



**SHOREHAM
HARBOUR
REGENERATION**

SHOREHAM HARBOUR FLOOD RISK MANAGEMENT GUIDE

SUPPLEMENTARY PLANNING DOCUMENT

CONSULTATION STATEMENT

SEPTEMBER 2015

1. Introduction

- 1.1. The Planning and Compulsory Purchase Act 2004 sets out the requirements of a Local Development Framework as part of the new planning system. This enables SPDs to be prepared to expand upon existing planning policy. The preparation of an SPD is not a statutory requirement, but a decision for each Planning Authority based upon demands for further information to assist in helping to bring forward sustainable development.
- 1.2. Public consultation has been carried out in accordance with Regulations 12 and 13 of The Town and Country Planning (Local Planning) (England) Regulations 2012, and the adopted Statement of Community Involvement (SCI) for each of the three partner authorities: Adur District Council (ADC), Brighton & Hove City Council (BHCC) and West Sussex County Council (WSCC). These documents are available from the planning policy pages of each council's website. Each SCI sets out the minimum requirements for consultation on Supplementary Planning Documents (SPDs) such as the Flood Risk Management Guide.
- 1.3. This statement sets out:
 - The persons the local planning authority initially consulted when preparing the SPD;
 - A summary of the main issues raised by those persons; and,
 - How those issues have been addressed in the final SPD.
- 1.4. This statement details the consultation that has taken place to-date which has informed the development and refinement of the Supplementary Planning Document (SPD). This includes all consultation that has taken place during the preparation of the draft SPD, including details of how, when and with whom this consultation took place; the main issues that were raised and how they have been addressed in the final SPD.
- 1.5. The SPD provides a user-friendly guide to assist applicants in making better planning applications; to aid infrastructure delivery; and to help the general public and other stakeholders to gain a better understanding of the councils' commitment to minimising flood risk.
- 1.6. The documents consulted on include:
 - Shoreham Harbour Flood Risk Management Guide (Supplementary Planning Document)
 - Shoreham Harbour Flood Risk Management Technical Annex
- 1.7. The adopted versions of these documents are available to view and download from the Shoreham Harbour Regeneration pages of Adur & Worthing Councils website (www.adur-worthing.gov.uk/shoreham-harbour-regeneration) and the Supplementary Planning Documents page of the Brighton & Hove City Council website (www.brighton-hove.gov.uk/content/planning/local-development-framework/supplementary-planning-documents-spd).

2. What is the purpose of the SPD?

- 2.1. The *Shoreham Harbour Flood Risk Management Guide* SPD has been prepared by JBA Consulting, Baca Architects and the Partnership working closely with the Environment Agency (EA). It will sit alongside the *Shoreham Harbour Joint Area Action Plan* (JAAP) which is a 15 year regeneration plan for the harbour area, as well as the *Adur Local Plan* and *Brighton & Hove City Plan*.
- 2.2. Parts of the Shoreham Harbour regeneration area are vulnerable to flooding. Flooding can cause damage to property, disrupt economic and social activity and in extreme cases lead to injury and loss of life. The need to ensure adequate flood management and mitigation is therefore an important consideration in developing future plans for the area. The SPD identifies the requirements for new and improved flood defences and flood adaptation measures within the JAAP area.
- 2.3. The SPD will aid developers of sites promoted through the JAAP to deliver improved flood defence and mitigation measures. The SPD will also help developers to demonstrate, through the planning process, that new development will be safe for its lifetime; that flood risk has not been increased elsewhere as a result of the new development; and that wherever possible, flood risk overall has been reduced.
- 2.4. The SPD has been developed to ensure a consistent approach to flood defence infrastructure delivery in the regeneration area, taking into account wider local flood risk strategies and schemes being delivered concurrently by other organisations. It also provides a guide to delivering integrated flood defence and mitigation measures to create not only distinctive, high quality structures but also a high quality, attractive public realm environment.
- 2.5. A supporting *Technical Annex* has also been prepared which constitutes the evidence base that underpins the guidance within the SPD.

3. Who was consulted and how?

- 3.1. The *Flood Risk Management Guide* relates closely to the JAAP, Adur Local Plan and Brighton & Hove City Plan. Comments received on the preparation of these documents have fed into the development of the SPD. In addition internal and external consultation was carried out during preparation of the SPD.
- 3.2. During the early SPD preparation stage, regular meetings were held with engineers and planning officers from a select group of organisations including WSCC, BHCC, ADC, the Environment Agency (EA) and the Shoreham Port Authority (SPA). JBA Consulting and Baca Architects facilitated these meetings which determined a number of key assumptions used in designing flood defences for the Western Harbour Arm.
- 3.3. Individual meetings were also held with the Sussex Yacht Club because of the high level of flood risk associated with this site.

- 3.4. A workshop on the Flood Risk Management Guide was also held on 9 May 2014. The workshop included an outline of the objectives and aspirations of the guide and an overview of the process and emerging options. Attendees were asked to give their views and feedback about each frontage on the Western Harbour Arm.
- 3.5. The workshop was attended by 20 stakeholders, including representatives of the following organisations:
- Adur District Council/Adur & Worthing Councils
 - Brighton & Hove City Council
 - Environment Agency
 - Shoreham Port Authority
 - Shoreham Slipways Group
 - West Sussex County Council
- 3.6. Planners, engineers, contaminated land officers, architects, landscape architects, and councillors attended.
- 3.7. Based on the feedback received, a draft SPD was produced and approved for a four week period of public consultation. This ran from 18 September 2014 to 15 October 2014.
- 3.8. Organisations and individuals on the Shoreham Harbour consultation databases, including statutory consultees, were contacted by email and/or letter to inform them of the consultation period. All were invited to submit representations on the Draft SPD.
- 3.9. The consultation period was advertised on the websites, Twitter and Facebook pages of the partner authorities. A joint press release was distributed to local, national and trade media organisations.
- 3.10. During the consultation period the Draft SPD was available at council offices, and public libraries. All documents and the supporting evidence studies were also available on the Shoreham Harbour Regeneration pages of the Adur & Worthing Councils website.
- 3.11. The Partnership received fourteen representations on the Draft SPD. This included representations from the following organisations:
- Shoreham Port Authority
 - Shoreham Slipways Group
 - Inland Waterways Association
 - Environment Agency
 - Sussex Yacht Club
 - Highways Agency
 - Marine Management Organisation
 - Shoreham Society
 - Shoreham Beach Community Planning Forum

- 3.12. The Draft SPD was amended to reflect comments received. Due to the scale of changes required, a Draft Final version of the SPD and Technical Annex was produced and was subject to a four week period of public consultation. This ran from 11 May – 9 June 2015. This consultation was carried out as described above in paragraphs 3.8 – 3.10
- 3.13. Twelve representations were received during this period from the following organisations:
- Highways England
 - Historic England
 - Environment Agency
 - Shoreham Slipways Group
 - Natural England
 - Sussex Wildlife Trust
 - Hopegar Properties
 - Brighton & Hove City Council
 - Surry County Council
 - West Sussex Scouts Water Activities Team
 - Southern Housing Group
 - Health and Safety Executive

4. What were the main issues raised during consultation and how have these been addressed?

- 4.1. A summary of the main issues identified during the early plan preparation stage and how the issues were addressed by the SPD are shown below:

Issue	How addressed in SPD
Uncertainties about the Adur Tidal Walls scheme and planning applications submitted to the council. Unclear how the SPD should deal with the uncertainties.	Various flood defence options have been identified within the SPD clearly acknowledging the uncertainty regarding other defences being proposed in the area.
Not clear how potential options would tie-in with existing defence or areas of higher ground.	Tie-in considerations at either end of the Western Harbour Arm have been included as part of the SPD.
Different design lifespan could be used for designing flood defences.	The design life of the flood defences for Shoreham Harbour will be 100 years (to 2115) and will take into account climate change.
Various climate change scenarios are available – unclear which design level should be used for the SPD.	Design levels in the SPD have been based on the latest climate change guidance. This is 5.08 m Above Ordnance Datum (AOD) plus freeboard for the 2115, 200 year tidal event.

