



SHOREHAM HARBOUR REGENERATION

CONSULTATION STATEMENT



SHOREHAM HARBOUR JOINT AREA ACTION PLAN

SUBMISSION - MAY 2018

1 Introduction

- 1.1 This Consultation Statement describes how the Councils have undertaken community participation and stakeholder involvement in the production of the Joint Area Action Plan (JAAP), setting out how such efforts have shaped the Plan and the main issues raised by consultation / representations. It is produced to respond to and therefore fulfil requirements set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, and specifically Regulation 22(1) part (c).

This requires the submission to the Secretary of State of a statement setting out:

1. which bodies and persons the local planning authority invited to make representations under Regulation 18;
2. how those bodies and persons were invited to make representations under Regulation 18;
3. a summary of the main issues raised by the representations made pursuant to Regulation 18;
4. how any representations made pursuant to Regulation 18 have been taken into account ;
5. if representations were made pursuant to Regulation 20, the number of representations made and a summary of the main issues raised in those representations; and
6. if no representations were made in Regulation 20, that no such representations were made.

- 1.2 At the outset it is also considered pertinent to note that consultation has been taken within the context of Paragraph 155 of the National Planning Policy Framework (NPPF) which states:

“Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.”

2 Context

- 2.1 The Shoreham Harbour Joint Area Action Plan is a strategy for the regeneration of Shoreham Harbour and surrounding areas. It includes proposals and policies for new housing and employment generating floor space; and for upgraded flood defences, recreational and community facilities, sustainable travel, environmental and green infrastructure improvements.
- 2.2 An Area Action Plan is a type of local plan for an area of significant change. The Joint Area Action Plan sets a planning policy framework to guide development and investment decisions within the Shoreham Harbour Regeneration Area up to 2032.
- 2.3 The plan builds on and complements the Adur Local Plan (2017) and the Brighton & Hove City Plan Part One (2016). Planning applications within the regeneration area must comply

with the strategy and policies in the Joint Area Action Plan, as well as the relevant local plans.

- 2.4 Throughout the preparation of the Joint Area Action Plan the councils consider that they have succeeded in 'front-loading' consultation as far as has been possible. This statement details how the Council has engaged and encouraged involvement with local communities, businesses and stakeholders throughout the entirety of the process (both pre and post NPPF) and ultimately how these interests have helped shaped the draft of the Joint Area Action Plan now submitted.

3 Compatibility with the Statements of Community Involvement

- 3.1 Publication is carried out in accordance with Regulation 19 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, Brighton & Hove City Council and West Sussex County Council. These documents are available from the planning policy pages of each council's website. Each SCI sets out the minimum requirements for consultation on local plans such as the Joint Area Action Plan.
- 3.2 Between 10 November 2017 and 22 December 2017 public consultation was held on the Draft Joint Area Action Plan. The methods of communication used to notify interested parties are varied to be as inclusive as possible with the statements of community involvement making clear these will include:
- 3.3 Email and letters: All 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 Joint Area Action Plan.
- 3.4 The database includes:
- local and national house builders
 - charitable organisations
 - local education institutions
 - local community groups
 - interested residents
 - interested local businesses
 - local and national land and property agents; and
 - local legal firms.
- 3.5 Press releases/adverts: The consultation period was advertised in local newspapers and magazines and on the websites, Twitter and Facebook pages of the partner authorities. A joint press release was distributed to local, national and trade media organisations. This ensured that communication was as wide as possible.

- 3.6 Local Libraries: During the consultation period the documents were available in council offices, libraries and community centres in Shoreham, Southwick, Fishersgate, Portslade and Hove. The availability of the documents at these locations is well publicised with briefing packs provided for library staff.
- 3.7 Website: All documents and the supporting evidence studies were also available from the Shoreham Harbour Regeneration pages on the Adur & Worthing Councils website. The dedicated planning pages are kept up to date and have information about previous and forthcoming consultations.

4 Duty to cooperate

- 4.1 The 'Duty to Cooperate' is set out in Section 110 of the Localism Act 2011 which states that it applies to all Local Planning Authorities (LPAs), National Park Authorities and County Councils in England.
- 4.2 A separate statement has been prepared detailing how the Council has fulfilled this obligation with regards to the preparation of the Joint Area Action Plan¹.

5 Consultation

- 5.1 There are four stages to preparing the Joint Area Action Plan. The process is at currently at stage 4:
- Stage 1: Information gathering, baseline analysis and identifying issues (2008 – 2012)
 - Stage 2: Consideration of options, developing spatial framework, preparing development briefs for areas of change (2012 – 2014)
 - Stage 3: Consulting on the plan, updating evidence, exploring technical issues, addressing delivery issues (2014 – 2016)
 - Stage 4: Publication of the proposed submission Joint Area Action Plan, submission to the Secretary of State for independent examination, followed by formal adoption by the councils (2017 – 2018).
- 5.2 Alongside consultation on the Joint Area Action Plan throughout its evolution, consultation has also taken place on supporting documentation such as the Sustainability Appraisal (SA), Flood Risk Management Guide (FRMG), and the development briefs for the Western Harbour Arm and South Portslade and Aldrington Basin.
- 5.3 A summary of the main issues raised by representations at each stage is given and consequently how they have been taken into account in informing the next stage of the Joint Area Action Plan if appropriate.

¹ Shoreham Harbour Regeneration Duty to Cooperate Statement <https://www.adur-worthing.gov.uk/media/media,146779,en.pdf>

6 Proposed Submission Joint Area Action Plan 2017

- 6.1 This version of the Joint Area Action Plan took into consideration the key actions and changes highlighted at the Stage 3. and now reflects the Plan that the councils intend to submit to the Secretary of State for an independent examination in public by an Inspector. This consultation allowed for representations to be made on the 'soundness' of the Plan and policies and proposals within in accordance with Regulations 19 and 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 6.2 **How we consulted:** Between 10 November 2017 and 22 February 2017 public consultation was held on the Draft Joint Area Action Plan. All 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 Joint Area Action Plan.
- 6.3 The consultation period was advertised in local newspapers and magazines and on the websites, Twitter and Facebook pages of the partner authorities. A joint press release was distributed to local, national and trade media organisations.
- 6.4 During the consultation period the documents were available in council offices, libraries and community centres in Shoreham, Southwick, Fishersgate, Portslade and Hove. All documents and the supporting evidence studies were also available from the Shoreham Harbour Regeneration pages on the Adur & Worthing Councils website.
- 6.5 **Consultation Responses:** At this stage representations were sought as to whether the Joint Area Action Plan is legally compliant (how the Plan was prepared in relation to the Duty to Cooperate, or other legal and procedural requirements), and whether the Plan is sound (is the Plan positively prepared, justified, effective, and consistent with national policy).
- 6.6 **Statement in accordance with: Town and Country Planning (Local Planning) (England) Regulations 2012 Regulation 22 (1)(c) (v).** A total of 45 representations were received from 19 bodies and individuals. A summary of the main issues raised in the representations is set out below, and a spreadsheet is attached in the Appendices which shows their numerical distribution against policies within the Plan and supporting documentation.

Legal Compliance

- 6.7 Twelve representations have been received stating that the plan is unsound (Two from Hyde New Build Limited, three from Hopegar Properties, Ltd, three from Mineral Products Association).
- 6.8 Eighteen representations received stated that the Joint Area Action Plan was legally compliant; no representations stated that the Joint Area Action Plan is not legally compliant.

Duty to Cooperate

- 6.9 No representations expressly mention the duty to Cooperate. However, West Sussex District Council wrote in support of the Joint Area Action Plan and will continue to work with all partners. Sussex Wildlife Trust stated that they hope the other partnership authorities will adopt a similar approach in their own Green Infrastructure (GI) strategies in emerging and adopted plans. The South Downs National Park Authority considers CA7 and SH2 to be both sound and legally compliant.
- 6.10 Regarding minerals, East Sussex County Council, as waste and minerals planning authority, welcomes changes made to the plan in light of previous comments and supports the publication of the Proposed Submission Joint Area Action Plan. Surrey County Council, as the minerals & waste planning authority, support the proposals to maintain wharf capacity at Shoreham Harbour in accordance with the emerging West Sussex Joint Minerals Local Plan.

Vision and objectives

- 6.11 Three representations support the Joint Area Action plan in its entirety, one being from Natural England in supporting Green Infrastructure inclusion in the Plan.
- 6.12 Support was received for objective 1 and supporting text 3.1.14 to 3.1.25, in addition to support of policy SH1 itself.
- 6.13 A concern was raised regarding Objective 5. Sustainable Travel and that it might be broadened to include actual bus infrastructure proposals.
- 6.14 Shoreham Harbour Rowing Club raised a soundness concern regarding the Joint Area Action Plan not being positively prepared, arguing Maps 4 and 11 indicate a new waterfront route across SRC's access-way to the water.
- 6.15 Shoreham Rowing Club should be indicated as a constraint, in addition to public open space in the Village Green on Kingston Beach, and that "Village Green" in the legend should be replaced with "Village Green and Shoreham Rowing Club", or similar.
- 6.16 Support was received for Map 12 that shows the revised line for the flood defences to run along the southern side of Brighton Road A259 / northern edge of the Sussex Yacht Club's land.
- 6.17 Support was received for the Character Area 2: Aldrington Basin - Area Priorities. A concern was raised regarding building height limit of three storeys in paragraphs 4.2.34 - Building Heights, although the policy itself CA2: Aldrington Basin was supported regarding buildings height in clauses 6. A and B, and clause 7. A.

7 Spatial Strategy and Strategic Policies

SH1 Climate change, energy and sustainable building

- 7.1 A soundness concern was raised regarding imposing a requirement for maximum water usage in residential development, which the representor argued is contrary to paragraph 95 of the NPPF which requires planning policy to be consistent with nationally prescribed standards. The representor also raised concerns that preclusion of individual gas or electric borders in the Western Harbour Arm is contrary to Paragraph 173 of the NPPF, which requires plan makers to not overburden development with obligations and policies that might threaten viability.
- 7.2 The Sussex Wildlife Trust is supportive of this policy and the steps suggested in tackling climate change through sustainable building.

SH2 Shoreham Port

- 7.3 A soundness concern was raised regarding Clause 2, which the representor argues is not explicit in how the resistance of non-port related activities would be applied, and is not effective. The representor adds that Clause 2 of the policy should make it clear that non-port related activities in these [safeguarded] areas will not be permitted, and that this would be consistent with the draft West Sussex Minerals Plan and the Area policies (CA1) of the JAAP. In contrast a second representor supported SH2 and paragraphs 3.2.14 – 3.2.21 regarding Minerals wharfs.

SH3 Economy and employment

- 7.4 No express representations.

SH4 Housing and community

- 7.5 A representation found this policy to be sound, finding it addresses the relationship between “existing and proposed employment activities” and new residential development to ensure that employment activities are not constrained by new residential development at the Port. The representor specifically supports paragraphs 5 and 6 of Policy SH4.

SH5 Sustainable Travel

- 7.6 A soundness concern was raised from a representative of Shoreham Rowing Club (SRC) who argues that parking for Shoreham Rowing Club should be included within this section to ensure continued availability for its members.

SH6 Flood risk and sustainable drainage

- 7.7 A soundness concern was raised with the representor considering the Joint Area Action Plan to be unsound and not positively prepared, as it does not include sufficient details of the required flood defence measures as proposed in the Shoreham Harbour Flood Risk Management Guide. The representor supports the Aldrington Basin flood defence protection in Policy SH6 Clause 1. Though this does state “development proposals in the regeneration area must comply with the principles and approach to flood risk management set out in the Shoreham Harbour Risk Management Guide (2015), or subsequent updated guidance”. It can be seen however that the FRMG is taken into account within the Joint Area Action Plan.

