



## **Brief for Review of Western Harbour Arm, Shoreham Harbour**

### **Report by the Director of Economy**

#### **1.0 Summary**

- 1.1 This report presents a brief (attached as Appendix 1) for an early review of development coming forward at the Western Harbour Arm as part of the Shoreham Harbour Regeneration Area. The review is to address concerns regarding the overall quantum and density of development coming forward and the level of supporting infrastructure. The review will include an analysis of undeveloped sites and how a revised 'place-based' approach is taken to the regeneration of the area to help inform the update of the Adur Local Plan.

#### **2.0 Background**

- 2.1 The Adur Local Plan (adopted 2017) allocated a broad area for development and specific sites at the Western Harbour Arm (see map at Appendix 2). The Shoreham Harbour Joint Area Action Plan 2019 (prepared jointly with Brighton and Hove City Council and West Sussex County Council) provided a more detailed policy framework and allocations for the wider Shoreham Harbour Regeneration Area (including that part which lies within Brighton and Hove City Council).
- 2.2 Both the Adur Local Plan and JAAP allocate sites at the Western Harbour Arm for a minimum of 1100 dwellings (as well as 16,000 sqm of employment floorspace). Developments are bringing forward schemes at higher densities than previously predicted (driven in part by the need to ensure viability); while these are compliant with planning policy they are resulting in higher dwelling numbers than previously anticipated.

- 2.3 Infrastructure requirements for the Western Harbour Arm were set out in the Adur Infrastructure Delivery Plan 2016 which accompanied the Adur Local Plan. However there are some concerns regarding the degree and timing of infrastructure provision these developments are bringing forward, and whether increased levels of development require a re-appraisal of infrastructure needs.
- 2.4 The review also provides an opportunity to consider the implications of higher densities and the implications of this in terms of visual impact on the wider townscape, delivery of open space and overall 'place shaping' objectives.
- 2.5 It will also be important that the review of the Western Harbour Arm is set in the context of an increasing housing requirement for the District and a need to look robustly at all opportunities to meet our future housing needs.

### **3.0 Proposals**

- 3.1 A brief is attached at Appendix 1 to set out a pathway for this review process, which takes the form of two key elements:
- 3.2 **Part 1:** an internal analysis and review of permissions granted to date setting out what has been granted permission so far; what infrastructure has been secured, and any differences from adopted policy. This will also need to take into account the changing viability context since the adoption of the Adur Local Plan. It will also incorporate 'scenario modelling' of those sites within the WHA which are not currently being promoted/ progressed through the planning system. These scenarios will be undertaken at various densities to assess potential dwelling numbers and associated infrastructure implications. Liaison will be undertaken with these landowners to ascertain their intentions for these sites. The brief sets out the particular infrastructure types which will be addressed.
- 3.2 **Part 2** - a 'place-making' and design-based consideration of the remaining Western Harbour Arm sites. This will include an assessment of the visual implications of higher density forms of development (taking into account existing evidence relating to tall buildings), and will consider whether additional design guidance would be beneficial.
- 3.3 It is proposed that a Design Code could be developed to ensure the delivery of a high quality, vibrant thriving neighbourhood with a clear sense of place, expanding on the objectives and policies set out in the JAAP. The design code approach would be carried out using the national design code methodology

and would involve public participation. This would also provide an opportunity to consider alternative provision of facilities on-site.

- 3.3 The scope of the review is set out on page 2 of the attached brief. It is important to note that the review cannot require existing planning permissions to be amended. The outcomes of the review will be used to inform emerging planning policy as appropriate. The Design Code work could also, potentially, be integrated into a guide for future developments within the Western Harbour Arm area.

#### **4.0 Timescales and Resources**

- 3.4 Part 1 of the review will inform the update of the Adur Local Plan and would be undertaken by the Planning Policy team, and integrated with a wider infrastructure assessment for the Adur Local Plan Review. There is scope to provide some external assistance and a Project Manager is looking to be appointed to assist the Part 2 work. This work would also need to appoint consultants who specialise in masterplanning and urban design as well public engagement.