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Finished floor levels identified in the Joint Area Action Plan are high – consider lowering this height.	The Environment Agency confirmed that finished floor levels for new residential development should be set at 5.77 metres as per the JAAP.
A tidal barrier on the river should be considered as an alternative to flood defences.	This was considered some time ago by the Environment Agency and was dismissed to be reconsidered in the future. Issues associated with river hydraulics, navigability, biodiversity and scheme costs exist with this option. As such this hasn't been considered by the SPD. The SPD does provide an explanation of this.
The potential to provide leisure facilities such as pontoons should be considered through the SPD, such as at the Sussex Yacht Club site.	The SPD refers to potential for pontoons along frontages on the Western Harbour Arm.
There was a general support that new defences and public realm must be designed to be visually interesting with variations in the line of defence and the direction / level of the riverside route.	The SPD reflects these considerations.
The need for slipways, inlets and / or ramps along the Western Harbour Arm should be included in the SPD.	Costs associated with including slipways and / or inlets are high. The SPD must support viable proposals and so does not refer to this need. Reference to floating pontoons has been made to ensure appropriate boat facilities are included.
Compensatory intertidal habitat will be required where defences encroach into the river.	This is referred to in the SPD.
Sussex Yacht Club would wish to see a flood defence protecting their site as opposed to being positioned at the rear of their site.	This was taken into consideration when identifying the preferred approach for the frontage. Other options were considered in the SPD and Technical Annex for completeness.

- 4.2. The Partnership received representations on the Draft SPD during public consultation in September and October 2014. A detailed account of comments received and changes made to the document has been included in Appendix A. Following consultation the SPD has been significantly revised and updated to reflect the issues. The main issues and changes are identified below.

Issue	How addressed in SPD
The need for more detail around compensatory intertidal habitat.	A section on intertidal habitat was added.
Clearer diagrams and maps in the SPD.	Significant restructuring of the document was carried out including improving maps and images.
Clearer explanation of recommended approaches.	The recommended approaches sections were clarified with improved maps and diagrams.
Greater commitment to provision of waterside recreation facilities such as pontoons should be made.	Provision of waterside recreation facilities was added in a new section
Consideration of the potential for any flood defence to cause contamination to the river.	Consideration of contaminated land included in the document.
Better discussion of and reference to other flood defence strategies being developed in the area.	A section on other flood defence strategies and planning policies has been added to the SPD.
Clarification on some of the technical and engineering terms used within the document	Where applicable, better definition / explanation has been used to clarify the technical / engineering terms.

4.3. In addition, the following changes were made:

- A new section has been added that provides guiding principles that developers will be expected to follow. This includes a section on:
 - compensatory intertidal habitat;
 - provision of recreational facilities;
 - consideration of contaminated land.
- Improved signposting to the Technical Annex. This document has a section on phasing and bringing forward delivery of flood defences.

4.4. The Partnership also received representations on the Final Draft SPD during public consultation in May and June 2015. A detailed account of comments received and changes made has been included in Appendix B. The main issues and changes to the final document are identified in the table below.

4.5.

Issue	How addressed in SPD
Greater emphasis on protecting and delivering a net increase in biodiversity.	Wording was amended where appropriate.
The document should support existing flood strategies in the area.	Wording was amended to show greater support for flood strategies.
The need for slipways on the Western Harbour Arm was requested as well as criteria for slipway provision.	Reference to protecting access to existing public hard has been included in the document. The Regeneration Partnership is supporting the provision of a public slipway outside of the regeneration area.

Objection to a setback of 12.25 metres for the riverside route on the Western Harbour Arm.	Changes to the criteria for a riverside route on the Western Harbour Arm.
The need to protect development from saline intrusion.	The document should ensure that new development is protected from saline intrusion. No changes were required.
Amendments required to flood defence criteria throughout document.	Changes to criteria made throughout.
Suggested wording changes to compensatory habitat sections.	Amendments have been made to the compensatory habitat section.

5. Conclusion

- 5.1. The production of the Final Draft Flood Risk Management Guide SPD has involved significant early consultation which has directly influenced both early development and later refinement of the document. The process has complied with the relevant Government Regulations.

Appendix A - Representations on Draft Flood Risk Management Guide SPD (2014)

Representation No: **1** Organisation (if applicable) **Highways England**

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

Thank you for your email dated 3 June 2015, advising Highways England of the above consultation.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the Strategic Road Network (SRN).

Having reviewed the consultation document, Highways England have concluded that they have no comments.

Response:

N/A

Amendment:

N/A

Representation No: **2** Organisation (if applicable) **Natural England**

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☐

Comments:

Thank you for consulting Natural England on your Flood Risk Management SPD.

As I noted in October last year, this is a helpful document, but relates to matters that generally fall beyond our remit, so I can have little to add.

Response:

N/A

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☐

Comments:

My only thoughts are that, although we welcome the references to SuDS and other measures in section 3.5 of the SPD, the strong support in the Shoreham Harbour JAAP for biodiversity (e.g. SO1 Sustainable Development To promote sustainable development, Para 3.8.6 and Policy JAAP 28 Nature Conservation) should be mentioned or referenced in the SPD, to ensure early consideration of any constraints and opportunities at the design stage.

Response:

The SPD has been drafted to support the Joint Area Action Plan (JAAP) and should be read alongside this document when adopted. The SPD is intentionally a short document and it would not be possible to refer to all relevant policies from JAAP without significantly increasing the length of it. Only those policies from the JAAP directly linked to flood risk and related matters have been included.

Amendment:

None

Representation No: Organisation (if applicable) **Hopegar Properties**

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

The following comments are made on behalf of my clients, Hopegar Properties Ltd, owners of Mackleys Wharf.

Planning permission was granted on 30/5/2014 (reference BH2014/01064) for permanent B2 use of the premises. This use is on-going (it was previously allowed on a limited period permission).

Response:

N/A

Amendment:

N/A

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

4.3.1

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

Section 4 of the Draft Flood Risk guidance discusses Aldrington Basin. My clients are aware of the current risk to their premises if and when the lock gates are unable to keep the tide out, and note that 'resilient and resistant design measures' are described (4.3.1 and section 3). The guidance might mention that these do not apply to commercial changes of use.

Response:

Any change of use that is permitted under The Town and Country Planning (Use Classes) Order 1987 (as amended) would not be required to comply with this recommendation.

Where the change of use is not permitted, planning permission or prior approval will be required. Flood risk would be a consideration in these instances. It is possible that a change of use may involve an increase in flood risk if the vulnerability classification of the development is changed. Where this is the case resistant / resilience measures may well be appropriate.

The SPD cannot state that commercial changes of use would not require resistant / resilience measures. This would be established through the planning process. The SPD would be a material consideration in determining planning applications. For this reason, no change to the wording in the document will be made.

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

Para 2.4.13 refers at note 31 to the Brighton Marina to River Adur Strategy, summarised in 2.4.15. This Strategy does include works which will, when implemented, greatly reduce the flood risk currently experienced by Aldrington Basin.

Paragraph 1.2.4 of the November 2014 Review of the Strategy makes clear that the proposals are vital to the continued operation of the Port itself. It notes that

"Future sea level rise will reduce the ability of the Port to manage land use and will increasingly impact the viability of the businesses that use the port".

The Strategy (1.7.1) recommends

'....capital works at six sites in the first five years of the Strategy to address key weaknesses in the current defences and flood risk - Shoreham Locked Section...(etc.)'

Response:

Noted

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

My clients consider that section 2 of the draft Flood Risk SPD could helpfully include a further paragraph explaining progress with this Flood Risk Management Strategy, and endorse the recommendation to deal with the flood problems at the Canal Basin early in the Strategy.

Clearly, once this work has been done the flood risk profile of Aldrington Basin will be radically improved. My clients wish to place on record their full support for this work, which they asked (24/4/2014) should be given high priority in the JAAP.

Response:

There is no further progress to report on the Brighton Marina to River Adur Strategy.

Amendment:

A sentence has been added at 2.4.16: 'The Partnership support the measures outlined in the strategy.'

