Harbour Arm. The Shoreham Harbour Flood Risk Management Guide SPD (2015) and Technical Annex details about the recommended approach for this stretch.
- 4.7.18 Comprehensive flood defence provision will be essential to protect existing and future residents and businesses as well as the A259. This approach, which focuses on flood defence provision from the Adur Ferry Bridge to Kingston Beach, will ensure the complete closure of the flood cell and continuation of the line of new defences currently being provided via the Shoreham Adur Tidal Walls Scheme - an Environment Agency funded flood defence scheme which ends at the Adur Ferry Bridge.
- 4.7.19 It is essential that the new flood defence network is integrated with a high quality public realm environment that promotes a positive inter-relationship with the river. Flood defences can often physically divide one area from another therefore an important ambition for the Western Harbour Arm is to promote permeability through the entire site.

Developers should include SuDS and building level resistance and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. The approach is set out in the following publications (or subsequent replacement documents):

- Adur & Worthing Councils and/or Brighton & Hove Council's SFRAs
- Water. People. Places: A guide for master planning sustainable drainage into developments
- CIRIA SuDS Manual

Refer to the *Shoreham Harbour Flood Risk Management Guide SPD* (2015) for full details of requirements in relation to protection from flooding.

Green infrastructure

The Western Harbour Arm is dominated by industrial land-uses and generally has a low diversity of terrestrial habitats.

The River Adur to the south includes areas of coastal saltmarsh and intertidal mudflat. These habitats form part of the wider network of intertidal habitats in the River Adur Estuary; however these are of limited extent and quality.

The Western Harbour Arm is adjacent to the Adur Estuary SSSI and falls within its Impact Risk Zone. Consultation with Natural England will be required in order to avoid harmful impacts on the SSI. Environmental Impact Assessment may also be required.

The creation of a new species rich native hedgerow along the southern boundary of The Ham would provide wildlife value but also act as a buffer to noise and pollution from Brighton Road (A259).

The Western Harbour Arm Waterfront is the largest of the allocations in this plan. As such, it has significant potential to provide green infrastructure enhancements and a net gain in biodiversity.

SuDS should be incorporated into design proposals as an integrated system during masterplanning of individual sites. This could include rain water harvesting, green walls and roofs, rain gardens, vegetated swales and porous surface materials.

Appropriate planting alongside Brighton Road could extend the proposed green corridor from Kingston Beach as far as The Ham and Shoreham town centre.

The proposed waterfront route for pedestrians and cyclists and onsite amenity open space also present significant opportunities for green infrastructure enhancement. Appropriate planting could include areas of vegetated shingle along the route, and on connections through to Brighton Road.

Where mitigation measures to prevent impact to intertidal habitat are not feasible, any impact or any loss of intertidal habitat as a result of new development or associated flood defence improvements will require the creation of compensatory habitat. Habitat creation and enhancements to new and existing flood defences and revetments/piling such as timber baulking should be incorporated to increase the biodiversity of the river edge.

4.7.31 Buildings should be designed to accommodate green walls (or planting) and green roofs (preferably bio-solar). These could compensate for any loss of habitats at ground level, as well as provide additional areas of vegetated shingle.

4.7.32 New residential development will generate the need for new open space provision. Some of this will be required on site. However, improvements to existing open spaces will be considered where appropriate.

4.7.33 The Shoreham Harbour Green Infrastructure Strategy will set out full details of requirements in relation to green infrastructure and biodiversity.

Development opportunities

4.7.34 Many of the business occupiers currently situated on the waterfront do not specifically need a portside location and are not dependent on access to the harbour for their operations.

4.7.35 The existing businesses provide a significant amount of employment floor-space and jobs. A key consideration for this area is the importance of working with the harbour businesses to retain them either in the port itself or within the local area in suitable, modern accommodation.

4.7.36 Shoreham Port Authority remains responsible for ensuring the river remains navigable and is periodically dredged to a level suitable for existing uses.

4.7.37 It is proposed that existing port-related uses in the Western Harbour Arm are relocated within the commercial port area in the Eastern Arm of the River Adur or the Canal. Marine-related uses that contribute to the character of the harbour could potentially remain.

4.7.38 There is currently development pressure for change along this strip as land owners seek to maximise the value of their land recognising that the location has long been earmarked for redevelopment as a new waterside community.

4.7.39 The Western Harbour Arm Waterfront allocation is made up of several sites, some of which are in multiple ownerships:

- WH1: 5 Brighton Road. This site has been purchased by a housing developer. The council is currently engaged in pre-application discussions.
- WH2: Kingston Wharf (including Kingston Railway Wharf). This site has been purchased by a housing developer. The council is currently engaged in pre-application discussions for a mixed use development.
- WH3: Egypt Wharf. This site is expected to come forward towards the end of the plan period.
- WH4: Lennard's Wharf, Fisherman's Wharf and New Wharf. This site is expected to come forward towards the end of the plan period.

- WH5 – Free Wharf. Adur District Council has granted full planning permission for a development comprising 540 dwellings and over 2,700m² commercial floor-space.
- WH6 – 37 – 41 Brighton Road and Ham Business Centre. This site is expected to come forward towards the middle of the plan period.
- WH7 – 63 – 77 Brighton Road. This site is expected to come forward towards the middle of the plan period.

4.7.40

Development of 132 residential units and ancillary retail space at 79 – 81 Brighton Road is nearing completion.

4.7.41

Residential development

Western Harbour Arm Waterfront is a prime riverside site that could offer a vibrant mix of new uses. Development of a minimum of 1,100 new residential dwellings (use class C3) will be instrumental in delivering the sustainable transformation, enabling the creation of an attractive new setting and creating a greater sense of vibrancy along the waterfront.

4.7.42

Sites to the north of Brighton Road (A259) are outside the allocation. These sites are not considered likely to come forward within the plan period. This does not preclude appropriate mixed use development on these sites if opportunities arise within the plan period. This would support a comprehensive approach taking in both sides of the road.

4.7.43

Employment-generating floorspace

Adur District Council will require development within the Western Harbour Arm Waterfront allocation to include new employment generating floor-space as part of mixed use schemes. This should be predominantly high quality office space (use class B1a). Proposals will be encouraged to provide a range of commercial spaces in smaller format units.

4.7.44

Through the Greater Brighton City Deal, the wider Shoreham Harbour area is being promoted as a hub for environmental technology and digital media technology-related businesses. Major development proposals will be expected to incorporate floor-space designed to be suitable for such uses where appropriate.

4.7.45

Employment floor-space should be of modern, high quality design with an emphasis on providing studio style or office-based flexible workspace that could accommodate a comparatively higher number of jobs per unit of floor-space than the former industrial uses.

4.7.46 Smaller scale (preferably marine-related) leisure facilities will also be supported. These activities will play a major role in adding diversity and interest to the waterfront, and helping to generate footfall.

4.7.47 The partnership will continue to liaise with landowners and businesses to understand their ambitions and ensure that the process of land use change is managed sensitively. For example, it is understood that some operators are already considering alternative sites outside of the Western Harbour Arm for relocation purposes. However, other businesses have no immediate desire to relocate, and as such may not come forward for redevelopment until the latter part of the plan period. This plan seeks to maintain sufficient flexibility to enable a phased redevelopment approach.

4.7.48 The release of sites for redevelopment to alternative uses along the Western Harbour Arm is a long term process which requires careful management and will rely on working in collaboration with landowners and businesses.

Ancillary retail uses

4.7.49 Shops, cafes and restaurants that are ancillary to new mixed-use developments have an important role to play in realising the vision for regeneration of the Western Harbour Arm. Although residential dwellings and employment generating floor-space will be the primary land use, ancillary retail development will help to bring life to the waterfront and strengthen the overall offer of Shoreham-by-Sea, complementing the town centre.

New waterfront route and open spaces

4.7.50 New developments will be expected to incorporate areas of public open space which will help to increase the accessibility and visibility of the waterfront, attract visitors to spend time in the area, provide new space for community activities and events and enhance the local environment.

4.7.51 As set out in the Shoreham Harbour Transport Strategy, development of a new, publicly accessible waterfront route for pedestrians and cyclists is proposed. The route would increase access to the waterfront by opening up previously restricted vistas and connecting Shoreham town centre and Adur Ferry Bridge with Kingston Beach and beyond framed by the attractive harbour setting.

4.7.52 The waterfront route will provide the new residential and commercial properties in the Western Harbour Arm with an attractive outlook over the harbour. The route must be well lit with appropriate signage and landscaping.

4.7.53

To accommodate the route, development must be set back from the waterfront. A setback is likely to be required for the purpose of flood risk management. Prior consent of the Environment Agency is required for any works within 16m of the tidal River Adur.

4.7.54

The waterfront route will not be complete when the England Coast Path is created through the area. This means that the trail will initially have to follow a different route. It is proposed that once the waterfront route is in place, it is adopted as part of the coast path.

4.7.55

Waterfront leisure facilities

Despite popular demand, the harbour is currently lacking in good quality, modern waterfront facilities for boat-users and for local residents and visitors to enjoy. It is proposed to increase the number of berths in the harbour for both visitors and residents through the incorporation of new publicly accessible quays or floating docks/pontoons linked to new developments and open spaces. This will significantly improve the facilities on offer for the boating community and attract visitors into the area, supporting the local economy. All new features would be subject to the appropriate environmental approvals processes with the relevant statutory bodies.

4.7.56

Improved connections and streetscape

As shown in Map 12, a series of new north-south connections from the waterfront route to Brighton Road (A259) are proposed. The exact form and function of these will depend on a number of factors. In some cases, these links may be pedestrian or cyclist only, whilst others will enable site access or direct connections to the waterfront.

4.7.57

The incremental introduction of mixed use development to the south of the road will be a trigger for the gradual enhancement of the A259 corridor to ensure that conditions for pedestrians and cyclists are improved.

4.7.58

There is considerable scope for highways interventions such as public realm and streetscape improvements and improved crossing facilities. Landscaping treatments will also be important for creating setbacks between new developments and the A259 corridor to prevent noise and air quality impacts.

Social and Community Infrastructure

4.7.59 Contributions towards improving local community facilities, or in some instances, provision of new facilities, will be required to support the increased population resulting from development of the Western Harbour Arm. Full details are contained within the *Infrastructure Delivery Plan (IDP)* that accompanies the *Adur Local Plan (2016)*. Refer also to Policy SH10 in Section 5. Social and community infrastructure requirements include:

Childcare / Early Years Provision

4.7.60 Additional childcare places will be required through financial contributions for expanding local provision delivered by private, voluntary and independent childcare providers.

Health and Medical Services

4.7.61 Health infrastructure providers have identified the need to replace the existing Shoreham Health Centre in Pond Road. The present 1960s building is of a poor quality and expensive to maintain being unsuitable for modern healthcare delivery. New development on the Western Harbour Arm will be expected to contribute towards improvements.

Education

4.7.62 The project partners are working together to address the need for suitable education provision in the Shoreham area, arising from growth. Existing primary schools are nearing capacity with planned improvements, and opportunities for further expansion are limited. Work is being undertaken to ensure any feasible opportunities to increase capacity at existing schools in the area can be brought forward during the plan period or if other sites can be identified. If not, innovative solutions to address need will be considered by all authorities.

Library Provision

4.7.63 The library offer will need to be improved or expanded to facilitate the development at the Western Harbour Arm. Infrastructure providers are considering the potential for a new library facility at Pond Road in Shoreham as part of a comprehensive redevelopment of the site including the provision of new healthcare facilities.

Facilities for Young People and Teenagers

4.7.64 Mixed-use developments will be expected to incorporate features and facilities that attract young families such as play areas and leisure uses. There may be opportunities to improve the existing skate park at The Ham as part of new developments in the vicinity.

Emergency Services

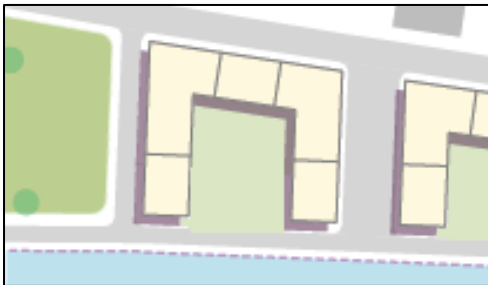
4.7.65 Contributions towards emergency services, including the police and the fire and rescue services will be required as a result of development at the Western Harbour Arm. Sussex Police has identified the need for improved accommodation and equipment in the Shoreham area. The West Sussex Fire and Rescue Service has identified the potential need for new or improved facilities.

Development form and typology

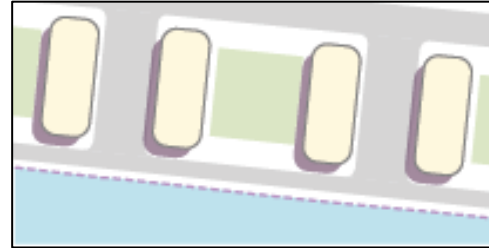
4.7.66

It is important to avoid a single development form being repeated across the whole allocation. Buildings should be oriented to maximise views across the river. However, the exact form is partly dependent on the depth of the site and the mix of uses. The following potential typologies are recommended:

- It is proposed that deeper sites (WH4, WH5) are arranged as horseshoes of flatted development. Employment floorspace on lower storeys will provide a frontage to Brighton Road (A259). The residential layout will maximise views across the river.



- It is proposed that narrower sites (WH2, WH3) are arranged as pairs of north-south blocks. Employment floor-space will be provided on lower storeys. This will also maximise views across the river.



4.7.67

Mixed employment space should be incorporated into development across allocation Western Harbour Arm Waterfront. Sites should be designed in an urban format with parking at lower levels and trading areas above.

4.7.68

Site WH1, at the eastern end of the Western Harbour Arm Waterfront, has the dual function of forming a strong edge to Kingston Beach, helping to define the space, and to mark the gateway to the Western Harbour Arm. A key consideration here is the potential navigational impact of residential development. Discussions will be required with Shoreham Port Authority at an early point in the design process to ensure navigational issues are addressed.

4.7.69

The Western Harbour Arm Waterfront will be a high density neighbourhood. In general, buildings should be developed up to 5 storeys on the Brighton Road (A259) and River Adur frontages. Within deeper sites, heights could step up away from these frontages.

4.7.70

The *Western Harbour Tall Buildings Capacity Study (2017)* has identified a number of significant views that should be protected, and heritage assets that should be considered as part of development proposals:

- Kingston Buci lighthouse is Grade 2 listed and is a prominent landmark signalling the entrance to the harbour, and to the town of Shoreham-by-Sea from the west. Development of over 3 storeys at sites WH1 and WH2 has the potential to impact the setting of the lighthouse. This must be considered when preparing development proposals.
- There are several views from Shoreham Beach to the South Downs. Development of sites WH2, WH3, WH4 and WH5 should ensure that views are retained.

- St Mary de Haura church is the most prominent landmark in the town centre. Most development sites are not close enough to significantly impact the prominence of the church. However developers should consider the potential impact on views of the church.

4.7.71 Significantly taller buildings could create issues, such as traffic congestion, infrastructure provision and creation of a microclimate through trapping of air pollutants. Towards the centre of the allocation (western part of site WH3, site WH4 and eastern part of site WH5), there may be scope for taller buildings provided that it can be demonstrated that these issues have been addressed, and the proposal is of exceptional design quality.

4.7.72 The findings from the Objectively Assessed Need for Housing: Adur District study undertaken in 2015 identifies a limited demand for dwellings with four or more bedrooms. The focus of provision of market housing in Adur should be on two and three bedroom housing both for younger households and older households wishing to downsize. The provision of smaller dwellings should be focussed in and around town centres and Shoreham Harbour.

4.7.73 For Shoreham Harbour specifically, there is an opportunity to provide a mix of properties, including one, two and three bed homes as part of a higher density development. The majority of dwellings delivered at Shoreham Harbour will be flatted development. Some sites may be able to accommodate up to ten per cent of dwellings as terraced housing. At the Western Harbour Arm Waterfront there is an opportunity to provide a mix of properties, including one, two and three bedroom homes as part of a high density development. Across the allocation as a whole, the following mix is considered suitable:

- 35% - 1 bed
- 60% - 2 bed
- 5% - 3 bed

4.7.74 The Western Harbour Arm allocation is identified in the Shoreham Harbour District Energy Feasibility Study (2018) for the planned Shoreham Heat Network. This aims to provide low carbon, affordable warmth to residents and businesses. The district heating project is being developed by the Shoreham Heat Network Partnership, comprised of Shoreham Harbour Regeneration Partnership, Adur District Council, West Sussex County Council and Shoreham Port Authority.

4.7.75 New development in and around the Western Harbour Arm will be required to connect to the proposed network once complete. Development coming forward before the heat network is delivered is required to be connection ready, and to connect once the network is in place. Planning conditions and obligations will be applied to other development in order to futureproof connection at a later date.

Policy CA7: Western Harbour Arm

1. **Western Harbour Arm Waterfront is designated as a mixed use area (Allocation Western Harbour Arm Waterfront).**
2. **The partnership will work with developers and stakeholders to secure a comprehensive redevelopment of the Western Harbour Arm Waterfront. This will deliver a minimum of 1,100 new homes (use class C3) and a minimum of 12,000m² new employment generating floor-space (predominantly use class B1a) on the southern side of Brighton Road (A259) within the plan period. Smaller scale retail outlets, food and drink, and marine-related leisure facilities are also encouraged.**
3. **Proposals for sites WH1 and WH2 will be required to demonstrate that potential implications for the navigational safety of vessels entering and leaving Shoreham Port have been addressed in agreement with statutory bodies, including Shoreham Port Authority. In particular, development proposals must demonstrate that artificial lighting originating from proposed development will not impact the visibility of navigation lights in the harbour mouth.**
4. **The councils will support the development of the Shoreham Heat Network. Until the network is constructed, development will be required to incorporate the necessary infrastructure for connection to future networks. When the network is constructed, development will be required to connect.**
5. **Development proposals for sites to the south of Brighton Road (A259) should not unduly prejudice the potential future development of sites to the north of Brighton Road (A259) and vice versa.**
6. **New developments should incorporate active uses along the waterfront. This may include the provision of parks, squares, play areas and active frontages such as cafes, shops and workspace.**
7. **New development should achieve residential densities of a minimum of 100 dwellings per hectare consisting of predominantly flatted development. A mix of dwelling sizes should be delivered.**
8. **Building heights of up to five storeys are generally considered acceptable on the Brighton Road and River Adur frontages. Away from these frontages, greater storey heights may be acceptable within deeper sites. At sites WH1 and WH2, the setting of Kingston Buci lighthouse must be considered if development over 3 storeys is proposed. At sites WH2, WH3, WH4 and WH5 views from the coast at Shoreham Beach to the South Downs must be retained.**

9. **Taller buildings may be considered in the centre of the allocation (western portion of site WH3, site WH4 and eastern portion of site WH5). Proposals will be required to demonstrate an appropriate response and high quality design in relation to the following elements:**
- **Scale and height**
 - **Architectural detailing**
 - **Materials**
 - **Public realm and open space**
 - **Public transport accessibility**
 - **Views into and out of the area, including assessment of glimpse views, local views and long views in relation to the waterfront, local landmarks, the South Downs National Park, conservation areas, and historic assets.**
 - **Microclimate impacts including wind, daylight and sunlight effects, air pollution and urban heat island effects.**
10. **Development should respect and connect with surrounding areas, in particular protecting and enhancing the views from Shoreham Beach, protecting views of St Mary de Haura Church, Kingston Buci lighthouse and better connecting with Shoreham town centre’s historic core.**
11. **Where appropriate, proposals will be expected to enhance townscape around key linkages and junctions, in particular Shoreham High Street/Norfolk Bridge (A259) – Old Shoreham Road (A283), Brighton Road (A259) – New Road – Surry Street, and Brighton Road (A259) – Ham Road.**
12. **A setback from the waterfront is safeguarded to enable the delivery of a waterfront pedestrian and cycle route between Shoreham-by-Sea town centre and Kingston Beach. Developments should be sufficiently set back from the riverside (at least 8m from harbour wall to building) to incorporate the new waterfront route. The setback may also be required for flood defence maintenance requirements. Set back distance should be discussed and agreed with the Environment Agency.**
13. **Developments should be set back sufficiently from the A259 corridor in agreement with the highways and planning authorities, to provide space for a high-quality segregated cycle route which provides stepped separation from road vehicles and pedestrian facilities, to deliver green infrastructure improvements, and to prevent a canyoning effect to ensure that residents are protected from noise and air quality impacts.**
14. **Prior consent is required for any works in, under or over the River Adur Tidal, a classified ‘main river’ under the jurisdiction of the Environment Agency, and subject to its byelaws, or within 16 metres of the landward toe.**
15. **The partnership will support and identify mechanisms for implementation of ecological and landscaping improvements along the waterfront route and alongside Brighton Road (A259) to extend the green corridor.**
16. **The new waterfront route must incorporate sustainable drainage features, such as permeable surfacing and incorporating suitable trees and vegetation.**

17. Where open space requirements cannot be met on site, development will be expected to contribute towards the creation of the proposed green corridor along the A259, and/or existing open spaces, such as The Ham and Kingston Beach.
18. Major waterfront development schemes will be expected to actively respond to the marine/estuarine environment in terms of their design and layout and incorporate features that improve open access to the waterfront and facilities for boat users such as additional moorings, floating pontoons/docks and slipways. Access to existing public hard must remain.
19. Management agreements should be included as part of the planning application for sites of compensatory habitat to ensure the long term integrity for wildlife benefit.
20. The partnership will work with developers and stakeholders to deliver the package of transport measures for the Western Harbour Arm as set out in the Shoreham Harbour Transport Strategy. Critical measures include:
 - New waterfront route for pedestrians and cyclists between Shoreham Town Centre and Kingston Beach.
 - Improvements to the following junctions:
 - Brighton Road/Norfolk Bridge (A259) – Old Shoreham Road (A283)
 - Brighton Road (A259)/Surry Street
 - Brighton Road (A259)/South Street (A2025)
 - Improvements to the cycling facilities along the A259.
 - Improved pedestrian and cycle crossing points.
 - Bus stop improvements.