- 7.8 A concern was also raised from The Sussex Wildlife Trust, though this does not regard soundness. The representation concerns bullet point 12 “where loss of habitat occurs due to construction of moorings or pontoons or from boats resting on intertidal habitat, creation of new compensatory habitat will be required”. The representor argues that there are existing constraints on the identification of compensatory habitats within the Adur Estuary, and that the Joint Area Action Plan should address this. The representor adds that they do not think that it is acceptable to resort to only financial compensation for the management of existing habitat, which they argue is located within section 176 of the NPPF.

SH7 Natural environment, biodiversity and green infrastructure

- 7.9 The Sussex Wildlife Trust is supportive of this policy, and that the inclusion of wording stipulating the importance of the green infrastructure strategy is in line with section 114 of the NPPF. To ensure that planning applications are determined with up to date environmental information as per section 165 of the NPPF, the representor suggests that the policy includes wording to reflect this in bullet point 4.
- 7.10 The Sussex Wildlife Trust strongly supports the inclusion of Strategic Objective 7: Natural Environment, Biodiversity and Green Infrastructure and welcome the changes to the beginning. The representor feels that this wording clearly communicates the aspirations of the plan and will also compliment the visions and objectives within the adopted Adur Local Plan. The representor adds that incorporating the term “net gains” is in line with section 109 of the NPPF.

SH8 Recreation and leisure

- 7.11 The Sussex wildlife trust welcomes the recognition of green infrastructures multifunctional delivery with its presence in the recreation and leisure policy. This is supported by section 109 of the NPPF.

SH9 Place making and design quality

- 7.12 No express recommendations

SH10 Delivery and implementation

- 7.13 Southern Water did not contest the soundness of Policy SH10, but have pointed out a typographical error Paragraph 3, as the last part of the sentence is missing.
- 7.14 The Sussex Wildlife Trust commented that the Joint Area Action Plan could include an appendix regarding sections of the Adur and Brighton and Hove Infrastructure Delivery Plans, and that the reference in 5.1.14 to green infrastructure as essential infrastructure could be included in 5.1.20 regarding major development.

Character Area 1: South Quayside

- 7.15 No express representations

Character Area 2: Aldrington Basin

- 7.16 A representation found the Aldrington Basin Area Priorities to be sound but raised a soundness concern over the policy not being positively prepared, as it does not specifically include Mackleys Wharf within an area which could be an area for proposed employment.
- 7.17 KAWHRA raised a soundness concern over building heights in clause 7 of the policy, as a four story limit was removed from this clause.
- 7.18 A representation in support of CA2: 7.b was made regarding the removal of artificial height limitations relating to site allocation AB4., but suggested changes to the wording to be more flexible so as to not frustrate development.

Character Area 3: North Quayside and South Portslade

- 7.19 No express representations

Character Area 4: Portslade and Southwick Beaches

- 7.20 The Sussex Wildlife Trust support this policy, and the supporting text that utilised the information from the vegetated shingle assessment. The Sussex Wildlife Trust also support bullet point 2 but have suggested changes. These include the inclusion of developer contributions regarding enhancement of the vegetated shingle, and of sensitivity to increased footfall.

Character Area 5: Fishersgate and Southwick

- 7.21 The Sussex Wildlife Trust supports the policy but encourages the provision of signage for interpretation of the marine environment.

Character Area 6 – Harbour Mouth

- 7.22 The Sussex Wildlife Trust supports bullet points 3 and 4 which they consider to be in line with paragraph 109 of the NPPF.

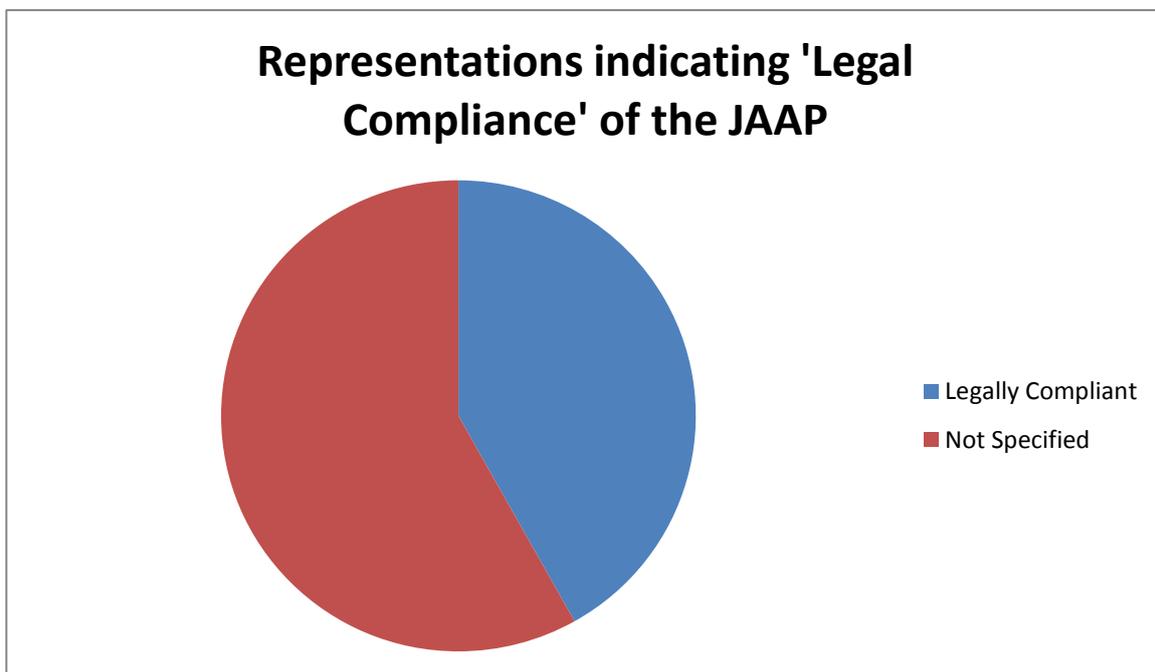
Character Area 7 – Western Harbour Arm

- 7.23 A soundness concern was raised with the representor concerned that the development height and width of the pedestrian walkway/cycleway is overly prescriptive and contrary to paragraph 60 of the NPPF. The representor proposes changes to include tall buildings being acceptable in principle in all areas of the WHA where the developer can demonstrate that they would not have an unreasonable impact on views across the site or the setting of heritage assets, and that the 8m setback and this should be softened to allow for narrower stretches or “pinch points” where these will not cause unreasonable safety or visual impacts.
- 7.24 The minerals products association raised a soundness concern that the policies regarding safeguarding and re-location of aggregates wharf capacity lack necessary detail to ensure that the proposed re-location will be successfully delivered, contrary to paragraph 143 of the NPPF. The representor proposes an additional clause should be added to Policy CA7

regarding safeguarding of wharves and measures to be taken to secure successful relocation and no net loss of capacity, and reference to this process in the Delivery and Implementation chapter. The representor highlights this again in a second representation, raising the soundness concern that the policy does not reference safeguarding wharves where development is proposed and of wharf relocation, and that this should be included in a policy clause. The representor does acknowledge that this is highlighted in the Delivery and implementation chapter.

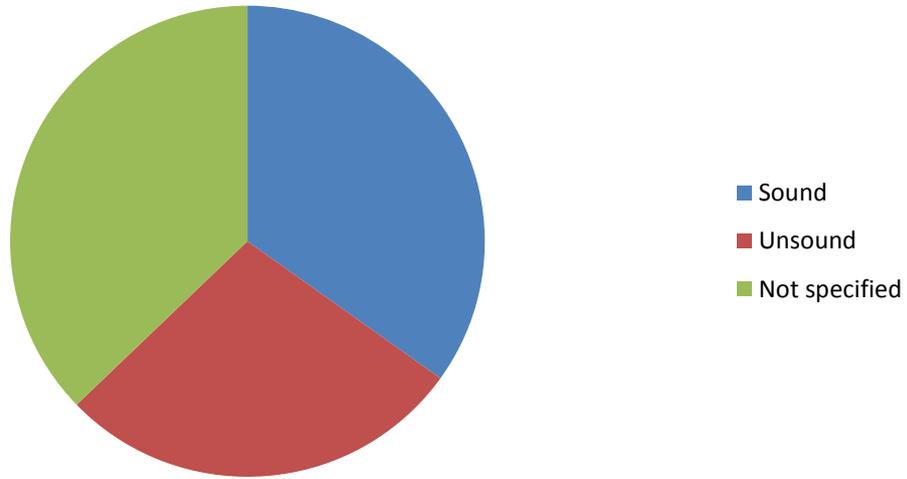
7.25 The Sussex Wildlife Trust supports this policy and that this is in line with the NPPF, with bullet point 17 in line with section 99 of the NPPF.

8 Summary of representations

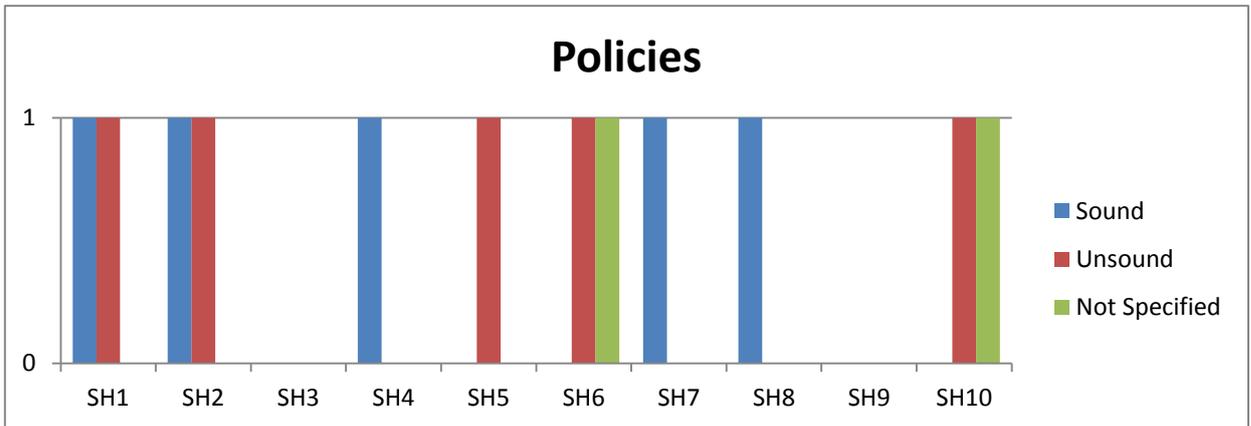


8.1 Eighteen representations received stated that the Joint Area Action Plan was legally compliant, these were from nine respondents. No representations stated that the Joint Area Action Plan is not legally compliant