Representation No:

4

Organisation (if applicable)

Shoreham Slipways Group

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

As usual, I scanned through the documents looking for the word "slipway". It is interesting that gates are being proposed for slipway at the Sussex Yacht Club to avoid having to make the slipway too steep. We are exploring that option for the proposed slipway at the Adur Rec. (As an aside, I recently went to Herne Bay and Tonbridge which both have gates to protect the hinterland from the sea/river. They were painted grey and blended into the surroundings.)

Response:

N/A

Amendment:

N/A

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

I see that it is proposed to extinguish hards/slipways to simplify the improved flood defences. We can understand this proposal but suggest that compensation for this loss is recommended in the final report. Essentially, proposing a new slipway elsewhere in recompense for the loss of numerous hards and slipways.

Response:

The Flood Risk Management Guide Supplementary Planning Document (SPD) sets out recommended guidance for developers of sites at Shoreham Harbour. There are currently no recorded public slipways on any of the strategic sites identified for development. There are however a number of publicly accessible hards on the Western Harbour Arm site (a hard being a place where people or goods can be loaded / unloaded from a vessel). Developers of sites with hards will be required to ensure that public access for the purpose of using the hard remains. The recommended approaches in the SPD allow for this. However, the guiding principles in section 9 of the SPD should refer to ensuring continued access to public hards.

Amendment:

FRMG4: Flood Defence Design Requirements: Western Harbour Arm: 'Access to existing public hards must remain.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

I didn't see any reference to Ferry Road, is a gate being proposed to allow access to the existing slipway?

Response:

Ferry Road is outside of the regeneration area and is not covered by the Flood Risk Management SPD. The Shoreham Adur Tidal Walls Scheme is investigating flood defences for this area.

Amendment:

N/A

Representation No: 5 Organisation (if applicable) Brighton & Hove City Council

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 2.4.2

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

B&HCC LFRMS is due to be published soon (I am waiting for members decision). It will be available on this web page when it is available.

Response:

Noted

Amendment:

Paragraph 2.4.2 has been amended to read: 'West Sussex County Council have produced a Local Flood Risk Management Strategy (LFRMS) . Brighton & Hove City Council plan to publish their LFRMS soon.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

Note: There is historic flooding at this location. It relates to hydraulic overload of the sewers, there have been no records reported since 2002. You may wish to check with Southern Water about their improvement works in recent years in Portslade. The site is indicated to be at high risk of surface water flooding (uFMfSW). Any development here would require a detailed drainage strategy and maintenance plan to support its planning application.

Response:

Noted

Amendment:

Amendments made to section 5. Paragraph 5.2.1 states: 'and flooding has occurred here in the past'. 5.3.1 now states: 'However, a detailed drainage strategy and maintenance plan will be required to support planning applications. It is likely that SuDS will be required (refer to Section 3.5).'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

Please can you put in a reference to our guide for master planning sustainable drainage into developments (PDF 10.4mb).

Response:

Reference to this document has already been made throughout the SPD in Section 9 (FRMG7) and in Section 3 (3.5.8).

Amendment:

None.

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 2.2.12

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

After 2.2.12 NPPF Can you include:

On 18 December 2014, the Secretary of State for Communities and Local Government laid a Written Ministerial Statement setting out how Defra will be strengthening existing planning policy so that sustainable drainage system will be provided in new developments wherever this is appropriate.

These changes came into effect on 6 April 2015. The changes are applied to new major developments where appropriate. The planning practice guidance has since been updated to reflect these changes and non-statutory technical standards for the design, maintenance and operation of sustainable drainage systems have been published. Unless otherwise agreed at the pre-application stage, any major planning application must now be supported a drainage strategy and associate maintenance plan. (please check with West Sussex, that they are happy with this wording)

Response:

Agreed

Amendment:

Included under 2.2.13 and 2.2.14

Representation No: 6 Organisation (if applicable) Surrey County Council

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

Thank you for consulting us on the above document. The Council's Spatial Planning team and Minerals and Waste Policy Team have no comments.

Response:

N/A

Amendment:

N/A

Representation No:

7

Organisation (if applicable)

West Sussex Scouts Water Activities Team

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

On behalf of West Sussex Scouts Water Activities Team, we submit the following re WHA and ATW and the need for high quality public slipways.

It does not matter to us what the actual classification is (hard/slipway etc.), what matters is accessibility, functionality and maintenance.

Response:

The Flood Risk Management Guide SPD relates to flood defences and flood mitigation measures. The SPD will remain focussed on flood risk management rather than the provision of new leisure facilities although these are referred to in the document.

Amendment:

N/A

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

We have no objection in reducing the number of public accesses as long as the net effect is a significant improvement. We would welcome more detailed discussions. The absence of good water access for a variety of craft undermines the leisure objectives and the tourism strategy as well as the wider need to increase physical activities for public health and cultural reasons.

Response:

There are no plans to reduce public access on the Western Harbour Arm.

With regard to improved water access, the Shoreham Harbour Regeneration Partnership has been working with the Shoreham Slipways Group to identify a suitable location for a publicly accessible slipway. The Shoreham Slipway Feasibility Study (2014) concluded that the Adur Recreation Ground was the most suitable location for a new slipway. The Partnership will continue to support the provision of a publically accessible slipway on the River Adur.

Amendment:

None

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

The tidal Adur below the Norfolk Bridge needs a number of good public access points to enable a variety of boats to be launched and recovered at all tidal states. The types of boats include:

- Canoes and kayaks
- Bell boats
- Dinghies
- Trailable keel boats
- Pulling boats (rowing gigs)
- Displacement power boats
- Planing power boats including ribs

Response:

N/A

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

The key needs are:

- At least 6 m wide with good access to enable large trailers to be reversed into the water by vehicle
- Non slip surface maintained to LWS free from weed and mud (frequency TBD)
- Minimal cross currents
- Space for c 10 trailers up to c 8m long and their towing vehicles (cars, 4x4 and minibuses)
- Ample turning room at top of slip
- Free parking for towing vehicles and trailers (no height restrictions)
- Safe space for changing - shower and changing room availability as a bonus

Response:

N/A

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

We have reviewed the materials in the current Shoreham Harbour consultation documents and find them far too vague (answers to representations 3 and 5).

Response:

It is assumed that this comment refers to previous representations regarding whether hards, slipways and steps will be preserved. Agree that changes to section 9 are required.

The Flood Risk Management Guide Supplementary Planning Document (SPD) sets out recommended guidance for developers of sites at Shoreham Harbour. There are currently no recorded public slipways on any of the strategic sites identified for development. There are however a number of publicly accessible hards on the Western Harbour Arm site (a hard being a place where people or goods can be loaded / unloaded from a vessel). Developers of sites with hards will be required to ensure that public access for the purpose of using the hard remains. The recommended approaches in the SPD allow for this. However, the guiding principles in section 9 of the SPD should refer to ensuring continued access to public hards.

Amendment:

FRMG4: Flood Defence Design Requirements: Western Harbour Arm: 'Access to existing public hards must remain.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☒ Do you Object ☐ Do you Comment ☐

Comments:

We also support the comments in the SPD re the addition of pontoons - these would increase our ability and that of other sea schools to do more training, particularly for power boating and the seamanship elements of dingy and keel boat sailing.

We would be happy to work with the Shoreham Slipway Group on this.

Response:

N/A

Amendment:

N/A

Representation No:

8

Organisation (if applicable)

Southern Housing Group (SHG)

Relates To Map ☐Relates To Paragraph ☒Relates to Policy ☐

Map / Paragraph / Policy No:

9.5.1

Do you Support ☐Do you Object ☒Do you Comment ☐

Comments:

What is key is to guarantee the development of a high quality waterfront route for pedestrians and cyclists as mentioned throughout the various Western Harbour Masterplan(s). The decision to include vehicles/buses along this waterfront route should not be made at this time; even Item 7.8.9 of the Flood Risk Management Guide SPD makes reference to this; where it suggests the provision of vehicles would impact, potentially significantly on the preferred approach.

Response:

Noted. Paragraph 7.8.9 refers to the difficulties of providing a set back flood defence as well as allowing vehicular access on the riverside. As stated in this paragraph, the provision of flood gates and / or ramps would be required.

