



ADUR DISTRICT
COUNCIL



**ADUR DISTRICT COUNCIL, BRIGHTON & HOVE CITY COUNCIL,
WEST SUSSEX COUNTY COUNCIL**

Representation Form

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

Proposed Submission Shoreham Harbour Joint Area Action Plan

Return Address:

consultation@shorehamharbour.com

Or:

Shoreham Harbour Regeneration, c/o Adur District Council, Town Hall, Chapel Road, Worthing, BN11 1BR

Please return to Shoreham Harbour Regeneration by midnight on 22 December 2017

Late representations will not be considered.

 **Use of your information** Respondent details and representations will be forwarded to the Secretary of State for Communities and Local Government for consideration when the Joint Area Action Plan is submitted for examination. All documents will be held by Adur District Council, Brighton & Hove City Council and West Sussex County Council. Representations will be published including on the councils' websites. Personal contact details (address, email and phone number) will be removed from published copies of representations. Your information will be handled in accordance with Data Protection Act 1998.

Contact details will be added to the Shoreham Harbour Regeneration consultees database to keep you informed on the progress of the Adur Local Plan and other related documents.

Please tick if you do **not** want to be informed.

This form has two parts:

- i. Part A - Respondent Details. You only need to fill this in once.
- ii. Part B - Your representation(s). Please fill in a separate sheet for each representation you make.

It is recommended that you read the Guidance Notes provided for an explanation of terms used in this form.

Part A – Personal Information
You only need to complete this section once

Personal Details

First name	Tom	
Last name	Shaw	
Organisation (where applicable)	Hyde New Build Limited	
Address line 1	[REDACTED]	
Address line 2	[REDACTED]	
Address line 3	[REDACTED]	
Post Code	[REDACTED]	Telephone [REDACTED]
Email address	[REDACTED]	

Agent's Details (if applicable)

First name	[REDACTED]	
Last name	[REDACTED]	
Organisation	[REDACTED]	
Job Title	[REDACTED]	
Address line 1	[REDACTED]	
Address line 2	[REDACTED]	
Address line 3	[REDACTED]	
Post Code	[REDACTED]	Telephone [REDACTED]
Email address	[REDACTED]	

Part B – Representation

Please use separate sheets for each representation

1. Which part of the Joint Area Action Plan does this representation relate to?

Policy No.	<input type="text" value="SH1 & CA7"/>	Paragraph No.	<input type="text"/>
Map	<input type="text"/>	Other section (please specify)	<input type="text"/>

2. Do you consider the Joint Area Action Plan to be: (tick as appropriate)

- 2.1 Legally Compliant Yes No
- 2.2 Sound Yes No

Please read the Guidance Note for guidance on legal compliance and soundness.

If you have ticked no to 2.1, please continue to Q4.

If you have ticked no to 2.2, please continue to Q3.

If you have ticked yes to 2.1 and 2.2 please go to Q7.

3. Do you consider the Joint Area Action Plan to be unsound because it is not: (tick as appropriate)

- 3.1 Positively Prepared
- 3.2 Justified
- 3.3 Effective
- 3.4 Consistent with National Policy

4. If you consider the Joint Area Action Plan to be unsound or not legally compliant, please explain why in the box below:

POLICY SH1

Is not consistent with national policy insofar as it seeks to impose a requirement for maximum water usage in residential development. This is contrary to paragraph 95 of the NPPF which requires planning policy to be consistent with nationally prescribed standards. In this regard the policy is unnecessary as the building regulations set the standards for water usage and the partnership has not provided justification for a higher or different standard to the building regulations.

Furthermore the policy's preclusion of individual gas or electric boilers in any part of the WHA is unreasonably inflexible and may threaten the viability of development in the WHA. This is contrary to Paragraph 173 of the NPPF which requires plan makers to not overburden development with obligations and policies that might threaten viability (and therefore delivery) of development.

POLICY CA7

Is overly prescriptive in matters of design (height) of development and the width of the waterside pedestrian walkway/cycleway. While it is correct to require developers to justify and demonstrate the height of proposals are reasonable in their impacts, the preclusion of any tall buildings in WH2, and the requirement for a walkway/cycleway of minimum 8m wide is not sufficiently flexible and is are unsubstantiated requirements that are contrary to paragraph 60 of the NPPF.

5. Please explain in the box below what change(s) you consider necessary to make the Joint Area Action Plan legally compliant and sound having regard to the reason you identified above.

(You will need to say why this change will make the plan legally compliant or sound. It will be helpful if you are able to put forward your suggested or revised wording of any policy or supporting text. Please be as precise as possible).

POLICY SH1

Paragraph 6 and 7 are concerned with connection to a proposed district heating and cooling system. While this is generally supported, objections are raised to the wording of paragraph 7 which is unreasonably proscriptive. The first bullet point precludes the use of individual gas or electric boilers. This is unreasonable and negative. It is requested that the policy be softened to allow individual gas or electric boilers where there is not a network currently in place and proposals meet the requirements of the remaining bullet points in order to ensure the ability to connect at a future date.

Paragraph 8 and 9 are concerned with water use which is now controlled through the building regulations. It is therefore not reasonable or justified to require a higher standard than those set by the building regulations through planning policy such as the JAAP.

POLICY CA7

Paragraphs 6 and 7 of Draft Policy CA7 are concerned with building heights in the Western Harbour Arm (WHA). While paragraph 7 allows for taller buildings in areas WH3, 4 and 5, other areas of the WHA are excluded. This is not justified or reasonable and is unduly prescriptive in terms of the design of schemes for the site. It is our representation that tall buildings should be 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.

Paragraph 10 requires a minimum setback of at least 8m from harbour wall to buildings to enable delivery of a waterfront pedestrian and cycle route. This is considered excessive and this should be softened to allow for narrower stretches or “pinch points” where these will not cause unreasonable safety or visual impacts.

Paragraph 11 is vague. A minimum setback distance (as is proscribed for the southern side of the WHA in paragraph 10) would be clear. 5m is considered reasonable from back edge of the carriageway to the front of buildings to ensure adequate footway, laybys and landscaping can be provided.

6. If your representation concerns soundness or legal compliance and is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination? (tick as appropriate)

No, I wish to communicate through written representations

Yes, I wish to speak to the Inspector at the hearing sessions

- The date of the Examination in Public
- Publication of the Inspector's report
- Adoption of the Shoreham Harbour Joint Area Action Plan

What happens next?

Representations made to the councils will be passed to the Inspector for consideration.

Once this has happened, the Inspector will commence the examination and give notice of the start of the hearing sessions.

Interested parties will be informed of the start date of the hearing sessions and the matters to be considered.

Thank you for making representations.