DELIVERY AND IMPLEMENTATION



5 Delivery and implementation

- 5.1.1 The following section sets out how the proposals in this plan will be delivered on the ground and how progress will be monitored over time. The plans will need to remain flexible and adjustable as opportunities emerge over time.
- 5.1.2 The regeneration plans are being driven by the Shoreham Harbour Regeneration Partnership. Members of the Partnership signed up to a renewed joint commitment to deliver renewal plans for the harbour via a Memorandum of Understanding signed in 2011. Partnership work is organised around an agreed governance structure that sets out day-to-day project management and operating protocols.
- 5.1.3 Progress on project work is overseen by a Project Board of senior officers and key stakeholders that meets every quarter. In turn, the Project Board reports back to a Leaders' Board comprising the leaders of each council and the Chief Executive of the Shoreham Port Authority. Key decisions are taken through the relevant committees of each authority.
- 5.1.4 Since 2009, significant technical work has been undertaken by the local authorities to determine the appropriate scale and land use mix to plan for at the harbour. Given the changes in the wider economy and government approach during the recent period, it is critical that the plans are not held back by reliance on a large injection of upfront public funding which may be difficult to access.
- 5.1.5 The current plans aim to provide a pragmatic balance between the aspirations and ambitions for a new waterfront community and the commercial realities of bringing forward complex, brownfield sites under current market conditions.
- 5.1.6 The role of the partnership is to provide a dedicated resource to work with developers and investors to facilitate bringing forward packages of catalyst sites and local area improvement projects.
- 5.1.7 Recent work has been focussed on gaining a better understanding of the barriers and costs that have contributed to the large viability gaps that have stalled previous iterations of harbour plans. This has highlighted potential solutions and alternative approaches to reduce costs, delays and risks that are now being taken forward by the partnership.
- 5.1.8 Examples of current areas of partnership work to support delivery include:
- Technical studies to identify infrastructure costs and delivery mechanisms including flood defence, transport and social infrastructure.
 - Supporting business relocation plans including identifying alternative sites in the local area that better meet business requirements.
 - Communications activities to maintain a positive two-way dialogue with land owners, developers and stakeholders; and promote joint working for mutual benefit.
 - Proactively seeking ways to reduce viability gaps and unlock stalled sites.

- Close working and ongoing dialogue with local charities and community groups with an active interest in the harbour area.
- Close working and engagement with key government agencies including Environment Agency, Highways England, Natural England and the Marine Management Organisation.

Delivery objectives and dependencies

5.1.9 The objectives for plan delivery are as follows:

- To ensure that the JAAP proposals and policies are realistic, viable and deliverable within the plan period (to 2032).
- To maintain appropriate governance structures and adequate resources to ensure responsibility for implementation.
- To commit to partnership working to identify delivery solutions and to source external funding where required.
- To maximise investor confidence and reduce risk for developers, partners and stakeholders.

5.1.10 The successful delivery of the JAAP is dependent on a number of factors including:

- Delivery of the allocation proposals.

- Funding and timely delivery of infrastructure, including flood defences, highway works and social infrastructure.
- Ability to resource working with local community groups and managing the local area improvement projects.
- The members of the partnership and key stakeholders continuing to provide on-going commitment to Shoreham Harbour as a strategic development priority.

Delivering site allocation proposals

5.1.11 Bringing forward the major development opportunities will require the formation of land owner and developer partnerships. Some of the key sites are owned by members of the Partnership, particularly the Port Authority which will enable greater control over the nature of proposals coming forward.

5.1.12 Landowner and stakeholder partnerships and potentially joint venture companies will carry forward proposals on the basis of development agreements, within the framework set out in this plan and other supplementary site briefs.

5.1.13 Land assembly and anticipated release of development sites through the proactive work of the regeneration partnership will help to kick start progress during the first five years. It is not intended to utilise compulsory purchase powers (CPO) in implementing site allocations in multiple ownership and/or occupation, as the JAAP places an onus on developers to negotiate any land acquisition with support from the Partnership. However, an approach that takes a CPO route to deliver a scheme may be required if negotiation proves unsuccessful. This will be carried out in accordance with Circular 06/2004.

Infrastructure requirements

5.1.14	<p>Development at Shoreham Harbour will generate the need for additional and improved infrastructure to support the needs of an increased population. Essential infrastructure covers a range of items including social infrastructure (e.g. health facilities, libraries, educational establishments etc.); physical infrastructure (e.g. highways, flood defences, utility provision etc.) and green infrastructure (e.g. allotments, natural open spaces etc.).</p>	5.1.17	<p>The authorities are currently exploring the use of the Community Infrastructure Levy (CIL). Work is on-going to identify which types of developments are applicable for CIL as well as suitable rates and how this might impact on the use of traditional contribution mechanisms such as Section 106 Agreements.</p>	5.1.19	<p>For strategic level infrastructure technical work has been carried out to scope out the critical priorities and costs for the harbour. For example, the <i>Shoreham Harbour Flood Risk Management Guide</i> has now been adopted as supplementary planning guidance. This sets out the parameters for provision of harbour-side flood defences. A <i>Shoreham Harbour Transport Strategy</i> has prepared by WSCC which establishes the priority transport works that are required to support the proposals. Both of these documents will be used as part of planning negotiations to provide greater clarity to developers over contributions.</p>
5.1.15	<p>Infrastructure Delivery Plans (IDPs) have been drafted for Adur and Brighton & Hove. These are live documents that set out the infrastructure priorities associated with the implementation of the Adur Local Plan and Brighton & Hove City Plan and include requirements for Shoreham Harbour. The IDPs clarify which organisation/s are responsible for delivering the infrastructure, how it will be funded and when it is required.</p>	5.1.18	<p>Local plan policies and Supplementary Planning Guidance set out the approach to planning obligations that will be applied which can be summarised as follows:</p> <ul style="list-style-type: none"> • On-site obligations required as part of the development including access roads and junctions for development and local public open space. • Community infrastructure standard charges including towards public realm improvements, highways improvements and community facilities that may be required or impacted as a result of the development. • Strategic infrastructure standard charge covering major capacity enhancing projects including transport network and flood alleviation. 	5.1.20	<p>The following items of infrastructure are typically likely to be requirements for major developments within the allocated sites:</p> <ul style="list-style-type: none"> • Contributions to public transport and highway network improvements. • Upgraded flood defences integrated with public waterfront walking / cycle route (where appropriate – particularly Western Harbour Arm Waterfront sites). • Contributions to social infrastructure. • Contributions to green infrastructure. • Remediation of contaminated areas. • On-site renewable energy systems / low carbon technologies.
5.1.16	<p>Private sector funding through planning obligations linked to individual development proposals will be an important mechanism for securing delivery of infrastructure.</p>				

Securing funding

5.1.21 The work of the Partnership is currently supported by a limited amount of public funding that was awarded by central government prior to 2010. This funding is used to support staff resources, undertake technical studies and provide match funding for future funding bids.

5.1.22 The main current sources of funding include:

- Growth Points Programme funding
- Eco-town funding
- Homes and Communities Agency contributions
- Environment Agency contributions
- Local authority and Shoreham Port Authority contributions

5.1.23 This plan will offer greater certainty for stakeholders to be able to work together to target sources of external funding. Potential sources being currently explored include:

- City Deal
- Coastal Communities Fund
- Coast to Capital Local Economic Partnership (LEP) – Single Growth Pot
- Sustainable Transport Fund
- Heritage Lottery Funding
- EU funding

Monitoring of progress

5.1.24 The local authorities undertake ongoing monitoring of their Local Development Frameworks of which this JAAP is a part. The monitoring framework is set out in a separate Appendix. It includes key monitoring indicators and triggers for potential intervention.

5.1.25 Progress on the delivery of the plan will be reported in the Authority Monitoring Report (AMR) for Adur District Council and Brighton & Hove City Council. This will include the housing trajectory for Shoreham Harbour Regeneration Area.

Policy SH10: Infrastructure Requirements

- 1. Developers will be required to provide or contribute to the provision of infrastructure made necessary by the development.**
- 2. Infrastructure must be provided at the appropriate time, prior to any part of the development becoming operational or being occupied. Infrastructure needs are identified in each local authority's Infrastructure Delivery Plan (IDP).**
- 3. Direct agreements with utility providers may be required to provide infrastructure, such as sewerage infrastructure.**
- 4. In accordance with each local authority's planning contributions guidance, infrastructure contributions will be sought via Section 106 Planning Obligations where they meet the statutory tests, and potentially through a future Community Infrastructure Levy.**

Shoreham Harbour Regeneration

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Worthing
West Sussex
BN11 1HS

Brighton & Hove City Council

Hove Town Hall
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Main Modifications to the Submission Shoreham Harbour Joint Area Action Plan

The schedule below sets out the Main Modifications to the Submission Shoreham Harbour Joint Area Action Plan.

Modification No:	Reference: (Paragraph, policy or map number)	Amendment: (Amendments are shown in bold text . Deleted text shown as struck through and additional text <u>shown as underlined</u>). Amendments made after the consultation on Main Modifications are shown in red text .
01	1.1.3	The plan builds on and complements the Adur Local Plan (2017) and the Brighton & Hove City Plan Part One (2016). Planning applications within the regeneration area must comply with the strategy and policies in the JAAP, as well as the relevant local plans, <u>unless material considerations indicate otherwise</u> .
02	2.1 Vision – 2 nd paragraph	The redevelopment of key areas of the harbour will provide benefits for the local community, <u>natural environment</u> and economy through increased investment, improved leisure opportunities, enhanced public realm and the delivery of critical infrastructure that will help respond positively to climate change.
03	2.2.19	Local planning authorities should plan for recreational and leisure facilities and services to meet the needs of <u>existing communities and</u> new development. Planning plays an important role in promoting healthy and active lifestyles. This includes the provision of open space, sports and recreation facilities.
04	Policy SH1 (4 – 7) and 3.1.14 – 3.1.20	<p>Policy SH1: Climate change, energy and sustainable building</p> <p>4. Developers should demonstrate how they can contribute <u>towards the regeneration partnership’s Shoreham Port Authority’s</u> objective of becoming a hub for renewable energy generation.</p> <p>5. <u>The councils will support proposals for low and zero carbon energy generation, including solar photovoltaics. All new development will be expected to incorporate low and zero carbon decentralised energy opportunities</u></p> <p><u>Decentralised energy, District heating and cooling networks</u></p> <p>6. <u>All new development will be expected to incorporate low and zero carbon decentralised energy generation, including heating and cooling. The councils will support the development of heating and cooling networks and associated infrastructure. All development proposals must demonstrate that heating and cooling systems have been selected in accordance with the heating and cooling hierarchy as set out in Table 1.</u></p> <p>7. Where no heat network is in place, development <u>proposals</u> must <u>be designed to</u> be connection ready, <u>and will be expected to demonstrate that all buildings adhere to the technical specifications below: All buildings must adhere to the following technical specifications:</u></p> <ul style="list-style-type: none"> • Buildings must use a centralised communal wet heating system rather than individual gas boilers or electric heating. • Buildings must allow adequate plant room space to allow for connection at a later date. (the exact requirement to be agreed with the councils and their representatives). • <u>Plant rooms must be situated to consider potential future pipe routes.</u> The developer must identify and safeguard a pipe route to allow connection between the building and the highway or identified network route where available. • The developer must not in any other way compromise or prevent the potential connection. <p><u>Shoreham Heat Network</u></p> <p><u>87.</u> Development <u>within the proposed Shoreham Heat Network area¹ in areas identified in the Shoreham Harbour Heat Network Study (2016), or subsequent update,</u> will be <u>required expected</u> to connect to district heating networks where they exist, or incorporate the necessary infrastructure for connection to future networks.</p>

¹ As identified in the Shoreham Harbour District Energy Feasibility Study (2018) or subsequent update.

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		<p><i>Subsequent policy clauses are renumbered to reflect additional clause.</i></p> <p><i>Consequent modification to supporting text to reflect modification to policy:</i></p> <p>Heating and cooling networks Potential for district heat network</p> <p>3.1.14 Heating and hot water for buildings account for 40% of UK energy use and 20% of greenhouse gas emissions. The Climate Change Committee estimates that district heating can meet 20% of domestic heating and hot water needs by 2030. The Climate Change Act 2008 obliges the UK to cut 80% emissions by 2050. The Clean Growth Strategy (2017) includes policies to roll out low carbon heating, and phase out the installation of high carbon fossil fuel heating.</p> <p>3.1.1514 In accordance with Policies As set out in Policy DA8 and CP8 of the Brighton & Hove City Plan Part One, and Policies 8 and 19 of the Adur Local Plan, the city councils are is proactively encouraging opportunities that arise to incorporate waste heat or other heat sources into the heat networks for the area. The Brighton & Hove Energy Study (2013) identified the potential for district heating networks in and around Shoreham Harbour within a long list of priority areas.</p> <p>3.1.1615 All new development that takes place within the long list of priority areas will be encouraged to consider will be expected to incorporate low and zero carbon decentralised energy generation possibilities and will be required to either connect where a suitable heating/cooling network is in place (or would be at the time of construction), or design systems to be compatible with a future connection to a network. All development proposals must demonstrate that the heating and cooling systems have been selected in accordance with the heating and cooling hierarchy as set in Table 1:</p> <p>Table 1: Heating and cooling hierarchy</p> <table border="1" data-bbox="543 1176 1676 1654"> <thead> <tr> <th colspan="2">System</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td><u>Connection to existing heating/cooling network</u></td> </tr> <tr> <td>2.</td> <td><u>Site-wide heating/cooling network</u></td> </tr> <tr> <td>3.</td> <td><u>Building-wide heating/cooling network</u></td> </tr> <tr> <td>4.</td> <td><u>Individual heating/cooling systems</u></td> </tr> <tr> <th colspan="2">Technology</th> </tr> <tr> <td>1.</td> <td><u>Renewable/waste energy sources (such as biomass, heat pumps, solar thermal)</u></td> </tr> <tr> <td>2.</td> <td><u>Low carbon technologies (such as gas-CHP)</u></td> </tr> <tr> <td>3.</td> <td><u>Conventional systems (such as gas or direct electric)</u></td> </tr> </tbody> </table> <p>3.1.17 In order to safeguard future connection to heating/cooling networks, individual heating/cooling systems will not normally be permitted, unless it can be demonstrated that it is not feasible and/or viable to provide a centralised communal wet heating system.</p> <p>3.1.18 The councils will require the submission of a feasibility assessment to provide a rationale for the chosen heating/cooling system This should incorporate a high level assessment of the potential to extend the heating/cooling network beyond the development area in future. Development must adhere to the guidelines set out in Chapter 3 – Design – of the CIBSE Heat Networks Code of Practice for the UK.</p> <p>3.1.19 Within the proposed Shoreham Heat Network Area, buildings must allow adequate plant room space for future connection and for future</p>	System		1.	<u>Connection to existing heating/cooling network</u>	2.	<u>Site-wide heating/cooling network</u>	3.	<u>Building-wide heating/cooling network</u>	4.	<u>Individual heating/cooling systems</u>	Technology		1.	<u>Renewable/waste energy sources (such as biomass, heat pumps, solar thermal)</u>	2.	<u>Low carbon technologies (such as gas-CHP)</u>	3.	<u>Conventional systems (such as gas or direct electric)</u>
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		<p style="text-align: center;">building/network interface equipment (such as heat exchangers). Indicative requirements are set out in Table 2:</p> <p>Table 2: Indicative space requirements for heat exchange substation equipment within building plant rooms²</p> <table border="1" data-bbox="543 478 1679 743"> <thead> <tr> <th>Heating capacity (kW) (space heating and ventilation)</th> <th>Approximate building size (m³)</th> <th>Space required by the heating equipment (m²)</th> </tr> </thead> <tbody> <tr> <td>30</td> <td>1,000 – 1,500</td> <td>2</td> </tr> <tr> <td>200</td> <td>10,000 – 15,000</td> <td>4</td> </tr> <tr> <td>400</td> <td>20,000 – 30,000</td> <td>5</td> </tr> <tr> <td>800</td> <td>40,000 – 60,000</td> <td>6</td> </tr> </tbody> </table> <p>3.1.20 Heat in buildings must operate at an appropriate temperature for future connection to a heat network. The targeted difference between flow and return temperatures on the primary heat network shall be no greater than 30°C for supply to new buildings.</p> <p>3.1.21 Plant rooms must be situated to consider potential future pipe routes. Pipe runs from the plant room to the highway or proposed heat network main route must be protected and remain accessible for future installation.</p> <p>3.1.16 As part of the South Quayside Character Area proposals (within Section 4 of this document), there is potential to work with the existing Shoreham Power Station to deliver a district heating network to provide waste heat to local consumers</p> <p>3.1.2217 In the event that a developer considers compliance with the heating/cooling hierarchy to be unviable, proposals should be submitted with a viability assessment, to justify departure from the hierarchy. Viability assessments must:</p> <ul style="list-style-type: none"> • <u>Be compliant with the CIBSE Heat Networks Code of Practice for the UK</u> • <u>Be completed by a suitably qualified individual³</u> • <u>Include baseline energy consumption and carbon emissions calculations for regulated and non-regulated energy use</u> • <u>Compare the economies of a heat network solution⁴ against individual heating scenario⁵</u> • <u>Provide a breakdown of the cost estimates and assumptions used for the assessment</u> • <u>Include linear heat density calculations for the site</u> • <u>Present Internal Rate of Return (IRR), capital expenditure, cost and carbon savings as outputs.</u> <p><u>Shoreham Heat Network</u></p> <p>3.1.23 Shoreham Harbour Regeneration Partnership, Adur District Council, West Sussex County Council and Shoreham Port Authority have formed the Shoreham Heat Network Partnership. The Heat Network Delivery Unit (HNDU) has provided part funding to explore the potential for heat networks in and around Shoreham Harbour. The <i>Shoreham Harbour Heat Network Study</i> (2016) mapped heat demands and identified potentially viable scenarios for network development. The <i>Shoreham Harbour District Energy Feasibility Study</i> (2018) proposes a 2km network serving the allocated sites at the Western Harbour Arm, the site of the former Adur Civic Centre and a number of existing buildings in Shoreham-by-Sea town centre.</p>	Heating capacity (kW) (space heating and ventilation)	Approximate building size (m³)	Space required by the heating equipment (m²)	30	1,000 – 1,500	2	200	10,000 – 15,000	4	400	20,000 – 30,000	5	800	40,000 – 60,000	6
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³ For example a CIBSE Heat Network Code of Practice Qualified Consultant

⁴ This includes the cost of a communal boiler system, heat meters, heat interface units and plate heat exchanger.

⁵ Such as individual gas boilers alongside an equivalent level of microrenewables that would be required to meet energy efficiency requirements.

