



# SHOREHAM HARBOUR REGENERATION

## REPRESENTATIONS SUMMARY



## SHOREHAM HARBOUR JOINT AREA ACTION PLAN

SUBMISSION - MAY 2018

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# **1 Introduction**

- 1.1 Adur District Council, Brighton & Hove City Council and West Sussex County Council prepared a plan that will, once adopted provide a strategy for development in the Shoreham Harbour Regeneration Area (excluding the area covered by the National Park) up to 2032. This document is known as the Joint Area Action plan and will build 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.
- 1.2 This report provides a summary of the 6 week publication period for the Proposed Submission Joint Area Action Plan which took place from 10th November 2017 to 22nd December 2017 (12 midnight), under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.3 Section 2 of this report sets out the methodology for the Proposed Submission Joint Area Action Plan publication period, in terms of who was notified, how the document was made available, publicity that took place, etc. Section 3 provides an overview of the representations received and Section 4 summarises the main issues of the representations received for each policy/section.

## **2 Proposed Submission Joint Area Action Plan Publication Consultation**

- 2.1 Publication was 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. In accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and the above statements of community involvement, the Councils published the Proposed Submission Joint Area Action Plan on 10th November 2017 for a six week consultation period.
- 2.2 The JAAP covers the Shoreham Harbour Regeneration Area, as identified in the Policy DA8 of the Brighton & Hove City Plan Part One (2016) and Policy 8 of the Adur Local Plan (2017). These plans commit the local authorities to producing a Joint Area Action Plan for Shoreham Harbour. The Shoreham Harbour Joint Area Action Plan is a local plan setting out the local authorities' strategy for the regeneration of Shoreham Harbour and surrounding areas. The plan contains:
- A long term vision, strategic objectives and strategy for the Shoreham Harbour Regeneration Area
  - Area-wide policies relating to each strategic objective
  - Proposals for seven character areas, including four allocations for development of new housing and employment generating floorspace
  - An outline of how the Shoreham Harbour Regeneration Project will be delivered, monitored and implemented.
- 2.3 This version of the Joint Area Action Plan included a revised housing provision target of 1400 dwellings, 1100 in Adur and 300 in Brighton & Hove, representing a change from the Revised Draft Shoreham Harbour Joint Area Action Plan 2014 of 1450 dwellings, 1050 in Adur and 400 in Brighton & Hove. This revision was to comply with the Adur Local Plan and Brighton & Hove City plan Part one (2016).
- 2.4 At the time of publication the Councils intended to submit this version of the Local Plan to the Secretary of State for Communities and Local Government. Therefore representations were invited relating to the tests of soundness in accordance with the Regulations.
- 2.5 The following documents were made available on the Council's website along with response forms and guidance on how to make a representation:

- [!\[\]\(2dc8cdc0c918df88cde61039ecf68682\_img.jpg\) Proposed Submission Shoreham Harbour Joint Area Action Plan \(16,767KB\)](#)
- [!\[\]\(793119bf0d613bd9b598fb8668922511\_img.jpg\) Proposed Submission Shoreham Harbour Joint Area Action Plan \(lo-res\) \(3,758KB\)](#)
- [!\[\]\(0a4819029e810ca9d2aba79260b63a4d\_img.jpg\) Adur Policies Map 2017 \(Proposed Submission Shoreham Harbour Joint Area Action Plan\) \(6,564KB\)](#)
- [!\[\]\(5b78a2fafd05db5e14d20573d68ef9b3\_img.jpg\) Adur Policies Map 2017 \(Inset Map 4 - Shoreham Harbour Regeneration Area\) \(65,649KB\)](#)
- [!\[\]\(25fe2c0d7244c22c84de6bda963b471d\_img.jpg\) Schedule of Amendments to the Adur Policies Map \(115KB\)](#)
- [!\[\]\(d4bd0dc972749ad3ba477eac47688a0b\_img.jpg\) Brighton & Hove Policies Map 2017 \(Proposed Submission Shoreham Harbour Joint Area Action Plan\) \(15,334KB\)](#)
- [!\[\]\(5eab3de5002abb449199a3fc43c9f414\_img.jpg\) Brighton & Hove Policies Map 2017 \(Inset Map - Shoreham Harbour Regeneration Area\) \(7,225KB\)](#)
- [!\[\]\(3f2384a64e2c0ffe3eae9a8107dd00c7\_img.jpg\) Schedule of Amendments to the Brighton & Hove Polices Map\(365KB\)](#)
- [!\[\]\(0a4ab723df2c815236fb0c30cb14280f\_img.jpg\) Sustainability Appraisal of the Proposed Submission Shoreham Harbour Joint Area Action Plan \(3,143KB\)](#)
- [!\[\]\(a5e6025d913df625081ab04ab57538d0\_img.jpg\) Consultation Statement for the Shoreham Harbour Joint Area Action Plan \(849KB\)](#)
- [Supporting evidence](#)
- [!\[\]\(933db2af0bc51ccc9956c85daceec771\_img.jpg\) Duty to Cooperate Statement \(1,227KB\)](#)