Representations indicating 'Soundness' of the Joint Area Action Plan

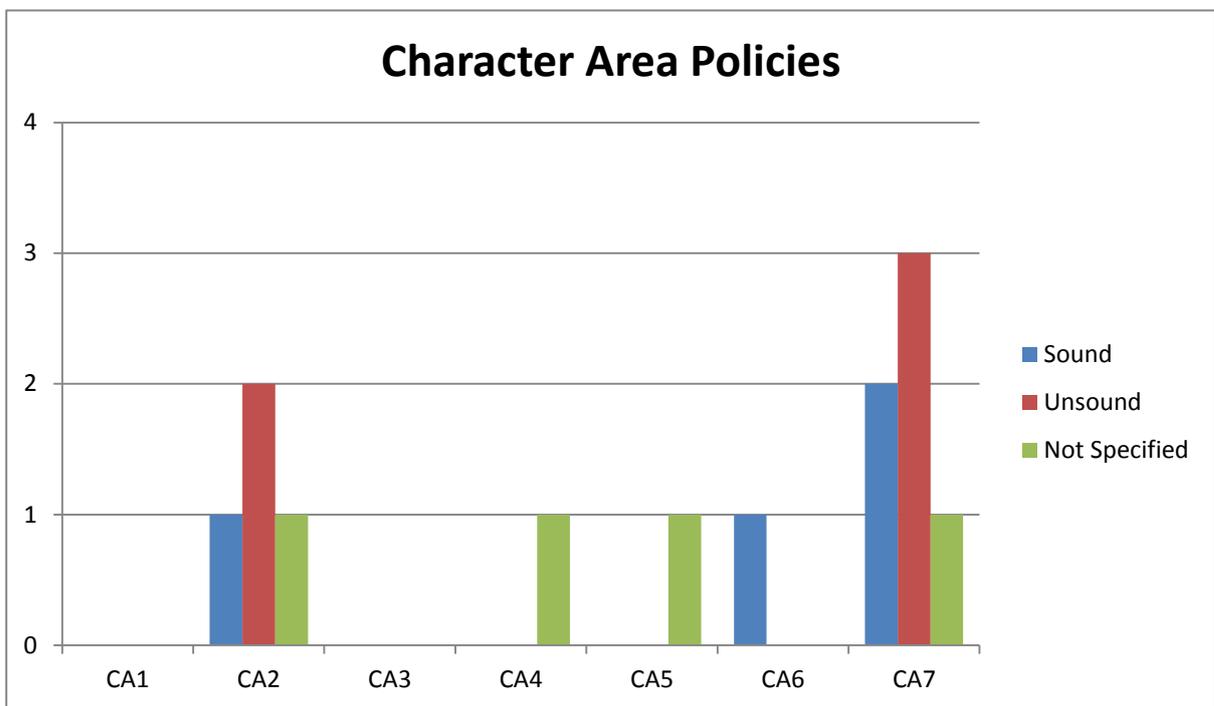


8.2 Of the 43 representations relating to the Joint Area Action Plan, 15 (35%) indicated the plan was sound, 12 (28%) indicated that the plan was unsound, with the remainder of 16 (37%) having not specified a view on soundness. For the purpose of comparison, the “Policies” and “Character Area Policies” charts below break down the representations by Policy. These charts show policies SH4, SH7, SH8 and CA6 to have sound representations and no representations for unsound or not specified.



8.3 Of the 12 representations relating to the area wide policies, 5 (42%) indicated the plan was sound, 5 (42%) indicated that the plan was unsound, with the remainder of 2 (16%) having not specified a view on soundness.

- 8.4 SH5 had one representation from Shoreham Rowing Club (SRC) which considered the Plan to be unsound, arguing that parking should be included within this section to ensure continued availability for its members.
- 8.5 SH6 and SH10 both received one representation each for unsound and not specified, with no representations for sound. Regarding SH10, the unsound representation was from Southern Water who did not contest the soundness of Policy SH10, but pointed out a typographical error as the last part of clause three is missing. Regarding SH6, the unsound representation was from Hopegar Properties Ltd who consider the policy to lack details of flood deference measures from the FRMG. The representor does however support the Aldrington Basin flood defence protection in Policy SH6 Clause 1. which states development must comply with the principles and approach to flood risk management set out in the Shoreham Harbour Risk Management Guide.



- 8.6 SH4, SH7, and SH8 all had one sound representation each, with none for not specified or unsound. Sussex Wildlife Trust made the representations regarding SH7 and SH8, finding them in line with the NPPF and supported the wording regarding the Green Infrastructure Strategy.
- 8.7 Of the 13 representations relating to the Character Area policies, 4 (31%) indicated the plan was sound, 5 (38%) indicated that the plan was unsound, with the remainder of 4 (31%) having not specified a view on soundness. CA2 and CA7 received the most representations, with four and six respectively. Both policies received more unsound representations than sound.

- 8.8 Regarding CA2, the unsound representations came from two different representors. Hopegar Properties Ltd raised a soundness concern over the policy not specifically including Mackleys Wharf within an area which could be an area for proposed employment. The Kingston and West Hove Residents Association raised a soundness concern over building heights in clause 7 of the policy, as a four story limit was removed from this clause. The representation in support was made from Brighton & Hove Property Consortium regarding the removal of artificial height limitations relating to site allocation AB4, but suggested changes to the wording to be more flexible so as to not frustrate development.
- 8.9 Regarding CA7, two of the unsound representations were made from the Mineral Products Association. The first representation concerned safeguarding and re-location of aggregates wharf capacity, the second representation highlighted that the policy does not reference safeguarding wharves where development is proposed and of wharf relocation. The representor did acknowledge that this is highlighted in the Delivery and implementation chapter.
- 8.10 The third representation for unsound came from Hyde New Build, who were concerned that the development height and width of the pedestrian walkway/cycleway is overly prescriptive and contrary to paragraph 60 of the NPPF. The Sussex Wildlife Trust supports this policy and that this is in line with the NPPF, while the South Downs National Park also consider the policy to be sound.
- 8.11 CA6 received one sound representation and no unsound or not specified representations. The Sussex Wildlife Trust supports bullet points 3 and 4.

9 Local Planning Authorities responses to representations

Local Planning Authorities' responses to representations on the Proposed Submission Shoreham Harbour Joint Area Action Plan

Adur District Council, Brighton & Hove City Council and West Sussex County Council – May 2018

The schedule below sets out changes proposed to the Submission Shoreham Harbour Joint Area Action Plan, submitted under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Rep No:	Consultee No:	Reference: (Paragraph, policy or map number)	Summary of representation	Local planning authorities' response to representation: (Accept/partially accept/reject) Change/no change)	Modification No: (If applicable)
2017 - 0101	01	Whole plan	East Sussex County Council welcomes changes made to the plan in light of previous comments and supports the publication.	Accept Support is welcomed	No change
2017 - 0201	02	Whole plan	National Grid has no comments.	Accept Noted	No change
2017 - 0301	03	Map 12	Sussex Yacht Club supports the amendment to Map 12, which shows the flood defence line along the southern edge of Brighton Road (A259). Previous versions showed the flood defence line along the waterfront at Sussex Yacht Club.	Accept Support is welcomed	No change
2017 - 0401	04	Policy SH1	Hyde New Build Ltd considers Policy SH1 to be unsound on the grounds that it is not consistent with national policy, and not positively prepared. Objection to clauses 6 and 7 which preclude the installation of individual gas and electric boilers. Policy should be softened to allow installation of individual boilers where heat network is not in place. Objection to clauses 8 and 9 on water efficiency and the maximum water usage policy for residential development on the grounds that it is contrary to paragraph 95 of the NPPF. Policy is unnecessary as water usage standards are set by building standards and the partnership has not justified a different standard.	<p><u>Clauses 6 and 7 – district heating network</u></p> <p>Reject</p> <p>The LPAs do not accept that clauses 6 and 7 of Policy SH1 are contrary to national policy and do not accept that these clauses are not positively prepared.</p> <p>Section 19 (1A) of the Planning and Compulsory Purchase Act (2004) (as amended by the Planning Act 2008) states that:</p> <p><i>“Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.”</i></p> <p>Paragraph 002 of the Climate Change section of the Planning Practice Guidance (PPG) states that the inclusion of such policies will be a consideration when a Local Plan is examined.</p> <p>Section 1 (1) of the Planning and Energy Act 2008 permits local planning authorities in their local development plan:</p> <p><i>“... to include policies imposing reasonable requirements for:</i></p> <p><i>(a) a proportion of energy used in development in their area to be energy from renewable sources in the locality of the development;</i></p> <p><i>(b) a proportion of energy used in development in their area to be low carbon energy from sources in the locality of the development;”</i></p> <p>Paragraph 93 of the National Planning Policy Framework (NPPF) states:</p> <p><i>“Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.”</i></p> <p>Paragraph 94 of the NPPF requires LPAs to <i>“adopt proactive strategies to mitigate and adapt to climate change”</i>, in line with the objectives and provisions of the Climate Change Act 2008.</p>	<p>MM2</p> <p>MM5</p> <p>MM11</p> <p>MM12</p> <p>MM13</p> <p>MM14</p> <p>MIN39</p>

Rep No:	Consultee No:	Reference: (Paragraph, policy or map number)	Summary of representation	Local planning authorities' response to representation: (Accept/partially accept/reject) Change/no change)	Modification No: (If applicable)
				<p>Paragraph 003 of the Climate change section of the Planning Practice Guidance (PPG) includes providing opportunities for renewable and low carbon energy technologies and providing opportunities for decentralised energy and heating as examples of measures to mitigate climate change by reducing emissions.</p> <p>Paragraph 97 of the NPPF states that:</p> <p><i>“To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:</i></p> <ul style="list-style-type: none"> <i>• have a positive strategy to promote energy from renewable and low carbon sources</i> <i>• design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts</i> <i>• consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources</i> <i>• support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning</i> <i>• identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers”</i> <p>Heating and hot water for buildings account for 40% of UK energy use and 20% of greenhouse gas emissions. The Climate Change Committee estimates that district heating can meet 20% of domestic heating and hot water needs by 2030. The Climate Change Act obliges the UK to cut 80% emissions by 2050. The Clean Growth Strategy includes policies to roll out low carbon heating. This includes: <i>“17. Build and extend heat networks across the country, underpinned with public funding (allocated in the Spending Review 2015) out to 2021”</i>; and <i>“18. Phase out the installation of high carbon fossil fuel heating in new and existing homes currently off the gas grid during the 2020s, starting with new homes”</i>.</p> <p>The Shoreham Harbour Regeneration Area is within the UNESCO designated Brighton & Lewes Downs Biosphere. All the regeneration project partners are also members of the biosphere partnership, as are statutory bodies such as the Environment Agency and Southern Water. Objective 2: Sustainable Socio-Economic Development of the Biosphere Management Strategy includes taking positive action to reduce energy and water use.</p> <p>In order to meet the legal requirements and obligations set out above, the LPAs have commissioned a series of evidence studies to explore the potential for renewable and low carbon energy at Shoreham Harbour, including district heating networks. Since 2015 the Heat Network Delivery Unit (HNDU) (formerly part of the Department for Energy and Climate Change (DECC) and is now part of the Department for Business, Energy and Industrial Strategy (BEIS)) has provided part funding to explore the potential to deliver a district heat network at Shoreham Harbour.</p> <p>The <i>Shoreham Harbour Heat Network Study (2015)</i> identified two potentially viable networks for viable heat networks. The first of these relied on the then proposed Edgeley Green Power Station. This proposal is no longer going ahead. However, the second scenario identified a viable network serving the new development at the Western Harbour Arm (Character Area 7, which includes Kingston Wharf, the site in which the consultee is interested).</p> <p>Shoreham Harbour Regeneration Partnership, Adur District Council, West Sussex County Council and Shoreham Port Authority have set up the Shoreham Heat Network Partnership to progress this work. The <i>Shoreham Harbour District Energy Feasibility Study (2018)</i> proposes a 2km network serving the allocated sites at the Western Harbour Arm, the site of the former Adur Civic Centre and a number of existing buildings in Shoreham-by-Sea town centre. This could deliver over 14,000 MWh heat demand and save over 53,000 tonnes CO₂e. The partnership is currently progressing this to detailed feasibility and detailed project development.</p> 	