Amendment:

N/A

Relates To Map ☐Relates To Paragraph ☒Relates to Policy ☐

Map / Paragraph / Policy No:

9.5.1

Do you Support ☐Do you Object ☒Do you Comment ☐

Comments:

In addition, the accompanying diagram 7.13 clearly shows an inland vehicular route and a visually appealing waterfront route public realm incorporating stepped flood walls, integrated playgrounds / green space along with varying levels of inundation and public water features, none of which complies with the 12.25m setback requirement listed in FRMG4 in the same document. Similarly Item 8.4.4 and 8.4.5 makes reference to the 12.25m setback and should be omitted.

Response:

The diagrams produced are for illustrative purposes and identify what could potentially be delivered on site. The inland vehicular route is the existing A259. The riverfront route could be potentially delivered as a shared space environment which wouldn't preclude the delivery of stepped flood walls, integrated playgrounds, green space etc. Paragraphs 8.4.4 and 8.4.5 both refer to the Western Harbour Development Brief as adopted by the Council . This document would be a consideration for any planning application in the area and it is therefore considered appropriate to refer to this in the SPD.

Amendment:

None

Relates To Map ☐ Relates To Paragraph ☒ Relates to Policy ☐ Map / Paragraph / Policy No: 9.5.1
Do you Support ☐ Do you Object ☒ Do you Comment ☐

Comments:

We suggest relaxing the requirement to remove the specific dimension as it is too prescriptive. Furthermore, the requirement to provide a vehicular/bus route has nothing to do with Flood Risk Management and consequently beyond the scope of the proposed Supplementary Planning Document.

Response:

Noted. However, a specific requirement of at least 8m will be required. Any planning application will be assessed against the criteria set out in the Development Brief/s.

Amendment:

FRMG4: Flood Defence Design Requirements: Western Harbour Arm has been amended to read: 'Developments should be set back from the riverside by at least 8m from wharf wall to building for flood defence maintenance requirements. Regard to the Western Harbour Arm Development Brief should be made when submitting applications.'

Relates To Map ☐ Relates To Paragraph ☒ Relates to Policy ☐ Map / Paragraph / Policy No: 9.5.1
Do you Support ☐ Do you Object ☒ Do you Comment ☐

Comments:

We object to the inclusion of a stated setback dimension of 12.25m.

This number seems to have been first proposed in the Western Arm Development Brief (July 2013) where a new waterfront route which has potential to accommodate a bus route was first proposed (Item 4.1.16). Initially an 8m setback was referred to 'for likely flood management purposes' but then was extended to 12.25m to deliver this new route. The Joint Area Action Plan (Draft for Consultation February 2014) seems to have copied verbatim (Item 2.10.33) the same text and now the wording has evolved into a specific dimensional requirement.

Response:

Noted - the Western Harbour Arm Development Brief (2013) refers to an 8m setback for flood management purposes - this is a specific requirement that is needed in order to maintain flood defences. The brief goes on to explain that it is likely that a setback of 12.25m would be sufficient to deliver a new riverside route. A riverside route has long been established as a key element of any new development on the riverside. The brief states: 'the carriageway has potential to accommodate a bus route and will be designed to maximise ease of access for pedestrians and cyclists.'

Amendment:

N/A

Representation No:

9

Organisation (if applicable)

Sussex Wildlife Trust

Relates To Map ☐

Relates To Paragraph ☒

Relates to Policy ☐

Map / Paragraph / Policy No:

3.4.3

Do you Support ☒

Do you Object ☐

Do you Comment ☐

Comments:

The Sussex Wildlife Trust strongly supports 'increasing biodiversity' as being one of the key goals of SuDS.

Response:

Noted.

Amendment:

N/A

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

7.2

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

The Sussex Wildlife Trust has some concerns that there seems to be little consideration of saline intrusion and flooding from underground in the Western Harbour Arm area. This appears to already be a problem for some of the existing properties, particularly around Kingston Beach. We would like to see development in this area reduce the risk of this type of flooding to existing properties.

Response:

There is little that new development can do in relation to reducing the risk of saline intrusion to existing properties although provision of flood defences will provide a wider benefit to the wider area. However, new developments themselves can be appropriately constructed to ensure that saline intrusion is not an issue. For the Western Harbour Arm, all residential development will be set at a raised level insuring saline intrusion is not an issue.

Amendment:

None

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 9.6
Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

The Sussex Wildlife Trust supports the inclusion of Guiding Principle FRMG5 and the reference to paragraph 118 of the NPPF. However this principle would be strengthened by an additional requirement to produce overall net gains in biodiversity as per paragraph 109 of the NPPF. The Trust would like to see wording that encouraged the creation of more intertidal compensatory habitat then is being lost.

Response:

Noted

Amendment:

FRMG5: Intertidal Compensatory Habitat has been amended to state: 'Schemes should incorporate measures designed to deliver ecological enhancements.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 9.8
Do you Support ☒ Do you Object ☐ Do you Comment ☐

Comments:

The Sussex Wildlife Trust supports the inclusion of Guiding Principle FRMG7.

Response:

N/A

Amendment:

N/A

Representation No: 10 Organisation (if applicable) Health and Safety Executive

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:
Do you Support ☐ Do you Object ☐ Do you Comment ☐

Comments:

Thank you for your request to provide a representation on the above consultation document.

When consulted on land-use planning matters, the HSE where possible will make representations to ensure that compatible development within the consultation zones of major hazard installations and major accident hazard pipelines (MAHPs) is achieved.

We have concluded that we have no representations to make on this occasion. This is because our records show that the boundary and the land within does not encroach on the consultation zones of major hazard installations or MAHPs. As no encroachment has been detected, the HSE does not need to be informed of the next stages in the adoption of the [Flood Risk Management Guide SPD].

Response:

N/A

Amendment:

N/A

Representation No: 11 Organisation (if applicable) Environment Agency

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 2.4.6
Do you Support ☐ Do you Object ☐ Do you Comment ☐

Comments:

The final sentence of this paragraph is misleading. The Shoreline Management Plans are designed to ensure the Environment Agency and local authorities make sure that those policies and plans that affect land use planning, rural development, agriculture, transport, recreation, nature conservation and the historic environment in our catchments take into account flood risk management and considers where there is an economic benefit to maintaining those defences. We would recommend that the final sentence with regard to our commitment is removed.

Response:

Noted

Amendment:

Final sentence in paragraph 2.4.6 has been removed.

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

9.7

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

We are pleased to see the inclusion of a guiding principle relating to how proposals will address land contamination and manage any potential risks to the water environment through the requirement for a piling risk assessment.

Response:

Noted

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 9.6

Do you Support ☐ Do you Object ☐ Do you Comment ☐

Comments:

We are pleased to see the inclusion of specific guiding principles to address the issues associated with any impacts on the intertidal habitats. However, this section could be improved further to give clear guidance for any developer and/or decision maker in relation to these issues.

We would like to see this section also make reference to Paragraph 109 of the NPPF and the requirement to ensure development minimises the impacts on biodiversity and provides net gains where possible.

With regard to compensatory habitat requirements we would recommend the following further guidance is included.

“Any scheme, (regardless of the developer), must avoid causing harm to biodiversity in the first instance. If it cannot be avoided then the impacts need to be adequately mitigated, or, as a last resort, compensated for according to the National Planning Policy Framework.

The chartered Institute of Ecology and Environmental Management technical guidance states that development should deliver net ecological gain rather than simply being designed to achieve mere damage limitation. Schemes should incorporate measures designed to deliver ecological enhancements as well as measures to:

☐ avoid negative ecological impacts

☐ reduce negative impacts that cannot be avoided; and

☐ compensate for any remaining significant negative ecological impacts

Compensation should be designed to meet specific ecological objectives that will deliver meaningful compensation for the negative impacts that are predicted. The habitat being compensated must be like for like and must provide at least the same area and quality of that being lost. It will not be acceptable, for instance, to create an area of chalk grassland in compensation for an area of woodland lost to development.

The location of compensation sites must be appropriate to habitats and species they are designed to support, taking into account the soil substrate, slope aspect etc., and the long term integrity of the location.

Compensation sites must be subject to management agreements as part of a legal document, to ensure the long term integrity of the site for wildlife benefit. Offsite compensation sites must be in the control of the person or organisation eligible to sign a Section 106 agreement for the planning permission i.e. with a legal interest in the development site; otherwise it will be necessary for any third party land owners to enter into a separate legal agreement with the LPA.”