2.6 In order to reach the wider public 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.

2.7 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 Proposed Submission Joint Area Action Plan. 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.

### 3 Representations Received

3.1 43 representations were received from a total of 19 organisations and individuals on the Joint Area Action Plan. These can be viewed in full on the Council's website: <https://www.adur-worthing.gov.uk/shoreham-harbour-regeneration/proposed-submission-jaap/>

3.2 This included responses from the following specific consultation bodies:

East Sussex County Council	Southern Water
National Grid	Surrey County Council
Natural England	Sussex Wildlife Trust
South Downs National Park Authority	West Sussex County Council

3.3 A further response was received from the Environment Agency. This was however a late submission that was received after the six week consultation period.

3.4 The following section summarises the main issues raised by the representations.

## 4 Representation Summary

<b>Part One – The Joint Area Action Plan</b>
<b>Legal Compliance</b> <ul style="list-style-type: none"><li>• Twelve representations received stated that the plan is unsound (Two from Hyde New Build Limited, three from Hopegar Properties, Ltd, three from Mineral Products Association).</li><li>• 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.</li></ul>
<b>The Duty to Co-operate</b> <ul style="list-style-type: none"><li>• No representations expressly mention the duty to Cooperate.</li><li>• West Sussex District Council wrote support 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 strategies in emerging and adopted plans.</li><li>• East Sussex County Council, as waste and minerals planning authority, welcomes changes made to the plan in light of previous comments and supports the Joint Area Action Plan. Surrey County Council, as the minerals &amp; waste planning authority, support the proposals to maintain wharf capacity at Shoreham Harbour in accordance with the emerging West Sussex Joint Minerals Local Plan.</li></ul>
<b>Vision and Objectives of the Joint Area Action Plan</b> <ul style="list-style-type: none"><li>• Three representations support the Joint Area Action plan in its entirety, one being from Natural England in supporting Green Infrastructure inclusion in the Plan.</li><li>• Support was received for objective 1 and supporting text 3.1.14 to 3.1.25.</li><li>• A concern was raised regarding Objective 5. Sustainable Travel and that it might be broadened to include actual bus infrastructure proposals.</li><li>• Shoreham Harbour Rowing Club objected to Maps 4 and 11 indicating a new waterfront route across SRC's access-way to the water, and that Shoreham Rowing Club should be indicated as a constraint, in addition to public open space in the Village Green on Kingston Beach.</li><li>• Support was received for Map 12 showing a revised line for the flood defences on Sussex Yacht Club's land.</li><li>• Support was received for the Character Area 2: Aldrington Basin - Area Priorities.</li></ul>