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				<p>Both heat network studies have considered a phased approach to delivering the heat network. This has acknowledged that the redevelopment of sites at Shoreham Harbour will take place in several phases. The LPAs recognise that some sites will be redeveloped in advance of the network. The LPAs have therefore sought to develop policies to secure connection to existing networks, and to safeguard future connection to planned networks. The installation of individual boilers rather than a communal system would likely make the retrofit of a building prohibitively expensive. By contrast, a connection-ready development would require minimal further works on-site.</p> <p>Paragraph 3.113 of <i>the Brighton & Hove City Plan Part One (2016)</i> identifies the potential for heat networks and the requirement to either connect, or design systems so that they are compatible with future connection, and states that this will be investigated during the preparation of the JAAP. Clause 2(d) of Policy CP8 Sustainable Buildings, requires proposals to demonstrate how the building “connects, makes contributions to low and zero carbon energy schemes and/or incorporates provision to enable future connection to existing or potential decentralised energy schemes”.</p> <p>Policy 8: Shoreham Harbour Regeneration Area of the <i>Adur Local Plan (2016)</i> states that:</p> <p><i>“Development will be expected to incorporate low and zero carbon decentralised energy generation, in particular heat networks, and required to either connect, where a suitable system is in place (or would be at the time of construction) or design systems so they are compatible with future connection to a network.”</i></p> <p>The LPAs consider Policy SH1 to be consistent with national, sub-regional and local policy. The policy is based on recommendations taken from the <i>Shoreham Harbour Heat Network Study (2015)</i>. The <i>Draft Shoreham Harbour Joint Area Action Plan (2014)</i> included the following as Clause iv of Policy JAAP 13: Sustainable Design and Energy:</p> <p><i>“Within the Strategic Site areas, opportunities should be sought to provide linked district heating networks. This process will be supported by the Council/s.”</i></p> <p>The <i>Revised Draft Shoreham Harbour Joint Area Action Plan (2016)</i> included Policy SH1.1 – District heating and cooling. This is identical to Clauses 6 and 7 of Policy SH1: Climate Change Energy and Sustainable Building in the <i>Proposed Submission Shoreham Harbour Joint Area Action Plan (2016)</i>. Three representations of support were received for the heat network policies, including from South Downs National Park Authority (Representation 205) and Kingsway and West Hove Residents Association (Representation 304).</p> <p>The <i>Sustainability Appraisal – Proposed Submission Shoreham Harbour Joint Area Action Plan</i> finds that:</p> <p><i>“... new development is likely to lead to increased energy consumption. However new development also presents an opportunity to improve the energy efficiency of buildings they are replacing.”</i></p> <p>The appraisal also notes that mitigation for the potential negative impacts of the proposed new development is provided by Policy CH1: Climate change, energy and sustainable building. It states that:</p> <p><i>“The policy requires development to incorporate low and zero-carbon technologies and supports the development of decentralised energy and heat networks. The policy refers to the Shoreham Harbour Heat Network Study and includes specific technical requirements relating to district heating, including the requirement for all buildings to be “connection ready”. Impacts are considered to be positive, direct and significant, span all timescales and be permanent in nature.”</i></p> <p>Given the arguments presented above, the LPAs consider that clause 7 and 7 of Policy SH1 are consistent with national policy and have been positively prepared. The LPAs also consider that this is clearly explained in paragraphs 3.1.1 to 3.1.5 and 3.1.14 to 3.1.19. Furthermore, removing the district heat network requirements would make the plan unsound on the following grounds:</p>	

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				<ul style="list-style-type: none"> • Positively prepared: The LPAs and other organisations are committed to working together on the cross-boundary priority to deliver low carbon and renewable energy at Shoreham Harbour. The district heating clauses are part of the LPAs strategy to mitigate and adapt to climate change. Without these clauses the development and infrastructure proposed in the plan could not be delivered in a way that is consistent with sustainable development. • Justified: The LPAs have commissioned studies to identify areas of the Shoreham Harbour Area that may be suitable for district heat networks. The policy clauses have been informed by this evidence base, and supported at consultation. Without district heating policies, the plan would not be the most appropriate strategy for an area proposing a high level of new development. This development will substantially increase energy consumption. It would also introduce potential conflict between the Joint Area Action Plan and the local plans for Adur and Brighton & Hove, which are aligned on this matter. • Consistent with national policy: The LPAs have developed Policy SH1 in order to meet the legal requirement to include policies to address climate change. Without these policies, the plan would be inconsistent with Section 19 (1A) of the Planning and Compulsory Purchase Act (2004) (as amended by the Planning Act 2008), Paragraph 002 and 003 of the Climate change section of the PPG and paragraphs 94 and 97 of the NPPF. <p>The LPAs therefore propose that no change is made to clauses 6 and 7 of Policy SH1 on the basis of this representation. However, the LPA's propose the following main modifications to reflect the findings of the <i>Shoreham Harbour District Energy Feasibility Study</i> (2018); and the current status of the Shoreham Heat Network project:</p> <ul style="list-style-type: none"> • MM2 • MM5 • MM11 • MM12 • MM13 <p><u>Clauses 8 and 9 – water efficiency</u> Reject</p> <p>The LPAs do not accept that clauses 8 and 9 of Policy SH1 are contrary to national policy and do not accept that these clauses are not positively prepared.</p> <p>Section 19 (1A) of the Planning and Compulsory Purchase Act (2004) (as amended by the Planning Act 2008) states that:</p> <p style="text-align: center;"><i>“Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.”</i></p> <p>Paragraph 002 of the Climate change section of the PPG states that this will be a consideration when a Local Plan is examined.</p> <p>Paragraph 94 of the NPPF requires LPAs to “adopt proactive strategies to mitigate and adapt to climate change”, including taking full account of water supply and demand considerations.</p> <p>Paragraph 99 of the NPPF requires local plans to take account of climate change over the longer term. It states that: “New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change.”</p> <p>Paragraph 13 of the Housing: optional technical standards of the PPG reiterates this requirement to “adopt proactive strategies to adapt to climate change that take full account of water supply and demand considerations”.</p> <p>Whilst the consultee correctly points out that the mandatory water national standard of 125 litres/person/day is set out in Building Regulations, Paragraph 14 states that:</p>	

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				<p><i>“Where there is a clear local need, local planning authorities can set out Local Plan policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day.”</i></p> <p>Paragraph 15 describes how LPAs should establish that there is a clear need for the optional requirement. This includes existing sources of evidence, consultation with the local water and sewerage company, the Environment Agency and catchment partnerships. As stated in paragraph 3.1.26 of the <i>Proposed Submission Shoreham Harbour Joint Area Action Plan</i>, the Shoreham Harbour Regeneration Area is supplied with water from the Brighton Chalk Aquifer. This is within an area which is classified as highly water stressed (Environment Agency: <i>Water Stressed Areas Final Classification</i>, July 2013). This means that demand for water is high and resource availability is low.</p> <p>Severe water stress in South East England is likely to be exacerbated by climate change. The UK Climate Projections CP09 sets out a range of emissions scenarios for future climate change. The central estimate of the medium emissions scenario finds that by the 2050s mean summer temperatures will increase by 2.8°, whilst summer precipitation will decrease by 19%. The UK Climate Change Risk Assessment 2017 states that:</p> <p><i>“Climate change is projected to reduce the amount of water in the environment that can be sustainably withdrawn whilst increasing the demand for irrigation during the driest months. At the same time the growing population will create additional demands on already stretched resources in some parts of the country.”</i></p> <p>Paragraph 3.1.28 of the <i>Proposed Submission Shoreham Harbour Joint Area Action Plan</i> refers to water efficiency standards helping to deliver the objectives of the <i>South East River Basin Management Plan (2016)</i>. River Basin Management Plans are produced to meet the requirements of the EU Water Framework Directive (2000/60/EC). The directive is transposed into UK law through The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003 (Statutory Instrument 2003 No. 3242) for England and Wales.</p> <p>The river basin management plan finds that, in the long term, there will be less water available to abstract. The measures identified to address this include:</p> <p><i>“Local government sets out local plan policies requiring new homes to meet the tighter water efficiency standard of 110 litres per person per day as described in Part G of Schedule 1 to the Building Regulations”</i></p> <p>The <i>Sustainability Appraisal – Proposed Submission Shoreham Harbour Joint Area Action Plan</i> finds that:</p> <p><i>“... new development is likely to lead to increased consumption. However new development also presents an opportunity to improve the water efficiency of buildings they are replacing.”</i></p> <p>The appraisal also notes that mitigation for the potential negative impacts of the proposed new development is provided by Policy CH1: Climate change, energy and sustainable building. The policy requires development to seek to achieve high standards and water efficiency and to explore the potential to implement measures to recycle, harvest and conserve water; and to apply the optional technical standard of 110 litres/person/day.</p> <p>The Shoreham Harbour Regeneration Area is within the UNESCO designated Brighton & Lewes Downs Biosphere. All the regeneration project partners are also members of the biosphere partnership, as are statutory bodies such as the Environment Agency and Southern Water. Objective 2: Sustainable Socio-Economic Development of the Biosphere Management Strategy includes taking positive action to reduce energy and water use</p> <p>Both Policy CP8 Sustainable Buildings in the <i>Brighton & Hove City Plan Part One</i> (adopted 2016) and Policy 18: Sustainable Design of</p>	

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				<p>the <i>Adur Local Plan</i> (adopted 2017) include the requirement for residential development to meet the optional water efficiency standard of 110 litres/person/day. Whilst this means that the standard would apply regardless of its inclusion in the Joint Area Action Plan, the LPAs have received representations in support of this policy. The policy has also been included in the Joint Area Action Plan for the removal of any doubt that the LPAs expect development in this area to meet this requirement.</p> <p>Policy JAAP14: Sustainable Use of Water in the 2014 consultation draft of the <i>Shoreham Harbour Joint Area Action Plan</i> stated that development should meet high water efficiency standards and explore potential to implement measures to recycle, harvest and conserve water resources. It also expected development to comply with the standards set out in the relevant local plan. The Draft Adur Local Plan set a minimum for all development of Code for Sustainable Homes level 4 (which set a maximum of 105 litres/person/day), the Draft Brighton & Hove City Plan Part One set a minimum for major schemes on brownfield sites of Code for Sustainable Homes Level 5 (which set a maximum of 80 litres/person/day). Representations supporting this policy were submitted by Southern Water (representation 153) and the Environment Agency (representation 157).</p> <p>Clauses 1 and 2 of Policy SH1.2: Sustainable use of water in the 2016 revised consultation draft of the <i>Shoreham Harbour Joint Area Action Plan</i> are identical to Clauses 8 and 9 of Policy SH1: Climate change, energy and sustainable building in the <i>Proposed Submission Shoreham Harbour Joint Area Action Plan</i>. This change in policy was necessary to respond to the withdrawal of the Code for Sustainable Homes and the introduction of the new optional technical standards. A representation supporting this policy was submitted by the Environment Agency (representation 310).</p> <p>Given the evidence presented above and the support for the policy demonstrated by statutory consultees (Southern Water and the Environment Agency), the LPAs consider that a clear need has been established to require new dwellings to meet the tighter requirement of 110 litres/person/day. The LPAs also consider that this need is clearly explained and justified in Paragraphs 3.1.26 to 3.1.28 of the <i>Proposed Submission Shoreham Harbour Joint Area Action Plan</i>. Furthermore, removing the water efficiency requirements would make the plan unsound on the following grounds:</p> <ul style="list-style-type: none"> • Positively prepared: Without water efficiency policies, the proposed level of development would significantly increase the demand for water in an area classified as severely water stressed. This would be contrary to the requirement to meet infrastructure requirements. • Justified: Without water efficiency policies, the plan would not be the most appropriate strategy for an area classified as severely water stressed. It would also be contrary to the proportionate evidence supporting these policies. It would also introduce potential conflict between the Joint Area Action Plan and the local plans for Adur and Brighton & Hove, which are aligned on this matter. • Effective: Without water efficiency policies, the plan would be contrary to the cross boundary strategic priorities in the South East River Basin Management Plan, and the Brighton & Lewes Downs Biosphere Management Strategy. • Consistent with national policy: Without water efficiency policies, the plan would be inconsistent with paragraphs 95 and 99 of the NPPF. <p>The LPAs therefore propose that no change is made to clauses 8 and 9 of Policy SH1.</p>	
2017 - 0402	04	Policy CA7	Hyde New Build Ltd considers Policy CA7 to be unsound on the grounds that it is not consistent with national policy, and not positively prepared. Objection to clauses 6 and 7 on the grounds that these are unduly prescriptive on design and building heights. Tall buildings should be acceptable where the developer can demonstrate that they would not have an unreasonable impact on views across the site	<p><u>Clauses 6 and 7</u> Reject</p> <p>The LPAs do not accept that clauses 6 and 7 of Policy CA7 are contrary to national policy and do not accept that these clauses are not positively prepared.</p> <p>Paragraph 58 of the NPPF states that:</p>	MM14

