

## **Independent Examination of the Shoreham Harbour Joint Area Action Plan**

### **Kingsway and West Hove Residents' Association (KAWHRA):**

#### **Statements on Matters 1 and 7**

##### **Introduction**

1. Our original representation details how West Hove adjoins the north side of Aldrington Basin site AB4.
2. We explain there how, after five years of sound process leading to a sound plan, the council abandoned the policies for this part of the harbour, making the plan unsound in relation to that development area.
3. This statement has been prepared by Susan Moffatt BA, MRTPI (ret'd), vice chairman KAWHRA.

##### **Matter 1: Question 12**

4. We do not think that the site appraisal in the SA was adequate. (18.1.3 page 48 and 30.1.2 page 64). There is no recognition of the existence of the sensitive context of the West Hove residential neighbourhood which lies immediately to the north of site AB4.
5. The impression is that site AB4 lies within an area in need of overall regeneration, rather than adjoining the south side of very pleasant housing built in the 1920s on the principles of the Garden Cities. Consequently the neighbourhood enjoys a good quality of life.
6. The area comprises mainly two-storey pitched roof houses (see photographs), with a few four-storey blocks of flats such as Vega on Kingsway, itself the result of an appeal Inspector refusing a much taller proposal that would have overshadowed homes to its north, in order to protect residents' quality of life.
7. Homes along Kingsway lie only 27m, the length of a tennis court, to the north of any buildings on site AB4. The need to prevent an overbearing unbalanced street scene and unacceptable levels of overshadowing by tall buildings along the south side of Kingsway was recognized in the development brief, in the two previous versions of JAAP, and in the reasons 2 and 4 for the refusal of application BH2010/03739 (copy in Appendix).
8. The photographs in the Appendix of the four-storey block of flats currently under construction on site AB4, opposite the Vega flats which are on the north side of Kingsway, graphically demonstrate why the policies evolved over the past five years were appropriate for West Hove and would create development that would add to the overall quality of the area as envisaged in NPPF paragraphs 58 and 157.
9. Despite everything that has happened in developing the JAAP over many years, the quality of the environment and life in West Hove is no longer recognized and respected in the SA and hence in the submission JAAP.
10. We consider that West Hove has suddenly been disregarded as an inconvenient constraint, despite all the extensive evidence accumulated over many years.
11. The SA therefore fails to promote sustainable development of the northern edge of Aldrington Basin (site AB4).

## **Matter 7: Questions 48 and 50**

12. As we have already explained, the earlier versions of the JAAP clearly provided soundly based information about the appropriate form and scale of development on site AB4 at Aldrington Basin that was based on major studies by urban designers, planners, the BRE, and on extensive consultation with local residents.
13. The BRE established that the taller the buildings on the south side of Kingsway the greater the gaps needed to be between them in order to allow sufficient light round the sides to houses on the north side of the road.
14. Townscape analysis established that tall development on the narrow constricted site would result in overbearing development along the Kingsway streetscene.
15. Together therefore the townscape and daylight analysis established the need for no more than four-storey development above Kingsway (six above Basin Road North). This was accordingly embodied in policies in the Brief, then the two previous JAAPs.
16. These policies then provided the parameters for assessing two planning applications on the same part of site AB4.
17. The council refused a line of six buildings along the south side of Kingsway on a part of site AB4 that were in effect six storeys high (despite the misleading height description in the application which failed to mention the mezzanine floors). The unacceptable level of long-lasting overshadowing of homes to the north, and the overbearing impact on the Kingsway streetscene, were established in reasons 2 and 4 for refusing application BH2010/03739 (see Appendix).
18. A subsequent application for the inevitable line of buildings along the same part of site AB4 (BH2012/04044) included six blocks which, despite another misleading description, comprised in effect two blocks four storeys high, two blocks five storeys high, and two blocks six storeys high. The officer's report acknowledged that the height and scale would impact on the adjoining area and would not be in strict conformity with policy, and that there would be some adverse impact on West Hove. However it recommended approval on the grounds that the contribution to the wider aims outweighed the policies and IN THIS INSTANCE justified an exception. (Report on application BH2012/04044 para 93.)
19. Also no doubt on the following day this approval provided useful evidence at the City Plan Part One Public Hearing to show that, contrary to developers' submissions, the council of that time did grant permission for new housing!
20. This saga on a part of site AB4 has been described to show how the policies in the brief and then the earlier versions of JAAP provided the necessary detail on form and scale of development (NPPF paragraphs 56 to 61 and paragraph 157).
21. Residents consider this to be especially important because the approved scheme on part of AB4 has not been built, which is no surprise as the applicant had said that significant external funding needed to be drawn down for some of the mixed uses and technology in the development. Although a trench was dug to establish the development as 'started', we expect that what is ultimately built on this and other parts of site AB4 will require new or amended planning applications. Therefore adequate policy on height, bulk and form in this sensitive allocation is needed just as much as for other parts of the JAAP development areas.

22. It is our contention that demonstrably the well substantiated policies that were in the previous versions of the JAAP need to be reincorporated. This would provide guidance in accordance with the NPPF paragraphs 56 to 61, and paragraph 157.

23. With this done, there would be the certainty that developers and residents need, as envisaged by the NPPF.

24. The removal of the policies from the submission JAAP was not announced or explained to the planning committee or local residents. Residents consider that policies established over five years with extensive and expensive process in accordance with NPPF have been wiped out and the extensive evidence accumulated about issues such as townscape and daylight will be forgotten. The resources will not be available again to carry out in-depth independent site and light appraisals again, and site AB4 will once again unnecessarily become a policy-free planning application conflict zone as it was eight years ago, when it was subject to proposal BH2010/03739 that the council decided would have seriously damaged the amenities of the adjoining homes and residential area.

25. The JAAP therefore is not effective now in respect of Aldrington Basin site AB4. The reinstatement of the earlier version of policy CA2 to that on page 77 of the submission JAAP, and of paragraph 4.2.34 on page 77 would make it so. The wording is shown in box 5 of the Representation Form that KAWHRA submitted on the proposed submission JAAP in December 2017. Reinstatement would then comply with NPPF paragraph 157.

26. Finally, we wish to draw the Inspector's attention to the photographs in the Appendix which illustrate the sensitive contextual relationship between West Hove and Aldrington Basin. These include pictures showing how the contemporary four-storey block of flats currently under construction on site AB4, opposite the Vega flats on the north side of Kingsway, has been designed to respond to local character and create a pleasant and well balanced streetscape along Kingsway on the lines envisaged in the previous draft versions of policy CA2(7) and supporting text.

27. Of course we hope that the Inspector will visit the area independently and view both Aldrington Basin and the Kingsway streetscene in West Hove for herself.

28. We think that this will demonstrate that the last minute changes to the JAAP have turned the previously effective draft JAAP, that met everything in paragraphs 56 to 61 and 157 of the NPPF 2012 (and indeed the parallels in its 2018 replacement), into an unsound and ineffective submission plan.

## **APPENDICES**

### **Appendix 1**

#### **Photo 1**

View from Aldrington Basin looking northwards across site AB4 towards houses on north side of Kingsway.

### **Appendix 2**

#### **Photo 2**

Kingsway looking west. Site AB4 lies at the bottom of the bank that slopes down into Aldrington Basin from the south side of Kingsway.

### **Appendix 3**

#### **Photo 3**

Kingsway looking east. The new flats under construction on site AB4 can be seen opposite the four-storey Vega flats on the north side of Kingsway in West Hove.

### **Appendix 4**

Refusal notice for BH2010/03739.