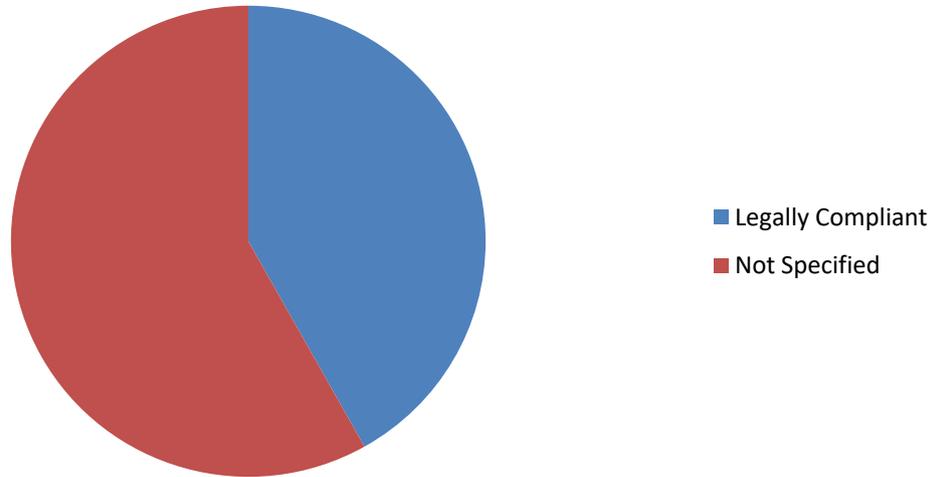
<b>Area Wide Policies</b>
<b>SH1 Climate change, energy and sustainable building</b> <ul style="list-style-type: none"><li>• The Sussex Wildlife Trust is supportive of this policy and the steps suggested in tackling climate change through sustainable building.</li><li>• A soundness concern was raised regarding imposing a requirement for maximum water usage in residential development, which the representor argued is contrary to paragraph 95 of the NPPF.</li><li>• A concern was also raised regarding the preclusion of individual gas or electric borders in the Western Harbour Arm, which the representor considered contrary to Paragraph 173 of the NPPF.</li></ul>
<b>SH2 Shoreham Port</b>

<ul style="list-style-type: none"> <li>• A representor supported SH2 and paragraphs 3.2.14 – 3.2.21 regarding Minerals wharfs.</li> <li>• 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.</li> </ul>
<p><b>SH3 Economy and employment</b></p> <ul style="list-style-type: none"> <li>• No representations were received</li> </ul>
<p><b>SH4 Housing and community</b></p> <ul style="list-style-type: none"> <li>• 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.</li> </ul>
<p><b>SH5 Sustainable Travel</b></p> <ul style="list-style-type: none"> <li>• 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.</li> </ul>
<p><b>SH6 Flood risk and sustainable drainage</b></p> <ul style="list-style-type: none"> <li>• A soundness concern was raised the Joint Area Action Plan does not include sufficient details of the required flood defence measures as proposed in the Shoreham Harbour Flood Risk Management Guide. The representor however supports the Aldrington Basin flood defence protection in Policy SH6 Clause 1. which states that the FRMG is taken into account within the Joint Area Action Plan.</li> <li>• A concern was also raised from The Sussex Wildlife Trust, though this does not regard soundness, in 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.</li> </ul>
<p><b>SH7 Natural environment, biodiversity and green infrastructure</b></p> <ul style="list-style-type: none"> <li>• The Sussex Wildlife Trust are strongly in support, feeling 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.</li> <li>• The Sussex Wildlife Trust is supportive of this policy, and that the inclusion of wording stipulating the importance of the green infrastructure strategy. They suggest the policy includes wording to ensure that planning applications are determined with up to date environmental information in bullet point 4.</li> </ul>
<p><b>SH8 Recreation and leisure</b></p> <ul style="list-style-type: none"> <li>• 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.</li> </ul>
<p><b>SH9 Place making and design quality</b></p> <ul style="list-style-type: none"> <li>• No representations were received</li> </ul>
<p><b>SH10 infrastructure and delivery</b></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul>