Response:

Agreed in part. The Guiding Principle has been amended to reflect these comments.

Amendment:

FRMG5: Intertidal Compensatory Habitat amended as follows:

Any scheme must avoid causing harm to biodiversity in the first instance. If it cannot be avoided then the impacts need to be adequately mitigated, or, as a last resort, compensated for according to the National Planning Policy Framework. Schemes should incorporate measures designed to deliver ecological enhancements.

Consultation with the Environment Agency is necessary for proposals which encroach into the river environment. For such schemes, applicants should:

- Avoid negative ecological impacts
- Reduce negative impacts that cannot be avoided; and
- Compensate for any remaining significant negative ecological impacts

Where compensatory intertidal habitat is required, applicants should:

- Calculate the area of habitat loss through undertaking up-to-date surveys;
- Compensate for habitat loss on a like for like basis, providing the same area and quality of habitat being lost;
- Identify / deliver sites for compensation appropriate to habitats and species they are designed to support.

For further guidance review the chartered Institute of Ecology and Environmental Management technical guidance

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.

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

We are pleased to see the addition of section 9. We consider that this provides a clear overview of the relevant policies that need to be considered when preparing a planning application in this area.

Response:

Noted

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

We would recommend where pontoons are acceptable that these should be freestanding and not attached to the flood defences.

Response:

Agreed

Amendment:

Text added to FRMG4 Flood Defence Design Requirements: Western Harbour Arm: 'Pontoons should be designed to be freestanding structures.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 7.6.6

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

We are pleased that the SPD recognises the potential implications of development on the intertidal habitat and that there is recognition that compensatory habitat may be required. It should be noted that were any boats to be moored directly on to piling a structural survey would need to consider whether the defences could take the loading over their expected lifetime.

Response:

Agreed

Amendment:

Text added to FRMG4 Flood Defence Design Requirements: Western Harbour Arm: 'Where boats are to be moored directly on to piling, a structural survey is required to consider whether defences could take the loading over their expected lifetime.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 7.6.4

Do you Support ☐ Do you Object ☐ Do you Comment ☐

Comments:

Please note that where flood gates are required, or installed, the riparian owner will be responsible for their operation and maintenance.

Response:

Noted

Amendment:

7.6.4 amended to read: 'Where floodgates are installed, the riparian owner will be responsible for their operation and maintenance.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 7.3.5

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

To ensure clarity for the reader it may be worth setting out here why the finished floor levels are set differently to the defence height. This could include reference to the above document.

Response:

Agreed

Amendment:

Text added at paragraph 7.3.4: 'Flood defence and finished floor levels are different to ensure safety of residents if defences are breached or fail. In this instance, more vulnerable uses will be less likely to flood as they are raised above predicted flood levels.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 2.4.12

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

This section should be updated to confirm that the design heights on both banks of the Shoreham Adur Tidal Walls scheme are designed to a 1 in 300 year standard of protection.

Response:

Noted

Amendment:

Paragraph 2.4.12 has been amended. To read: 'The Technical Annex details the design heights for the proposed Shoreham Adur Tidal Walls to achieve a 1 in 300 (0.33%) standard of protection along the River Adur west and east bank reaches.

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 2.2.11

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

For clarity please note that within the NPPF the flood zone 3b definition includes the presence of defences

Response:

Noted

Amendment:

2.2.11 has been amended to read: '(except for flood zone 3b which includes the presence of defences).'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

Thank you for your consultation on the above document. Overall we are pleased with this document and consider that it will be a useful guide to ensure that suitable flood defences and flood mitigation measures will be provided for new development in this area.

The following provides some further detailed comments on the document which we hope you will find useful.

Response:

N/A

Amendment:

N/A

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

7.3

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

We would recommend that rather than quoting the design flood level in line with the UK Climate Projections 09 figures that you refer to the figures from the EA/Adur joint Shoreham modelling which uses climate change predictions for new development as set out in the EA document Climate Change Allowances for Planners (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/296964/LIT_8496_5306da.pdf). We would wish to see developers use this detailed modelling to inform their site specific Flood Risk Assessments.

Please note that the climate change projections are currently being updated. It is expected that we will receive the final announcement on any changes in the autumn of this year. By providing reference to the above document you will help to future proof this guidance.

Response:

Agreed: design flood levels for flood defences should use the UK Climate Change Projections 09 figures. Finished floor levels should use the EA document: Climate Change Allowances for planners.

Amendment:

Text added at paragraph 7.3.4: 'Finished floor levels should be based on the Environment Agency document: Climate Change Allowances for Planners.'

Representation No:

12

Organisation (if applicable)

Historic England

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

Thank you for your consultation of 11 May 2015 seeking our pre-application advice on plans for the above site. On the basis of the information provided, detailed below, it appears that the plans are likely to lead to a series of applications for planning consent and Marine Management Organisation licences for which English Heritage would be a statutory consultee. It is our view that impacts to the historic environment may be controlled sufficiently through these mechanisms. We note however that particular attention should be paid to the SS4 Adur Ferry Bridge to Riverside Business Centre, and the SS3 Southwick waterfront sections of the scheme, as these intrude into, and therefore have the potential to impact directly upon, the Shoreham by Sea and Southwick Conservation Areas.

On the basis of our understanding of the present scope of the work we do not feel that it is essential for us to participate further in pre-application discussions for this specific consultation. We would however wish to be consulted on individual elements of the scheme, as appropriate consents are obtained.

It is important that the local planning authority is invited to give pre-application advice. Relevant amenity societies may also be able to assist and we recommend that you approach them. If, as the scheme develops, there are material changes to the proposals and their impact on the historic environment, please consult us again. Meanwhile, please contact me if you would like to discuss any matter further.

Response:

Noted

Amendment:

N/A

Appendix B - Representations on Final Draft Flood Risk Management Guide SPD (2015)

Representation No:

1

Organisation (if applicable)

Highways England

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

Thank you for your email dated 3 June 2015, advising Highways England of the above consultation.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the Strategic Road Network (SRN).

Having reviewed the consultation document, Highways England have concluded that they have no comments.

Response:

N/A

Amendment:

N/A

Representation No:

2

Organisation (if applicable)

Natural England

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

Do you Support ☐

Do you Object ☐

Do you Comment ☐

Comments:

Thank you for consulting Natural England on your Flood Risk Management SPD.

As I noted in October last year, this is a helpful document, but relates to matters that generally fall beyond our remit, so I can have little to add.

Response:

N/A

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☐

Comments:

My only thoughts are that, although we welcome the references to SuDS and other measures in section 3.5 of the SPD, the strong support in the Shoreham Harbour JAAP for biodiversity (e.g. SO1 Sustainable Development To promote sustainable development, Para 3.8.6 and Policy JAAP 28 Nature Conservation) should be mentioned or referenced in the SPD, to ensure early consideration of any constraints and opportunities at the design stage.

Response:

The SPD has been drafted to support the Joint Area Action Plan (JAAP) and should be read alongside this document when adopted. The SPD is intentionally a short document and it would not be possible to refer to all relevant policies from JAAP without significantly increasing the length of it. Only those policies from the JAAP directly linked to flood risk and related matters have been included.

Amendment:

None

Representation No: Organisation (if applicable) **Hopegar Properties**

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

The following comments are made on behalf of my clients, Hopegar Properties Ltd, owners of Mackleys Wharf.

Planning permission was granted on 30/5/2014 (reference BH2014/01064) for permanent B2 use of the premises. This use is on-going (it was previously allowed on a limited period permission).

Response:

N/A

Amendment:

N/A

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

4.3.1

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

Section 4 of the Draft Flood Risk guidance discusses Aldrington Basin. My clients are aware of the current risk to their premises if and when the lock gates are unable to keep the tide out, and note that 'resilient and resistant design measures' are described (4.3.1 and section 3). The guidance might mention that these do not apply to commercial changes of use.

Response:

Any change of use that is permitted under The Town and Country Planning (Use Classes) Order 1987 (as amended) would not be required to comply with this recommendation.