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		<p>3.1.24 <u>The study finds that a network served by marine source heat pumps and gas CHP technologies would provide affordable, low carbon heat and the combination of technologies provides a more robust, lower risk solution than a single heat source. Engagement with Shoreham Port Authority has identified the potential for abstraction and discharge points in the mouth of the River Adur, subject to appropriate environmental permits.</u></p> <p>3.1.2518 <u>The heat network partnership is carrying out a detailed feasibility study and preparing the business case for detailed project development of the Shoreham Heat Network. All new development in and around the Western Harbour Arm development is required to connect to the proposed network once complete. Development coming forward before the heat network is delivered is required to be connection ready, and to connect once the network is in place. The council will secure the connection of the approved schemes through planning conditions and/or Section 106 agreements.</u></p> <p>The partnership has commissioned a further study to carry out detailed feasibility and business model options appraisals of the potential network. This study will be complete in early 2018. If feasible and deliverable, the network may be run by the local authorities or be an independent delivery body or Energy Service Company (ESCo).</p> <p>3.1.19 <u>Development should demonstrate that the heating and cooling systems have been selected in accordance with the following heating and cooling hierarchy</u></p> <ul style="list-style-type: none"> • Connection to existing combined heat and power (CHP) distribution networks • Site wide renewable CHP • Site wide gas-fired CHP • Site wide renewable community heating/cooling • Site wide gas-fired community heating/cooling • Individual building renewable heating • Individual building heating, with the exception of electric heating <p>3.1.20 <u>All CHP must be of a scale and operated to maximise the potential for carbon reduction. All buildings must adhere to the guidelines set out in Chapter 3 – Design – of the CIBSE Heat Networks Code of Practice for the UK.</u></p>
05	3.3.4	<p>3.3.6 <u>Some existing employment areas are protected within the relevant character area policies. The councils will monitor conversions of employment space to residential development through the monitoring framework set out in the Appendix. If necessary, in response to the identified monitoring indicator trigger, the councils will consider seeking to remove permitted development rights in accordance with Article 4 of The Town and Country Planning (General Permitted Development) (England) Order 2015.</u></p>
06	2.2 Objective 4: Housing and community	<p>To contribute to meeting the housing needs of Adur and Brighton & Hove address shortfalls in local housing provision through delivering new homes of a range of sizes, tenures and types, including affordable and family homes as well as associated supporting community infrastructure.</p>
07	3.6.6 – 3.6.7	<p>3.6.6 The NPPF highlights the need to direct development away from areas at highest risk of flooding⁶. Development Plans should apply a sequential, risk-based approach to the location of development to minimise risk from flooding and take account of the impacts of climate change. The proposals in this plan have been assessed through the Sequential and Exceptions Tests carried out in preparation of the Brighton & Hove City Plan Part One (2016) and the Adur Local Plan (2017). Therefore, a sequential test will not be required for proposed development within the allocations, unless the proposal departs significantly from the terms of the allocation. (thereby avoiding the risk in the first instance), but where development is necessary, ensuring it will be safe without increasing the risk of flooding elsewhere.</p>

⁶ Paragraph 158, NPPF (2018)

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		<p>3.6.7 <u>Proposed development outside the allocations in this plan and within flood zone 2 or 3 will require a sequential test to be carried out as part of the site-specific flood risk assessment⁷. To support the regeneration of the area, applicants will be expected to search for alternative sites at a lower risk of flooding within the character area the site is situated in (as identified in this plan). Where necessary, having regard to the potential vulnerability of the site and the development proposed, an exceptions test will also be required.</u></p> <p>3.6.87 Refer to p Policies in Part 4 3 of this plan which identify the site-specific flood defence and mitigation measures required within the character areas. Development in the Western Harbour Arm in particular will be required to deliver significant flood risk mitigation infrastructure. Responsibility for the delivery and maintenance of flood defences will belong to the landowner.</p>
8	Policy SH6 (1)	<p>1. The partnership will support the delivery of measures to mitigate flood risk and coastal erosion in the regeneration area. Development proposals in the regeneration area must comply with the principles and approach to flood risk management set out in the <i>Shoreham Harbour Flood Risk Management Guide</i> (2015), or subsequent updated guidance and must take account of the most up to date flood risk management evidence and policy in consultation with the relevant authorities, including the Environment Agency. Where development creates new or alters flood flow routes, the site specific Flood Risk Assessment must assess the potential flood hazard posed by them to ensure that flood risk is not increased elsewhere.</p>
9		<p>6. Where undefended land levels are below the 1 in 200-year tidal flood event for 2115, land raising and/or flood defences should be provided to 5.4m AOD. For sites where existing defences / land levels do not meet the heights outlined above, developers will be required to deliver flood defences or land raising to this height to meet the required standard of protection.</p> <p><i>Consequent modification to supporting text:</i></p> <p>4.7.18 Comprehensive land raising and/or flood defence provision will be essential to protect existing and future residents and businesses as well as the A259. This approach, which focuses on flood defence provision from the Adur Ferry Bridge to Kingston Beach, will ensure the complete closure of the flood cell and continuation of the line of new defences currently being provided via the Shoreham Adur Tidal Walls Scheme an Environment Agency funded flood defence scheme which ends at the Adur Ferry Bridge.</p>
10	Policy SH6 (15) (12)	<p>12 15 Proposals which seek to provide basement parking in tidal/fluvial flood zones will only be acceptable where adequate mitigation and emergency planning are included as part of the planning application. Developers will be required to demonstrate that drainage and separators will not release potential contaminants to the environment.</p>
11	Policy SH7 (4) and (7)	<p>4. All development applications must be accompanied by up to date ecological information to ensure no net loss and seek to provide a net gain to biodiversity, in particular to Habitats of Principal Importance (formerly known as BAP habitats). The indirect impacts of development, such as recreational disturbance, on designated nature conservation sites and other significant habitats must be considered. Appropriate mitigation must be identified, along with the means for its delivery and maintenance.</p> <p><i>Clauses 5 and 6 are unchanged.</i></p> <p>7. Where impacts on biodiversity cannot be avoided or mitigated, compensatory actions measures will be required, taking account of an up-to-date ecological survey. Like-for-like compensatory habitat should be provided at or close to the site, subject to agreement with the relevant authorities, including Natural England and the Environment Agency.</p>

⁷ Subject to the criteria in the PPG

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		<p><i>Consequent changes to supporting text:</i></p> <p>3.7.2 New development within the regeneration area harbour is expected to be outstanding from an environmental perspective and all opportunities to promote biodiversity need to be considered. The councils will require the submission of an Ecological Impact Assessment (EcIA) carried out in accordance with British Standards (BS42020:2013 Biodiversity – Code of practice for planning and development) and CIEEM guidance, or subsequent updates. Ecological impacts should be assessed and recommendations for appropriate mitigation, compensation and enhancement made. Negative impacts should be avoided wherever possible. It is possible to significantly reduce negative impacts of development on the ecology of an area through mitigation measures. Any potential wildlife habitats that will be lost or negatively impacted as a result of development will need to be compensated for and enhanced wherever possible.</p> <p>3.7.3 There is potential for development at the Western Harbour Arm to lead to loss of, or harmful impact to, intertidal habitats in the River Adur. Adur District Council is currently working with partners including Sussex Wildlife Trust and the Environment Agency to develop a strategy to address this issue, and identify suitable locations for compensatory habitat creation. Nevertheless, developers will be required to demonstrate that impacts cannot be avoided before mitigation and/or compensatory measures are considered.</p> <p><i>Renumber subsequent paragraphs</i></p>
12	Policy SH7 (13)	<p>Air quality impacts should be considered at an early stage in the design process to ensure that creating new exposure to poor air quality is avoided. Development proposals must be accompanied by an assessment of the air quality impacts for existing and future occupants. This assessment must have regard to the cumulative impacts of committed and planned development on air quality.</p>
13	Policy SH8 (1)	<p>New development proposals will be required to contribute to the provision of provide high quality, multifunctional public open space / green infrastructure to meet the needs it generates onsite. The type and quantity of open space will be determined by the scale and type of development, having regard to the identified needs of the area, local standards and the <i>Shoreham Harbour Green Infrastructure Strategy</i>. Development will be expected to optimise the amount of onsite provision. Where it is not possible to meet all or part of the open space requirements on site, subject to agreement of the council(s), an appropriate alternative provision, such as enhanced public realm, and/or contribution towards off site provision will be required.</p>
14	Policy SH9 (3-5)	<p>3. Development proposals should improve the quality, accessibility, security and legibility of public streets and spaces. The public realm elements of the development proposals must be designed in accordance with the Shoreham Harbour Streetscape Guide (2012). The design of spaces between and around buildings must consider all of the following key design aspects:</p> <ul style="list-style-type: none"> • purpose and function • access and linkages • uses and activities • comfort, image and sociability. <p>4. Having regard to the indicative opportunities for public art identified within Map 4, major development will be expected to incorporate an integral public art element(s) contribution will be sought for the provision of public art, in accordance with the scale of development proposed and in agreement with the council.</p> <p>5. All development will be expected to embrace principles of good urban design with reference to the following characteristics proposals must demonstrate a high standard of design that enhances the visual quality of the environment and makes a positive contribution to creating places that are safe, inclusive and accessible; and which promote health and wellbeing. In particular, proposals for development will be expected to consider all of the following key design aspects:</p>

Modification No:	Reference: (Paragraph, policy or map number)	Amendment: (Amendments are shown in bold text . Deleted text shown as struck through and additional text <u>shown as underlined</u>). Amendments made after the consultation on Main Modifications are shown in red text .
		<ul style="list-style-type: none"> • High standards of quality building materials, architectural design and detailing. • Suitable scale and massing in relation to housing type and local context, including <u>landscape</u>, townscape character and historic environment. • Appropriate internal and external space standards in accordance with the nationally described space standards. • Buildings should provide strong enclosure to public spaces and streets, and should maintain a clear distinction between public, semi-private and private space. • High standards of private amenity space for all residential development, including private balconies, terraces, gardens and shared courtyards as appropriate • Careful consideration of the impact of new development on access to daylight and sunlight for both existing and new residents. <p>6. <u>All new residential development will be required to provide useable private outdoor amenity space appropriate to the scale and character of the development.</u></p> <p>7. <u>Development proposals must demonstrate that the effects of the development on the amenity of proposed future and existing users, residents and occupiers would not be unacceptable. When designing new development, applicants will be required to consider the effect of their proposal upon all of the following:</u></p> <ul style="list-style-type: none"> • <u>visual privacy and overlooking</u> • <u>outlook</u> • <u>overshadowing</u> • <u>sunlight and daylight</u> • <u>artificial lighting</u> • <u>disturbance from noise, odour, vibration, air pollution.</u> <p><i>Consequent change to supporting text (new paragraphs):</i></p> <p>Public realm</p> <p>3.9.4 <u>Buildings within a development should be arranged to create well defined spaces, each with a clear purpose and function. The spaces within a development should not consist simply of the land left over once the footprints of buildings and the positions of roads and accesses have been established. Defining the nature and use of the spaces early in the design process can help inform the siting and design of buildings, hard and soft landscape and, if applicable, distribution of uses that will enclose these spaces.</u></p> <p>3.9.5 <u>A successful place is easy to get to, visible and easy to move through. Physical elements can enhance access and links and add interest and help create a safer environment. The ability to see a public space from a distance, parking arrangements and convenient public transport can also contribute to better access.</u></p> <p>3.9.6 <u>Successful public places typically offer a variety of uses and activities in and/or around it that suits its users. The right mix and spatial clustering of uses can be critical to attracting a range of people and animating a space. All new development should present an interesting and attractive frontage particularly at street level for pedestrians.</u></p> <p>3.9.7 <u>A successful place can encourage all sorts of people to meet and interact, creating a stronger attachment to their community and to the sense of place that fosters these types of social activities. In general, comfort and sociability relate to people’s sense of safety, cleanliness and overall character of a place. The presence and quality of hard and soft landscaping and the nature of vehicular traffic will also influence these perceptions. Substantial traffic and associated perceptions about danger, noise and air quality may make movement through spaces difficult and deter people from lingering in them.</u></p> <p>Public art</p>

Modification No:	Reference: (Paragraph, policy or map number)	<p>Amendment: (Amendments are shown in bold text. Deleted text shown as struck through and additional text <u>shown as underlined</u>). Amendments made after the consultation on Main Modifications are shown in red text.</p>
		<p>3.9.8 Public art can play an important role in creating and enhancing local distinctiveness. It provides an opportunity to involve local communities in place making, and to offer work opportunities to artists, including from the local area. Where appropriate, the partnership and councils will expect to be involved in the selection process. Public art can include architectural details, public realm elements, landscaping schemes, sculpture, water features, street furniture and lighting effects. It should be directly related to its setting, and therefore be an integral element of a proposal.</p> <p>Design principles</p> <p>3.9.9 Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible, and promote health and well-being⁸. Good design is critical to ensuring development functions well, is visually attractive, and is sympathetic to local character, in order to create attractive, welcoming and distinctive places to live, work and visit⁹.</p> <p>3.9.10 The selection of external materials and finishes is often a critical factor in determining how well a new development relates visually to its surroundings. By adopting the local palette of materials, and the ways in which these are combined and detailed, new development can reinforce local distinctiveness.</p> <p>3.9.11 Scale and massing of buildings is a major factor in determining the visual character of an area. The aim should be to create a sense of harmony and visual continuity between new and old. Elements of any building that are visible from a highway are of particular importance.</p> <p>3.9.12 Internal and external space standards and layout are an important aspect of good quality homes. The councils will expect development proposals to meet the nationally described space standards, which cover minimum gross internal floor, ceiling heights and storage space requirements.</p> <p>Outside space</p> <p>3.9.13 An element of useable private outdoor amenity space should be provided for the occupants of new residential development. Private amenity space can make an important contribution in improving the health, well-being and general quality of life of the area's residents and has the potential to support and enhance local biodiversity. The provision of space for seating, play, drying and storage space is part of securing good design and a good standard of residential development in the regeneration area.</p> <p>3.9.14 Appropriate forms of provision include gardens, balconies, patios, roof terraces and shared amenity spaces in flatted forms of development. Factors such as access to the amenity space, its orientation, scope for privacy, size and usability will be key considerations.</p> <p>Amenity</p> <p>3.9.15 As development at Shoreham Harbour is expected to be high density, proposals for new development need to consider their impact upon neighbours as well as future users, residents and occupiers. Most potential negative impact can be addressed through design and mitigation measures if these are considered early in the design stage of a development.</p> <p>3.9.16 New buildings should be carefully designed to avoid overlooking. The most sensitive areas are: living rooms; bedrooms; kitchens. Public spaces and communal areas will benefit from a degree of overlooking due to the increased level of surveillance it can provide.</p> <p>3.9.17 Outlook is the visual amenity enjoyed by occupants when looking out of their windows or from their garden. New development should ensure the proximity, size or cumulative effect of any structures do not have an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers. Particular care should be given to development that adjoins properties with a single aspect.</p>

⁸ Paragraph 127 NPPF (2018)

⁹ Paragraph 127 NPPF (2018)

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		<p>3.9.18 New development should take reasonable steps to avoid overshadowing windows to habitable rooms or open spaces and gardens. This may be particularly difficult in the denser areas of the area. However, it is important in these areas to prevent overshadowing of amenity space and open spaces given the limited amount of open spaces and the existing amount of overshadowing.</p> <p>3.9.19 Sunlight and daylight will be affected by the location of the proposed development and its proximity to, and position in relation to, nearby windows. The councils will assess whether acceptable levels of daylight and sunlight are available to habitable spaces. Reports will be required for both minor and major applications where a proposal has the potential to materially reduce daylight and sunlight levels.</p> <p><i>Subsequent paragraphs renumbered</i></p>
15	Policy CA3 (4)(f)	SP6 – Church Road/Wellington Road/ St Peter’s Road: The southern portion of the site is allocated for new employment development (use classes B1, B2 and B83). Employment uses must be compatible with adjacent residential development. As part of a comprehensive redevelopment, residential development is acceptable on the northern portion of the site, fronting onto St Peter’s Road.
16	Policy CA4 (2)	The partnership will promote and deliver the enhancement and creation of vegetated shingle habitats to create a continuous corridor along the beaches. Compensatory habitat creation and safeguarding will be required for any loss or disturbance to existing habitats.
17	4.6.1 – 4.6.4	<p>Area Priorities</p> <ul style="list-style-type: none"> • To support the conservation of Shoreham Fort. • To enhance connections between Shoreham town centre, Shoreham Beach and Shoreham Fort through environmental and landscaping improvements. • To support the redevelopment of Shoreham Rowing Club and enhance the public realm environment of Kingston Beach. • To explore options for the future use of the Albion Street lorry park. • To support Adur Homes in exploring options for redevelopment of housing sites. • To support the delivery of the Shoreham Heat Network <p>4.6.1 CA6 – Harbour Mouth is split across either side of the River Adur at the mouth of the river. This is the entrance to the harbour. The southern section is also within the area covered by the emerging Shoreham Beach Neighbourhood Plan.</p> <p>4.6.2 On Shoreham Beach is the The remains of Shoreham Fort, a Scheduled Monument, are on Shoreham Beach. The fort was completed in 1857 and is one of the celebrated south coastal defences built under the Victorian Prime Minister Lord Palmerston. It is of national historical importance and was a vital part of the south coast defence system.</p> <p>4.6.3 A local charity, the Friends of Shoreham Fort supported by Shoreham Port Authority, have taken responsibility for conserving the fort. This area is a popular destination for walkers. It is well used by anglers and home to the National Coastwatch Institute look-out tower.</p> <p>4.6.4 In recent years there have been various plans for the fort including local interest for incorporating an educational facility and improving the public toilet block.</p>
18	CA6 (9) – new clause	<p>9. The councils will support the development of infrastructure to deliver the Shoreham Heat Network.</p> <p><i>Consequent change to supporting text (new paragraph)</i></p> <p>4.6.17 The Shoreham Heat Network Partnership is progressing the delivery of a district heating network. The Shoreham Harbour District Energy Feasibility Study (2018) proposes a network served by marine source heat pumps and gas CHP. The study identifies the Middle Pier at the mouth of the harbour as a potential abstraction point for marine source heat pumps, and a discharge point to the west of the lifeboat station.</p>
19	CA7 new clauses	Insert new clauses after (2): <p>3. Proposals for sites WH1 and WH2 will be required to demonstrate that potential implications for the navigational safety of vessels entering and leaving Shoreham Port have been addressed in agreement with statutory bodies, including Shoreham Port Authority. In particular, development proposals must demonstrate that artificial lighting originating from proposed development will not impact the visibility of navigation lights in the</p>

Modification No:	Reference: (Paragraph, policy or map number)	Amendment: (Amendments are shown in bold text . Deleted text shown as struck through and additional text <u>shown as underlined</u>). Amendments made after the consultation on Main Modifications are shown in red text .
		<p><u>harbour mouth.</u></p> <p>4. The councils will support the development of the Shoreham Heat Network. Until the network is constructed, development will be required to incorporate the necessary infrastructure for connection to future networks. When the network is constructed, development will be required to connect.</p> <p><i>Renumber subsequent clauses accordingly</i></p> <p><i>Add new area priority:</i></p> <ul style="list-style-type: none"> <u>To support the delivery of the Shoreham Heat Network</u> <p><i>Consequent changes to supporting text (new paragraphs)</i></p> <p><u>Shoreham Heat Network</u></p> <p><u>4.7.74 The Western Harbour Arm allocation is identified in the Shoreham Harbour District Energy Feasibility Study (2018) for the planned Shoreham Heat Network. This aims to provide low carbon, affordable warmth to residents and businesses. The district heating project is being developed by the Shoreham Heat Network Partnership, comprised of Shoreham Harbour Regeneration Partnership, Adur District Council, West Sussex County Council and Shoreham Port Authority.</u></p> <p><u>4.7.75 New development in and around the Western Harbour Arm development will be required to connect to the proposed network once complete. Development coming forward before the heat network is delivered is required to be connection ready, and to connect once the network is in place. Planning conditions and obligations will be applied to other development in order to futureproof connection at a later date.</u></p>
20	CA7 (134)	Developments should be set back sufficiently from the A259 corridor <u>in agreement with the highways and planning authorities, to provide space for a high-quality segregated cycle route which provides stepped separation from road vehicles and pedestrian facilities, to deliver green infrastructure improvements, and to prevent a canyoning effect and to ensure that residents are protected from noise and air quality impacts.</u>
21	Policy SH10 (3)	Direct agreements with utility providers may be required to provide <u>infrastructure, such as sewerage infrastructure.</u>
22	5.1.20	The following items of infrastructure are typically likely to be requirements for major developments within the allocated sites: <ul style="list-style-type: none"> • Contributions to public transport and highway network improvements • Upgraded flood defences integrated with public waterfront walking / cycle route (where appropriate – particularly Western Harbour Arm Waterfront sites) • Contributions to social infrastructure • <u>Contributions to green infrastructure</u> • Remediation of contaminated areas • On-site renewable energy systems / low carbon technologies
23	5.1.25	The local authorities undertake ongoing monitoring of their Local Development Frameworks of which this JAAP is a part. <u>The monitoring framework is set out in the Appendix. It includes key monitoring indicators and triggers for potential intervention.</u> Progress on the delivery of the <u>plan will be reported in key opportunity development sites will be contained with</u> the Authority Monitoring Report (AMR) for <u>Adur District Council and Brighton & Hove City Council each respective council. This will include the housing trajectory for Shoreham Harbour Regeneration Area.</u>

Shoreham Harbour Joint Area Action Plan Appendix – Monitoring Framework

SA objective	Relevant policy	Target	Indicator	Partners / Source of information	Trigger	Actions required (if target is not being achieved)
Objective 1: Climate change, energy and sustainable buildings						
1, 2, 10,	SH1	All development proposals to be accompanied by a Sustainability Statement (ADC) or Sustainability Checklist (BHCC)	1. Number and percentage of approved proposals accompanied by a Sustainability Statement/Checklist	Development Management	Development approved without a Sustainability Statement/Checklist	<ul style="list-style-type: none"> Engage with developers at an early stage to ensure the requirement for Sustainability Statement/Checklist is understood. Review of validation processes to ensure proposals are not accepted without a Sustainability Statement/Checklist.
1, 10, 22	SH1	Increase the energy efficiency of buildings in the Shoreham Harbour Regeneration Area	2. Number and percentage of approved and/or completed developments meeting minimum standards for energy efficiency	Development Management: Sustainability Statement/Checklist	Development approved and/or completed that does not meet minimum standards for energy efficiency.	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Engage with developers at an early stage in the design of new developments to ensure that the principles of energy efficiency are integrated. Review of development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice.
			3. Number and percentage of approved and/or completed developments achieving zero-carbon status	Development Management: Sustainability Statement/Checklist	No development approved and/or completed that achieves zero-carbon status.	
1, 10	SH1	Increase the generation of renewable/low carbon energy within the Shoreham Harbour Regeneration Area	4. Number and percentage of approved and/or completed developments incorporating renewable/low carbon energy generation	Development Management: Sustainability Statement/Checklist	Development approved and/or completed that does not incorporate renewable/low carbon energy generation.	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Engage with developers at an early stage in the design of new developments to ensure that the requirement for renewable/low energy generation is integrated. Review development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice. Identify sources of funding to support delivery of renewable/low carbon energy generation.
			5. Type and capacity (kW) (predicted) of approved and/or completed renewable/low carbon energy development/installations	Development Management: Sustainability Statement/Checklist	No increase in capacity of renewable/low carbon energy development/installations	
1, 10, 11	SH1	Increase the delivery of heating/cooling networks supplied by renewable/waste energy sources.	6. Number and percentage of approved and/or completed developments that include: <ol style="list-style-type: none"> Connection to existing heating/cooling network Site-wide heating/ cooling network Building-wide heating/ cooling network Individual heating/ cooling system 	Development Management: Sustainability Statement/Checklist	Development approved and/or completed with individual heating/ cooling systems installed.	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Engage with developers at an early stage in the design of new developments to ensure that the requirement for compliance with the heating hierarchy is integrated. Review development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice. Identify sources of funding to support delivery of heating/cooling networks.
			7. Number and type of approved and/or completed development supplied by: <ol style="list-style-type: none"> Renewable/waste energy sources Low carbon technologies Conventional systems 	Development Management: Sustainability Statement/Checklist	Development approved and/or completed with conventional heating/ cooling systems installed.	