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			<p>or the setting of heritage assets. Objection to clauses 10 and 11. The setback on the river frontage is considered excessive. This should allow for narrower stretches. The setback on the roadside is considered vague. A setback of 5m is proposed.</p>	<p><i>"Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:</i></p> <ul style="list-style-type: none"> <i>• will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development</i> <i>• establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit</i> <i>• optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks</i> <i>• respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation</i> <i>• create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion</i> <i>• are visually attractive as a result of good architecture and appropriate landscaping"</i> <p>Paragraph 59 states that:</p> <p><i>"...design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally."</i></p> <p>Paragraph 024 of the Design Section of the PPG states that:</p> <p><i>"The layout of areas, whether existing or new, should be considered in relation to adjoining buildings, streets and spaces; the topography; the general pattern of building heights in the area; and views, vistas and landmarks into and out of the development site."</i></p> <p>Paragraph 025 states that:</p> <p><i>"Some forms pose specific design challenges, for example how taller buildings meet the ground and how they affect local wind and sunlight patterns should be carefully considered."</i></p> <p>Policy 14: Shoreham-by-Sea of the Adur Local Plan states that:</p> <p><i>"Development must respect the setting of the historic town centre and should not have an adverse impact on views or the setting of St Mary de Haura church."</i></p> <p>Policy 15: Quality of the Built Environment and Public Realm states that:</p> <p><i>Development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping. Development should:</i></p> <ul style="list-style-type: none"> <i>• Enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development;"</i> 	

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				<p>Principle WH25 of the <i>Western Harbour Arm Development Brief</i> (2013) proposed building heights of 4 to 5 storeys. Proposals for taller buildings would be required to submit evidence to address potential negative impacts in relation to:</p> <ul style="list-style-type: none"> • Scale and height • Architectural detailing • Materials • Public realm and open space • Public transport accessibility • Social and community provision • Views into and out of the area, including assessment of glimpse views, local views and long views in relation to the waterfront, local landmarks (e.g. maintaining the dominance of St. Mary de Haura on the skyline), the South Downs National Park and Conservation Areas and historic assets as appropriate • Microclimatic impacts including wind, daylight and sunlight effects and air pollution. <p>The <i>Draft Shoreham Harbour Joint Area Action Plan</i> (2014) did not include a specific policy on building heights. However, the background text reflected the Development Brief (paragraph 2.10.38). Engagement with developers suggested that this might be too restrictive. Therefore, Policy 16: Western Harbour Arm of the <i>Revised Draft Shoreham Harbour Joint Area Action Plan</i> (2016) included the following clauses:</p> <ol style="list-style-type: none"> 5. <i>"New development should achieve residential densities of a minimum of 95 dwellings per hectare consisting of predominantly flatted development. A mix of dwelling sizes should be delivered.</i> 6. <i>Building heights of up to five storeys are generally considered acceptable on the Brighton Road and River Adur frontages.</i> 7. <i>Proposals for individual taller buildings above a threshold of five storeys will be required to demonstrate an appropriate response and high-quality design in relation to the following elements:</i> <ul style="list-style-type: none"> • <i>Scale and height</i> • <i>Architectural detailing</i> • <i>Materials</i> • <i>Public realm and open space</i> • <i>Public transport accessibility</i> • <i>Views into and out of the area, including assessment of glimpse views, local views and long views in relation to the waterfront, local landmarks, the South Downs National Park, conservation areas, and historic assets</i> • <i>Microclimate impacts including wind, daylight and sunlight effects, air pollution and urban heat island effects."</i> <p>The intention of this policy was to maintain a more human scale to development on the principal frontages, whilst recognising that taller buildings could be accommodated within some of the larger sites. The background text states:</p> <p><i>"4.7.72 In general, buildings should be developed up to 5 storeys on the Brighton Road (A259) and River Adur frontages. This will ensure an intimate scale of development to the waterfront route and the street environment. Schemes offering a variation of height and scale are encouraged.</i></p> <p><i>4.7.73 Significantly taller buildings could create issues, such as traffic congestion, infrastructure provision and creation of a microclimate through trapping of air pollutants. There may be scope to consider slightly taller buildings in the centre of deeper sites provided that it can be demonstrated that these issues have been addressed, and the proposal is of exceptional design quality."</i></p> <p>At consultation, the LPAs received 5 representations regarding building heights in this area. The South Downs National Park Authority welcomed the recognition of impacts on views from the South Downs (Representation 205). Two representations, including one from</p>	

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				<p>the Shoreham Society, objected to the policy on the grounds that it was too permissive (Representations 113 and 311). Two representations, on behalf of Southern Housing Group and Hyde Housing Ltd, objected to the policy on the grounds that it was too restrictive (Representations 111 and 302).</p> <p>In response to these representations, the LPAs commissioned the <i>Western Harbour Arm Tall Buildings Capacity Study (2017)</i> in order to better understand the potential impacts of development. The study finds that:</p> <p><i>“... there is capacity to accommodate tall buildings across areas of the site in such a way that they would not have a significant adverse effect on the townscape, landscape, or specific features and general character of the historic environment.”</i></p> <p>However, it also identifies a number of considerations for appropriate building heights. These include:</p> <ul style="list-style-type: none"> • The prominence of Kingston Buci lighthouse (this affects sites WH1 and WH2) • The prominence of St Mary de Haura Church • Several views from Shoreham Beach across the allocation to the South Downs (affecting sites WH2, WH3, WH4 and WH5) • Taller buildings could be accommodated in the centre of the allocation without having a significant impact on the design objectives. <p>The <i>Proposed Submission Shoreham Harbour Joint Area Action Plan (2017)</i> explained this in the following paragraphs:</p> <p><i>“4.7.69 The Western Harbour Arm Waterfront will be a high-density neighbourhood. In general buildings should be developed up to 5 storeys on the Brighton Road (A259) and River Adur frontages. Within deeper sites, heights could step up away from these frontages.</i></p> <p><i>4.7.70 The Western Harbour Tall Buildings Capacity Study (2017) has identified a number of significant views that should be protected, and heritage assets that should be considered as part of development proposals:</i></p> <ul style="list-style-type: none"> • <i>Kingston Buci lighthouse is Grade 2 listed and is a prominent landmark signalling the entrance to the harbour, and to the town of Shoreham-by-Sea from the west. Development of over 3 storeys at sites WH1 and WH2 has the potential to impact the setting of the lighthouse. This must be considered when preparing development proposals.</i> • <i>There are several views from Shoreham Beach to the South Downs. Development of sites WH2, WH3, WH4 and WH5 should ensure that views are retained.</i> • <i>St Mary de Haura church is the most prominent landmark in the town centre. Most development sites are not close enough to significantly impact the prominence of the church. However, developers should consider the potential impact on views of the church.</i> <p><i>4.7.71 Significantly taller buildings could create issues, such as traffic congestion, infrastructure provision and creation of a microclimate through trapping of air pollutants. Towards the centre of the allocation (western part of site WH3, site WH4 and eastern part of site WH5), there may be scope for taller buildings provided that it can be demonstrated that these issues have been addressed, and the proposal is of exceptional design quality.”</i></p> <p>This background text reflects the findings of the study and aims to provide clarity as to the reasoning for the approach to building heights across the allocation. The study was commissioned partly in response to the objector’s representation on a previous version of the plan.</p> <p>The LPAs do not consider this policy to be unduly restrictive. The policy seeks to achieve an appropriate scale of development on the principal frontages, with scope for taller buildings away from these The policy is intended to optimise the development potential of sites, whilst identifying particular considerations when determining appropriate building heights. It identifies the key views and historic assets that should be considered. In the case of Kingston Buci lighthouse, the policy identifies the height at which development is likely to have an impact, but does not preclude taller development, provided the setting and impacts are considered and addressed</p>	

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				<p>The LPAs therefore propose that no change is made to clauses 6 and 7 of Policy CA7.</p> <p><u>Clauses 10 and 11</u> Partially accept</p> <p>The LPAs do not accept that clauses 10 and 11 of Policy CA7 are contrary to national policy and do not accept that these clauses are not positively prepared.</p> <p>Paragraph 58 of the NPPF states that:</p> <p><i>“Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:</i></p> <ul style="list-style-type: none"> • <i>will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development</i> • <i>establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit</i> • <i>optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks</i> • <i>respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation</i> • <i>create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion</i> • <i>are visually attractive as a result of good architecture and appropriate landscaping”</i> <p>Paragraph 59 states that:</p> <p><i>“...design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.”</i></p> <p>Policy 8: Shoreham Harbour Regeneration of the <i>Adur Local Plan</i> (2017) includes the following priorities for the Western Harbour Arm:</p> <ul style="list-style-type: none"> • To secure improvements to legibility, permeability and connectivity through high quality building design, townscape and public realm, ensuring to respect and complement the character of surrounding areas. • To improve access arrangements to create better linkages with Shoreham town centre and surrounding areas. • To deliver a comprehensive flood defence solution integrated with a publicly accessible riverside route including pedestrian/cycle way and facilities for boat users. • To enhance the area’s natural biodiversity by incorporating multifunctional green space, creating and improving habitats and improved green infrastructure links. <p>In order to create a coherent connection between Shoreham-by-Sea town centre and Kingston Beach, Principle WH27: Waterfront Character of the <i>Western Harbour Arm Development Brief</i> (2013) states that:</p>	