Where the change of use is not permitted, planning permission or prior approval will be required. Flood risk would be a consideration in these instances. It is possible that a change of use may involve an increase in flood risk if the vulnerability classification of the development is changed. Where this is the case resistant / resilience measures may well be appropriate.

The SPD cannot state that commercial changes of use would not require resistant / resilience measures. This would be established through the planning process. The SPD would be a material consideration in determining planning applications. For this reason, no change to the wording in the document will be made.

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

Para 2.4.13 refers at note 31 to the Brighton Marina to River Adur Strategy, summarised in 2.4.15. This Strategy does include works which will, when implemented, greatly reduce the flood risk currently experienced by Aldrington Basin.

Paragraph 1.2.4 of the November 2014 Review of the Strategy makes clear that the proposals are vital to the continued operation of the Port itself. It notes that

"Future sea level rise will reduce the ability of the Port to manage land use and will increasingly impact the viability of the businesses that use the port".

The Strategy (1.7.1) recommends

'....capital works at six sites in the first five years of the Strategy to address key weaknesses in the current defences and flood risk - Shoreham Locked Section...(etc.)'

Response:

Noted

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

My clients consider that section 2 of the draft Flood Risk SPD could helpfully include a further paragraph explaining progress with this Flood Risk Management Strategy, and endorse the recommendation to deal with the flood problems at the Canal Basin early in the Strategy.

Clearly, once this work has been done the flood risk profile of Aldrington Basin will be radically improved. My clients wish to place on record their full support for this work, which they asked (24/4/2014) should be given high priority in the JAAP.

Response:

There is no further progress to report on the Brighton Marina to River Adur Strategy.

Amendment:

A sentence has been added at 2.4.17: 'The Partnership support the measures outlined in the strategy.'

Representation No:

4

Organisation (if applicable)

Shoreham Slipways Group

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

As usual, I scanned through the documents looking for the word "slipway". It is interesting that gates are being proposed for slipway at the Sussex Yacht Club to avoid having to make the slipway too steep. We are exploring that option for the proposed slipway at the Adur Rec. (As an aside, I recently went to Herne Bay and Tonbridge which both have gates to protect the hinterland from the sea/river. They were painted grey and blended into the surroundings.)

Response:

N/A

Amendment:

N/A

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

I see that it is proposed to extinguish hards/slipways to simplify the improved flood defences. We can understand this proposal but suggest that compensation for this loss is recommended in the final report. Essentially, proposing a new slipway elsewhere in recompense for the loss of numerous hards and slipways.

Response:

The Flood Risk Management Guide Supplementary Planning Document (SPD) sets out recommended guidance for developers of sites at Shoreham Harbour. There are currently no recorded public slipways on any of the strategic sites identified for development. There are however a number of publicly accessible hards on the Western Harbour Arm site (a hard being a place where people or goods can be loaded / unloaded from a vessel). Developers of sites with hards will be required to ensure that public access for the purpose of using the hard remains. The recommended approaches in the SPD allow for this. However, the guiding principles in section 9 of the SPD should refer to ensuring continued access to public hards.

Amendment:

FRMG4: Flood Defence Design Requirements: Western Harbour Arm: 'Access to existing public hards must remain.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

I didn't see any reference to Ferry Road, is a gate being proposed to allow access to the existing slipway?

Response:

Ferry Road is outside of the regeneration area and is not covered by the Flood Risk Management SPD. The Shoreham Adur Tidal Walls Scheme is investigating flood defences for this area.

Amendment:

N/A

Representation No: 5 Organisation (if applicable) Brighton & Hove City Council

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 2.4.2

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

B&HCC LFRMS is due to be published soon (I am waiting for members decision). It will be available on this web page when it is available.

Response:

Noted

Amendment:

Paragraph 2.4.2 has been amended to read: 'West Sussex County Council have produced a Local Flood Risk Management Strategy (LFRMS) . Brighton & Hove City Council plan to publish their LFRMS soon.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

Note: There is historic flooding at this location. It relates to hydraulic overload of the sewers, there have been no records reported since 2002.You may wish to check with Southern Water about their improvement works in recent years in Portslade. The site is indicated to be at high risk of surface water flooding (uFMfSW). Any development here would require a detailed drainage strategy and maintenance plan to support its planning application.

Response:

Noted

Amendment:

Amendments made to section 5. Paragraph 5.2.1 states: 'and flooding has occurred here in the past'. 5.3.1 now states: 'However, a detailed drainage strategy and maintenance plan will be required to support planning applications. It is likely that SuDS will be required (refer to Section 3.5).'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 3.5.1

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

Please can you put in a reference to our guide for master planning sustainable drainage into developments (PDF 10.4mb).

Response:

Reference to this document has already been made throughout the SPD in Section 9 (FRMG7) and in Section 3 (3.5.8).

Amendment:

None.

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 2.2.12

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

After 2.2.12 NPPF Can you include:

On 18 December 2014, the Secretary of State for Communities and Local Government laid a Written Ministerial Statement setting out how Defra will be strengthening existing planning policy so that sustainable drainage system will be provided in new developments wherever this is appropriate.

These changes came into effect on 6 April 2015. The changes are applied to new major developments where appropriate. The planning practice guidance has since been updated to reflect these changes and non-statutory technical standards for the design, maintenance and operation of sustainable drainage systems have been published. Unless otherwise agreed at the pre-application stage, any major planning application must now be supported a drainage strategy and associate maintenance plan. (please check with West Sussex, that they are happy with this wording)

Response:

Agreed

Amendment:

Included under 2.2.13 and 2.2.14

Representation No:

6

Organisation (if applicable)

Surrey County Council

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

Thank you for consulting us on the above document. The Council's Spatial Planning team and Minerals and Waste Policy Team have no comments.

Response:

N/A

Amendment:

N/A

Representation No:

7

Organisation (if applicable)

West Sussex Scouts Water Activities Team

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

On behalf of West Sussex Scouts Water Activities Team, we submit the following re WHA and ATW and the need for high quality public slipways.

It does not matter to us what the actual classification is (hard/slipway etc.), what matters is accessibility, functionality and maintenance.

Response:

The Flood Risk Management Guide SPD relates to flood defences and flood mitigation measures. The SPD will remain focussed on flood risk management rather than the provision of new leisure facilities although these are referred to in the document.

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

We have no objection in reducing the number of public accesses as long as the net effect is a significant improvement. We would welcome more detailed discussions. The absence of good water access for a variety of craft undermines the leisure objectives and the tourism strategy as well as the wider need to increase physical activities for public health and cultural reasons.

Response:

There are no plans to reduce public access on the Western Harbour Arm.

With regard to improved water access, the Shoreham Harbour Regeneration Partnership has been working with the Shoreham Slipways Group to identify a suitable location for a publicly accessible slipway. The Shoreham Slipway Feasibility Study (2014) concluded that the Adur Recreation Ground was the most suitable location for a new slipway. The Partnership will continue to support the provision of a publically accessible slipway on the River Adur.

Amendment:

None

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

The tidal Adur below the Norfolk Bridge needs a number of good public access points to enable a variety of boats to be launched and recovered at all tidal states. The types of boats include:

- Canoes and kayaks
- Bell boats
- Dinghies
- Trailable keel boats
- Pulling boats (rowing gigs)
- Displacement power boats
- Planing power boats including ribs

Response:

N/A

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

The key needs are:

- At least 6 m wide with good access to enable large trailers to be reversed into the water by vehicle
- Non slip surface maintained to LWS free from weed and mud (frequency TBD)
- Minimal cross currents
- Space for c 10 trailers up to c 8m long and their towing vehicles (cars, 4x4 and minibuses)
- Ample turning room at top of slip
- Free parking for towing vehicles and trailers (no height restrictions)
- Safe space for changing - shower and changing room availability as a bonus

Response:

N/A

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

We have reviewed the materials in the current Shoreham Harbour consultation documents and find them far too vague (answers to representations 3 and 5).

Response:

It is assumed that this comment refers to previous representations regarding whether hards, slipways and steps will be preserved. Agree that changes to section 9 are required.