**Character Area Policies**

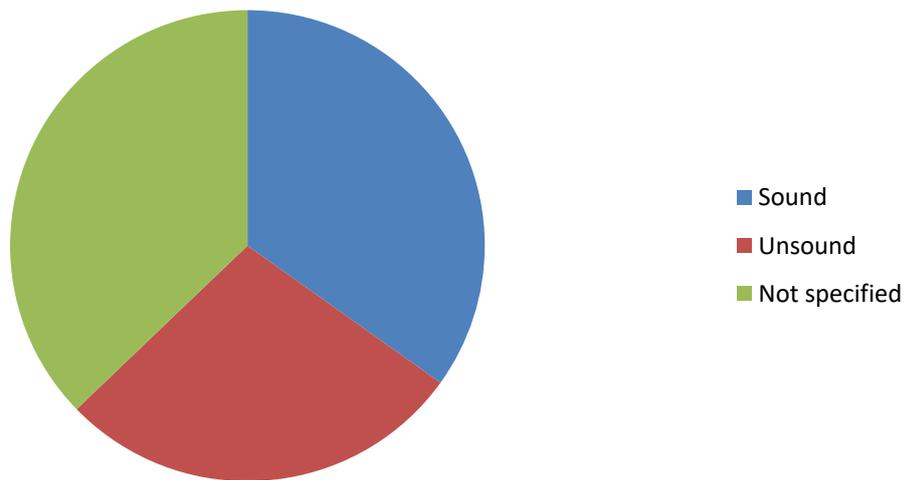
<p><b>Character Area 1: South Quayside</b></p> <ul style="list-style-type: none"> <li>• No representations were received</li> </ul>
<p><b>Character Area 2: Aldrington Basin</b></p> <ul style="list-style-type: none"> <li>• A representation found the Aldrington Basin Area Priorities to be sound but raised a soundness concern over the policy not being positively prepared, as it does not specifically include Mackleys Wharf within an area for proposed employment.</li> <li>• KAWHRA raised a soundness concern over a four storey building height being removed from clause 7 of the policy, though this was supported by another representation that suggested further flexible wording.</li> </ul>
<p><b>Character Area 3: North Quayside and South Portslade</b></p> <ul style="list-style-type: none"> <li>• No representations were received</li> </ul>
<p><b>Character Area 4: Portslade and Southwick Beaches</b></p> <ul style="list-style-type: none"> <li>• The Sussex Wildlife Trust support this policy and bullet point 2, but have suggested a change to include developer contributions regarding enhancement of the vegetated shingle, and of sensitivity to increased footfall.</li> </ul>
<p><b>Character Area 5: Fishergate and Southwick</b></p> <ul style="list-style-type: none"> <li>• The Sussex Wildlife Trust supports the policy but encourages the provision of signage for interpretation of the marine environment.</li> </ul>
<p><b>Character Area 6 – Harbour Mouth</b></p> <ul style="list-style-type: none"> <li>• The Sussex Wildlife Trust supports bullet points 3 and 4 which they consider to be in line with paragraph 109 of the NPPF.</li> </ul>
<p><b>Character Area 7: Western Harbour Arm</b></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> </ul>