Objective	Relevant policy	Target	Indicator	Partners / Source of information	Trigger	Actions required (if target is not being achieved)
			8. Type and capacity (kW) (predicted) of heating/ cooling from renewable/waste/low carbon sources.	Development Management; Sustainability Statement/Checklist	No increase in capacity of renewable/waste/low carbon sources.	
2, 10	SH1	Increase water efficiency of buildings in the Shoreham Harbour Regeneration Area	9. Number and percentage of approved and/or completed residential developments where internal water use does not exceed 110 litres per head per day.	Development Management; Sustainability Statement/Checklist	Residential development approved where internal water use exceeds 110 litres per head per day	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Engage with developers at an early stage in the design of new developments to ensure that the principles of water efficiency are integrated. Review development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice.
			10. Number and percentage of approved and/or completed non-domestic developments achieving BREEAM 'excellent' standard.	Development Management; Sustainability Statement/Checklist	Non-residential development approved that does not meet BREEAM 'excellent' standard	
2, 9, 10	SH1	Increase recycling, harvesting and/or conservation of water	11. Number and percentage of approved and/or completed developments that incorporate measures to recycle, harvest and/or conserve water, by type.	Development Management; Sustainability Statement/Checklist	No development approved that incorporates measures to recycle, harvest and/or conserve water	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Engage with developers at an early stage in the design of new developments to ensure that the potential to recycle, harvest and conserve water is integrated. Review development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice. Identify sources of funding to support delivery of measures to reduce, harvest and conserve water.
Objective 2: Shoreham Port						
3, 17	SH2, CA1, CA2, CA3, CA5, CA6, CA7	Consolidate Shoreham Port operations in the Eastern Arm and Canal	12. Number and type of port-related operations relocated to the Eastern Arm and Canal	Development Management; Shoreham Port Authority	Port-related operations are not relocated to the Eastern Arm and Canal	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Engage with operators and Shoreham Port Authority to identify suitable sites for relocation. Identify sources of funding to assist with relocation, and development of port-related operations in the Eastern Arm and Canal
			13. Number and type of new port related development in the Eastern Arm and Canal	Development Management; Shoreham Port Authority	Port-related development in the Eastern Arm and Canal is not delivered	
Objective 3: Economy and employment						
3, 17, 21	SH3, CA2, CA3, CA5, CA6, CA7	Deliver a minimum of 23,500m ² employment generating floorspace: <ul style="list-style-type: none"> 16,000m² in Adur 7,500m² in Brighton & Hove 	14. Total amount of approved and/or completed development of employment floorspace by type	Development Management; Developers; Economic Development; WSCC	Delivery of employment floorspace is insufficient to meet minimum target over the plan period	<ul style="list-style-type: none"> Identify reasons for lack of implementation Engage with site owners to identify barriers to sites coming forward Engage with Economic Development to identify current and projected demand for employment floorspace. Consider negotiation on individual sites to address viability issues. Identify sources of funding to assist with delivery of employment floorspace. Seek further employment sites to allocate through policy review.

SA objective	Relevant policy	Target	Indicator	Partners / Source of information	Trigger	Actions required (if target is not being achieved)
	SH3, CA2, CA3, CA5, CA6, CA7	Protect identified employment sites from conversion to residential dwellings	15. Total amount of employment floorspace converted by permitted development to residential dwellings by type 16. No of residential dwellings delivered through conversion of employment floorspace by permitted development.	Development Management; Developers; Economic Development	Trends demonstrate an increase in the amount of employment floorspace lost as a result of conversion to residential dwellings by permitted development	<ul style="list-style-type: none"> Review development management processes to ensure that existing protection in GPDO is applied. Consider removal of permitted development rights through an Article 4 Direction. Identify sources of funding to assist with retention of sites in employment generating uses.
3, 17, 19	SH3, CA2, CA3, CA7	Provide ancillary retail uses within the Shoreham Harbour Regeneration area to complement existing town/district centres	17. Total amount of approved and/or completed development of retail floorspace by type	Development Management); Developers; Economic Development; WSCC	Development approved and/or completed that includes retail with a net sales floorspace of 1,000m ² or more	<ul style="list-style-type: none"> Engage with Economic Development to identify current and projected demand for retail floorspace. Consider negotiation on individual sites to address viability issues. Review development management processes to ensure retail sequential and impact assessments are provided. Review development management processes to ensure applications are determined in accordance with policy.
Objective 4: Housing and community						
3, 14, 15, 16	SH4, CA2, CA3, CA6, CA7	Deliver a minimum of 1,400 new homes: <ul style="list-style-type: none"> 90 in CA2: Aldrington Basin 201 in CA3: South Portslade 1,100 in CA7: Western Harbour Arm Windfall sites 	18. Number, size and tenure of approved and/or completed residential development	Development Management; Developers; WSCC	Delivery of residential development is insufficient to meet minimum target over the plan period (identified in the housing trajectory)	<ul style="list-style-type: none"> Identify reasons for lack of implementation Engage with site owners to identify barriers to bringing sites forward Consider negotiation on individual sites to address viability issues. Identify sources of funding to assist with delivery of residential development. Seek further housing sites to allocate through policy review.
3, 11, 14, 15, 16,	SH4, CA2, CA3, CA6, CA7	Deliver affordable housing according to local policy	19. Number, size and tenure of approved and/or completed affordable homes, and as a percentage of all homes built	Development Management; Developers; Registered Providers; Housing departments	Delivery of affordable housing does not comply with local policy requirements	<ul style="list-style-type: none"> Identify reasons for lack of implementation Engage with site owners to identify barriers to bringing sites forward Consider negotiation on individual sites to address viability issues. Identify sources of funding to assist with delivery of affordable housing Seek further housing sites to allocate through policy review.
3, 11, 14, 16, 17, 19, 21	SH4, CA2, CA3, CA5, CA7, SH10	Deliver social and community infrastructure to support new development	20. Number and type of approved and/or completed D class floorspace and social/community facilities	Development Management; Developers; Commercial operators; Public and private sector partners	Insufficient delivery of social/community facilities	<ul style="list-style-type: none"> Identify reasons for lack of implementation Engage with public and private sector partners to identify demands for community/social facilities Consider negotiation on individual sites to address viability issues. Identify sources of funding to assist with delivery of community/social facilities Consider preparation of further supplementary guidance and/or case studies of best practice.

Objective 5: Sustainable travel						
7, 11, 13, 14, 19, 20	SH5, CA1, CA2, CA3, CA4, CA5, CA6, CA7, SH10	Deliver new/improved routes and facilities for pedestrians and cyclists, including: <ul style="list-style-type: none"> • New waterfront route from Shoreham –by-Sea town centre to Kingston Beach • New segregated cycle route along A259 from Shoreham-by-Sea town centre to Hove Lagoon • Improvements to NCN2/Monarch's Way/England Coast Path at Basin Road South and A259 • Improvements to crossing at Southwick Lock Gates • Extension of bike share scheme 	21. Number and type of approved and/or completed new/improved routes for pedestrians and cyclists	Development management; Developers; Highways; Shoreham Port Authority; Private and public sector partners	New/improved routes for pedestrians and cyclists are not delivered	<ul style="list-style-type: none"> • Identify reasons for lack of implementation • Engage with developers at an early stage in the design of new developments to ensure that the improved routes for pedestrians and cyclists are integrated. • Engage with public and private sector partners to identify demand for improvements • Engage with public transport operators to identify potential improvements • Review Shoreham Harbour Transport Strategy • Consider preparation of further supplementary guidance and/or case studies of best practice. • Consider negotiation on individual sites to address viability issues. • Identify sources of funding to assist with delivery of sustainable travel measures
		Deliver improved priority corridors and junction improvements, including: <ul style="list-style-type: none"> • A259 • A283 • A293 	22. Number and type of approved and/or completed improvements to priority corridors and junctions	Development Management; Highways	Improvements to priority corridors and junctions are not delivered.	
		Deliver improved access to port activities, including: <ul style="list-style-type: none"> • Southwick Waterfront access road • Basin Road North extension 	23. Improvements to port access approved and/or completed	Development Management; Highways; Shoreham Port Authority	Improvements to port access are not delivered	
		Deliver improvements and improve interchange with public transport network	24. Improvements to bus services delivered 25. Improvements to bus stops delivered 26. Bus priority measures delivered 27. Improvements to interchanges at railway stations delivered	Highways; Public transport operators	Improvements to public transport are not delivered	
Objective 6: Flood risk and sustainable drainage						
2, 3, 4, 9, 10, 18	SH6, CA1, CA2, CA3, CA4, CA5, CA6, CA7	Reduce flood risk	28. Number of planning permissions granted contrary to the advice of the Lead Local Flood Authority and/or the Environment Agency on flood defence grounds	Development Management; Lead Local Flood Authority; Environment Agency	Any such permissions are granted	<ul style="list-style-type: none"> • Identify reasons for approval of permission contrary to Lead Local Flood Authority and/or Environment Agency advise • Engage with developers at an early stage in the design of new developments to ensure that the Lead Local Flood Authority and Environment Agency are consulted. • Review development management processes to ensure applications are determined in accordance with policy. • Review Shoreham Harbour Flood Risk Management Guide • Consider preparation of further supplementary guidance and/or case studies of best practice.

3, 4, 9, 10, 11, 18, 20	SH6, CA1, CA2, CA3, CA4, CA5, CA6, CA7, SH10	Deliver new/upgraded flood defences, including: <ul style="list-style-type: none"> Sussex Yacht Club Western Harbour Arm Kingston Beach Lock Gates Canal 	29. New/upgraded flood defences delivered 30. Developer contributions to flood defences	Development Management; Developers; Environment Agency; Shoreham Port Authority	New/upgraded flood defences are not delivered.	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Engage with developers at an early stage in the design of new developments to ensure that the new/improved flood defences are integrated. Review development management processes to ensure applications are determined in accordance with policy. Engage with public and private sector partners to identify demand for improvements Engage with Environment Agency and Lead Local Flood Authorities to identify potential improvements Review Shoreham Harbour Flood Risk Management Guide Consider preparation of further supplementary guidance and/or case studies of best practice. Consider negotiation on individual sites to address viability issues. Identify sources of funding to assist with delivery of flood defence measures
2, 4, 6, 9, 10, 18,	SH1, SH6, SH7, CA1, CA2, CA3, CA4, CA5, CA6, CA7, SH10	Maximise the provision of sustainable drainage systems	31. Number and percentage of approved and/or completed developments that incorporate sustainable drainage systems.	Development Management; Lead Local Flood Authorities; Developers; Sustainability Statement/ Checklist	Development approved and/or completed that does not incorporate sustainable drainage systems.	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Engage with developers at an early stage in the design of new developments to ensure that sustainable drainage systems are integrated. Review development management processes to ensure applications are determined in accordance with policy.
Objective 7: Natural environment, biodiversity and green infrastructure						
4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, 18, 19, 20, 22	SH1, SH7, SH8, CA2, CA3, CA4, CA5, CA6, CA7, SH10	Increased provision of green infrastructure All development to provide a net gain to biodiversity Protect and enhance designated and non-designated sites and habitats, including: <ul style="list-style-type: none"> Adur Estuary SSSI Shoreham Beach LNR/LWS Basin Road South LWS North Canal Bank Coastal vegetated shingle Intertidal mudflats 	32. Type and extent of green infrastructure improvements delivered 33. Number and percentage of planning permissions granted that deliver a net gain to biodiversity 34. Number of planning permissions granted contrary to officer/statutory consultee advice on the grounds of impact to habitats/species. 35. Type and extent of habitats lost 36. Type and extent of habitats created 37. Developer contributions to green infrastructure/ biodiversity 38. State or condition of designated sites	Development Management; Sustainability Statement/ Checklist; Environment Agency; Natural England Sussex Wildlife Trust Sussex Biodiversity Records Centre; Parks	No increase in provision of green infrastructure Development approved that does not provide a net gain in biodiversity. Loss of priority habitats No creation of new habitats. Decline in status or condition of designated sites.	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Engage with developers at an early stage in the design of new developments to ensure that green infrastructure and biodiversity gains are integrated. Review development management processes to ensure applications are determined in accordance with policy. Engage with public and private sector partners to identify demand and potential for improvements Review Shoreham Harbour Green Infrastructure Strategy Consider preparation of further supplementary guidance and/or case studies of best practice. Consider negotiation on individual sites to address viability issues. Identify sources of funding to assist with delivery of green infrastructure and biodiversity measures
7, 11	SH4, SH7, CA2, CA3, CA5, CA6, CA7	No increase in noise impacts due to development.	39. Number of planning permissions granted contrary to officer advice on the grounds of noise impact.	Development Management; Environmental Health	Application granted contrary to officer advice on the grounds of noise impact.	<ul style="list-style-type: none"> Identify reasons for lack of implementation Engage with developers at an early stage to ensure that avoidance and mitigation of noise impacts is integrated. Review development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice.

10, 11	SH4, SH7, CA2, CA3, CA5, CA6, CA7	Improve air quality, especially within Air Quality Management Areas	40. Number of planning permissions granted contrary to officer advice where impact on air quality was an important factor 41. Air quality monitoring (including CO ₂ , NO ₂ and particulate concentrations). 42. Number and extent of Air Quality Management Areas identified in the vicinity of the Shoreham Harbour Regeneration Area.	Development Management; Environmental Health	Application granted contrary to officer advice on the grounds of air quality impact. A decline in air quality. Designation of new, or extension of existing, air quality management areas.	<ul style="list-style-type: none"> Identify reasons for decline in air quality. Engage with developers at an early stage to ensure that avoidance and mitigation of air pollution is integrated. Review development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice.
2, 4, 5, 9, 10, 11	SH7, CA2, CA3, CA5, CA6, CA7	Protect/improve water quality	43. Number of planning permissions granted contrary to the advice of the Environment Agency on water quality grounds. 44. Status of groundwater and waterbodies	Development Management; Environment Agency	Application granted contrary to the advice of the Environment Agency on water quality grounds. Decline in status of groundwater or waterbodies.	<ul style="list-style-type: none"> Identify reasons for lack of implementation Identify reasons for decline in status of groundwater and/or water bodies Engage with developers at an early stage to ensure that avoidance and mitigation of water quality impacts is integrated. Review development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice.
3, 4, 8, 9, 10, 11	SH7, CA2, CA3, CA5, CA6, CA7	Remediate contaminated sites	45. Number of approved and/or completed developments which incorporate remediation of contaminated land, and extent of remediated land	Development Management; Environment Agency; Sustainability Statement/ Checklist	Contaminated sites are not remediated	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Engage with developers at an early stage to ensure that remediation of contaminated land is integrated. Review development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice. Consider negotiation on individual sites to address viability issues. Identify sources of funding to assist with delivery of remediation measures.
3, 8, 9, 10, 22	SH7, CA2, CA3, CA5, CA6, CA7	Reduce waste and increase recycling	46. Number and percentage of planning permissions granted that included a Site Waste Management Plan	Development Management; Sustainability Statement/ Checklist	Planning permissions granted without a Site Waste Management Plan	<ul style="list-style-type: none"> Identify reasons for lack of implementation Review development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice.

Objective 8: Recreation and leisure						
3, 4, 5, 6, 7, 10, 11, 16, 19, 20	SH7, SH8, CA2, CA3, CA4, CA5, CA6, CA7	Increase provision of public open space	47. Amount of public open space lost to development 48. Amount of public open space created	Development Management; Parks	Loss of public open space to development. No provision of new public open space	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Engage with developers at an early stage to ensure that provision of open space is integrated. Review development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice. Consider negotiation on individual sites to address viability issues. Identify sources of funding to assist with delivery of public open space.
3, 4, 5, 6, 7, 9, 10, 11, 16, 19, 20	SH7, SH8, CA2, CA3, CA4, CA5, CA6, CA7	Improve public access to waterfront	49. Number and type of improvements delivered	Development management	No improvement in access to waterfront	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Engage with developers at an early stage to ensure that public access to waterfront is integrated. Review development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice. Consider negotiation on individual sites to address viability issues. Identify sources of funding to assist with delivery of public access to waterfront.
Objective 9: Place making and design quality						
5, 7, 10, 11, 12, 14, 16, 17, 19, 20	SH9, CA2, CA3, CA5, CA6, CA7	Deliver high standard of urban design, place making and amenity	50. Number and percentage of approved and/or completed developments subject to design review. 51. Number of planning appeals dismissed where urban design, place making and/or amenity are principal reason(s) for refusal. 52. Number of design awards nominated and won by developments in the Shoreham Harbour Regeneration Area	Development Management	Major development approved and/or completed that has not been subject to design review. Planning appeal upheld where urban design, place making and/or amenity are principal reason(s) for refusal	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Identify reasons for upholding of appeal. Engage with developers at an early stage to ensure that high quality place making and urban design are integrated. Review development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice.
5, 11, 16, 19, 20	SH9, CA2, CA3, CA4, CA5, CA6, CA7	Deliver new public art	53. Number of public art schemes delivered as part of new development	Development Management	No new public art schemes delivered	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Engage with developers at an early stage to ensure that provision of public art is integrated. Review development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice.

Infrastructure						
2, 3, 4, 5, 6, 7, 13, 15, 16, 17, 18, 19, 21, 22	SH1, SH2, SH3, SH4, SH5, SH6, SH7, SH8, SH9, SH10, CA1, CA2, CA3, CA4, CA5, CA6, CA7	Deliver infrastructure made necessary by the development	54. Delivery of schemes identified in the Infrastructure Delivery Plans 55. Developer contributions to infrastructure	Development Management; Environment Agency; Environmental Health; Highways; Education; Lead Local Flood Authority;	Under delivery of schemes identified in the Infrastructure Delivery Plan	<ul style="list-style-type: none"> Identify reasons for lack of implementation. Engage with developers at an early stage to ensure that infrastructure requirements are integrated. Review development management processes to ensure applications are determined in accordance with policy. Consider preparation of further supplementary guidance and/or case studies of best practice. Consider negotiation on individual sites to address viability issues. Identify sources of funding to assist with delivery of public access to waterfront.

