

## ISSUE 14: SHOREHAM HARBOUR REGENERATION AREA (POLICY 8)

### 14.1 Should the first four paragraphs be supporting text rather than policy?

#### 14.1.1 The first four paragraphs of Policy 8:

- identify the Shoreham Harbour Regeneration Area as a broad location for change
- identify the regeneration proposals to be delivered over the plan period and state that the Council is working with Brighton & Hove City Council, West Sussex County Council and Shoreham Port Authority to support the regeneration of the area
- state that a Joint Area Action Plan (JAAP) is being prepared
- state that a delivery strategy will underpin the JAAP to address issues, including provision of infrastructure
- state that development briefs have been adopted for key areas of change
- state that development will be encouraged that are consistent with the vision and strategic objectives in the JAAP.

#### 14.1.2 A development brief for the Western Harbour Arm was adopted by the Council in 2013. The draft JAAP sets out Adur District Council's current approach to development in the Shoreham Harbour Regeneration Area. It is therefore recommended that reference to preparing development briefs be removed from this policy. However, the Council considers it important that the remaining points are included in policy rather than supporting text. However, it is acknowledged that these paragraphs could be more concise. The following amendment is suggested:

**Shoreham Harbour Regeneration Area is identified as a broad location for change. Adur District Council will work in partnership with Brighton & Hove City Council, West Sussex County Council and Shoreham Port Authority to support the regeneration of the area.**

**The regeneration partnership will prepare a Joint Area Action Plan (JAAP) for the regeneration area. The plan will be jointly adopted by Adur, Brighton & Hove and West Sussex County Council.**

**The JAAP will include a spatial strategy, area-wide policies, and specific proposals for individual character areas within the regeneration area. The plan will be underpinned by a delivery strategy to address a range of issues, including the provision of infrastructure.**

**The Council will encourage developments that are consistent with the vision, strategic objectives and area priorities in the JAAP.**

**14.2 Are all the requirements of policy 8 reasonable, justified, viable and deliverable? Does the policy provide an appropriate framework for the formulation of the Joint Area Action Plan? In particular are matters of flood risk, transport and education appropriately addressed?**

14.2.1 The Council considers that the requirements of Policy 8 in the Adur Local Plan are reasonable, justified, viable and deliverable. The requirements of the policy are addressed below.

**Proposed new development and viability**

14.2.2 Policy 8 commits the Council to facilitating the delivery of a minimum of 1,100 new dwellings and 16,000 sqm employment generating floorspace; delivery is to be facilitated by a Joint Area Action Plan (JAAP). Public consultation on the draft JAAP is being carried out between December 2016 and February 2017 under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The plan will be submitted for Examination in late 2017.

14.2.3 The proposed level of new development was informed by the Shoreham Harbour Capacity and Viability Study. It has been tested through the Western Harbour Arm Development Brief (adopted 2013) and consultation on the draft Joint Area Action Plan (2014 and 2016-17).

14.2.4 The Council granted planning permission in 2013 for a development of 132 dwellings, 1,348 sqm retail and 121 sqm ancillary commercial floor space which is currently under construction (application AWDM/0501/12). The Joint Area Action Plan will allocate the Western Harbour Arm for mixed use development, including the remaining 968 dwellings and employment generating floorspace.

14.2.5 The Council is currently in pre-application discussions with a developer regarding Free Wharf. This is one of the largest sites in the Western Harbour Arm. An application is expected early in 2017 for a development of up to 490 dwellings, along with employment floorspace and associated retail facilities.

14.2.6 The Council has also engaged in initial pre-application discussions with a developer regarding Kingston Wharf, another large site in the Western Harbour Arm. This site is currently occupied on temporary leases which

expire in 2018. It is expected that a planning application will be submitted at this time.