The Flood Risk Management Guide Supplementary Planning Document (SPD) sets out recommended guidance for developers of sites at Shoreham Harbour. There are currently no recorded public slipways on any of the strategic sites identified for development. There are however a number of publicly accessible hards on the Western Harbour Arm site (a hard being a place where people or goods can be loaded / unloaded from a vessel). Developers of sites with hards will be required to ensure that public access for the purpose of using the hard remains. The recommended approaches in the SPD allow for this. However, the guiding principles in section 9 of the SPD should refer to ensuring continued access to public hards.

Amendment:

FRMG4: Flood Defence Design Requirements: Western Harbour Arm: 'Access to existing public hards must remain.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☒ Do you Object ☐ Do you Comment ☐

Comments:

We also support the comments in the SPD re the addition of pontoons - these would increase our ability and that of other sea schools to do more training, particularly for power boating and the seamanship elements of dingy and keel boat sailing.

We would be happy to work with the Shoreham Slipway Group on this.

Response:

N/A

Amendment:

N/A

Representation No: 8 Organisation (if applicable) Southern Housing Group (SHG)

Relates To Map ☐ Relates To Paragraph ☒ Relates to Policy ☐ Map / Paragraph / Policy No: 9.5.1

Do you Support ☐ Do you Object ☒ Do you Comment ☐

Comments:

What is key is to guarantee the development of a high quality waterfront route for pedestrians and cyclists as mentioned throughout the various Western Harbour Masterplan(s). The decision to include vehicles/buses along this waterfront route should not be made at this time; even Item 7.8.9 of the Flood Risk Management Guide SPD makes reference to this; where it suggests the provision of vehicles would impact, potentially significantly on the preferred approach.

Response:

Noted. Paragraph 7.8.9 refers to the difficulties of providing a set back flood defence as well as allowing vehicular access on the riverside. As stated in this paragraph, the provision of flood gates and / or ramps would be required.

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☒ Relates to Policy ☐ Map / Paragraph / Policy No: 9.5.1
Do you Support ☐ Do you Object ☒ Do you Comment ☐

Comments:

In addition, the accompanying diagram 7.13 clearly shows an inland vehicular route and a visually appealing waterfront route public realm incorporating stepped flood walls, integrated playgrounds / green space along with varying levels of inundation and public water features, none of which complies with the 12.25m setback requirement listed in FRMG4 in the same document. Similarly Item 8.4.4 and 8.4.5 makes reference to the 12.25m setback and should be omitted.

Response:

The diagrams produced are for illustrative purposes and identify what could potentially be delivered on site. The inland vehicular route is the existing A259. The riverfront route could be potentially delivered as a shared space environment which wouldn't preclude the delivery of stepped flood walls, integrated playgrounds, green space etc. Paragraphs 8.4.4 and 8.4.5 both refer to the Western Harbour Development Brief as adopted by the Council . This document would be a consideration for any planning application in the area and it is therefore considered appropriate to refer to this in the SPD.

Amendment:

None

Relates To Map ☐ Relates To Paragraph ☒ Relates to Policy ☐ Map / Paragraph / Policy No: 9.5.1
Do you Support ☐ Do you Object ☒ Do you Comment ☐

Comments:

We suggest relaxing the requirement to remove the specific dimension as it is too prescriptive.
Furthermore, the requirement to provide a vehicular/bus route has nothing to do with Flood Risk Management and consequently beyond the scope of the proposed Supplementary Planning Document.

Response:

Noted. However, a specific requirement of at least 8m will be required. Any planning application will be assessed against the criteria set out in the Development Brief/s.

Amendment:

FRMG4: Flood Defence Design Requirements: Western Harbour Arm has been amended to read: 'Developments should be set back from the riverside by at least 8m from wharf wall to building for flood defence maintenance requirements. Regard to the Western Harbour Arm Development Brief should be made when submitting applications.'

Relates To Map ☐ Relates To Paragraph ☒ Relates to Policy ☐ Map / Paragraph / Policy No: 9.5.1
Do you Support ☐ Do you Object ☒ Do you Comment ☐

Comments:

We object to the inclusion of a stated setback dimension of 12.25m.

This number seems to have been first proposed in the Western Arm Development Brief (July 2013) where a new waterfront route which has potential to accommodate a bus route was first proposed (Item 4.1.16). Initially an 8m setback was referred to 'for likely flood management purposes' but then was extended to 12.25m to deliver this new route. The Joint Area Action Plan (Draft for Consultation February 2014) seems to have copied verbatim (Item 2.10.33) the same text and now the wording has evolved into a specific dimensional requirement.

Response:

Noted - the Western Harbour Arm Development Brief (2013) refers to an 8m setback for flood management purposes - this is a specific requirement that is needed in order to maintain flood defences. The brief goes on to explain that it is likely that a setback of 12.25m would be sufficient to deliver a new riverside route. A riverside route has long been established as a key element of any new development on the riverside. The brief states: 'the carriageway has potential to accommodate a bus route and will be designed to maximise ease of access for pedestrians and cyclists.'

Amendment:

N/A

Representation No: 9 Organisation (if applicable) Sussex Wildlife Trust

Relates To Map ☐ Relates To Paragraph ☒ Relates to Policy ☐ Map / Paragraph / Policy No: 3.4.3
Do you Support ☒ Do you Object ☐ Do you Comment ☐

Comments:

The Sussex Wildlife Trust strongly supports 'increasing biodiversity' as being one of the key goals of SuDS.

Response:

Noted.

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 7.2

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

The Sussex Wildlife Trust has some concerns that there seems to be little consideration of saline intrusion and flooding from underground in the Western Harbour Arm area. This appears to already be a problem for some of the existing properties, particularly around Kingston Beach. We would like to see development in this area reduce the risk of this type of flooding to existing properties.

Response:

There is little that new development can do in relation to reducing the risk of saline intrusion to existing properties although provision of flood defences will provide a wider benefit to the wider area. However, new developments themselves can be appropriately constructed to ensure that saline intrusion is not an issue. For the Western Harbour Arm, all residential development will be set at a raised level insuring saline intrusion is not an issue.

Amendment:

None

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 9.6

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

The Sussex Wildlife Trust supports the inclusion of Guiding Principle FRMG5 and the reference to paragraph 118 of the NPPF. However this principle would be strengthened by an additional requirement to produce overall net gains in biodiversity as per paragraph 109 of the NPPF. The Trust would like to see wording that encouraged the creation of more intertidal compensatory habitat then is being lost.

Response:

Noted

Amendment:

FRMG5: Intertidal Compensatory Habitat has been amended to state: 'Schemes should incorporate measures designed to deliver ecological enhancements.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 9.8

Do you Support ☒ Do you Object ☐ Do you Comment ☐

Comments:

The Sussex Wildlife Trust supports the inclusion of Guiding Principle FRMG7.

Response:

N/A

Amendment:

N/A

Representation No: 10 Organisation (if applicable) Health and Safety Executive

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:
Do you Support ☐ Do you Object ☐ Do you Comment ☐

Comments:

Thank you for your request to provide a representation on the above consultation document.

When consulted on land-use planning matters, the HSE where possible will make representations to ensure that compatible development within the consultation zones of major hazard installations and major accident hazard pipelines (MAHPs) is achieved.

We have concluded that we have no representations to make on this occasion. This is because our records show that the boundary and the land within does not encroach on the consultation zones of major hazard installations or MAHPs. As no encroachment has been detected, the HSE does not need to be informed of the next stages in the adoption of the [Flood Risk Management Guide SPD].

Response:

N/A

Amendment:

N/A

Representation No: 11 Organisation (if applicable) Environment Agency

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 2.4.6
Do you Support ☐ Do you Object ☐ Do you Comment ☐

Comments:

The final sentence of this paragraph is misleading. The Shoreline Management Plans are designed to ensure the Environment Agency and local authorities make sure that those policies and plans that affect land use planning, rural development, agriculture, transport, recreation, nature conservation and the historic environment in our catchments take into account flood risk management and considers where there is an economic benefit to maintaining those defences. We would recommend that the final sentence with regard to our commitment is removed.

Response:

Noted

Amendment:

Final sentence in paragraph 2.4.6 has been removed.

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

9.7

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

We are pleased to see the inclusion of a guiding principle relating to how proposals will address land contamination and manage any potential risks to the water environment through the requirement for a piling risk assessment.