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				<p><i>“Development proposals will be required to accommodate a high-quality waterfront route.”</i></p> <p>The <i>Draft Shoreham Harbour Joint Area Action Plan</i> (2014) incorporated the proposal for a waterfront route. Paragraph 2.10.32 stated:</p> <p><i>“Development of a new, publicly accessible waterfront route was explored through the Development Brief. A new route would help to create a waterfront street environment, a legible connection linking the town centre to Kingston Beach framed by an attractive harbour setting. The route could potentially extend along the central part of the Western Harbour Arm intending to have a more intimate scale and character than the A259 which would be retained as the primary vehicular route through the Western Harbour Arm.”</i></p> <p>The development brief and 2014 draft plan considered the potential for a vehicular route through the central section of the Western Harbour Arm. This would have required development to be setback by 12.25m from the waterfront. The LPAs recognised that sites at the eastern end of the Western Harbour Arm would not be able to accommodate this depth, and so allowed a setback of 8m.</p> <p>Following consultation on the Draft and Revised Draft versions of the plan. The LPAs have not taken forward the proposal to allow traffic along the waterfront route, although acknowledge that access may be required for the maintenance of flood defences. Clause 10 of Policy SH16 and Clause 8 of Policy 16.1 of the <i>Revised Draft Shoreham Harbour Joint Area Action Plan</i> (2016) require a setback of 8m along the Western Harbour Arm in order to deliver the waterfront route.</p> <p>The waterfront route is one of the most significant elements of the proposals for the Western Harbour Arm. It forms part of the LPA’s approach to addressing transport and accessibility, flood risk management, open space and green infrastructure provision, and is essential to ensuring that the redevelopment of the area as a high-quality environment. The LPAs have engaged with Natural England, who are delivering the England Coast Path. The LPAs envisage that the waterfront route will be designated as part of this national trail, once it is complete.</p> <p>Paragraphs 4.7.50 to 4.7.54 of the <i>Proposed Submission Shoreham Harbour Joint Area Action Plan</i> (2017) set out the justification for the route, and the requirement for a setback from the riverfront. The LPAs consider that 8m is an appropriate width to deliver this requirement.</p> <p>The northern boundary of the Western Harbour Arm Waterfront allocation is Brighton Road (A259). This is a busy road, with noise and air quality issues. Clause 11 of Policy CA7 of the <i>Proposed Submission Joint Area Action Plan</i> (2017) requires a setback in order to prevent a canyoning effect and to ensure that residents are protected from noise and air quality impacts. The LPAs accept that the wording of this clause could be clarified.</p> <p>The LPAs have been exploring the potential for green infrastructure to mitigate the impacts of noise and air pollution through the area. The <i>Shoreham Harbour Ecology and Green Infrastructure Study</i> proposed tree planting along the A259 to deliver this. EcoServe mapping carried out by Sussex Biodiversity Records Centre has also highlighted the demand for air quality and noise mitigation in the area. The plan also seeks to improve cycling facilities along the A259, providing a high-quality cycle route between Shoreham-by-Sea and Hove Lagoon. This is likely to require a minimum of 5.1m.</p> <p>The objector proposes a setback of 5m. However, this would not be sufficient to deliver the improved cycle facility and protect new residents from noise and air quality impacts. The LPA’s therefore propose main modification MM14 to address this objection.</p>	
2017 - 0501	05	Whole plan	Davies Murch, acting on behalf of Southern Housing Group, finds the plan to be sound and legally compliant	Accept Noted	No change

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2017 - 0601	06	Policy SH10	Southern Water notes that previous representations to Policy 10 have been addressed. The representation notes a typographical error and proposes that the text is amended as follows: "Direct agreements with utility providers may be required to provide any necessary water and/or wastewater infrastructure. "	Accept Noted. The end of the policy was omitted due to a drafting error. The LPAs therefore propose that the text is amended as suggested	MIN72
2017 - 0701	07	Policy CA7	The Mineral Products Association considers Policy CA7 to be unsound, as there is not enough detail regarding safeguarding and relocation of aggregates wharf capacity. The Minerals Products Association suggests an additional clause to secure no net loss of capacity.	Reject The LPAs do not accept that Policy CA7 is unsound. West Sussex County Council is the Mineral Planning Authority, therefore the emerging Joint Minerals Local Plan, once adopted, will form part of the Development Plan Document which covers the area being planned for through the Shoreham Harbour JAAP. Therefore, the JAAP should not include, or repeat, policies on minerals matters. Any planning applications submitted to Adur District Council, that could impact safeguarded wharves, would require consideration of the Joint Minerals Local Plan policies and consultation with the County Council. The JMLP has been subject to examination hearings in September 2017. The Planning Inspectors report is expected in Spring 2018. Evidence underpinning the JMLP shows that the Western Harbour Arm wharves are no longer being used for direct import to Shoreham. However, they are safeguarded whilst they have temporary planning permission, as set out in Policy M10. The wharves in the "Harbour Mouth" and those in the Eastern Harbour Arm are safeguarded by both the JMLP and the East Sussex Plan.	No change
2017 - 0702	07	Policy SH2 and paragraph 3.2.22	The Minerals Products Association considers this policy to be unsound as, although it applies safeguarding to port related activity, it does not define how non-port related activities will be resisted. They propose that Clause 2 of the policy should make it clear that non-port related activities in safeguarded areas will not be permitted.	Reject The West Sussex Joint Minerals Local Plan policies, as well as those within the East Sussex Plan, would apply to any related activity that may impact on a safeguarded minerals site. Policy M10 of the JMLP sets out the criteria for safeguarding which would apply. Furthermore, Clause 3 of SH2 sets out that acceptable uses need to demonstrate the requirement of port-side location, whilst clause 5 sets out that new development within the harbour should not conflict with day to day operations. These clauses set out the issues requiring consideration of development proposals, and what resistance of non-port related uses may be applied. Therefore we do not agree with the proposed changed text, particularly the reference to "will not be permitted" this is not enabling development policy wording and could unduly restrict uses in the port , decisions will be made on a case by case basis considering all clauses in the policy and other relevant policies that apply to the application.	No change
2017-0703	07	Policy CA7 and paragraph 4.7.74	The Mineral Products Association consider this policy and paragraph to be unsound as the Policy makes no reference to the safeguarding of wharves at which development is proposed. They consider that the following clause be added to CA7: "The aggregates wharves (New Wharf and Kingston Wharf) are safeguarded while they have planning permission to operate. Prior to development resulting in the loss of wharf capacity alternative replacement capacity must be identified and delivered. Replacement capacity must be at least equivalent in terms of tonnage, accessibility, location in relation to the market, suitability, availability of land for processing and stockpiling of minerals, and,	Reject The sites allocated in Policy CA7 (New Wharf and Kingston Railway Wharf) that are safeguarded through the emerging JMLP (Policy M10 (d) – (e)) are referenced in the supporting text of SH2 (paragraphs 3.2.14 – 3.2.21). SH2, clause 5, states "New development within the harbour area should not conflict or unreasonably constrain the day to day operations and workings of the port and port-related uses." West Sussex County Council are the Mineral Planning Authority, therefore the emerging Joint Minerals Local Plan, once adopted, will form part of the Development Plan Document which covers the area being planned for through the Shoreham Harbour JAAP. Any planning applications submitted to Adur District Council, that could impact safeguarded wharves, would require consideration of the Joint Minerals Local Plan policies and consultation with the County Council. Area Priorities for CA7, include "to facilitate the strategic relocation of industrial uses to elsewhere in the harbour or local area to free up waterfront opportunity sites" (bullet point 5). There is more information on safeguarding and the use of the port, include that below. We are minded that this could form part of the matters statements once the plan is submitted and is probably too much detail for responses to reps. We thought we should include	No change

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			in the case of wharves, the size of the berth for dredgers, barges or ships.”	the below FYO as useful context as to what has happened recently in the area. Planning permission was granted to Day Group to relocate their operations from Kingston Railway Wharf to a wharf in the port-operational area (Britannia Wharf) by Brighton and Hove City Council on 25 January. (Ref: BH2017/02819) Day Group currently operates out of Kingston Railway Wharf, where their temporary permission expires in October 2018. Day group will therefore move their aggregates operation over to Britannia Wharf this year. New Wharf, operated by the Kendall Group, was granted an extension of time to September 2020 in March 2018. This is in line with Kendall Groups lease for New Wharf that expires in September 2020.	
2017 - 0801	08	Whole plan	Natural England supports the inclusion of Green infrastructure within the Plan. Natural England adds that they have not assessed the JAAP for impacts on protected species. Natural England has published Standing Advice regarding protected species, ancient woodland, and veteran trees.	Accept Support is welcomed. The LPAs also welcome the standing advice; this will be taken into account where necessary.	No change
2017 - 0901	09	Whole Plan	West Sussex County Council supports the JAAP in its approach and will work towards adoption.	Accept Support is welcomed	No change
2017 - 1001	10	Whole Plan	The Sussex Wildlife Trust welcomes changes made to the plan in light of previous comments and supports the publication and the upcoming <i>Green Infrastructure Strategy</i> .	Accept Support is welcomed	No change
2017 - 1002	10	Vision	The Sussex Wildlife Trust consider that the Vision could be reworded as follows, to reflect the positive and progressive approach the JAAP is demonstrating for the integration of Natural Capital: “The redevelopment of key areas of the harbour will provide benefits for the local community, natural environment and economy through increased investment, improved leisure opportunities, enhanced public realm and the delivery of critical infrastructure that will respond positively to climate change”	Accept The LPAs will accept this comment and make the suggested change. This will further highlight the approach to natural capital throughout the JAAP	MM1
2017 - 1003	10	Paragraph 2.2.0 and objective 1	The Sussex Wildlife Trust supports the approaches to open space, biodiversity and green infrastructure, stating this is in line with sections 99 and 118 of the NPPF	Accept Support is welcomed	No change
2017 - 1004	10	2.2.16.0 and objective 7	The Sussex Wildlife Trust strongly supports this objective, considering it in line with the Adur Local Plan and section 109 of the NPPF.	Accept Support is welcomed	No change
2017 - 1005	10	Policy SH1 and paragraph 3.2.0	The Sussex Wildlife Trust supports this policy but would consider further wording in paragraphs 3.1.24 and 3.1.25 to include the importance and potential of photovoltaics.	Accept The LPAs welcome the support and will make the requested change. Policy SH1 clause 4 will now read as: “Developers should demonstrate how they can contribute towards <u>the regeneration partnership’s Shoreham Port Authority’s</u> objective of becoming a hub for renewable energy generation.”	MM3 MM4

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				Policy SH1 clause 5 will now read as: "The partnership will support proposals for renewable and low carbon energy generation, including solar photovoltaics. All new development will be expected to incorporate low and zero carbon, decentralised energy opportunities."	
2017 - 1006	10	Policy SH6 clause 12 and paragraph 3.7.0	While Sussex Wildlife Trust has not objected to this policy, they do not consider it acceptable to resort to only financial compensation for the management of existing habitat. They state there are existing constraints on the identification of compensatory habitats within the Adur Estuary and this should be addressed by the JAAP.	Reject The LPAs do not consider clause 12 of this Policy to be contrary to national policy. Section 176 of the NPPF states "where safeguards are necessary to make a particular development acceptable in planning terms (such as environmental mitigation or compensation), the development should not be approved if the measures required cannot be secured through appropriate conditions or agreements. The need for such safeguards should be clearly justified through discussions with the applicant, and the options for keeping such costs to a minimum fully explored, so that development is not inhibited unnecessarily." Policy SH6 Clause 12 states "where loss of habitat occurs due to construction of moorings or pontoons or from boats resting on intertidal habitat, creation of new compensatory habitat will be required." This clause does not mention financial compensation and requires compensatory habitat, in line with section 176 of the NPPF. The LPAs are aware of the constraints in identifying appropriate compensatory habitat and are working with the relevant stakeholders to resolve this.	No change
2017 - 1007	10	Policy SH7	The Sussex Wildlife Trust supports this Policy and the wording regarding the <i>Green Infrastructure Strategy</i> , considering this in line with section 11 of the NPPF. The Sussex Wildlife Trust however proposes the following change to clause 4, to better accord with section 165 the NPPF: "All development applications must be accompanied up to date ecological information to ensure no net loss and seek to provide a net gain to biodiversity"	Accept Support is welcomed for the policy. Though the Sussex Wildlife Trust does not consider the plan to be unsound, the proposed amendment clarifies the requirement for ecological information.	MIN55
2017 - 1008	10	Policy SH8	The Sussex Wildlife Trust supports this Policy, considering it in line with section 109 of the NPPF	Accept Support is welcomed	No change
2017 - 1009	10	Policy CA2	The Sussex Wildlife Trust supports this Policy, considering it in line with section 114 of the NPPF	Accept Support is welcomed	No change
2017 - 1010	10	Policy CA3 and paragraph 4.3.37	The Sussex Wildlife Trust supports this Policy, considering clause 10 - 12 it in line with section 109 of the NPPF	Accept Support is welcomed	No change
2017 - 1011	10	Policy CA4 and paragraph 4.4.6.1	The Sussex Wildlife Trust supports this policy and the supporting text regarding vegetated shingle assessment. The Sussex Wildlife Trust however proposes that CA4 clause 2 could be strengthened as follows: "The partnership will promote and deliver the enhancement and creation of vegetated shingle habitats to create a continuous corridor along the	Accept Support is welcomed for the policy. Though the Sussex Wildlife Trust do not consider the plan to be unsound, the proposed amendment to Policy CA4 clause 2 clarifies the partnerships commitment to delivering enhancements to coastal vegetated shingle habitats.	MIN61