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Shoreham Harbour Joint Area Action Plan

Councils Response to Representations on the Proposed Main Modifications

Consultee		Rep No	Comments	Councils' response
1	Hove Civic Society REP/JAAP/PM/01	1	In response to modification 4: In support. Welcomes introduction of references to the Shoreham Heat Network and the marine source heat pump and gas CHP technologies.	Comments noted and support welcomed
2	Sussex Police REP/JAAP/PM/02	1	Suggest making developers aware or requiring a specific standard of Secured by Design via a planning condition.	Comments noted. Councils suggest additional modification to supporting text.
3	Highways England REP/JAAP/PM/03	1	Satisfied that the JAAP's policies will not materially affect the safety, reliability and/or operation of the Strategic Road Network. Would like to be consulted on any future modifications which have the potential to impact upon the network.	Comments noted.
4	Environment Agency REP/JAAP/PM/04	1	In response to modification 2: In support. Supports the inclusion of the term 'natural environment' into the wording of the vision.	Comments noted and support welcomed.
		2	In response to modification 4: In support. Supports referencing 'subject to appropriate environmental permits' in the wording of this section.	Comments noted and support welcomed.
		3	In response to modification 7: In support. Support the addition of the new section '3.6.7' to clarify the requirement for sequential and exceptions tests. Also support modifications to section 3.6.8 which clarifies the position with regards the responsibility for delivery and	Comments noted and support welcomed.

		maintenance of flood defences in the Western Harbour Arm.	
	4	In response to modification 8: In support. Support the modifications to Policy SH6 (1) with regards to flood risk management evidence and policy, in consultation with relevant authorities such as the Environment Agency.	Comments noted and support welcomed
	5	<p>In response to modification 11. In support with amendment. Not considered to be sound due to it not being 'effective' or 'consistent with national policy'.</p> <p>Support modified wording to Policy SH7 (4) and to Policy SH7 (7) which ensure that the plan is effective at conserving and protecting biodiversity. It also ensures compliance with Paragraph 018 of the Planning Practice Guidance. Precise suggested wording is suggested in section 7 of their response to main modification 11 in rep form.</p> <p>Support the modifications in section 3.7.2. Suggest that 'EcIA' is added in brackets after 'Ecological Impact Assessment' to highlight that this is different from Environmental Impact Assessment (EIA).</p> <p>Proposed section 3.7.3 - support the addition of this wording referencing that Adur DC are developing a strategy to ensure protection of intertidal habitats in the Adur Estuary. Suggest that consideration is given as to whether the 'intertidal habitat strategy' should also be included as a clause in the main policy SH (7). Precise wording suggested is shown in section 7 in response to main modification 11 in the rep form.</p> <p>The main modifications wording was not written to be consistent with the <i>Guidance Note for Applicants within Adur DC That Have Developments That Have the Potential to Cause Significant (Harmful or Negative) Impacts to Intertidal Habitats</i>, as this document has been</p>	<p>Comments noted and support welcomed.</p> <p>Councils suggest additional modification to supporting text to include acronym (EcIA).</p> <p>Councils do not support additional modification to Policy SH7 at this stage and do not consider that the plan, as modified, is unsound.</p> <p>Adur District Council, the Environment Agency, Natural England and Sussex Wildlife Trust have jointly prepared a guidance note for development that has potential to impact on intertidal habitats. This clearly reiterates the council's commitment to the mitigation hierarchy (as set out in national policy).</p> <p>The councils recognise that there has been some loss and harmful impact to intertidal habitats as a result of development in Adur (not exclusively relating to the sites allocated in the JAAP). The council is working with these organisations and the South Downs National Park Authority to identify potential areas for habitat creation both within the Adur LPA</p>

			<p>adopted since their drafting. Suggest offering clarity to applicants by referencing the 'intertidal habitat strategy' as a clause in the policy (SH7) with wording that is consistent with the Guidance Note. Also suggest referring to <i>Intertidal Habitat Strategy</i> within this policy so that applicants are clear on which issues they need to consider.</p> <p>Suggest that partner names are removed from the wording because a formal partnership does not exist and they have no control over the production and delivery of the strategy.</p>	<p>area, and within the parts of Adur within the South Downs National Park.</p> <p>The councils have decided that the approach to protecting intertidal habitats will form part of the Green Infrastructure Strategy which is currently being prepared. This will be adopted as supplementary planning guidance, giving greater weight to the council's approach. The councils consider that this is both effective and consistent with national policy.</p> <p>Main modification 11 is not intended to suggest a formal partnership; rather, that the council has been working closely with these organisations. This has continued since the modification was agreed. At their request, the councils suggest an additional modification to remove reference to the Environment Agency and Sussex Wildlife Trust. Nevertheless, the councils expect to continue working closely with these organisations on these and other matters.</p>
5	Historic England REP/JAAP/PM/05	1	No comments to make.	Comments noted.
6	Sustrans REP/JAAP/PM/06	1	<p>In response to modification 3.9.5 & 3.9.7. Support with amendment. Legally compliant, however not sound (as not consistent with national policy).</p> <p>Little reference for developments to include facilities and access for</p>	<p>Comments noted and support welcomed.</p> <p>The specific paragraphs referred to in the representation relate to place-making and the quality of design of the public realm elements.</p>

		<p>people to cycle. References NPPF para.110 which states that development applications should first give priority to pedestrian and cycle movements.</p> <p>Suggest adding specific reference to requiring adequate cycle parking and access routes for people cycling. Could also include desirability of access to NCN2 and also reference to infrastructure proposed in the Local Cycling and Walking Infrastructure Plan (LCWIP).</p>	<p>As such they do not refer to facilities for walking and cycling. However, the councils consider that these are addressed elsewhere in the plan.</p> <p>Policy SH5(3) requires the layout and streetscape of allocations to be designed to give priority to pedestrians and cyclists.</p> <p>Policy SH4(4) requires development to contribute to the measures identified in the Shoreham Harbour Transport Strategy, including better cycling and pedestrian routes and facilities.</p> <p>Adur & Worthing Councils are currently developing an LCWIP. This will not cover the part of the regeneration area in Brighton & Hove. The Shoreham Harbour Transport Strategy identifies key walking and cycling routes and has been agreed by the project partners. The LCWIP will incorporate some of these proposals</p> <p>West Sussex County Council has recently completed a feasibility study for a high quality segregated cycle route along the A259 between Shoreham-by-Sea and the Brighton & Hove boundary. Brighton & Hove City Council is working on the connection between this, and the existing seafront cycle route from Hove Lagoon. It is anticipated that the</p>
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				<p>NCN2 cycle route would be rerouted to use this new cycle link, whilst retaining the current route as alternative provision. The councils have been working closely with Natural England on the route and delivery of the England Coast Path through the area.</p> <p>The councils consider that the plan is consistent with national policy. The councils suggest an additional modification to include reference to the emerging LCWIP.</p>
7	Natural England REP/JAAP/PM/07	1	In response to modification 2. Support. Welcomes insertion of 'natural environment' to the 'Vision'.	Comments noted and support welcomed.
		2	<p>In response to modification 11. Support with amendment. Legally compliant but not Sound (as it is not 'effective').</p> <p>Recommend amendments to wording of Policy SH7. Precise wording suggested in section 6 in rep form. Support modified wording in Policy SH7 with regards to 'like-for-like' compensatory habitat. Policy SH7 should be modified to bring it into line with the <i>Guidance note for applicants within Adur DC that have developments that have the potential to cause significant (harmful or negative) impacts to intertidal habitats</i>, by referencing the intertidal habitat strategy with wording consistent with guidance note.</p> <p>Suggests some wording to be added as a clause within Policy SH7. Precise wording is provided in section 7 of NE's response to modification 11.</p> <p>Support amendments to supporting text in para. 3.7.2.</p>	<p>Comments noted and support welcomed.</p> <p>See response to representation REP/JAAP/PM/04.</p>

			Support addition of supporting text in para. 3.7.3. The strategy referred to here should be added as a clause in Policy SH7.	
8	Sussex Wildlife Trust REP/JAAP/PM/08	1	In response to modification 2. Support.	Comments noted and support welcomed.
		2	In response to modification 16. Support.	Comments noted and support welcomed.
		3	In response to modification 22. Support.	Comments noted and support welcomed.
		4	<p>In response to modification 11. Support with amendment. Unsound because it is not 'positively prepared'.</p> <p>Support the proposed main modification made to clause (4) of policy SH7 to ensure it reflects section 165 of the NPPF (2012). Welcome the proposed main modification to clause (7) and the proposed like for like compensation.</p> <p>Suggest that main modification 11 does not entirely secure a commitment to a compensation strategy in the policy wording of SH7 clause (7). It is imperative that a consistent and practical strategy is drawn up to address matters where avoiding habitat loss is not possible. Suggest that to ensure the plan is positively prepared a commitment to the compensation strategy in policy wording would provide clarity and commitment to this approach.</p> <p>Support the modification made to section 3.7.2. and seek a minor change to the main mod proposed to ensure that Ecological Impact Assessment has its acronym EclA in brackets to ensure that there is no confusion with an Environmental Impact Assessment (EIA).</p> <p>Support 3.7.3 referencing the fact that Adur DC is developing a strategy to ensure the protection of intertidal habitats in the Adur Estuary and identify suitable locations for compensatory habitat creation. Would</p>	<p>Comments noted and support welcomed.</p> <p>See response to representation REP/JAAP/PM/04</p>

			<p>like to see commitment to the compensation strategy within the policy wording for SH7 as this carries most weight.</p> <p>Would like their name to be removed from the JAAP as they believe that their involvement does not constitute a formal partnership.</p>	
9	<p>Southern Water</p> <p>REP/JAAP/PM/09</p>	1	No comments to be made.	Comments noted
10	<p>Marine Management Organisation</p> <p>REP/JAAP/PM/10</p>	1	<p>Support with amendment.</p> <p>Under section 1.10.11 in the Proposed submission Shoreham Harbour Joint Area Action Plan, there is reference to the South Marine Plan in line with MCAA: 58(3). "A public authority must have regard to the appropriate marine policy documents in taking any decision which relates to the exercise of any function capable of affecting the whole or any part of the UK marine area". However, in your action plan the South marine plan is stated as being "prepared", which is no longer the case. The South inshore and offshore marine plans were adopted in June 2018 and should be referenced as such in your plan, in line with MCAA: 58(3).</p>	<p>Comments noted and support welcomed.</p> <p>Councils suggest minor modification to update reference to marine plan.</p>
11	<p>South Downs National Park</p> <p>REP/JAAP/PM/11</p>	1	No comments to be made.	Comments noted.

Additional modifications proposed by the councils

Additional Modification Number	Reference	Amendment	Reason
80	JAAP	1.10.11 The Marine Management Organisation adopted is preparing the South Inshore Marine Plan in June 2018 . This covers the south coast and tidal rivers between Folkestone and the River Dart, Devon.	Factual update to reflect status of marine plan. In response to representation from Marine Management Organisation (REP/JAAP/PM/10)
81	Additional Modification 22	Footnote refers to paragraph 8 of the NPPF (2018). This is now paragraph 7 of the NPPF (2019). All other references to NPPF (2018) updated to refer to NPPF (2019).	Factual update to reflect revised NPPF (2019).
82	JAAP	New paragraph after 3.5.15 and subsequent paragraphs renumbered: Adur & Worthing Councils have committed to producing a Local Cycling and Walking Infrastructure Plan (LCWIP) to improve safe routes for walking and cycling, and seek funding to implement these. The LCWIP will incorporate proposals identified in this plan and the Shoreham Harbour Transport Strategy.	Modification is response to representation from Sustrans (REP/JAAP/PM/06)
83	MM - 11	Policy SH7 (4): All development applications must be accompanied by up to date ecological information to ensure no net loss and seek to provide a net gain to biodiversity, in particular to Habitats of Principal Importance (formerly known as BAP habitats). The indirect impacts of development, such as recreational disturbance, on designated nature conservation sites and other significant habitats must be considered. Appropriate mitigation must be identified, along with the means for its delivery and maintenance. 3.7.2 New development within the regeneration area harbour is expected to be outstanding from an environmental perspective and all opportunities to promote biodiversity need to be considered. The councils will require the submission of an Ecological Impact Assessment (EcIA) carried out in accordance with British Standards (BS42020:2013 Biodiversity – Code of practice for planning and development) and CIEEM guidance, or subsequent updates. Ecological impacts should be assessed and recommendations for appropriate mitigation, compensation and enhancement	Modification to policy corrects a missing word. Modification to supporting text 3.7.2 adds acronym (EcIA) for Ecological Impact Assessment in order to distinguish it from Environmental Impact Assessment (REP/JAAP/PM/04, REP/JAAP/PM/07, REP/JAAP/PM/08). Modification to supporting text 3.7.3 removes specific reference to Sussex Wildlife Trust and Environment Agency at their request (REP/JAAP/PM/04 , REP/JAAP/PM/08). In response to representations from Natural England, Environment Agency and Sussex Wildlife Trust

		<p>made. Negative impacts should be avoided wherever possible. It is possible to significantly reduce negative impacts of development on the ecology of an area through mitigation measures. Any potential wildlife habitats that will be lost or negatively impacted as a result of development will need to be compensated for and enhanced wherever possible.</p> <p><u>3.7.3 There is potential for development at the Western Harbour Arm to lead to loss of, or harmful impact to, intertidal habitats in the River Adur. Adur District Council is currently working with partners including Sussex Wildlife Trust and the Environment Agency to develop a strategy to address this issue, and identify suitable locations for compensatory habitat creation. Nevertheless, developers will be required to demonstrate that impacts cannot be avoided before mitigation and/or compensatory measures are considered.</u></p>	(REP/JAAP/PM/04, REP/JAAP/PM/07, REP/JAAP/PM/08).
84	JAAP	<p>3.9.3 Improvements to the public realm (streets and public spaces) provide an opportunity to enhance the quality, character and distinctiveness of the harbour. Good use of ‘natural surveillance’, natural and artificial light and careful siting of buildings and street furniture can improve the layout of an area, reduce perceived and actual crime and opportunities for anti-social behaviour, and make an area more pleasant to use. <i><u>Secured by Design provides further guidance on incorporating crime prevention measures into development.</u></i></p>	In response to representation from Sussex Police.

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Report to Adur District Council, Brighton and Hove City Council, and West Sussex County Council

by Anne Napier BA(Hons) MRTPI MIEMA CEnv

an Inspector appointed by the Secretary of State

Date: 31 July 2019

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Shoreham Harbour Joint Area Action Plan

The Plan was submitted for examination on 31 May 2018

The examination hearings were held on 19 and 20 September 2018

File Ref: PINS/Y3805/429/7

Abbreviations used in this report

AA	Appropriate Assessment
ALP	Adur Local Plan 2017
AQMA	Air Quality Management Area
AMR	Authority Monitoring Report
B&HCP1	Brighton and Hove City Plan (Part 1) 2016
DtC	Duty to Co-operate
HRA	Habitats Regulations Assessment
LDS	Local Development Scheme
LP	Local Plan
MHCLG	Ministry of Housing, Communities and Local Government
MM	Main Modification
NPPF	National Planning Policy Framework
NPPF18	Revised National Planning Policy Framework 2018
PPG	Planning Practice Guidance
RP	Shoreham Harbour Regeneration Partnership
SA	Sustainability Appraisal
SPA	Shoreham Port Authority
SPD	Supplementary Planning Document
SCI	Statement of Community Involvement
VDS	Whole Plan Viability and Deliverability Study 2018

Non-Technical Summary

This report concludes that the Shoreham Harbour Joint Area Action Plan provides an appropriate basis for the planning of the identified regeneration area, provided that a number of main modifications [MMs] are made to it. The Councils have specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the examination hearings. Following the hearings, the Councils prepared schedules of the proposed modifications and carried out sustainability appraisal of them. The MMs were subject to public consultation over a six-week period. In some cases, I have added consequential modifications where necessary. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Clarification of the approach required within the Plan area for decentralised and renewable energy, with clear and specific guidance, including in relation to the Shoreham Heat Network and its potential impact on sites within the regeneration area;
- Robust support for identified protected employment areas;
- Clarity on the required approach to flood risk assessment on non-allocated 'windfall' sites, a requirement to consider the most up-to-date flood risk evidence, and strengthened consequential protection for the environment and sites elsewhere;
- A requirement for the provision of up-to-date ecological information for all development applications, and clear guidance on the need for like-for-like compensatory habitats;
- Identification of the need for air quality impact assessments for development proposals;
- Clarification of the approach to public open space and green infrastructure, including that provided by the proposed segregated cycle route along the A259 corridor;
- Amendments to the requirements for the assessment of the design of development proposals, including the provision of public art, and the impact of proposals on existing living conditions of neighbouring occupiers and those of potential future occupiers;
- Identifying the need to consider the navigational safety of vessels in the harbour mouth; and
- The provision of a robust monitoring mechanism to support the delivery of the Plan.

Introduction

1. This report contains my assessment of the Shoreham Harbour Joint Area Action Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework 2012 (NPPF) (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised NPPF was published in July 2018 and further revised in February 2019. It includes a transitional arrangement in paragraph 214 which indicates that, for the purpose of examining this Plan, the policies in the 2012 NPPF will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this report are to the 2012 NPPF and the versions of the PPG which were extant prior to the publication of the 2018 NPPF.
3. The Joint Area Action Plan (the Plan) has been prepared by the Shoreham Harbour Regeneration Partnership (RP), which has been established between Adur District Council, Brighton & Hove City Council, West Sussex County Council (the local planning authorities) and the Shoreham Port Authority (SPA).
4. The starting point for the examination is the assumption that the local planning authorities have submitted what they consider to be a sound plan. The Shoreham Harbour Joint Area Action Plan, submitted in May 2018, is the basis for my examination. The May 2018 Submission version is the same document as the November 2017 Publication version but corrects a formatting error in the earlier printed version.

Main Modifications

5. In accordance with section 20(7C) of the 2004 Act, the Councils requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and not legally compliant and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM01, MM02, MM03** etc, and are set out in full in the Appendix.
6. Following the examination hearings, the Councils prepared a schedule of proposed MMs and carried out sustainability appraisal of them. The MM schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report.

Policies Map

7. The Councils must maintain adopted policies maps which illustrate geographically the application of the policies in the adopted development plans. When submitting a local plan for examination, the Councils are required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as the Adur Policies Map 2017 (and Inset Map 4) and the Brighton & Hove Policies Map 2018 (and Inset Map – Shoreham Harbour Regeneration Area), as set out in the Core Submission Documents (Refs CSD02-01 - CSD02-03 and CSD03-01 - CSD03-03). The maps in the Plan, including detailed extracts, reflect these policies maps (Maps 1-12).
8. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, there are some instances where the geographic illustration of policies on the submission policies maps are not justified and changes are needed to ensure that the relevant policies are effective.
9. These further changes to the policies maps were published for consultation alongside the MMs and were included in the Schedule of Proposed Additional Modifications to the Plan, January 2019 (<https://www.adur-worthing.gov.uk/shoreham-harbour-regeneration/main-modifications/>).
10. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Councils will need to update the adopted policies maps to include all the changes proposed in the Adur Policies Map 2017, the Brighton & Hove Policies Map 2018 and Maps 1-12 of the Plan and the further changes published alongside the MMs.

Consultation

11. I am satisfied that sufficient opportunity for comment has been provided for those who wished to make representations on the Plan in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012. I have taken into account all comments made.

Assessment of Duty to Co-operate

12. Section 20(5)(c) of the 2004 Act requires that I consider whether the Councils complied with any duty imposed on them by section 33A in respect of the Plan's preparation.
13. The RP in its current form was formally established in 2011, partly to produce a joint area action plan for the Shoreham Harbour Area, which falls within the administrative areas of three local planning authorities. A Joint Leaders Board and Joint Project Board oversee the work of the RP and several subject specific sub-groups. The approach taken to the joint production of an action plan for the area inherently demonstrates a strong commitment to the principles of co-operation with other authorities.

14. It is clear from the evidence provided, including the Statement of Compliance with the Duty to Cooperate (DtC), the Statement of Joint Working and Cooperation with the Environment Agency, and Statement of Common Ground between the Shoreham Harbour planning authorities (including East Sussex County Council and the South Downs National Park Authority) and the SPA, that the RP has engaged constructively with relevant bodies prescribed in s110 of the Localism Act 2011, together with other organisations.
15. This includes neighbouring planning authorities, including minerals and waste planning authorities, the South Downs National Park Authority, as well as other bodies, such as the Environment Agency and Highways England. This engagement has ensured that strategic issues with the potential for cross boundary impacts are considered and suitably addressed within the Plan, including the safeguarding of mineral wharves, flood risk and transport.
16. Overall, I am satisfied that where necessary the Councils have engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the DtC has therefore been met.

Assessment of Soundness

Background

17. Shoreham Harbour is an active and vibrant commercial port, that is nationally important for the supply of mineral resources, particularly for the south-east of England. The port includes a number of established businesses, which require harbour locations to support their activities. However, over time, a number of sites within the harbour area have become vacant or are occupied by uses that do not require access to the port to operate.
18. Within this context, a regeneration strategy for the harbour area has been developed, which represents the culmination of a number of years' work. Broadly, it seeks to unlock vacant or underused previously developed sites and consolidate port related activities within the eastern harbour arm, with the western harbour arm redeveloped for other uses, primarily residential and mixed use. The Plan, as indicated in paragraph 1.7.4, is intended to supersede existing adopted development briefs for the mixed-use allocations.

Main Issues

19. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified nine issues upon which the legal compliance and soundness of the Plan depends. Under these headings my report deals with the main matters of soundness and legal compliance rather than responding to every point raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

Issue 1 – Whether the Plan would be consistent with, and justified in the context of, the existing development plans for the area and national planning policy?