Response:

Noted

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 9.6

Do you Support ☐ Do you Object ☐ Do you Comment ☐

Comments:

We are pleased to see the inclusion of specific guiding principles to address the issues associated with any impacts on the intertidal habitats. However, this section could be improved further to give clear guidance for any developer and/or decision maker in relation to these issues.

We would like to see this section also make reference to Paragraph 109 of the NPPF and the requirement to ensure development minimises the impacts on biodiversity and provides net gains where possible.

With regard to compensatory habitat requirements we would recommend the following further guidance is included.

“Any scheme, (regardless of the developer), must avoid causing harm to biodiversity in the first instance. If it cannot be avoided then the impacts need to be adequately mitigated, or, as a last resort, compensated for according to the National Planning Policy Framework.

The chartered Institute of Ecology and Environmental Management technical guidance states that development should deliver net ecological gain rather than simply being designed to achieve mere damage limitation. Schemes should incorporate measures designed to deliver ecological enhancements as well as measures to:

☐ avoid negative ecological impacts

☐ reduce negative impacts that cannot be avoided; and

☐ compensate for any remaining significant negative ecological impacts

Compensation should be designed to meet specific ecological objectives that will deliver meaningful compensation for the negative impacts that are predicted. The habitat being compensated must be like for like and must provide at least the same area and quality of that being lost. It will not be acceptable, for instance, to create an area of chalk grassland in compensation for an area of woodland lost to development.

The location of compensation sites must be appropriate to habitats and species they are designed to support, taking into account the soil substrate, slope aspect etc., and the long term integrity of the location.

Compensation sites must be subject to management agreements as part of a legal document, to ensure the long term integrity of the site for wildlife benefit. Offsite compensation sites must be in the control of the person or organisation eligible to sign a Section 106 agreement for the planning permission i.e. with a legal interest in the development site; otherwise it will be necessary for any third party land owners to enter into a separate legal agreement with the LPA.”

Response:

Agreed in part. The Guiding Principle has been amended to reflect these comments.

Amendment:

FRMG5: Intertidal Compensatory Habitat amended as follows:

Any scheme must avoid causing harm to biodiversity in the first instance. If it cannot be avoided then the impacts need to be adequately mitigated, or, as a last resort, compensated for according to the National Planning Policy Framework. Schemes should incorporate measures designed to deliver ecological enhancements.

Consultation with the Environment Agency is necessary for proposals which encroach into the river environment. For such schemes, applicants should:

- Avoid negative ecological impacts
- Reduce negative impacts that cannot be avoided; and
- Compensate for any remaining significant negative ecological impacts

Where compensatory intertidal habitat is required, applicants should:

- Calculate the area of habitat loss through undertaking up-to-date surveys;
- Compensate for habitat loss on a like for like basis, providing the same area and quality of habitat being lost;
- Identify / deliver sites for compensation appropriate to habitats and species they are designed to support.

For further guidance review the chartered Institute of Ecology and Environmental Management technical guidance

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.

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

We are pleased to see the addition of section 9. We consider that this provides a clear overview of the relevant policies that need to be considered when preparing a planning application in this area.

Response:

Noted

Amendment:

N/A

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

We would recommend where pontoons are acceptable that these should be freestanding and not attached to the flood defences.

Response:

Agreed

Amendment:

Text added to FRMG4 Flood Defence Design Requirements: Western Harbour Arm: 'Pontoons should be designed to be freestanding structures.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 7.6.6

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

We are pleased that the SPD recognises the potential implications of development on the intertidal habitat and that there is recognition that compensatory habitat may be required. It should be noted that were any boats to be moored directly on to piling a structural survey would need to consider whether the defences could take the loading over their expected lifetime.

Response:

Agreed

Amendment:

Text added to FRMG4 Flood Defence Design Requirements: Western Harbour Arm: 'Where boats are to be moored directly on to piling, a structural survey is required to consider whether defences could take the loading over their expected lifetime.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 7.6.4

Do you Support ☐ Do you Object ☐ Do you Comment ☐

Comments:

Please note that where flood gates are required, or installed, the riparian owner will be responsible for their operation and maintenance.

Response:

Noted

Amendment:

7.6.4 amended to read: 'Where floodgates are installed, the riparian owner will be responsible for their operation and maintenance.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 7.3.5

Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

To ensure clarity for the reader it may be worth setting out here why the finished floor levels are set differently to the defence height. This could include reference to the above document.

Response:

Agreed

Amendment:

Text added at paragraph 7.3.4 (now renumbered as 7.3.6): 'Flood defence and finished floor levels are different to ensure safety of residents if defences are breached or fail. In this instance, more vulnerable uses will be less likely to flood as they are raised above predicted flood levels.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 2.4.12
Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

This section should be updated to confirm that the design heights on both banks of the Shoreham Adur Tidal Walls scheme are designed to a 1 in 300 year standard of protection.

Response:

Noted

Amendment:

Paragraph 2.4.12 has been amended. It is now renumbered as paragraph 2.4.13 and reads: 'The Technical Annex details the design heights for the proposed Shoreham Adur Tidal Walls to achieve a 1 in 300 (0.33%) standard of protection along the River Adur west and east bank reaches.'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No: 2.2.11
Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

For clarity please note that within the NPPF the flood zone 3b definition includes the presence of defences

Response:

Noted

Amendment:

2.2.11 has been amended to read: '(except for flood zone 3b which includes the presence of defences).'

Relates To Map ☐ Relates To Paragraph ☐ Relates to Policy ☐ Map / Paragraph / Policy No:
Do you Support ☐ Do you Object ☐ Do you Comment ☒

Comments:

Thank you for your consultation on the above document. Overall we are pleased with this document and consider that it will be a useful guide to ensure that suitable flood defences and flood mitigation measures will be provided for new development in this area.

The following provides some further detailed comments on the document which we hope you will find useful.

Response:

N/A

Amendment:

N/A

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

7.3

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

We would recommend that rather than quoting the design flood level in line with the UK Climate Projections 09 figures that you refer to the figures from the EA/Adur joint Shoreham modelling which uses climate change predictions for new development as set out in the EA document Climate Change Allowances for Planners (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/296964/LIT_8496_5306da.pdf). We would wish to see developers use this detailed modelling to inform their site specific Flood Risk Assessments.

Please note that the climate change projections are currently being updated. It is expected that we will receive the final announcement on any changes in the autumn of this year. By providing reference to the above document you will help to future proof this guidance.

Response:

Agreed: design flood levels for flood defences should use the UK Climate Change Projections 09 figures. Finished floor levels should use the EA document: Climate Change Allowances for planners.

Amendment:

Text added at paragraph 7.3.4 (now renumbered as 7.3.6): 'Finished floor levels should be based on the Environment Agency document: Climate Change Allowances for Planners.'

Representation No:

12

Organisation (if applicable)

Historic England

Relates To Map ☐

Relates To Paragraph ☐

Relates to Policy ☐

Map / Paragraph / Policy No:

Do you Support ☐

Do you Object ☐

Do you Comment ☒

Comments:

Thank you for your consultation of 11 May 2015 seeking our pre-application advice on plans for the above site. On the basis of the information provided, detailed below, it appears that the plans are likely to lead to a series of applications for planning consent and Marine Management Organisation licences for which English Heritage would be a statutory consultee. It is our view that impacts to the historic environment may be controlled sufficiently through these mechanisms. We note however that particular attention should be paid to the SS4 Adur Ferry Bridge to Riverside Business Centre, and the SS3 Southwick waterfront sections of the scheme, as these intrude into, and therefore have the potential to impact directly upon, the Shoreham by Sea and Southwick Conservation Areas.

On the basis of our understanding of the present scope of the work we do not feel that it is essential for us to participate further in pre-application discussions for this specific consultation. We would however wish to be consulted on individual elements of the scheme, as appropriate consents are obtained.

It is important that the local planning authority is invited to give pre-application advice. Relevant amenity societies may also be able to assist and we recommend that you approach them. If, as the scheme develops, there are material changes to the proposals and their impact on the historic environment, please consult us again. Meanwhile, please contact me if you would like to discuss any matter further.

Response:

Noted

Amendment:

N/A

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