### Representations indicating 'Legal Compliance' of the JAAP

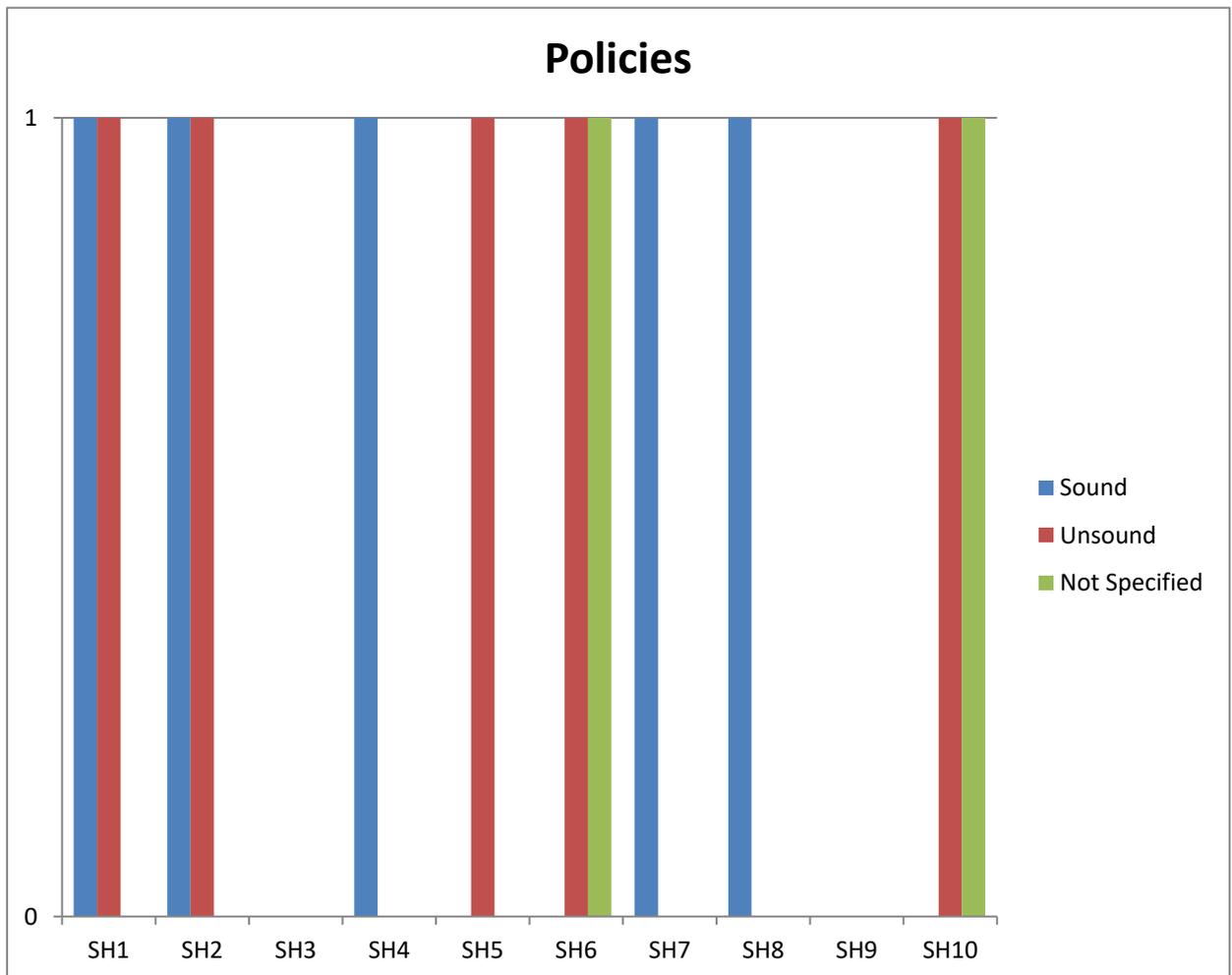


4.1 Eighteen representations received stated that the Joint Area Action Plan was legally compliant, these were from nine respondents. No representations stated that the Joint Area Action Plan is not legally compliant