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			beaches.”		
2017 - 1013	10	Policy CA6 and paragraph 4.6.16.1	The Sussex Wildlife Trust supports this Policy, considering clause 3-4 in line with section 109 of the NPPF.	Accept Support is welcomed	No change
2017 - 1014	10	Policy CA7 and paragraph 4.7.73.1	The Sussex Wildlife Trust supports this Policy, considering paragraph 4.7.26 in line with section 109 of the NPPF, and clause 17 in line with section 99 of the NPPF.	Accept Support is welcomed	No change
2017 - 1015	10	Delivery and Implementation	The Sussex Wildlife Trust does not object to the Policy. However, they propose that green infrastructure is referred to in section 5.1.20 regarding infrastructure requirements for major developments, as it is in 5.1.14.	Accept Though the Sussex Wildlife Trust does not suggest that the plan is unsound, the proposed amendment clarifies the requirement for development to contribute towards green infrastructure provision: “The following items of infrastructure are typically likely to be requirements for major developments within the allocated sites: <ul style="list-style-type: none"> • Contributions to public transport and highway network improvements • Upgraded flood defences integrated with public waterfront walking / cycle route (where appropriate – particularly Western Harbour Arm Waterfront sites) • Contributions to social infrastructure • Contributions to green infrastructure • Remediation of contaminated areas • On-site renewable energy systems / low carbon technologies” 	MIN71
2017 - 1016	10	Conclusion	The Sussex Wildlife Trust was supportive of the consultation and evidence base, which included identifying Green Infrastructure assets, considering that this will help to ensure that actions need to implement net gains for biodiversity can be identified and implemented by policy.	Accept Support is welcomed	No change
2017 - 1012	10	Policy CA5 paragraph 4.5.31.1	The Sussex Wildlife Trust supports the use of Green Infrastructure in the Area Priorities, and further support the statements in section 4.5.20 through to 4.5.24. The Sussex Wildlife Trust supports the wording in the policy regarding improvements to ecology and landscaping. They do however propose the provision of signage for interpretation of the marine environment as part of the redevelopment of the Lady Bee Marina: explanation of the impacts water users have on the Marine environment and best practises to minimise these.	Reject It is noted that the Sussex Wildlife Trust do not object to the policy, neither finding it unsound or inconsistent with national policy. The provision of such signage may be considered as part of the Shoreham Harbour Green Infrastructure Strategy.	No change
2017 - 1101a	11	Whole Plan	Hove Civic Society supports the JAAP. In particular, Objective 1 and Policy SH1 and supporting text paras 3.1.14 to 3.1.25.	Accept Support is welcomed	No change
2017 - 1101b	11	Paragraph 4.1.9	Hove Civic Society considers this could better state that the power station could become a major provider of heat to many of the properties in	Reject The Shoreham Power Station has been considered as a heat source but was deemed unviable; the plant operates as peaking plant, affecting continuity of supply. The power station was also built in 2000 and designed for a 25-year lifetime, meaning that it could be	No change

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			Brighton and Hove.	decommissioned in the short term.	
2017 - 1201	12	Paragraph 4.2.0 and the Character Area 2 area priorities.	Hopegar Properties Ltd consider these area priorities to be sound. This includes the priority "To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces."	Accept Support is welcomed	No change
2017 - 1202a	12	Policy CA2 and Map 7	Hopegar Properties Ltd do not consider this policy to be sound, as "Mackleys Wharf" is not included within allocation AB1 for proposed employment space.	Accept The LPAs will accept this comment and make the suggested change to Map 7, as this further provides opportunity to develop employment space. Map 4 will be amended accordingly.	MIN33 MIN34
2017 - 1202b	12	Policy CA2	Hopegar Properties Ltd considers that the policy should specifically reference the Shoreham Harbour Flood Risk Management Guide.	Reject The LPAs however do not consider the inclusion of the FRMG to be necessary in policy CA2. Policy SH6, clause 1 states "Development proposals in the regeneration area must comply with the principles and approach to flood risk management set out in the Shoreham Harbour Flood Risk Management Guide (2015), or subsequent updated guidance." Compliance with the FRMG is also listed in the Area Priorities for CA2.	No change
2017 - 1203	12	Policy SH4 3.4.11	Hopegar Properties Ltd considers the policy to be sound as it addresses the relationship between "existing and proposed employment activities" and new residential development to ensure that employment activities are not constrained by new residential development at the Port.	Accept Support is welcomed	No change
2017 - 1204	12	Policy SH6	Hopegar Properties Ltd considers this policy to be unsound as it does not reference the lock Gates with regards to the Shoreham Harbour Flood Risk Management Guide. Hopegar Properties Ltd proposes the following addition to SH6. Improve the standard of flood defence by the provision of new flood gates, floodwalls and pier raising in the area immediately around the lock gates section over the Plan period, as set out in the Shoreham Harbour Flood Risk Management Guide (2015).	Partially Accept The LPAs do not consider the policy unsound. The Joint Area Action Plan and the Flood Risk Management Guide address the requirements for flood risk management arising from new development. The erosion and coastal management strategies address wider issues. However, the LPAs propose the following amendment: <u>The partnership will support the delivery of measures to mitigate flood risk and coastal erosion in the regeneration area.</u> Development proposals in the regeneration area must comply with the principles and approach to flood risk management set out in the <i>Shoreham Harbour Flood Risk Management Guide (2015)</i> , or subsequent updated guidance and must take account of the most up to date flood risk management evidence and policy in consultation with the relevant authorities, including the Environment Agency. Where development creates new or alters flood flow routes, the site specific Flood Risk Assessment must assess the potential flood hazard posed by them to ensure that flood risk is not increased elsewhere.	MM6
2017 - 1205	12	Paragraph 4.2.13	Hopegar Properties Ltd consider this paragraph to be sound as it set out ways in which links between Shoreham and Hove can be improved.	Accept Support is welcomed	No change
2017 - 1206	12	4.2.34	Hopegar Properties Ltd consider this paragraph to be unsound, considering the wording "arranged as two to three storey buildings on underused plots" contrary to CA2 clause 6 which states "Building heights of two or three storeys are generally considered acceptable. If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites."	Reject This paragraph is merely a proposal and does not supersede the policy which, as noted by the respondent, provides flexibility regarding building heights within clause 6 part b.	No change
2017	13	Policy CA2	Kingsway and West Hove Residents Association	The LPAs do not accept that the plan is unsound.	No change

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- 1301		Paragraph 4.2.34	consider the plan to be unsound on the grounds that it is not consistent with national policy, not effective, not justified, and not positively prepared. The objection relates to the removal of a maximum height limit of four storeys at site AB4. The policy now states that: "building heights should be justified with regard to analysis of the local urban design context, orientation, sunlight and daylight impacts and apply high quality design principles".	The version of the policy contained in previous versions of the plan was derived from the <i>South Portslade and Aldrington Basin Development Brief</i> (2013). This was produced prior to the adoption of the <i>Brighton & Hove City Plan Part One</i> (2016) The City Plan seeks full and effective use of all sites. Policy CP12 identifies areas with potential for taller buildings. This includes Shoreham Harbour. On the basis of an objection to the soundness of the four-storey limit contained in previous versions of the plan, Brighton & Hove City Council amended Policy CA2 of the JAAP to its current form. A motion to revert to the former wording was not supported at the Tourism, Development and Culture Committee, and the plan was approved for publication by full Council. No change	
2017 - 1401	14	Whole plan	Surrey County Council, as the minerals & waste planning authority, support the proposals to maintain wharf capacity at Shoreham Harbour in accordance with the emerging West Sussex Joint Minerals Local Plan.	Accept Support is welcomed	No change
2017 - 1501a	15	Whole Plan	Shoreham Rowing club consider the JAAP to be mostly sound, but not positively prepared with regards to the consideration and enhancement of existing community leisure facilities and the social infrastructure for the benefit of the existing community as well as new residents and visitors.	Accept The Councils do not accept that the plan is unsound but consider it reasonable that the needs of existing communities should also be considered.	MIN30 MIN68
2017 - 1501b	15	Paragraph 2.2.19	With reference to the above representation 2017-1501a, the change proposed by Shoreham Rowing Club is as follows: After "development" include "and those of the existing community by further enhancing existing leisure facilities and services" or similar.	Accept The Councils do not accept that the plan is unsound. However, the proposed amendment makes clear that the needs of existing communities should also be considered. The proposed amendment reads as follows: "Local planning authorities should plan for recreational and leisure facilities and services to meet the needs of existing communities and new development. Planning plays an important role in promoting healthy and active lifestyles. This includes the provision of open space, sports and recreation facilities."	MIN30
2017 - 1501c	15	2.3.15	Shoreham Rowing Club consider that "Shoreham Rowing Club" should be included within the description for the harbour mouth Character Area, that it should be protected as in item 4 on page 104 (CA6 clause 4) and should note the redevelopment of existing local leisure facilities such as Shoreham Rowing Club.	Reject As the text provides a brief overview of the character area proposals, it would not be necessary or appropriate to specifically make reference to Shoreham Rowing Club. It would also not be appropriate to state that Shoreham Rowing Club will be protected, as paragraph 2.3.16 states that it is the historic buildings Kingston Buci Lighthouse (grade II listed) and Shoreham Fort (Scheduled Monument) that are to be protected. While Shoreham Rowing Club highlights the first bullet point of CA6 clause 4 " Redevelopment of Shoreham Rowing Club ", it would be unnecessary to also restate this in paragraph 2.3.15-16 as this is reflected in the policy.	No change
2017 - 1501di	15	Map 4	Shoreham Rowing Club Consider that the club should be included on this map to draw attention to its presence and the requirement to maintain its access, as the maps indicate a new waterfront route and public art.	Reject The route of the proposed waterfront route is indicative. The LPAs Consider that the provision of a waterfront pedestrian access route would not adversely impact upon the access or amenity of SRC. As a development plan map it is again not considered necessary to specifically locate SRC on maps 4 and 11, particularly as section 8 Recreation and leisure, under the heading "Sailing and facilities for boat users" paragraph 3.8.4 specifically mentions SRC as one of a number of the harbour's sailing facilities, and that all these areas have a strong leisure and recreation function. Shoreham Rowing Club is specifically highlighted in CA6 clause 4, which itself states "The partnership will work with the community and stakeholders to improve Kingston Beach including: Redevelopment of Shoreham Rowing Club ". The JAAP does not highlight other leisure facilities in this way so it would not be appropriate to single out Shoreham Rowing Club in this way.	No change
2017	15	Map 11	Shoreham Rowing Club Consider that the club should	Reject	No change