20. The area covered by the Plan lies within the administrative areas of Brighton & Hove City Council, which is a unitary authority, and Adur District Council and West Sussex County Council. The development plans for the area currently comprise the *Adur Local Plan 2017 (ALP)* and the *Brighton & Hove City Plan (Part 1) 2016 (B&HCP1)*, the *West Sussex Joint Minerals Local Plan 2018*, the *West Sussex Waste Local Plan 2014*, and the *East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013* and *Waste and Minerals Sites Plan 2017*.
21. It is clear, from the evidence provided, that the proposed regeneration of the area represents a long-held aspiration that is fully supported by the policies and aims of the ALP and B&HCP1. Furthermore, it is evident the Plan has been prepared within the context of these existing plans and the waste and minerals plans for the area.
22. The introduction to the Plan highlights the need for development proposals to comply with the development plan. However, to be consistent with national policy and appropriately reflect relevant legal requirements, it is necessary to amend paragraph 1.1.3 to include reference to the potential for material considerations to justify decisions otherwise than in accordance with the development plan. This is addressed by **MM01**.
23. The document includes a spatial strategy and area-wide policies, followed by specific policies for each of the seven character areas that make up the wider regeneration area. These areas are clearly defined and this structure represents a logical and effective approach to addressing the various issues identified for the Plan area as a whole. I find this approach soundly based.
24. The Plan area is identified within both the ALP and the B&HCP1 as an area for growth, with significant levels of new housing and economic development, together with environmental improvements and a focus on achieving development that supports more sustainable energy use. The Plan provides detailed policies to support the implementation of this strategy, with different types and scales of development proposed for each character area.
25. The evidence, including the Sustainability Assessment (SA), demonstrates that this approach has evolved and developed over time. The evolution of the strategy for the area indicates that the overall scale of growth proposed was modified as part of the wider plan making process, to reflect what was considered to be achievable, within current economic and environmental constraints. Moreover, in developing the strategy for growth and regeneration of the Plan area, a number of alternative approaches were considered and discounted. This is clearly set out within the SA.
26. The scale and type of development identified within the Plan is consistent with that identified in the adopted higher-level plans for the area. Within the Plan area, four allocations are proposed to be the focus for development: Aldrington Basin (Policy CA2); South Portslade (Policy CA3); Southwick Waterfront (Policy CA5); and Western Harbour Arm (Policy CA7). Three of the

allocations are identified for mixed-use development, with Southwick Waterfront proposed for employment-based development only.

27. Within the allocations, all sites that were assessed as developable have been identified for development. However, no upper limit, or cap, is proposed for development within the Plan area and the policies of the Plan would enable the assessment of additional sites that may come forward for development, so-called 'windfall' sites.
28. Consequently, I find the approach within the Plan is justified and represents an effective and sufficiently flexible mechanism for the delivery of development and the positive regeneration and enhancement of the Plan area. Subject to the modifications below, the Plan would be consistent with, and justified in the context of, the existing development plans for the area and national planning policy.

Issue 2 – Whether the Plan would be effective in addressing the challenges of climate change, and promoting energy efficiency and the sustainable use of resources?

29. The vision of the plan, as set out within the spatial strategy, is to maximise the potential of the area for the benefit of existing and new residents, businesses, port-users and visitors through long-term regeneration. The first objective, within this strategy, seeks to ensure that the development and use of land associated with this regeneration contributes to the mitigation of adaptation to climate change.
30. Both the ALP and the B&HCP1 include sustainability requirements for new developments, in the form of statements to accompany proposals, or standards and issues to be addressed. Furthermore, both the ALP and the B&HCP1 include requirements for water efficiency, which are reiterated within the Plan, as well as standards for non-residential development. The Plan requires non-domestic floorspace to achieve a standard of BREEAM 'Excellent', which matches that of the B&HCP1, but is higher than the 'Very Good' required in the ALP.
31. There is nothing before me that leads me to consider that such a requirement would not be feasible or viable within the plan area. Moreover, whilst this would introduce an element of discrepancy between the Plan and the ALP, given the overall benefits gained from consistency across the relatively limited regeneration area, the national planning policy support for addressing the challenges of climate change, and the wider environmental benefits that would result, I consider that this approach is justified and would be soundly based.
32. The Plan outlines previous studies undertaken that have highlighted the potential of the harbour area to contribute significantly to meeting the renewable energy needs of the sub-region. This is a position supported by the Port, which has been identified as having the potential to be a hub for renewable energy generation and waste heat distribution and has been granted EcoPort status in recognition of its commitment to addressing climate change.

33. The submissions demonstrate that considerable work has been undertaken in relation to the development of a heat network within the Plan area. Whilst this project remains at a relatively early stage of development, it clearly has significant support and a number of detailed technical feasibility studies have been undertaken to support its development. The Plan appropriately reflects the intended development of the heat network, including in relation to the extent and type of development proposed and, subject to the modifications identified below, is positively prepared in this respect.
34. The plan sets out a hierarchy of demand reduction, efficient energy supply, and renewable energy provision as the most cost-effective means of reducing energy consumption and greenhouse gas emissions for new development. The criteria of Policy SH1 appropriately reflect this approach. However, as worded, the policy and supporting text are ineffective, as they are not sufficiently clear in setting out how this policy is expected to be delivered across the plan area.
35. It is necessary to amend Policy SH1, to include explicit support for low and zero carbon energy generation, including solar photovoltaics. This will positively reflect the supporting text to the policy and ensure that the Plan is consistent with both national policy and the approach in Policy 19 of the ALP.
36. Evidence indicates that it is significantly more cost effective to connect buildings designed with a centralised heating system, than to retrofit those without such a system. Consequently, for clarity and to ensure its effective implementation, Policy SH1 should be modified to clearly identify that all development across the regeneration area is expected to apply the heating/cooling hierarchy and be designed to be ready for connection to a heat network, where no network is in place.
37. Furthermore, for similar reasons, the need for developments to meet identified specification requirements, including the siting of plant rooms, should be clearly identified within the policy. Moreover, in order to be effective and positively prepared, Policy SH1 should also be amended to clearly identify the need for development within the identified Shoreham Harbour Heat Network Area to connect to district heat networks, where they exist.
38. To be justified, the supporting text to the policy should be amended, to include reference to the national and local policy context for low carbon and energy efficient development. Furthermore, as currently worded, the plan does not clearly articulate a hierarchical preference for the various heating and cooling systems listed. This issue can be overcome by a clear identification of the preferred hierarchy, with a separation of the system options from the technology choices within hierarchy.
39. Additional supporting text is necessary, to set out clearly the approach to heating and cooling systems, including the requirement for a feasibility assessment for the chosen system, to ensure that the policy will be effective. Furthermore, for clarity and to be effective, it is necessary to provide guidance within the text on the requirements for such assessments. For similar reasons, indicative space requirements for plant rooms and operational requirements for such systems should also be included within the text, to support the implementation of the policy.

40. These policy requirements were assessed as part of the Whole Plan Viability Study and, from the available evidence, I am satisfied that they would not compromise delivery of development or prejudice the effective regeneration of the area. However, to ensure Policy SH1 remains effective and provides sufficient flexibility to take account of changing circumstances, it is necessary to identify clearly within the supporting text the need for viability assessments and their requirements, to support proposals where the developer considers that compliance with the heating and cooling hierarchy would render the proposed development unviable.
41. To provide sufficient clarity and to support the effective delivery of the policy, the supporting text should be reorganised, with the guidance and requirements for the provision of heating and cooling networks, applicable across the whole plan area, preceding more specific details about the Shoreham Heat Network. Moreover, for the same reasons, the additional requirement for development within the Shoreham Heat Network, including the allocated sites in and around the Western Harbour Arm, to connect to the proposed network once complete should be made explicit within the supporting text. All the above alterations are addressed by **MM04**.
42. In addition, changes are also required to the text and policies for the Harbour Mouth and Western Harbour Arm character areas. To be positively prepared and effective, Policy CA6 should be amended, to include support for the development of infrastructure necessary to deliver the Shoreham Heat Network, which would reflect the current status of the project. Additional supporting text is also necessary, to include support for the delivery of the heat network within the area priorities for the Harbour Mouth and to refer to the intended technology and location of the abstraction and discharge point for the marine source heat pumps. These changes would be addressed by **MM17** and **MM18**.
43. For the same reasons, similar modifications are required to Policy CA7, to include support for the heat network and, for consistency and completeness, to identify the need for development within the Western Harbour Arm to connect to the network, once constructed. Amendments are also required to the area priorities and the supporting text, to reflect these changes. **MM19** would satisfactorily address these necessary alterations.
44. Subject to these modifications, I find that the Plan would be effective in addressing the challenges of climate change and promoting energy efficiency and the sustainable use of resources.

Issue 3 – Whether the Plan has been positively prepared with regard for the activities and requirements of Shoreham Port and justified in respect of the quantitative and qualitative mix of floorspace and land proposed for economic development?

45. It is clear from the examination submissions that SPA has been an active partner within the RP and the retention of a thriving commercial port is seen by the Councils as an integral part of the regeneration proposals for the plan area. The port serves a variety of firms and is a significant local employer. The Port Masterplan, produced by the SPA, aims to significantly increase the

trade capacity of the port, which would in turn have the potential to increase port related employment.

46. The masterplan seeks to consolidate port related activities within the harbour, which would enable the modernisation of the port and secure its important role within the economy. The consolidation of port activities within the Eastern Arm, Canal and South Quayside would largely occur through the relocation of existing uses and maximising the potential of vacant and underused sites. This would also enable the redevelopment of land within the Western Harbour Arm for non-port related developments.
47. The evidence base demonstrates that the Plan has been prepared to take account of, and is consistent with, the intentions of the Port Masterplan. Moreover, as the SPA is a main landowner within the port, this provides further confidence that the aspirations for the retention, consolidation and expansion of the port activities, as set out within the Plan and masterplan, have a reasonable likelihood of being realised.
48. Wharves within the port are vital to the supply of aggregates to support new development in the region, which is recognised within the Plan. In addition, a number of waste management facilities are situated within the port area. It is clear, from the evidence provided, that the approach to regeneration within the Plan, including the consolidation and relocation of existing development, has been prepared to take full account of these facilities.
49. I am satisfied that the approach proposed within the Plan would not compromise their continued operation in line with the respective waste and minerals plans for the area. Moreover, the continued cooperation and collaboration between the various authorities and the RP has been recognised in the completion of a Statement of Common Ground between the various bodies concerned, providing further confidence in this respect.
50. However, as currently worded, the Plan is not positively prepared, as artificial lighting associated with development within the Western Harbour Arm could compromise the safety of vessels and their crew leaving and entering the port. Consequently, it is necessary to amend Policy CA7, to require development proposals to address potential implications for navigational safety. This would ensure that the interests of the port in these respects are adequately safeguarded and would not be prejudiced by development within the Plan. **MM19** would appropriately address this matter.
51. The total area of employment land and floorspace allocated within the Plan reflects the requirements for the area identified in the ALP and B&HCP1. This is clearly set out within Policy SH3, and Policies CA2, CA3, CA5 and CA7 identify the respective allocations for this proposed development.
52. The specific identified requirements of the respective Councils are reflected in the allocations proposed, which would provide a range of employment land and premises to help to strengthen and support the local economy. The Plan reflects a clear understanding of the economic needs of the area and is based on local and strategic economic strategies, which positively encourage sustainable economic growth and identify the Plan area as a strategic location for such growth. This is reflected in the priorities of the Local Strategic

Statement, prepared by the Coastal West Sussex and Greater Brighton Strategic Planning Board, which supports the development of strategic sites within the Plan area by prioritising the infrastructure improvements needed to enable sites to be delivered.

53. The process followed for site identification and selection is evidenced through the supporting documents and the SA. This demonstrates that the process was iterative, with sites identified through the Port Masterplan, employment land reviews, the Shoreham Harbour Capacity and Viability Study and the preparation of the Shoreham Harbour Development Briefs. As part of this process, the relationship of the identified sites to the port was fully considered and, as a result, several of the identified sites have been allocated primarily for employment use, rather than residential or mixed-use. Having regard to the full range of evidence available to me, I am satisfied that the process followed was clear, robust and justified.
54. To contribute to meeting forecast needs, the Plan also seeks to ensure that suitable employment land and premises are safeguarded and upgraded, with some existing employment areas protected within the relevant character area policies. However, in this regard, the Plan does not adequately consider the potential for changes of use of employment premises through the use of provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015.
55. In this respect, therefore, the Plan is not positively prepared and the relevant character area policies would not be effective. Consequently, it is necessary to include additional supporting text to Policy SH3, to identify a robust monitoring mechanism for the use of land within the identified protected employment areas, with the potential for intervention, if required, to seek to remove permitted development rights. Given the identified need to protect these employment areas, for the wellbeing of the wider area, I am satisfied that such an approach would be justified. This is addressed by **MM05**.
56. In addition, for effectiveness, it is necessary to amend Policy CA3, to ensure that it correctly refers to the full range of employment development considered acceptable for the southern portion of the allocated site SP6. This is addressed by **MM15**.
57. For these reasons, subject to the above modifications, I find that the quantitative and qualitative mix of employment floorspace and land proposed for economic development would be justified and the plan is soundly based in this regard. Together with the ALP and the B&HCP1, the Plan would provide an appropriately flexible and responsive policy framework that would meet the identified requirements for the area, including the activities and requirements of Shoreham Port.

Issue 4 – Whether the Plan has been positively prepared in respect of the scale and mix of housing to meet the identified needs of different groups in the community over the plan period?

58. Both the ALP and the B&HCP1 designate Shoreham Harbour as a broad location for development, with minimum targets for housing delivery within the Plan area of 1,100 homes in Adur and 300 homes in Brighton & Hove. The

policies and allocations of the Plan would meet these targets. As such, if delivered, the scale of development proposed would play an important part in helping to meet the significant housing shortfall across the whole coastal area, which is recognised within the Local Strategic Statement, as well as within both the ALP and B&HCP1.

59. Currently, however, Objective 4 of the spatial strategy is misleading, as it suggests that the provisions of the Plan would address these shortfalls, which is not the case. To be positively prepared and justified, and to accurately reflect the position of the Plan in the overall hierarchy of development plan documents, it is necessary to clarify that, rather than addressing these needs, the Plan would contribute to meeting them. These changes are addressed by **MM06**.
60. Both the ALP and the B&HCP1 have a number of policies addressing housing mix, tenure and affordable housing. Policy SH4 of the Plan requires development to provide a mix of dwelling types, sizes and tenures in accordance with identified local needs and to provide affordable housing in accordance with the higher-level policies. In addition, whilst adopted policies in both the ALP and the B&HCP1 address national planning policy requirements for inclusive design and accessible environments, it is appropriate that these matters are also addressed by Policy SH9, which is considered below.
61. Policy SH9 explicitly addresses place making and design quality. The opportunity for higher density development and anticipated likely provision of smaller dwellings on the allocated sites within the Plan area, including those in the Western Harbour Arm, is consistent with the overall approach to housing mix within both the ALP and the B&HCP1 and the evidence of objectively assessed need for both Council areas.
62. In addition to Policy SH4, the three allocations for residential and mixed-use development, and the individual sites within them, are identified in Policies CA2, CA3 and CA7. The supporting documents and the SA demonstrate that as with the sites proposed for employment development, the process followed for site identification and selection was iterative. Sites were identified and assessed through the Port Masterplan, the Shoreham Harbour Capacity and Viability Study and the preparation of the Shoreham Harbour Development Briefs, including in relation to capacity. The sites are also included within the respective Councils' Strategic Housing Land Availability Assessments.
63. As part of this process, several of the initially identified sites were not allocated primarily for residential or mixed-use, due to the potential relationship of these sites to the port. As with the employment sites, having regard to the full range of evidence available to me, including that within the SA, I am satisfied that the site identification and selection process is clear, robust and justified.
64. An assessment of projected housing delivery over the Plan period identifies the potential to deliver a total of 1,790 net dwellings, which exceeds the minimum

delivery requirement identified above. Furthermore, the details provided¹ indicate that a significant proportion of these dwellings will be provided by 2022, with some 731 dwellings expected to be completed within Adur and some 124 dwellings in Brighton & Hove.

65. Given the evidence of housing delivery within the area since the start of the Plan period, including sites under construction, coupled with the approach taken by the Councils to continued engagement with landowners and developers, I am satisfied that the housing delivery identified has a reasonable prospect of being achieved. As such, the Plan is likely to make a significant and meaningful contribution to housing land supply within the area.
66. For the above reasons, I find that the Plan is soundly based in this regard. It has been positively prepared in respect of the scale and mix of housing to meet the identified needs of different groups in the community over the plan period, and appropriately supports and is consistent with the existing policies of the respective development plans on these matters.

Issue 5 - Whether the Plan positively and effectively addresses identified transport and flood risk constraints?

Transport

67. The Plan recognises that transport improvements will be required to support the scale and type of development proposed and reduce existing and future impacts from traffic congestion, including related air quality and noise impacts. To this end, the Shoreham Harbour Transport Study provides evidence for the ALP and the Shoreham Harbour Transport Strategy 2016, which was developed alongside the Plan.
68. The necessary mitigation measures identified in the Transport Study were considered as part of the examination of the ALP and found sound. There is nothing before me that leads me to consider that circumstances have materially altered since that time. These mitigation measures have been included within the Transport Strategy. The evidence provided indicates that these measures are now being delivered as sites come forward, or as funding becomes available.
69. The Plan includes reference to the Transport Strategy and the package of integrated transport measures, which is envisaged will guide the provision of transport infrastructure to support the regeneration proposed. These measures focus on improvements to the existing road network and encouragement for the use of sustainable modes of transport.
70. As well as identifying significant traffic issues within the area, the Plan identifies the potential for significant improvements to the current environment for pedestrians and cyclists. A long-distance footpath currently crosses the Plan area, with part of the route of the England Coast Path also

¹ Councils' Matters Statement 4 Appendix A

envisaged to be included. A national cycle route also runs through the area and the Transport Strategy identifies the provision of a core cycle route along the A259 as a critical infrastructure proposal.

71. I am satisfied that the package of measures proposed within the Strategy would clearly support the delivery of the policies and proposals of the Plan and make a significant contribution to addressing key transport constraints. Following consultation, the Councils propose to include reference within the Plan to the commitment to produce a Local Cycling and Walking Infrastructure Plan, to improve safe routes for walking and cycling and to seek funding for their implementation. As this would include proposals identified in the Plan and the Transport Strategy, this would further support the delivery of these measures.

Flood risk

72. The Plan area is coastal, with part of it adjacent to the River Adur and some sites that are low lying. As a result, the approach to flood risk has been appropriately identified as a key issue for the regeneration of the area. The Strategic Flood Risk Assessments for the area identify that, whilst some areas are affected by fluvial and surface water flooding, the most significant risk is presented by tidal flooding.
73. Both the ALP and the B&HCP1 carried out Sequential and Exception tests for flood risk. The relevant reports conclude that the allocation of sites within the Plan area was justified and the tests had been passed, in accordance with national planning policy. There is nothing before me that would lead me to conclude otherwise on this issue. As such, I consider that the allocations are soundly based in this regard.
74. Nonetheless, the Plan does not address the approach to development that may come forward on sites that have not been identified within the character area allocations, so-called windfall sites. Therefore, to be justified and effective, it is necessary to amend the supporting text to Policy SH6, to identify the approach required in relation to the sequential test for the assessment of flood risk on those sites. In particular, to be positively prepared and consistent with national policy, it is necessary to specify the area of search for sites at lower risk of flooding. In this specific case, to support the regeneration of the area in accordance with the policies of the Plan, it is appropriate that the sequential test search area is restricted to the character area in which the proposed development site is situated. This is addressed by **MM07**.
75. To address the issue of flood risk on allocated sites, the RP prepared a Flood Risk Management Guide, which has been adopted as a Supplementary Planning Document (SPD). This provides clear guidance on the approach to flood risk on sites within the Plan area. However, for effectiveness, it is appropriate that additional text is included to support Policy SH6, to clarify that responsibility for the delivery and maintenance of flood defences rests with the landowner, which is a matter that has been taken into account in the assessment of viability and deliverability. **MM07** also addresses this matter.
76. The requirement for development proposals to comply with the principles and approach to flood risk management set out within the SPD is specified in Policy

SH6. However, to be effective, justified and consistent with national policy, it is necessary to amend the Policy to refer to potential updated guidance and include a requirement to take this into account. To be positively prepared, it is also appropriate to amend the policy to make explicit reference to support for the delivery of measures to mitigate flood risk and coastal erosion within the Plan area, as well as to correct a drafting error, to delete duplicated text within the policy. All these matters are addressed by **MM08**.

77. Policy SH6 makes reference to the requirement for flood mitigation, including defences to a given height in specific circumstances. However, it also refers to land raising, as does the supporting text to Policy CA7. Having regard to the concerns expressed by the Lead Local Flood Authorities in this regard, I consider the reference to land raising to be erroneous and misleading, as it implies the creation of new land form, which I understand was not the intention and which would have the potential to have further consequences elsewhere in terms of flood risk. Consequently, to be effective, justified and consistent with national policy, the references to land raising should be deleted, as identified in **MM09**.
78. For the above reasons, therefore, and subject to the modifications identified, I find that the Plan positively and effectively addresses identified transport and flood risk constraints.

Issue 6 - Whether the policies of the Plan would support the positive management of environmental assets and natural resources, make appropriate provision for green infrastructure and open space, and enable the effective delivery of appropriate recreation and leisure development?

