



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	<input type="text" value="David"/>		
Last name	<input type="text" value="Payne"/>		
Organisation (where applicable)	<input type="text" value="Mineral Products Association"/>		
Address line 1	<input type="text" value="██████████"/>		
Address line 2	<input type="text" value="██████████"/>		
Address line 3	<input type="text"/>		
Post Code	<input type="text" value="████████"/>	Telephone	<input type="text" value="████████"/>
Email address	<input type="text" value="████████████████████"/>		

Agent's Details (if applicable)

First name	<input type="text"/>		
Last name	<input type="text"/>		
Organisation	<input type="text"/>		
Job Title	<input type="text"/>		
Address line 1	<input type="text"/>		
Address line 2	<input type="text"/>		
Address line 3	<input type="text"/>		
Post Code	<input type="text"/>	Telephone	<input type="text"/>
Email address	<input type="text"/>		

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. Paragraph No.

Map Other section (please specify)

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:

The MPA is concerned over potential loss and re-location of aggregates wharves. However, we acknowledge the JAAP objectives for re-development of the Western Harbour Arm and that loss of wharf capacity in this area is inevitable.

However, the policies regarding safeguarding and re-location of aggregates wharf capacity from the Western Harbour Arm lack necessary detail to ensure that the proposed re-location will be successfully delivered. This is essential to ensure that the ability to land marine dredged aggregates is maintained and enhanced, particularly given the increasing reliance on marine dredged sand and gravel to supply construction in West and East Sussex, and the need to reflect the emerging West Sussex Minerals Local Plan and the requirement in NPPF (para 143) to “safeguard ...existing, planned and potential...wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals including...marine dredged materials.”

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).

An additional clause in 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.

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

Please note: The Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the hearing part of the examination.

7. If you wish to participate at the hearing part of the examination, please outline why you consider this to be necessary.

8. Please tick if you DO NOT wish to be informed of the following:

- When the Shoreham Harbour Joint Area Action Plan has been submitted for independent examination
- Consultation on any further changes to the Shoreham Harbour Joint Area Action Plan
- 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.

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="SH2"/>	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:

Clause 2 applies safeguarding to parts of the harbour for port-related activities. It states that non-port related activities 'will be resisted in these area' but it is not explicit how such 'resistance' would be applied in practice.

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).

Clause 2 of the policy should make it clear that non-port related activities in these [safeguarded] areas will not be permitted. This would be consistent with the draft West Sussex Minerals Plan and the Area policies (CA1) of the JAAP. It is necessary to reflect the importance of maintaining and enhancing wharf capacity in the harbour, including for the import of aggregates on which construction in Sussex increasingly depends, and to help implement the emerging West Sussex Minerals Local Plan.

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="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:

The Policy makes no reference to the safeguarding of wharves at which development is proposed (ref para 4.7.39) and measures that will be taken to ensure successful re-location of wharf capacity so that there is no net loss of capacity that would adversely affect ability to land marine aggregates on which construction in West Sussex increasingly depends.

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).

CA7 should include a clause that makes it clear that:

“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, in the case of wharves, the size of the berth for dredgers, barges or ships.”

This highlighted in the Delivery and Implementation chapter.

This would reflect and be consistent with the emerging West Sussex Minerals Local Plan.