- 3.5 The updated Adur Local Plan will provide an opportunity to progress any updates or revisions to planning policy emerging for this review. Timescales for the Local Plan are currently under review, as will be dependent on evidence based studies including transport. However it is anticipated that a report relating to Part 1 of the review (infrastructure) can be published in advance of a draft Adur Local Plan.

#### **4.0 Legal**

- 4.1 The review will help to inform the statutory review of the Adur Local Plan which will be the subject of public consultation and will need to accord with relevant National Planning policy and legislation.

#### **5.0 Financial implications**

- 5.1 It is intended to meet the costs for Part 1 out of existing budgets. However, there will be a need to seek a Local Plan budget for next financial year to cover Consultants costs for the Design Code work and other evidence based studies for the wider Local Plan review. The cost of the additional consultants will be established following the completion of the Part 1 work.

5.2 This will be considered as part of the budget setting process for 2023/24. Given the one-off nature of this expenditure the option remains to fund these costs from reserves if the cost pressure cannot be accommodated from within the 2023/24 budget.

## 6.0 **Recommendation**

6.1 It is recommended that:

- i) Members review the brief attached at Appendix 1 and for any comments to be forwarded to the Cabinet Member for Regeneration.

## **Local Government Act 1972**

### **Background Papers:**

Adur Local Plan 2017

Shoreham Harbour Joint Area Action Plan 2019

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## **Schedule of Other Matters**

### **1.0 Council Priority**

- 1.1 Platforms For Our Places: Links to 1.10 Planning and Land Use supporting Prosperous Places, and the other platforms.

### **2.0 Specific Action Plans**

- 2.1 The Adur Local Plan 2017 and Shoreham Harbour Joint Area Action Plan 2019 form the Council's development strategy for the Western Harbour Arm, and with the relevant West Sussex Waste and Minerals Plans, for the development plan for that same area.

### **3.0 Sustainability Issues**

- 3.1 The review will provide an opportunity to assess how well developments are meeting sustainability policies in the Adur Local Plan 2017 and Shoreham Harbour Joint Area Action Plan.

### **4.0 Equality Issues**

- 4.1 No issues identified

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

- 5.1 No issues identified

### **6.0 Human Rights Issues**

- 6.1 No issues identified

### **7.0 Reputation**

- 7.1 The review is, in part, responding to concerns raised by the community.

## **8.0 Consultations**

8.1 Both the Adur Local Plan 2017 and Shoreham Harbour Joint Area Action Plan were subject to several stages of public consultation, as part of the statutory development plan process. It is likely that Part 2 of the review will also involve an element of public participation as part of the Design Code process.

## **9.0 Risk Assessment**

9.1 The review is not a statutory requirement

## **10.0 Health & Safety Issues**

10.1 None identified

## **11.0 Procurement Strategy**

11.1 The strategy will be followed in securing additional support as indicated at paragraph 3.4 of the report

## **12.0 Partnership Working**

12.1 The review will require engagement with infrastructure providers.

## **Updated Brief: Review/ Analysis of Western Harbour Arm September 2022**

### **Project Summary**

To undertake an analysis and review of development coming forward at the Western Harbour Arm part of the Shoreham Harbour Regeneration Area (with specific reference to topics listed below) to inform the update of the Adur Local Plan.

### **Background: Why is this needed?**

This review has been launched in response to:

- Success in terms of progression of schemes but with developments coming forward at higher densities than predicted. As a result the overall number of dwellings delivered across the JAAP area could significantly exceed the minimum figure allocated in the Adur Local Plan (ALP) and Shoreham Harbour Joint Area Action Plan (JAAP).
- This has resulted in concerns from the local community and District Councillors about the lack of infrastructure improvements coming forward with recently approved developments and that,
  - i) insufficient infrastructure would be delivered to mitigate the impact of increased levels of development (including impacts on congestion/transport/air quality and services health and education) and,
  - ii) that increased densities would not accord with the JAAP in terms of layout, open space and place making.
- Changes in national/ local policy since adoption of JAAP/ ALP (eg transport)
- To inform the review and update of the Adur Local Plan

### **Objectives:**

The factors indicated above give rise to need for a 'sense check' as to:

- whether previous infrastructure requirements are still appropriate given policy changes/level of development; and if not, to determine the updated requirements and means of delivery.
- Implications of higher dwelling numbers (and resulting higher developments) on sense of place, visual impact, place shaping, delivery of open space etc.