Natural Resources

79. Screening under the Habitats Regulation Assessment (HRA) process was carried out for both the ALP and the B&HCP1, which found that there would be no likely significant effects on any of the identified protected sites. Furthermore, in light of the Wealden judgement,² further specific screening was carried out in respect of the Plan, which concluded that it was not likely to have any significant effects, including potential in-combination impacts, due to the scale and type of development proposed, and the relationship and distance of Shoreham Harbour to any European designated sites.
80. This assessment has been further supported by additional analysis undertaken for the emerging Brighton & Hove City Plan Part 2, including in relation to Ashdown Forest. The development proposed within the Plan is consistent with that in the ALP and B&HCP1 and there is nothing before me that would lead me to dispute these findings. Furthermore, given the reasons for the assessment that the policies and proposals of the Plan are unlikely to have significant effects, which have been reached without assuming any avoidance or mitigation measures, the recent Court of Justice of the European Union

² Wealden V SSCLG [2017] EWHC 351Admin

(CJEU) judgement³ is not of direct consequence for the Plan. As such, I consider the HRA requirements to have been adequately addressed.

81. Whilst much of the regeneration area comprises previously developed land, it also includes important environmental assets and falls within The Living Coast Brighton & Lewes Downs Biosphere. The conservation and enhancement of these assets and the natural resources of the area represents a further key objective for its regeneration. To this end, to ensure that the Plan is justified and effective, it is necessary to amend the vision for the regeneration of the area, in paragraph 2.1, to make specific reference to providing benefits to the natural environment, as set out in **MM02**.
82. The impact of the proposed regeneration of the area on natural resources and biodiversity has been comprehensively assessed during the plan preparation process, including within the SA, which includes a specific objective in this regard. The Shoreham Harbour Ecology and Green Infrastructure Study identifies the potential impacts of the development proposed and proposes a number of enhancements. These are reflected within the Plan and include the preparation of a Green Infrastructure Strategy, a green corridor alongside the A259, habitat creation at Portslade and Southwick Beaches, linear intertidal habitat creation at the Western Harbour Arm and green roofs and walls.
83. The Study includes a specific assessment of vegetated shingle within the regeneration area, the existing area of which represents the largest area of this internationally important habitat within Brighton & Hove. However, currently, Policy CA4 only reflects the intention of the RP to promote the enhancement and creation of coastal vegetated shingle habitats. Having regard to the critical role of the RP in the delivery of development within the Plan area, to ensure the plan is positively prepared, it is necessary to amend Policy CA4 to also include reference to delivery of such habitats. This is addressed by **MM16**.
84. The Plan area is located outside, but close to, the Adur Estuary Site of Special Scientific Interest, which has particular ecological significance for its intertidal mudflats. The evidence also demonstrates that the Plan area provides important habitat for birds and reptiles. Policy SH7 appropriately requires that development should ensure no net loss and seek to provide a net gain to biodiversity. However, the policy does not identify a mechanism to assess potential impacts in this regard and, as such, the Plan would be ineffective and not positively prepared. To be effective and consistent with national policy, Policy SH7 should be amended, as set out in **MM11**, to require the submission of up-to-date ecological information with development applications.
85. The Councils acknowledge that there is potential for development within the Western Harbour Arm to have adverse ecological impacts. The evidence base and the SA demonstrate that the likely significant effects in this regard have

³ CJEU judgement (Case C-323/17) in *People over Wind, Peter Sweetman v Coillte Teoranta*

been carefully considered. A guidance note has been jointly prepared by Adur Council, Natural England, the Environment Agency and Sussex Wildlife Trust, for development that has the potential to impact on intertidal habitats, which is intended to be included in the proposed Green Infrastructure SPD.

86. Together with the South Downs National Park authority, these organisations are working to identify potential areas for habitat creation. Moreover, the approach to protecting intertidal habitats is intended to form part of the Green Infrastructure Strategy. This is currently being prepared in two parts, as a SPD, to provide guidance for new development, and as an Action Plan, to guide the delivery of green infrastructure on land owned by the project partners. Currently, however, whilst Policy SH7 includes a commitment to prepare such a strategy, the Plan does not clearly set out the Councils' approach to mitigation, including in relation to identifying the need for and location of like-for-like compensatory habitat.
87. To ensure the policy will be effective in addressing these issues, it is necessary to amend Policy SH7 to confirm that, where impacts on biodiversity cannot be avoided or mitigated, compensatory actions will be required and that like-for-like compensatory habitat should be provided at or close to the site. In addition, consequential alterations to the supporting text are required to refer to the development of a strategy to address this issue.
88. These changes to the policy and supporting text are also addressed by **MM11**. Following consultation on the MM, I have further amended the text, for clarity and flexibility, to remove reference to specific partners in developing the strategy and to include the acronym (EcIA) to distinguish the Ecological Impact Assessment from Environmental Impact Assessment.
89. The Shoreham Heat Network intends to use marine source heat pumps to provide the heat source for the network, which would involve pipes in the water in the Harbour Mouth area. This could result in a temperature change within the water, which in turn may impact on marine ecology. Proposed changes to the Plan to reflect the on-going development of the project are discussed above. However, in addition, to ensure the effective implementation of the project and delivery of the associated development, it is necessary to amend paragraph 3.1.24 of the supporting text to Policy SH1, to make specific reference to the need for appropriate environmental permits. This is also addressed by **MM04**.
90. Due to the risks of flooding identified above, Policy SH6 appropriately restricts the use of basement parking and requires mitigation and emergency planning provisions to be included as part of development proposals. However, the policy does not adequately address the risk of pollution resulting from this type of development. To be effective and consistent with national policy, it is necessary to amend the policy to include reference to drainage and contaminants. This is addressed by **MM10**.

Air quality

91. The Plan area includes two Air Quality Management Areas (AQMAs), which were declared for exceedance of nitrogen dioxide. Air Quality Action Plans exist for both Adur and Brighton & Hove Councils and, in addition, each

Council produces an Air Quality Annual Status Report, which show that significant progress has been made towards achieving air quality objectives.

92. Much of Character Areas 2 and 3 and part of Character Area 7 fall within these AQMAs. The proposals within the Plan were assessed through the SA process for the impacts on air quality, both individually and cumulatively. This identified the potential for mixed positive and negative impacts in areas of new development and in relation to area wide policies supporting new development.
93. As a result, a number of mitigation measures are proposed within the relevant character area and area wide policies, including: reducing the need to travel by car and contributing to behaviour change; the prioritisation of pedestrians and cyclists over vehicular traffic in the layout of new development; infrastructure enhancements; new green infrastructure and improved open spaces; and requirements for air quality impacts and appropriate mitigation to be considered as part of proposals, including measures such as setting back development from main roads. To be effective, it is necessary to amend Policy CA7 to require sufficient set back in this regard, as included in **MM20**.
94. Both the ALP and the B&HCP1 include policies relating to air pollution, which require major development in the plan area to address air quality, contribute to implementing Air Quality Action Plan objectives, and demonstrate that appropriate mitigation measures would be provided. However, whilst requiring the issue to be considered, the Plan does not include a specific requirement for air quality assessment for development proposals. Given the issues identified above and having regard to the potential impacts resulting from the scale of development proposed, I consider that the absence of a specific requirement in this regard for development within the regeneration area would render the plan unsound.
95. Consequently, to be positively prepared and effective, it is necessary to amend Policy SH7 to require all development proposals to be accompanied by an assessment of air quality impacts for existing and future occupants, including cumulative impacts. In this regard, the existing Sussex-wide guidance on assessment methodology would support this requirement, enabling a consistent approach across authorities in the area. **MM12** addresses this issue.
96. Considered overall, therefore, I am satisfied that the Plan would not delay compliance or contribute to any future non-compliance with the Ambient Air Quality Directive (Directive 2008/50/EC).

Open space, green infrastructure and recreation

97. The provision of green infrastructure can have multiple benefits, including in relation to healthy living, through the provision of open spaces and green links. One of the objectives of the Plan is to enhance the leisure, recreation and tourism activities within the harbour area. To this end, Policy SH8 requires the provision of public open space to support new development. However, the extent of provision required is not made sufficiently clear and the requirement for on-site provision within Policy SH8 conflicts with the more flexible approach of the character area policies.

98. Consequently, to be effective and consistent with national planning policy and legal requirements, it is necessary to amend Policy SH8 to clarify that any open space provided should reflect the need generated by the development. In addition, to avoid potential conflict with Policies CA2, CA3 and CA7, it is also necessary to amend Policy SH8 to clarify the approach to the provision of public open space and green infrastructure. Both these matters are addressed by **MM13**.
99. The need to amend Policy CA7 to refer to sufficient space for a segregated cycle route is referred to above. However, in addition to the air quality justification for this change, the route is also necessary in order to deliver green infrastructure improvements. Therefore, to be effective and justified, this purpose should also be clarified within the policy, as set out in **MM20**.
100. Policy SH10 refers to the provision of infrastructure necessary as a result of new development. Paragraph 5.1.20 identifies a number of likely infrastructure requirements for major developments on allocated sites in the Plan area. However, the list of requirements does not identify the need for contributions for green infrastructure. Given the aims and objectives of the Plan, this omission would potentially undermine the approach identified elsewhere in the Plan. Consequently, to ensure effective delivery and in line with **MM22**, it is necessary to include specific reference to contribution to green infrastructure within the list of potential infrastructure requirements.
101. For clarity and to ensure that the Plan is positively prepared and effective, it is necessary to amend paragraph 2.2.19 to include specific reference to the need to plan to meet the recreational and leisure needs of existing communities, as well as those of new development. This is addressed by **MM03**.
102. Accordingly, for these reasons and subject to the modifications identified, I find that the Plan will support the positive management of environmental assets and natural resources, including in respect of air quality, make appropriate provision for green infrastructure and open space, and enable the effective delivery of appropriate recreation and leisure development.

Issue 7 - Whether the Plan will be effective in enabling the regeneration of the Harbour and neighbouring communities, with high quality development, for the benefit of existing and future residents, businesses, port-users and visitors?

103. As part of the regeneration of the area, the Plan seeks to promote high quality design, that maximises its waterfront setting, respects local character and form, and enhances key gateways and public spaces. It also seeks to protect and enhance the area's historic assets, including the Scheduled Monument at Shoreham Fort, listed buildings and Conservation Areas.
104. Policy SH9 addresses place making and design quality and includes a number of requirements for new development. However, as prepared, it is not consistent with national policy and is insufficiently precise to support the effective delivery of these aims, as it does not adequately clarify the design issues that are likely to be considered in assessing a scheme, or provide a sufficiently clear indication of how a decision maker is likely to react to a proposal.

105. To address these issues with regard to the public realm, it is necessary to amend the policy to include specific reference to the requirement to consider key design aspects of the public realm elements of proposals, such as its purpose and function, access and linkages, uses and activities, comfort, image and sociability.
106. In addition, for similar reasons, it is also necessary to amend the policy, so that it is consistent with the ALP, B&HCP1 and the Community Infrastructure Levy Regulations 2010, to clarify that public art is expected to be delivered on site, as an integral part of the design of the development, as part of the drive to improve the quality of the built environment through the regeneration process, rather than provided through financial contributions.
107. To be consistent with national policy and effective, Policy SH9 should also be amended to make specific reference to the need for all development proposals to demonstrate a high standard of design that will enhance the visual quality of the environment and include the requirement for development to make a positive contribution to the creation of places that are safe, inclusive and accessible, which promote health and well-being.
108. Currently, the policy implies a requirement for new residential development to meet a specific external space standard. No such standard is proposed and, as such, to be justified, effective and ensure sufficient flexibility in approach, it is necessary to amend the policy to require new residential development to provide usable private outdoor amenity space, which is appropriate to the scale and character of the development.
109. In addition, although the policy requires consideration of daylight and sunlight impacts for new development, the wider potential impacts of proposals on the living and working conditions of existing and potential future occupiers are not identified. To be positively prepared and to support the effective delivery of development, it is necessary to include reference to the need to consider a wider range of factors, including potential impacts on privacy, outlook, overshadowing, artificial lighting and disturbance from noise, odour, vibration and air pollution.
110. Furthermore, as place making and design quality are integral to the objectives of the Plan and national planning policy, it is appropriate that significant amendments are made to the supporting text, to provide additional justification for the amended approach, clarify how it is expected to be met, and support the effective implementation of the policy. All the changes identified above would be addressed by **MM14**.
111. Taking into account these modifications, I consider the requirements of Policy SH9 would provide an appropriately strong basis for the Councils to require the potential impacts of new development on existing occupiers and neighbouring users to be addressed. This will be particularly important on sites where there are design constraints.
112. Policy CA2 identifies site AB4 as suitable for mixed use redevelopment and, having regard to the context of the site, I consider this is appropriate. However, taking into account the difference in land levels involved, it will be particularly important that the redevelopment of the site is undertaken

sensitively, so that any new building respects the living conditions of neighbouring residential occupiers on Kingsway. Policy CA2 does not include specific height limits for such development. However, I am satisfied that such restrictions are not necessary, as Policy SH9, as amended, would enable sufficient safeguards of this nature to be secured, whilst providing a sufficiently flexible approach to the redevelopment of the site.

113. The character area policies within the Plan and Policy SH9, as amended, clearly identify what will and will not be permitted within the Plan area. Moreover, the character area policies provide sufficient detail on the form, scale, access and quantum of development envisaged in each character area, whilst providing for a reasonable degree of flexibility to take account of changing circumstances.
114. In relation to the Western Harbour Arm, detailed assessment of building heights has taken place, through the Tall Buildings Capacity Study, which appropriately underpins the approach proposed across the identified sites, including in relation to heritage assets and important views. I am satisfied that the approach identified in Policy CA7 will be effective in managing the scale and height of development. Consequently, subject to the identified changes, I consider the Plan is soundly based in this regard.
115. The omission of area priorities and paragraphs 4.6.1-4.6.4 is referred to above, in relation to Policy CA6. However, in addition to those changes, the text for paragraph 4.6.2 should be amended to improve the clarity of the reference to the listed Shoreham Fort. This is also addressed by **MM17**. There are a number of heritage assets in or adjacent to the regeneration area. These are clearly identified within the text and maps of the Plan, including in relation to Policy CA7. Subject to this modification and having regard to the full range of evidence available to me, I am satisfied that the Plan's approach to heritage assets and their significance is sound.
116. Consequently, subject to these modifications, I find that the Plan will be effective in enabling the regeneration of the Harbour and neighbouring communities, with high quality development, for the benefit of existing and future residents, businesses, port-users and visitors.

Issue 8 - Whether the policies of the Plan would be effective in enabling the provision of infrastructure necessary to support the level and type of growth proposed?

117. Although the Whole Plan Viability and Deliverability Study 2018 (VDS) identified viability gaps for development proposals within the Plan, it also identified several intervention mechanisms to address some of the potential constraints to development. Some of these are being actively pursued by the RP, whilst others have been identified as potential future interventions, if required. Whilst the use of compulsory purchase is not relied upon, the Councils have identified this as an option to bring forward stalled sites if necessary, although engagement with businesses and landowners is preferred.
118. The evidence provided demonstrates that the members of the RP are significantly and actively involved in delivering the infrastructure necessary to support the development proposals within the Plan. This includes investment

in off-site infrastructure projects, including flood defence works, the allocation of funding to secure delivery of identified green infrastructure improvement sites, improvements to the public realm and amenity space, and the delivery of schemes identified in the Transport Strategy, as development comes forward or through relevant investment programmes, such as the Strategic Transport Infrastructure Programme established by West Sussex County Council.

119. A number of sites within the Plan area are in the ownership of the RP members, including the SPA, and have been allocated in the Plan. These are being taken forward for development by the relevant RP member, or as a joint venture enterprise. In addition, the RP members are actively investigating the potential relocation of some existing uses within the area, which do not require a waterside location, to other land within the ownership of the RP members. The disposal of assets within the Plan area has also been used to enable the delivery of other sites. The RP have also secured external funding, or have assisted developers in doing so, for a number of projects, such as flood defence works and the development of the proposed district heat network.
120. The viability appraisal within the VDS was carried out in accordance with the provisions of the NPPF 2012, which requires proposals to provide competitive returns to a willing landowner and a willing developer, to enable the development to be deliverable. The VDS identifies a number of sites with viability gaps. However, very clear evidence was provided to demonstrate that this viability assessment does not take into account all circumstances including, for example, where the landowner is developing the site and not seeking a competitive return from the sale of the land. This situation applies to several sites within the allocations, including a number of those with an identified deficit in the VDS.
121. Subject to the modification in relation to green infrastructure referred to above (**MM22**), Policy SH10 and the related supporting text clearly set out the likely infrastructure requirements for development proposals. Overall, I am satisfied that the VDS demonstrates that the costs attributable to policies in the Plan would not be excessive or unreasonable. However, due to a formatting error, the policy is unacceptably imprecise. To be effective, it is necessary to include specific reference to the potential need for direct agreement with utility providers to provide infrastructure, such as sewerage infrastructure. This is addressed in **MM21**.
122. The RP members have established the Shoreham Harbour Delivery Group, to coordinate the delivery of the regeneration project and the proposals within the Plan. It is intended that this Group will complement the work of the existing various sub-groups within the RP. Whilst there is some overlap between these groups, there is a clear and established delivery mechanism to support the effective delivery of the planned development and the infrastructure necessary to support it.
123. Furthermore, whilst there are different approaches between Adur and Brighton & Hove Councils to the use of planning obligations and community infrastructure levy finance, a clear and coordinated approach has been identified to the funding of infrastructure in compliance with the legal and policy requirements, together with the provision of guidance for potential

developers. Moreover, the infrastructure requirements needed to support the development of the Plan area are set out clearly within the Infrastructure Delivery Plans for the ALP and the B&HCP1.

124. Consequently, given these various approaches, notwithstanding the viability issues identified, I am satisfied that the policies of the Plan would be effective in enabling the provision of infrastructure necessary to support the level and type of growth proposed, which has a reasonable prospect of being delivered within the lifetime of the Plan.

Issue 9 - Whether the Plan provides an effective approach to monitoring and review?

125. The monitoring framework for the Plan is set out within the SA, with delivery of the Plan's key development sites intended to be monitored through the Authority Monitoring Reports (AMR) of Adur and Brighton & Hove Councils. However, currently, this framework is not sufficiently robust.

126. To be effective, positively prepared and consistent with national policy, the monitoring framework should be included as an Appendix to the Plan and incorporate key monitoring indicators and triggers for potential intervention, including the indicator referred to above, in relation to protected employment areas. Progress on the delivery of the Plan as a whole, utilising the monitoring indicators, should be reported in the AMRs for each Council, which should include the housing trajectory for the regeneration area.

127. **MM23** and **MM05** address these issues and will support the effective delivery of the Plan. As a result, subject to these amendments, I find that the framework will provide a suitably robust and sufficiently flexible approach to monitoring delivery, which will enable the RP to respond to potentially changing circumstances in the future, including the identifying the need for review, if required.

Assessment of Legal Compliance

128. My examination of the legal compliance of the Plan is summarised below.

129. The Shoreham Harbour Joint Area Action Plan has been prepared in accordance with the Adur Local Development Scheme 2018-2020, the published Addendum to the Brighton & Hove Local Development Scheme 2017-2020 and the West Sussex Minerals and Waste Development Scheme 2018-2021.

130. Consultation on the Plan and the MMs was carried out in compliance with the Adur & Worthing Statement of Community Involvement 2012, the Brighton & Hove Statement of Community Involvement 2015 and the West Sussex Statement of Community Involvement 2018.

131. Sustainability Appraisal has been carried out and is adequate.

132. The Habitats Regulations Assessment Screening Report May 2018 sets out why an AA is not necessary. For the reasons given above, I share the conclusions of the screening assessment and am satisfied that the process undertaken in relation to the Conservation of Habitats and Species Regulations 2017 is adequate.
133. The Plan includes policies designed to secure that the development and use of land in the regeneration area contribute to the mitigation of, and adaptation to, climate change. This is particularly evident in relation to Policies SH1 and SH6, for the reasons given above.
134. The Shoreham Harbour Joint Area Action Plan complies with all relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.
135. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including e.g. the provision of safe, inclusive and accessible places. Having regard to the evidence base and consultation responses, including the Equality and Health Appraisal, I consider that the Plan is likely to have generally positive or neutral impacts on persons with a protected characteristic. Given the aims of the Plan and its policies, including those to create mixed and healthy communities, and encourage improvements to the public realm, open space, transport links and pedestrian facilities, I consider that the Plan will help to eliminate discrimination and inequality, and foster good community relations.

