

ADDENDUM

ENFORCEMENT REPORT

Original application Number:	AWDM/0501/12	Recommendation i) To approve the submitted landscaping scheme and, ii) Serve a BCN if landscaping not undertaken during the current planting season.
Site:	Mariner Point, 79-81 Brighton Road, Shoreham	
Proposal:	Update in respect of flood defences and landscaping at Mariner Point, 79-81 Brighton Road, Shoreham	
Applicant:	WN Developments Ltd	Ward: St Mary's
Agent:	King Conroy Architects	
Case Officer:	Peter Barnett	

Updated Information:

The developer has provided the following information about the car park ramp (paragraph 3.7):

“The works undertaken are substantially in compliance with the details furnished to you on 25th May 2022.

This resulted in increasing the height of the kerb between the existing road and the ramp by 100 mm. This would not have been practical to achieve by a “raised policeman”, given the 100 mm rise and also the gradient of the ramp had to be adjusted to prevent catching the underside of vehicles as they entered the car park.

You will note that this was also raised by our consultant engineers Muir Associates in their correspondence of 1st July 2021.

You might please advise when you expect to be in a position to approve the landscape drawing submitted in May 2023 as the contractor has raised a concern that he may not be in a position to carry out those works in this planting season.”

Paragraph 3.21 - Mariner Point Residents Association have made the following comments:

Landscaping

“Unfortunately, our scheduled January Mariner Point Residents Association general meeting has had to be postponed to February. However, we undertook a survey last month of all residents’ views about the revised landscaping plan in preparation for this meeting and have just reviewed the results.

In summary, there is overall support for the revised plan, moderated by some reasonable doubts and constructive suggestions. Naturally, we will not be able to present a full report until our next MPRA general meeting, but we anticipate that our recommendation to approve the Landscaping Plan (as revised in 22204-1-100-revC LMP) will be ratified.

On that basis, we would endorse any decision by the Adur Planning Committee at its forthcoming meeting on 15 January to approve the latest landscaping plan for Mariner Point.

However, we would be grateful if you could supplement the Enforcement Report by the Director of Place by verbally reporting these points on our behalf at the meeting:

1. We would like to forward the additional constructive comments and outstanding concerns that our survey has identified to the developer and their landscape designer for their reference and possible adoption.
2. We wholeheartedly support the recommendation to *“serve a further BCN if the approved landscaping is not implemented during the current planting season”*. To this end, we will ourselves closely monitor the progress of the implementation and flag up to the developer, their contractors and the Head of Planning and Development any irregularities as they may arise.
3. We hope that the Members of the Committee do not get the impression from paragraphs 3.18 to 3.21 of the Director’s Enforcement Report that the Mariner Point Residents Association has been neglectful in responding to their wish that we should be consulted on the landscaping plan. We have made every effort to be pro-actively engaged with the process, resulting in a revised plan, useful suggestions and greater awareness by Planning Officers of the drainage and flooding issues that bedevil this site.

Flood Defences

For your information, we have requested to speak to item 8, the Enforcement Report, at the forthcoming Adur Planning Committee and believe that this has been agreed. Our brief focus will be on the flood defence works, rather than the landscaping, and the Director of Place's conclusion that "*no further action is required on this issue*".

We will draw the Planning Committee's attention to the fact that, irrespective of whether the repairs and corrective works "*have been completed in accordance with the requirements of the FRA and planning permission*", the original FRA itself and the subsequent revision, AWDM/0601/15, to the planning permission made 3 years later, are already proving to be woefully inadequate.

If "*no further action*" is taken, then not only will Mariner Point be under greater threat from flooding in future, so will the entire vicinity of Brighton Road, existing residential and business properties and the new developments at the former Civic Centre and Frosts.

Whose responsibility is it to address the ongoing and worsening problem of Surry Hard's vulnerability to serious flooding, arising from inadequate conditions imposed in the first place, is however another matter."

To highlight this matter two videos have been submitted showing the overtopping of Surry Hard in October and flooding of the lower section of the road (affecting both the boatyard and basement to Mariners Point). The videos will be shown at the meeting.

Updated Planning Assessment

The Environment Agency (EA) did request that the height of Surry Hard stepped quay should be increased in height to address the increased risk of flooding and these works were completed following the construction of Mariners Point. However, these videos clearly demonstrate that the wall is still too low to cope with the increased risk of flooding, at certain times of the year, due to sea level rising and higher tides. As there is no breach of planning control with the stepped quay (as built) it will be up to the landowner of the stepped quay to make further changes to the height of the wall. Whilst the stepped quay was included within the red edged area of the Mariners Point planning application, Surry Hard is owned by the adjoining boat yard. The EA has been asked to see whether it can compel the landowner to alter the quay to reduce the flood risk and Members will be updated once a response has been received.

Given the comments of the developer it is considered that the alterations to the top of the ramp to the basement car park are acceptable given that the slight upturn was required to deflect surface water and not to address any risk of overtopping sea defences.

It is positive that the residents are now supportive of the revised landscaping scheme and this supports the need to approve the landscaping scheme as soon as possible to 'catch' the current planting scheme. As the residents indicate it would also be useful for the Planning Committee to authorise the service of a BCN if the landscaping scheme is not implemented in the next 3 months.

Revised Recommendation

- i) To approve the submitted landscaping scheme and,**
- ii) To serve a BCN if the approved landscaping scheme is not undertaken during the current planting season.**