### Representations indicating 'Soundness' of the Joint Area Action Plan

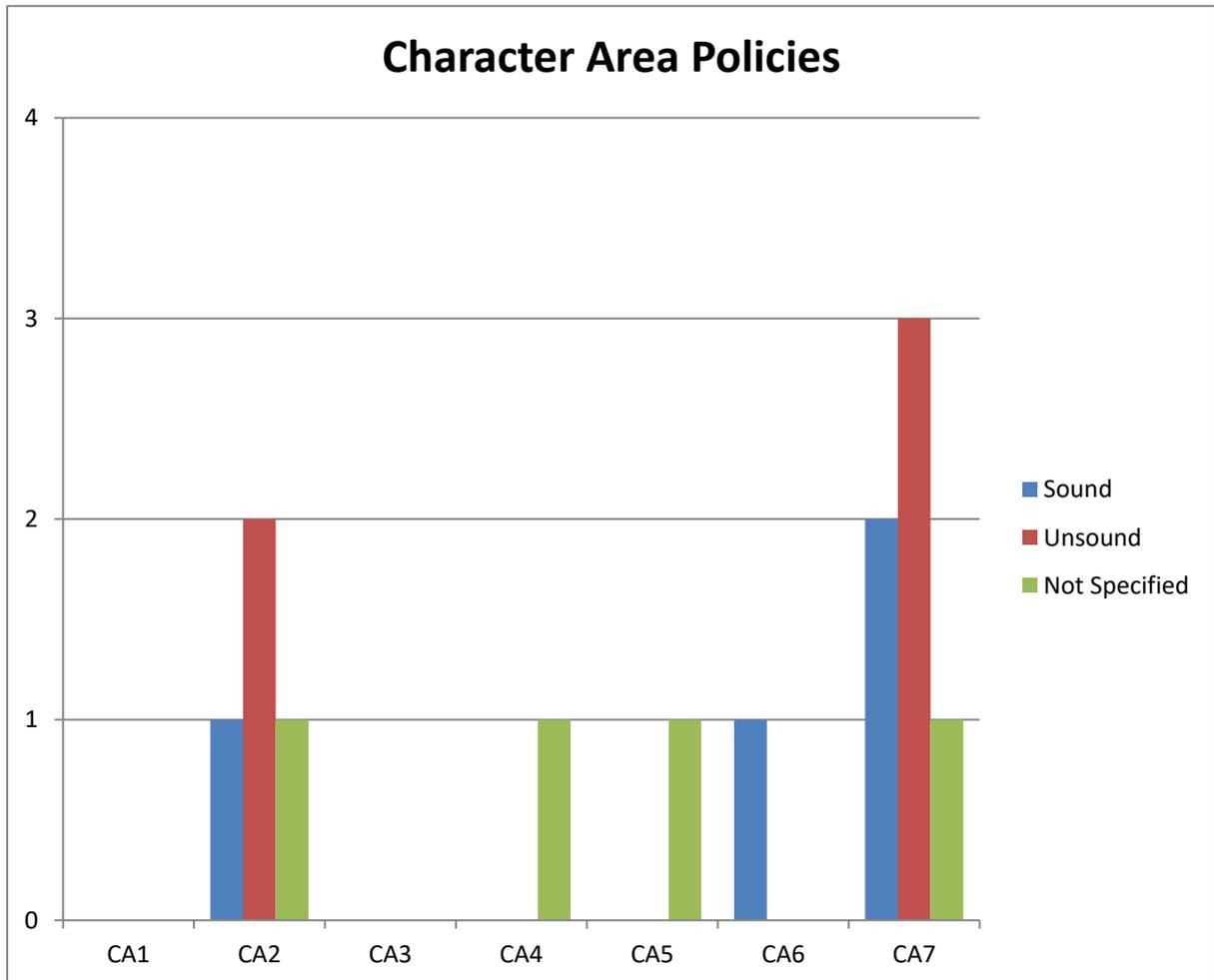


4.2 Of the 43 representations relating to the Joint Area Action Plan, 15 (35%) indicated the plan was sound, 12 (28%) indicated that the plan was unsound, with the remainder of 16 (37%) having not specified a view on soundness. For the purpose of comparison, the “Policies” and “Character Area Policies” 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.



- 4.3 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.
- 4.4 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.
- 4.5 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.

4.6 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.



4.7 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.

4.8 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.

- 4.9 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.
- 4.10 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.
- 4.11 CA6 received one sound representation and no unsound or not specified representations. The Sussex Wildlife Trust supports bullet points 3 and 4.





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