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- 1501dii			be included on this map to draw attention to its presence and the requirement to maintain its access, as the maps indicate a new waterfront route and public art.	The route of the proposed waterfront route is indicative. The LPAs Consider that the provision of a waterfront pedestrian access route would not adversely impact upon the access or amenity of SRC. As a development plan map it is again not considered necessary to specifically locate SRC on maps 4 and 11, particularly as section 8 Recreation and leisure, under the heading "Sailing and facilities for boat users" paragraph 3.8.4 specifically mentions SRC as one of a number of the harbour's sailing facilities, and that all these areas have a strong leisure and recreation function. Shoreham Rowing Club is specifically highlighted in CA6 clause 4, which itself states "The partnership will work with the community and stakeholders to improve Kingston Beach including: Redevelopment of Shoreham Rowing Club ". The JAAP does not highlight other leisure facilities in this way so it would not be appropriate to single out Shoreham Rowing Club in this way.	
2017 - 1501ei	15	Map 5	Shoreham Rowing Club considers this paragraph and maps 5 unsound as Shoreham Rowing Club is not listed as a constraint.	Reject The LPAs do not consider the plan to be unsound. Map 5 includes constraints such as local and national conservation designations, Health and Safety Executive Consultation Zones, and heritage assets (listed buildings, conservation areas, scheduled monuments). Shoreham Rowing Club does not fall into any of the categories. The JAAP does not highlight other leisure facilities in this way so it would not be appropriate to single out Shoreham Rowing Club in this way. Map 5 does include the village green, with paragraph 2.4.8 stating this inclusion as a constraint and that the inclusion safeguards the beach as a public space. Shoreham Rowing Club is specifically highlighted in CA6 clause 4, which itself states "The partnership will work with the community and stakeholders to improve Kingston Beach including: Redevelopment of Shoreham Rowing Club ". It would be unnecessary to also restate this in paragraph 2.3.18.2 Shoreham Rowing Club is directly referenced in the policy. Within section 8 Recreation and leisure, under the heading "Sailing and facilities for boat users" paragraph 3.8.4 specifically mentions SRC as one of a number of the harbour's sailing facilities, and that all these areas have a strong leisure and recreation function.	No change
2017 - 1501eii	15	Map 11	Shoreham Rowing Club considers this paragraph and maps 5 and 11 unsound as Shoreham Rowing Club is not listed as a constraint.	Reject The JAAP does not highlight other leisure facilities in this way so it would not be appropriate to single out Shoreham Rowing Club in this way. Map 11 does include the village green, with paragraph 2.4.8 stating this inclusion as a constraint and that the inclusion safeguards the beach as a public space. Shoreham Rowing Club is specifically highlighted in CA6 clause 4, which itself states "The partnership will work with the community and stakeholders to improve Kingston Beach including: Redevelopment of Shoreham Rowing Club ". It would be unnecessary to also restate this in paragraph 2.3.18.2 Shoreham Rowing Club is directly referenced in the policy. Within section 8 Recreation and leisure, under the heading "Sailing and facilities for boat users" paragraph 3.8.4 specifically mentions SRC as one of a number of the harbour's sailing facilities, and that all these areas have a strong leisure and recreation function.	No change
2017 - 1501f	15	Paragraph 2.4.8	Shoreham Rowing Club considers this paragraph unsound as Shoreham Rowing Club is not noted as a constraint in addition to the Village Green.	Reject Section 2.4 includes constraints such as local and national conservation designations, Health and Safety Executive Consultation Zones, and heritage assets (listed buildings, conservation areas, scheduled monuments). Shoreham Rowing Club does not fall into any of the categories. The JAAP does not highlight other leisure facilities in this way so it would not be appropriate to single out Shoreham Rowing Club in this way.	No change
2017 - 1501g	15	Policy SH5	Shoreham Rowing Club considers this policy to be unsound as there is no reference to protecting the parking of the club members, particularly on Kingston beach or surrounding areas.	Reject The land currently used for informal parking at Kingston Beach falls within the village green designation. As such the land it would not be appropriate to allocate this for car parking.	No change
2017	15	Paragraph	Shoreham Rowing Club considers this paragraph	Accept	MIN68

Rep No:	Consultee No:	Reference: (Paragraph, policy or map number)	Summary of representation	Local planning authorities' response to representation: (Accept/partially accept/reject) Change/no change)	Modification No: (If applicable)
- 1501h		4.7.55	unsound as the Plan should replace "both" with "existing residents," Shoreham Rowing Club considers that this would represent an effort to include the existing community rather than just those to be resident in the new development.	The LPAs do not consider this paragraph to be unsound, but accept the proposed changes as raised by Shoreham Rowing Club. The following amendment will see existing residents become fully considered within the paragraph: "Despite popular demand, the harbour is currently lacking in good quality, modern waterfront facilities for boat-users and for local residents and visitors to enjoy. It is proposed to increase the number of berths in the harbour for both visitors and new residents through the incorporation of new publicly accessible quays or floating docks/pontoons linked to new developments and open spaces. This will significantly improve the facilities on offer for the boating community and attract visitors into in to the area, supporting the local economy. All new features would be subject to the appropriate environmental approvals processes with the relevant statutory bodies." Change	
2017 - 1601	16	Objective 5	The respondent John Darnell considers this objective and paragraph unsound because the objective's reference to improving bus infrastructure does not include actual proposals.	Reject As a development plan the provision of specific transport routes would be outside the scope of the JAAP. Policy SH5 requires sustainable transport improvements and travel behaviour changes as set out the <i>Shoreham Harbour Transport Strategy</i> . In particular SH5 Clause 4. It is also noted that there would be potential for bus infrastructure to be brought forward by development in the form of Travel plans, and transport welcome packs.	No change
2017 - 1701	17	Policy SH2	The South Downs National Park Authority considers this policy and paragraph to be sound.	Accept Support is welcomed	No change
2017- 1702	17	Policy CA7	The South Downs National Park Authority considers this policy and paragraph to be sound.	Accept Support is welcomed	No change
2017 - 1801	18	Policy CA2	Brighton & Hove Property Consortium East Sussex County Council welcomes changes made to the plan in light of previous comments, and strongly supports the removal of artificial height limitations relating to site allocation AB4. While Brighton & Hove Property Consortium do not consider the plan to be unsound, they express the following concerns: <ul style="list-style-type: none"> Policy CA2: 7.b. States that "Development should maintain a sense of openness and promote views through to the harbour wherever possible". An alternative wording might be "Development should maintain a sense of openness and promote views through to the harbour wherever practical and must be balanced against other urban design criteria." The remainder of the allocated sites within Aldrington Basin AB1, AB2 and AB3 are unduly restricted to 'Employment (proposed/protected)' and/or 'Protected Employment.' This would preclude a mixed-use scheme, or a scheme which 	Reject Support is welcomed. However, the LPAs do not consider the two proposed changes to be appropriate: <ul style="list-style-type: none"> While Brighton & Hove Property Consortium wish to include the wording "balanced against other urban design criteria" within the policy, feeling the current wording may unduly frustrate the site maximising its true potential. Such wording is already present within CA2 clause 6, which would allow taller buildings if balanced against other urban design criteria: <ul style="list-style-type: none"> Building heights should be justified with regard to analysis of the local urban design context, orientation, sunlight and daylight impacts and apply high quality design principles. The protection of employment space will fulfil the aims of the Area priorities of CA2 which read as follows: <ul style="list-style-type: none"> To accommodate a mix of new and improved port operational facilities as well as compatible non-port employment generating floorspace (use classes B1, B2 and B8). To accommodate appropriately located mixed-use development (use classes A1, A2, A3, B1 and C3). To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces. As can be seen on Map 4, the two Character Areas designated with protected employment space are CA2 and CA3. These are both located within Brighton & Hove where there is a demand for employment space. Paragraph 1.11.8 of the JAAP highlights Policy DA8 (Shoreham Harbour) of the <i>Brighton & Hove City Plan Part One (2016)</i> which sets out the policy and priorities for each of the harbour character areas, stating that the JAAP process will further explore and test the delivery of 300 new residential units and 7,500m ² net additional employment floorspace within Brighton & Hove. JAAP paragraphs 2.2.8-2.2.9 highlights the Employment Land Review for Brighton & Hove and a demand of 112,240m ² office floorspace and, 43,430 m ² industrial floorspace, substantially more than the Employment Land Review for Adur and a demand of 15,000 to 20,000m ² office and research and development floorspace 35,000 to 40,000m ² warehouse floorspace. As such, the JAAP complies with paragraph 20 of the NPPF by protecting and prioritising employment space in this area of Brighton	No change

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			might only be enabled with an element of residential development. We therefore feel that this wording should be changed to allow greater flexibility for these sites and enhance the prospect for their delivery and to fulfil the aims of the JAAP.	<p>& Hove: "Local planning authorities must plan to meet the development needs of business and support economic growth²".</p> <p>As stated in the area priorities, the protection of existing employment space along with allocations AB1 to AB3 for proposed/protected space would maximise intensification and redevelopment opportunities of these sites.</p> <p>Owing to the location, mixed use or residential fronting this portion of the river would not align with the port uses, in line with the Area priorities</p>	
2017 - 1901	19	No specific mention to a part of the JAAP, but the comment regards the Western Harbour Arm	<p>Shoreham Beach Residents Association did not specifically state the JAAP as being unsound, but have questioned the why the 1,100 housing delivery target for Adur, out of the 1,400, is allocated for the Western Harbour Arm CA. They add that based on proposed applications this number would be exceeded and raise a concern over compliance</p> <p>SBRA also raise a concern over the general height limit of 5 storeys, as the JAAP says this can be exceeded, and request precision as to what would be acceptable.</p> <p>SBRA do however support the JAAP as a whole for the brownfield area of greater Shoreham Harbour, and are pleased with general principles for included for the control of height, design, the environment, air quality, the protection of the historical character of Shoreham, and the need for more local infrastructure to support developments within the town.</p>	<p>Reject</p> <p>The LPAs welcome the support from the SBRA.</p> <p>Policy SH1 clause 1 states 1,100 homes will be delivered within Adur and 300 within Brighton & Hove. This identifies the JAAP's aim that more homes are to be provided in Adur when compared to Brighton & Hove, and justifies the target being set within the WHA CA.</p> <p>Map 5 of the JAAP shows that the Western Harbour Arm is the only site within Adur that is allocated for proposed residential use. Two other character areas are allocated for proposed residential uses, CA2 and CA3. These however are both located within Brighton & Hove and are constrained by port and industrial uses. Of the other character areas, some have no proposed development – the port operational areas, and the public beaches.</p> <p>Paragraph 4.7.41 of the JAAP states the WHA is a prime riverside site with the potential to create an attractive new setting and a greater sense of vibrancy along the waterfront. It is also less affected by port and industrial uses when compared against the other Character Areas within Adur.</p> <p>Paragraph 2.2.11 of the JAAP states that Adur needs 6,825 homes up to 2032 and that the full objectively assessed housing need cannot be met and the Adur Local Plan aims to deliver 3,718 dwellings over the plan period.</p> <p>As such, allocating residential use within Adur is in line with paragraph 47 of the NPPF which states local planning authorities should "use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period"</p>	No change

In addition to the representations listed above, a late representation was received from the Environment Agency. This included a number of objections, which have now been resolved through discussion with the Agency.

² NPPF (2012) paragraph 20

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