- To inform refreshed planning guidance, ensuring that individual developments are contributing to delivering the vision to transform the regeneration area into a vibrant, thriving waterside destination; and the area priorities for the Western Harbour Arm, including:
  - The comprehensive redevelopment to become an exemplar sustainable mixed use area.
  - High quality building design, townscape and public realm
  - Maximising the intensification and redevelopment opportunities
- To inform policies within the emerging Adur Local Plan.

## Scope

- 1) This project focuses on the Western Harbour Arm allocation as set out in the Shoreham Harbour Joint Area Action Plan 2019. This process will not review the Shoreham Harbour Joint Area Action Plan 2019 itself; this will remain the development plan for the area (together with the Adur Local Plan and relevant Waste and Minerals Plans). Any necessary policy changes can be integrated into the emerging ALP update.
- 2) The following forms of infrastructure do not require specific consideration as part of the SH Review project or report:
  - Public art
  - Heat network -this is being addressed through a separate process.
  - Sustainability matters
  - Fire and Rescue
  - Libraries

However these matters will be addressed via the update of the Adur Local Plan and associated Infrastructure Delivery Plan.

- 3) Geographical scope: The review relates to those developments within the allocated Western Harbour Arm area; it does not relate to those developments nearby, or adjacent to but outside the allocation. (For example Adur Civic Centre). However where relevant, developments nearby will be taken into account in assessing dwelling numbers where this will influence infrastructure provision - eg school catchment areas, parking etc. Furthermore the review does not relate to any part of the Shoreham Harbour Regeneration Area which lies within Brighton and Hove City.
- 4) The review cannot require existing planning permissions to be amended.
- 5) The findings or recommendations of the review do not in themselves constitute planning policy, but may inform emerging planning policy.

## **Approach:**

### **Part 1: Internal Analysis and Review**

- This will commence with a review and analysis of permissions granted to date, setting out what has been granted permission so far; what infrastructure has been secured, and any differences from adopted policy.
- An assessment of mitigations as set out in the Adur Infrastructure Delivery Plan 2016 will be undertaken to consider whether these are still appropriate and/or deliverable, given the potentially higher number of dwellings that may be secured, or changes in policy. Are alternative mitigations required? If so, what are these and how can they be delivered?
- The issue of viability, and how this is affecting development also needs to be addressed. This should include impact of changing viability on development with permission; implications for emerging development, and implications for key areas of infrastructure (eg impact on affordable housing delivery).
- This stage will incorporate scenario-modelling of those sites within the WHA which are not currently being promoted/ progressed through the planning system. These scenarios will be undertaken at various densities to assess potential dwelling numbers and associated infrastructure implications. Liaison will be undertaken with these landowners to ascertain their intentions for these sites.

The review will focus on these particular areas of infrastructure provision:

- Wastewater/water distribution
- Health
- Education
- Open space (review and recommendations)
- Transport and parking (part 1)
- Air quality

As a result it will be necessary to engage with the stakeholder organisations responsible for the relevant infrastructure.

### **Part 2 Place-making and design.**

- A design code will be developed in order to ensure that the Council's approach to planning for the Western Harbour Arm will deliver the vision and objectives of the JAAP. The code will ensure that developments will contribute to the plan's ambition to create a high quality, vibrant, thriving neighbourhood with a strong sense of place.
- This will include an assessment of the visual implications of higher levels of development (see scenario modelling referred to in part 1), utilising national design code methodology and integrating public participation.