- 14.2.7 Shoreham Port Authority, one of the partners in the regeneration project, has entered into a joint venture agreement with a developer to deliver new employment space at Southwick Waterfront.
- 14.2.8 The significant level of developer interest and activity demonstrates that the proposed level of development is reasonable, justified and deliverable.
- 14.2.9 It is a core planning principle in the National Planning Policy Framework (NPPF) (CD01/1) that planning policies should encourage the reuse of previously developed land. The regeneration area comprises complex brownfield sites. As such it is recognised that the viability of schemes is challenging. The Whole Plan Viability (CD24/11) assessment of the Adur Local Plan has identified that due to the large abnormal costs of land remediation and new flood defences there may be a need for flexibility in relation to affordable housing provision for the Western Harbour Arm. (This would be addressed on a site-by-site basis depending on financial viability at that point in time). The NPPF also states that local authorities should work with interested parties to promote the development of brownfield sites, and look into different funding mechanisms. The Council is exploring options for external funding to mitigate the abnormal costs associated with the reuse of previously developed land. The Council has already successfully secured £3.5 million from the Local Enterprise Partnership Growth Fund to support the delivery of flood defences (see below).

#### **Open space, community facilities, education and ancillary retail and leisure**

- 14.2.10 Policy 8 requires the provision of public open space, community uses, small scale ancillary retail, restaurants and cafes, leisure and tourism, as well as suitable education provision. This reflects the position in other policies in the Adur Local Plan (including Policies 27, 28, 33, and 34). The Council's vision is to deliver a successful and vibrant waterfront community. Such facilities will be essential to delivering this vision. The Joint Area Action Plan addresses these issues in more detail.
- 14.2.11 Provision of education, in particular primary school places, is a significant challenge in the Shoreham-by-Sea area. Adur District Council is working closely with the Local Education Authority, West Sussex County Council, to identify a suitable site for a primary school in the Shoreham area, to serve new development at Shoreham Harbour and meet demand in the local area. The Councils have prepared a Statement of Common Ground to

outline the position with regard to education provision for the Local Plan and will continue to work together in the preparation of the Joint Area Action Plan and delivery of the Plans.

### **Existing uses and minerals wharves**

- 14.2.12 Policy 8 commits the Council to working with site owners and businesses. This is intended to facilitate the needs of businesses, and where applicable identify suitable relocation sites for businesses that are incompatible with new mixed use development. A number of sites at the Western Harbour Arm have already come forward without the need for significant Council intervention. There are two minerals uses within the Western Harbour Arm. These are on temporary leases, with temporary planning permissions. The Council is supportive of the approach in the emerging West Sussex Joint Minerals Local Plan (CD13/7A) that seeks to safeguard the two wharves in the Western Harbour Arm for a temporary period in line with their planning permissions. Draft policy M10 of the Joint Minerals Local Plan seeks to allow redevelopment of the sites if they are no longer suitable for continued minerals use or redevelopment of the site(s) form part of a strategy or scheme that has wider social or economic benefits. The Council has been working with Shoreham Port Authority to secure alternative sites in the operational area of Shoreham Port.
- 14.2.13 The Council is continuing to engage with a number of remaining businesses in order to secure suitable relocation sites. Where possible, the Council intends to work with businesses and site owners rather than use compulsory purchase powers. A particular challenge is the relocation of the metal recycling site on Brighton Road, in the Western Harbour Arm. The Council has engaged with the owner and operator of this site, and identified a potential alternative site. The Council accepts that it may not be possible to facilitate this relocation in the short term. However, during the course of the plan period the site is expected to become available for residential development.

### **Sustainability Statement**

- 14.2.14 Policy 8 requires development proposals to be accompanied by a Sustainability Statement. This is an existing requirement in the Shoreham Harbour Interim Planning Guidance (CD13/3) and the Western Harbour Arm Development Brief (CD13/2). Parts of the regeneration area are in Brighton & Hove, where a similar Sustainability Checklist applies. The statement does not impose any additional policy requirements, rather it ensures that developers are able to provide the information required by the policies in the Adur Local Plan and the JAAP. The guidance note will be

updated to reflect the current Adur Local Plan and the emerging Joint Area Action Plan. It is therefore proposed that the text is amended as follows:

**New development at the harbour will be expected to meet high standards of environmental efficiency and a Sustainability Statement will be required as supporting information to accompany all development proposals in the parts of the Shoreham Harbour Regeneration Area within Adur. The Sustainability Statement should be set out in accordance with the Sustainability Statements Guidance for Shoreham Harbour Regeneration Area.**