Overall Conclusion and Recommendation

136. The Plan has a number of deficiencies in respect of soundness and legal compliance for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
137. The Council has requested that I recommend MMs to make the Plan sound and legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Shoreham Harbour Joint Area Action Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

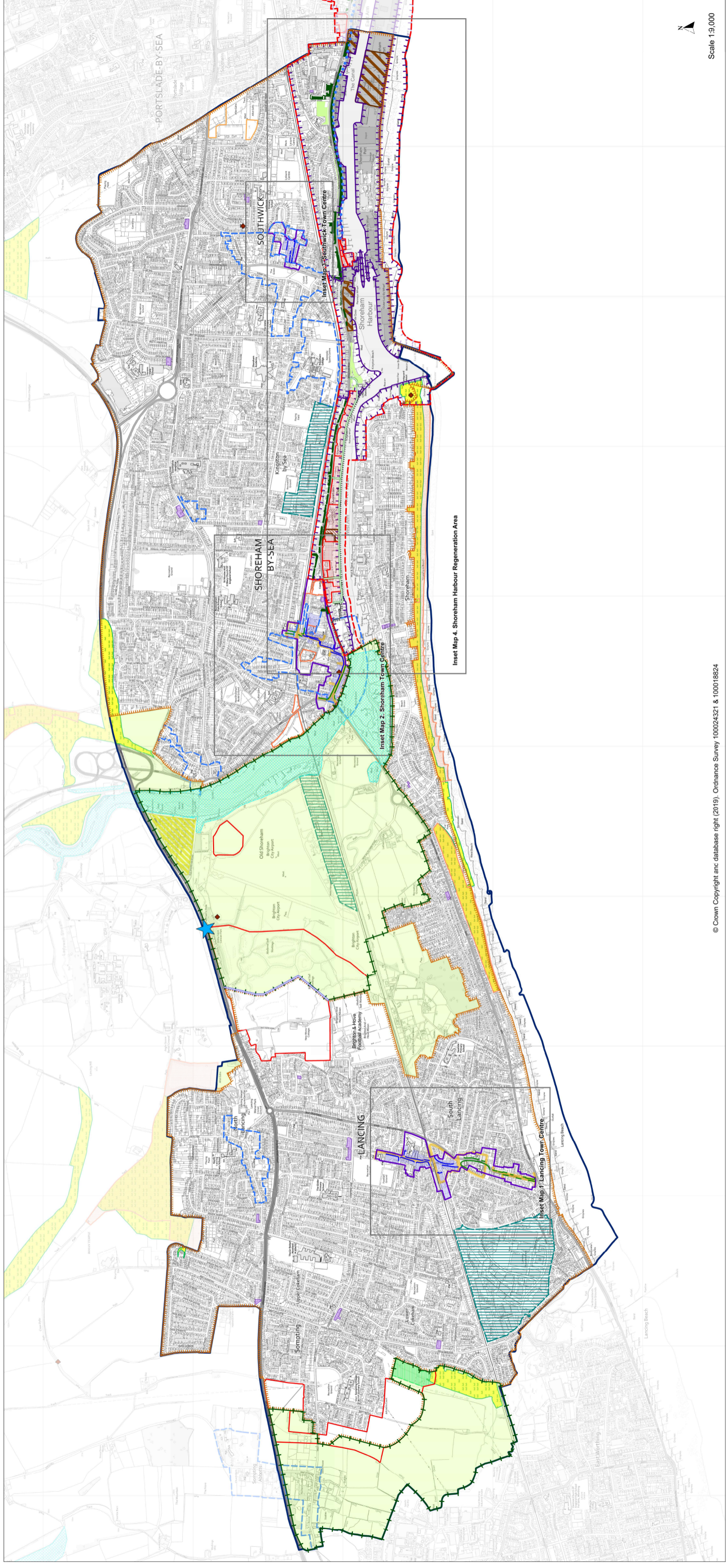
Anne Napier

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

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Adur Policies Map 2019 - Adur Local Plan and Shoreham Harbour and Shoreham Harbour Joint Area Action Plan



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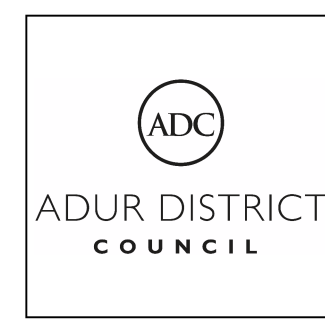
Legend

Adur Local Plan (ALP) Area	Local Green Gap - ALP Policy 14	Town Centre Blocks (Numbered) - ALP Policies 9, 11	Scheduled Ancient Monuments
Built Up Area (BUA) - ALP Policy 2	Countryside - ALP Policy 13	New Waterfront Route - JAAP Policies SH5, SH8, CA7	New / Upgraded Flood Defences - JAAP Policies SH6, CA7
Indicative Built Up Area Boundary	Ricardo Boundary - ALP Policies 4, 13	New / Upgraded Port Access Road - JAAP Policy CA5	New / Upgraded Port Access Road - JAAP Policy CA5
Strategic Site Allocations - ALP Policies 5, 6, 7	Safeguarded Wharves - WSMP Policy M10	Site Allocations (Shoreham Harbour) (Numbered) - JAAP Policies SH3, SH4, CA5, CA7	Character Areas (Shoreham Harbour) (Numbered) - ALP Policy 8, JAAP Policies CA1, CA4, CA5, CA6, CA7
Potential Development Sites (in or on edge of Shoreham Town Centre) - ALP Policy 11	Temporary Safeguarded Wharves - WSMP Policy M10	Green Corridor - JAAP Policies SH7, SH8, CA5	Port (Operational) - JAAP Policies SH2, CA1, CA5, CA6
Protected Employment Sites - ALP Policy 25	Conservation Areas - ALP Policies 16, 17	Green Corridor - JAAP Policies SH7, SH8, CA5	Port (Operational) - JAAP Policies SH2, CA1, CA5, CA6
Eastbrook Development Opportunities - ALP Policy 12	Town Centre Boundaries - ALP Policy 27	Green Corridor - JAAP Policies SH7, SH8, CA5	Port (Operational) - JAAP Policies SH2, CA1, CA5, CA6
Shoreham Harbour Regeneration Area (Broad Location) - ALP Policy 8	Primary Shopping Area - ALP Policy 27	Green Corridor - JAAP Policies SH7, SH8, CA5	Port (Operational) - JAAP Policies SH2, CA1, CA5, CA6
Site of Special Scientific Interest (SSSI) - ALP Policy 31	Primary Retail Frontages - ALP Policies 9, 11, 12, 27	Green Corridor - JAAP Policies SH7, SH8, CA5	Port (Operational) - JAAP Policies SH2, CA1, CA5, CA6
Local Wildlife Site (LWS) - ALP Policy 31	Secondary Retail Frontages - ALP Policies 9, 11, 12, 27	Green Corridor - JAAP Policies SH7, SH8, CA5	Port (Operational) - JAAP Policies SH2, CA1, CA5, CA6
Local Nature Reserve (LNR) - ALP Policy 31	Local Shopping Parades - ALP Policy 27	Green Corridor - JAAP Policies SH7, SH8, CA5	Port (Operational) - JAAP Policies SH2, CA1, CA5, CA6
Proposed Extension to LWS - ALP Policy 6	Proposed Roundabout (Indicative) - ALP Policies 5, 7	Green Corridor - JAAP Policies SH7, SH8, CA5	Port (Operational) - JAAP Policies SH2, CA1, CA5, CA6

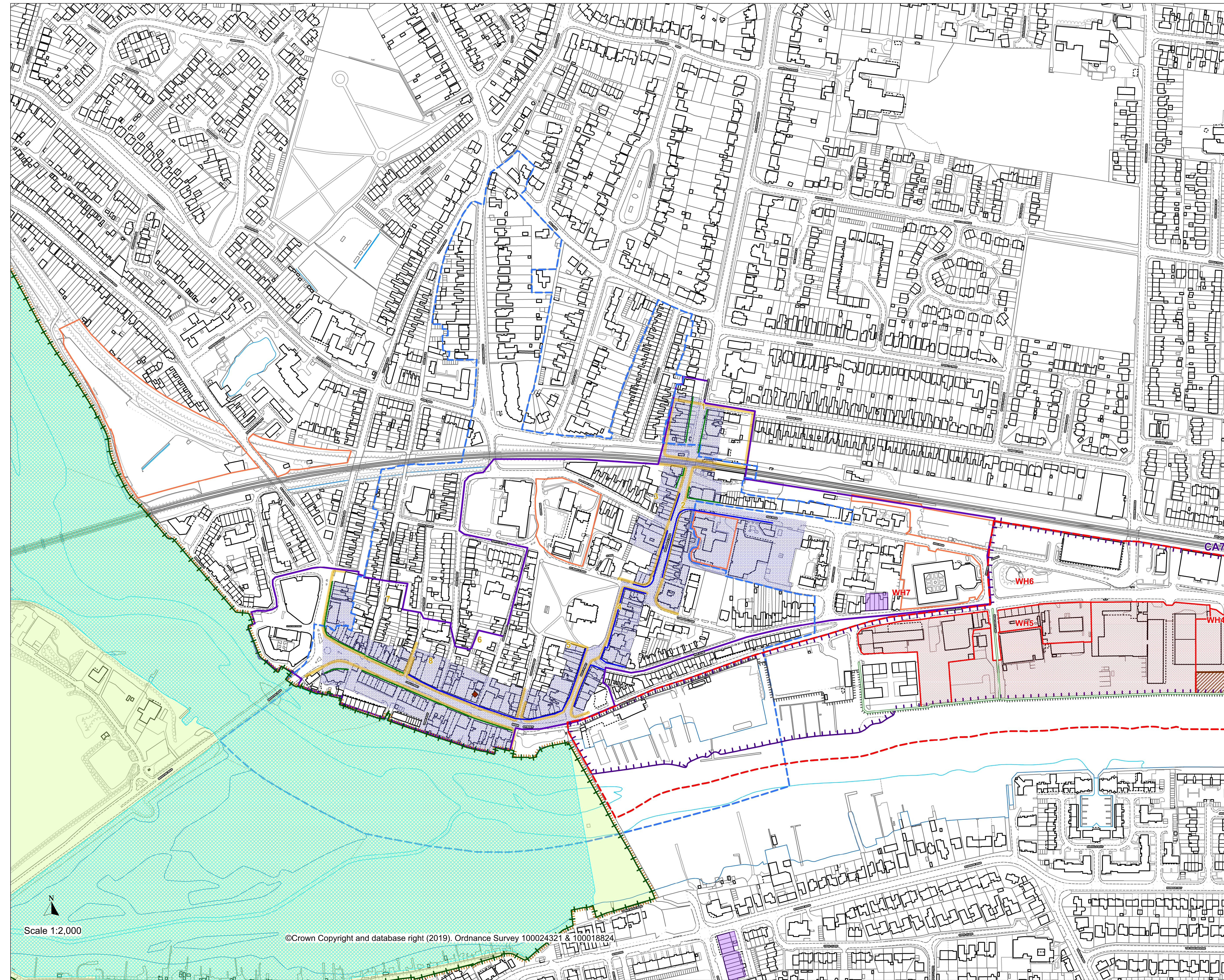
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Adur Policies Map 2017 - Inset Maps 1, 2 & 3

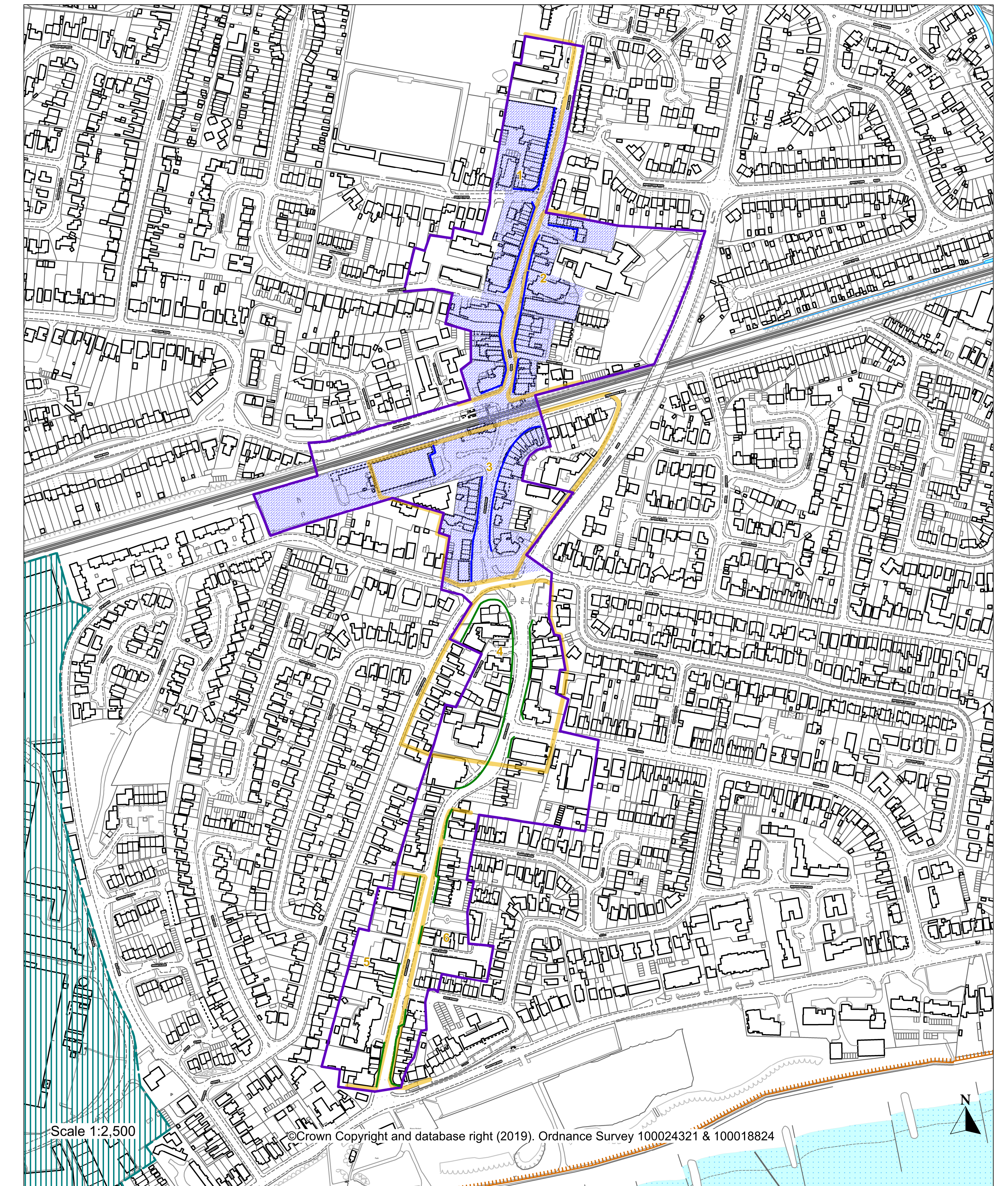
Adur Local Plan and Shoreham Harbour Joint Area Action Plan



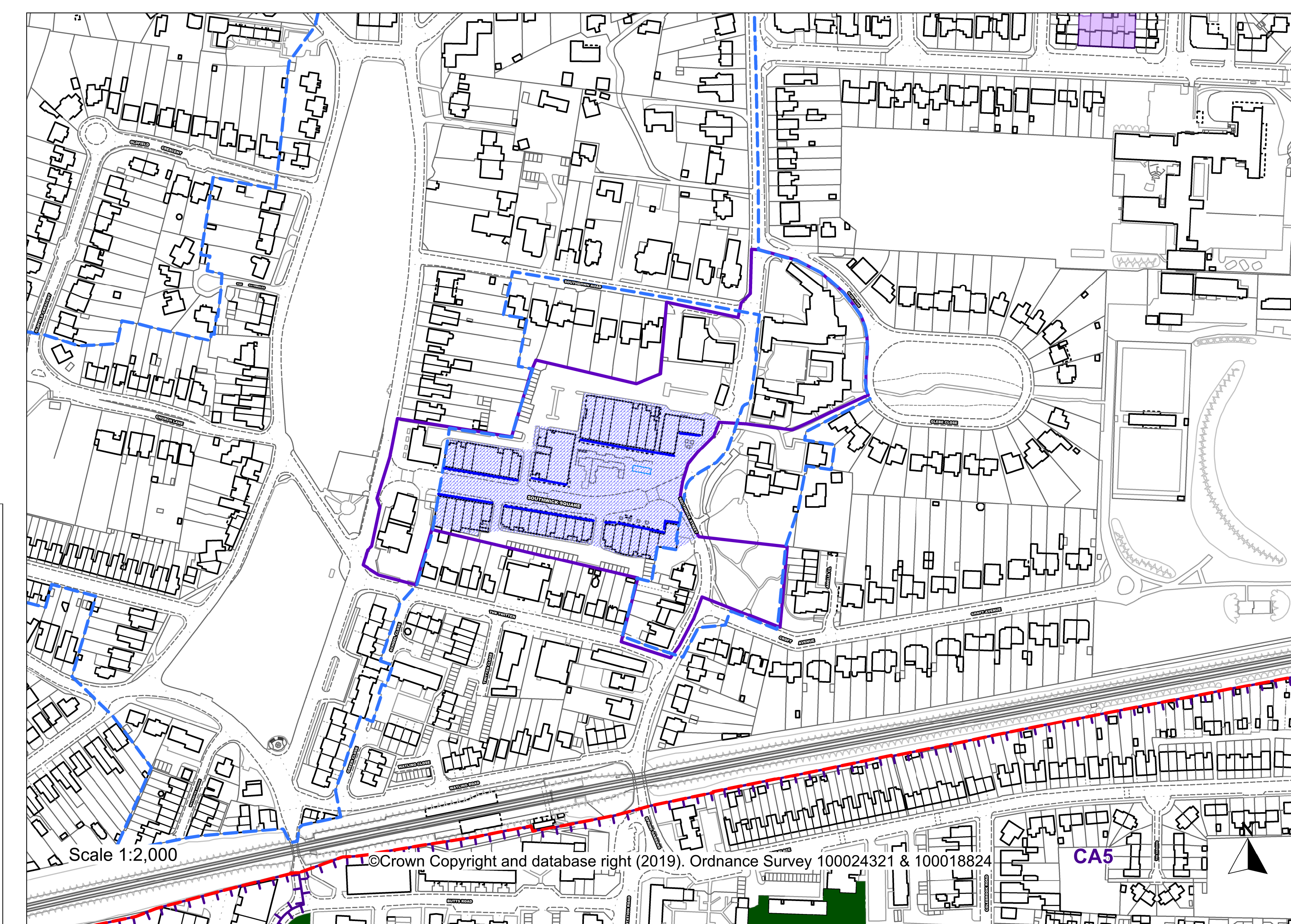
Inset Map 2. Shoreham Town Centre



Inset Map 1. Lancing Town Centre



Inset Map 3. Southwick Town Centre



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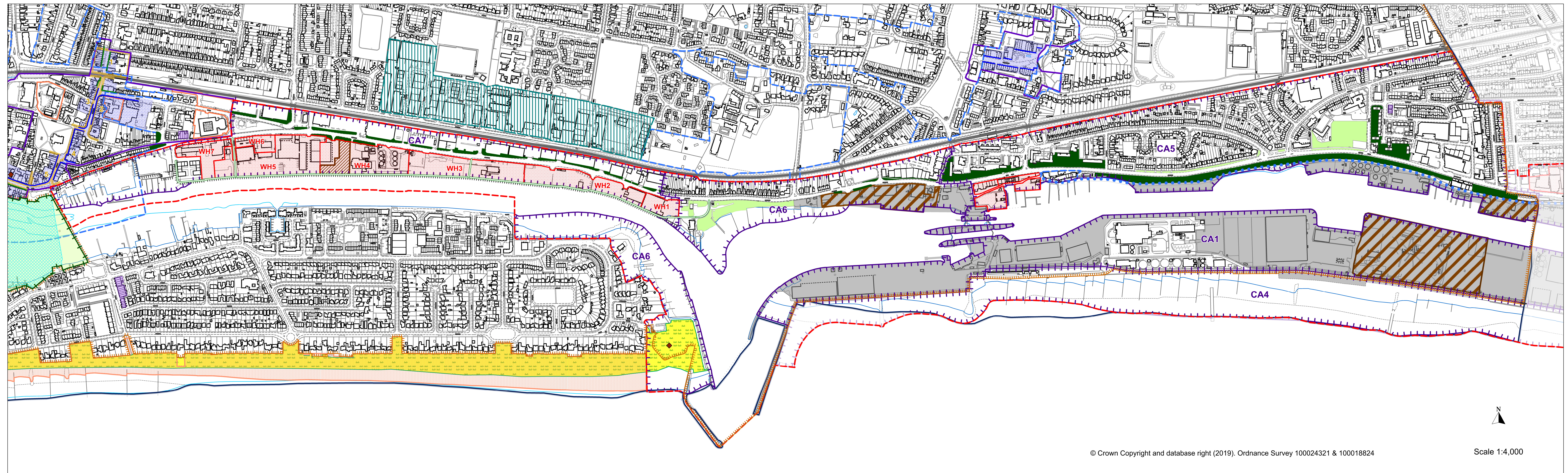
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| Proposed Extension to LWS - ALP Policy 6 | Proposed Roundabout (Indicative) - ALP Policies 5, 7 | Port (Operational) - JAAP Policies SH2, CA1, CA5, CA6 |

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Adur Policies Map 2019 - Adur Local Plan and Shoreham Harbour Joint Area Action Plan

Inset Map 4: Shoreham Harbour Regeneration Area

Inset Map 4. Shoreham Harbour Regeneration Area



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Adur Local Plan (ALP) Area	Local Green Gap - ALP Policy 14	Town Centre Blocks (Numbered) - ALP Policies 9, 11
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Proposed Extension to LWS - ALP Policy 6	Proposed Roundabout (Indicative) - ALP Policies 5, 7	WSMP - Submission West Sussex Joint Minerals Local Plan 2017

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