- It will incorporate assessment of potential options for delivering open space on-site and the resultant implications, including reduced dwelling numbers and delivery of collective infrastructure including the flood wall in the vicinity.
- This stage will need to address, where relevant, the implications of any alternative mitigations identified in Part 1 that may require location on the Western harbour Arm - eg primary school, given needs arising from the WHA and other major development (where these can be identified at this time) in the catchment area .
- This element of work can explore whether guidance on building heights or other design factors would be beneficial in influencing developments coming forward at the Western Harbour Arm.

This work will also need to take account of the existing evidence base for Shoreham Harbour Regeneration, including the Tall Buildings Study.

### **Governance**

This is to be determined, however could potentially involve Adur Project Board, Informal Cabinet, Shoreham Harbour Leaders Board, Adur Planning Committee, Adur Local Plan Members Working Group.

Regular progress update meetings will be held with the Executive Member for Regeneration

### **Outcomes:**

#### Part 1

Report (full details set out in Appendix 1) set out findings of analysis and 'fact check'; conclusions relating to infrastructure - recommendations for any changes to agreed mitigations and/or confirmation from relevant stakeholder that previously agreed mitigations remain appropriate. These will be integrated into the update of Adur Infrastructure Delivery Plan as relevant. Where appropriate, requirements can be addressed by policy within the emerging Adur Local Plan update.

#### Part 2:

The design code will set out simple, concise illustrated design requirements, providing a framework for creating healthy, safe, green, environmentally responsive, sustainable and distinctive places, with a consistent and high-quality standard of design. These will be developed collaboratively through public participation, and will expand on the place making objectives and policies in the JAAP.

Design Code work could result in assessment of various options (and recommendations) for alternative provision of facilities (eg open space/ primary school) on-site within the WHA; also a set of recommendations in terms of design and place-making. These findings can be integrated

into the ALP update as relevant, and/or agreed as an informal guide for future developments within the allocation.

## **Timescales**

Stage 1 Report was initially agreed to be completed by Christmas 2022. However integration of the project into wider ALP review work will require ALP elements to be undertaken sooner than expected (such as site screening/ assessment) in order to determine sites/ scale of development likely to be progressed via the Adur Local Plan update. As such this will push back the final report. Furthermore where additional evidence is required the timescales will be dependent on these.

As an example, that part of the transport work which requires modelling and assessment requirements and integration with the wider geographical area will be dependent on the timescales for the ALP Transport Study (currently with National Highways for agreement of the methodology). However 'freestanding' elements of the Stage 1 report could be released as appropriate, such as the analysis of permissions to date;

Stage 2 - A project brief etc can be developed concurrently with part one. However actual commencement of Design Code work will require certain key information (and relevant decisions) to feed into the process. It is proposed that an essential part of developing the brief for Stage 2 should identify this relevant information and determine appropriate timescales.

**End.**

## Appendix 1 Part 1 report format

1. **Introduction, purpose and methodology**
2. **Vision** (as set out in JAAP and ALP)
3. **Constraints and abnormals:** contamination, flood risk, viability - footprint (developable area excluding riverside walkway and cycle lane)
4. **Collective infrastructure** - flood defence, riverside walkway and A259 cycle route (impact on viability and developable area). Benefits, issues with delivery? How can these be overcome?
5. **Commercial/retail floorspace.**What are current policy requirements, what has been given consent so far? Given changes to use Class E what other uses may therefore be located here? Could a different approach be taken?
6. **Review of Permissions to date** (and those in system)
7. **Future scenarios** (density based scenarios on remaining sites)
8. **Infrastructure delivery - priority areas for consideration**
  - For each topic:
    - **A )Expected requirements at 'minimum 1100' (as at 2016 in IDP, ALP and JAAP). Actual contributions secured so far; are the identified mitigations still appropriate from a *policy* point of view?**
    - **b)Test scenarios and requirements arising from these?**
  - To cover the following:
    - Wastewater, water distribution - capacity issues?**
    - Health - use of s106s, capacity, delivery**
    - Education - use of s106s, capacity delivery**
    - Open space***
    - Transport and parking***
    - Air quality***
- 8 **Conclusions and Recommendations**

What are the implications arising from the above analysis?