### **Low and zero carbon energy**

- 14.2.15 Policy 8 requires development to incorporate low and zero carbon decentralised energy generation and heat networks. This reflects the position in other policies in the Adur Local Plan (including Policies 19 and 20). The Planning Act 2004 requires local planning authorities to include policies in local plans to ensure that development and the use of land contribute to the mitigation of and adaptation to climate change. The NPPF supports the delivery of renewable and low carbon energy in order to secure radical reductions in carbon emissions. The Council, in partnership with Brighton & Hove City Council, secured funding from the Heat Network Delivery Unit (HNDU) at the Department of Business, Energy and Industrial Strategy to explore options for a heat network at Shoreham Harbour. The Shoreham Harbour Heat Network Study (2016) (CD13/10) has identified a potentially viable heat network at the Western Harbour Arm. The Council is working with West Sussex County Council to develop this project further. Further funding from HNDU has been secured to carry out detailed masterplanning of this network. This will include consideration of potential funding mechanisms.

### **Natural environment**

- 14.2.16 Policy 8 requires new development to protect and enhance the regeneration area's environmental assets and wildlife habitats. This reflects the position in other policies in the Adur Local Plan (including Policies 31 and 32). The NPPF requires local plans to include policies for the creation, protection, enhancement and management of biodiversity and green infrastructure. The policy specifically refers to the Adur Estuary SSSI. The entire regeneration area is within the Impact Risk Zone for this site. Therefore it is a statutory requirement that this is protected.

## **Transport**

- 14.2.17 Policy 8 requires new development to contribute to the delivery of measures identified in the Shoreham Harbour Transport Strategy (2016) (CD13/15). The Council has commissioned a number of studies to determine the impact of new development proposed in the Adur Local Plan on the local road network. The aim of the Transport Strategy is to support the JAAP by identifying a programme of transport infrastructure improvements, services and travel behaviour initiatives; to minimise the impact of the new development on the existing transport network and communities, while connecting the Harbour with its surroundings. It is underpinned by a comprehensive technical evidence base, so that the package of improvements is proportionate and can support the delivery of the planned regeneration to 2031.
- 14.2.18 Using the evidence and outcomes, a list of interventions was identified, tested and refined against selected criteria, to identify the most suitable and relevant items for the Transport Strategy. The final package of interventions is considered to be proportionate to the scale of development proposed in the JAAP and the impacts have been technically assessed using the Shoreham Harbour Transport Model.
- 14.2.19 On the basis of the technical assessment, it has been concluded that the package of local transport infrastructure improvements and sustainable transport measures is likely to provide sufficient mitigation so that any residual cumulative impacts of the proposed development at Shoreham Harbour would not be severe. The strategy has been agreed by the Shoreham Harbour Leaders Board, which includes representatives of Adur and West Sussex Councils, as well as Brighton & Hove City Council.

## **Contaminated land, noise and air quality**

- 14.2.20 Policy requires development to take into account contaminated land, noise impacts and air quality impacts. This reflects the position in other policies in the Adur Local Plan (including Policy 35). Shoreham Harbour is an area made up of brownfield sites which have formerly been used for industrial and port related uses. It is therefore likely that many sites will have contamination issues. The regeneration area is also adjacent to the Shoreham Air Quality Management Area. As such, it is a requirement that air quality issues are considered.

### **Material considerations**

- 14.2.21 Policy 8 states that it, the Port Masterplan (2010) (CD13/5), the Western Harbour Arm Development Brief (2013) and Interim Planning Guidance (2011) are material considerations until the JAAP is adopted, which is anticipated in 2018. These documents have been agreed and adopted by the Council.

### **Flood defences**

- 14.2.22 The Western Harbour Arm section of the policy requires the delivery of a comprehensive flood defence upgrade. Where this is adjacent to allocated development sites this is required to be provided as part of the development. This will be required in order to make that development resistant and resilient to flooding. Adur District Council adopted the Shoreham Harbour Flood Risk Management Guide SPD (2015) (CD13/13) to provide guidance for developers to address flood risk in the regeneration area.
- 14.2.23 The Council has secured £3.5million funding from the Local Enterprise Partnership Growth Fund to contribute to flood defences. This is being targeted to those parts of the tidal River Adur that are not adjacent to development sites, namely to the east of Adur Ferry Bridge, and Kingston Beach.