

<b>Subject:</b>	<b>Proposed Submission Shoreham Harbour Joint Area Action Plan</b>		
<b>Date of Meeting:</b>	<b>21 September 2017</b> Full Council – 2 <sup>nd</sup> November, 2017		
<b>Report of:</b>	<b>Executive Director for Economy, Environment &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Rebecca Fry</b>	<b>Tel: 01273 293773</b>
	<b>Email:</b>	<b>rebecca.fry@brighton-hove.uk</b>	
<b>Ward(s) affected:</b>	<b>South Portslade, North Portslade, Wish, Hangleton &amp; Knoll</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report seeks approval for the publication of the Submission Shoreham Harbour Joint Area Action Plan (JAAP) along with its supporting documents. Publication will be for a six week period of statutory public consultation prior to submission to the Secretary of State. Approval is also sought for formal submission to the Secretary of State for independent examination.
- 1.2 The JAAP has been prepared jointly between the three local planning authorities: Brighton & Hove City Council, Adur District Council and West Sussex County Council and in partnership with the Shoreham Port Authority. Once adopted, the JAAP will form part of Brighton & Hove's Development Plan and will sit alongside, and must comply with, the Brighton & Hove City Plan Part One. It must also comply with Adur's Local Plan. It provides a detailed planning policy framework for the implementation of development and infrastructure in Shoreham Harbour Regeneration Area and covers a 15 year period.

**2. RECOMMENDATIONS:**

That the Tourism, Development & Culture Committee recommends the following to Full Council:

- 2.1 That the Proposed Submission Shoreham Harbour Joint Area Action Plan, appended as Appendix 1, be agreed and published for a six week period of statutory public consultation together with its supporting documents commencing in November 2017.
- 2.2 That the document be subsequently submitted to the Secretary of State, subject to no material changes arising from the consultation, other than alterations for the purposes of clarification, improved accuracy or meaning or typographical corrections, being necessary.

- 2.3 That the Head of Planning be authorised to publish and subsequently submit all necessary supporting evidence and studies to the Secretary of State.
- 2.4 That the Head of Planning be authorised:
- a) to agree any draft “main modifications” to the Shoreham Harbour Joint Area Action Plan as necessary to make the plan sound; and,
  - b) to publish such draft modifications for public consultation; save that should any draft modification involve a major shift in the policy approach of the Shoreham Harbour Joint Area Action Plan the draft modification shall be referred by the Head of Planning to the Tourism, Development & Culture Committee for approval.
- 2.5 To note that all modifications to the Plan will be presented to the Tourism, Development & Culture Committee and Full Council in due course as part of the adoption of the Shoreham Harbour Joint Area Action Plan.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The regeneration of Shoreham Harbour has long been an aspiration of Brighton & Hove City, West Sussex County and Adur District Councils and Shoreham Port Authority. The JAAP is a 15 year plan for the comprehensive regeneration of Shoreham Harbour and focusses on four development areas which are Aldrington Basin, South Portslade (in Brighton & Hove) and Southwick Waterfront and Western Harbour Arm (in Adur/West Sussex). These areas will deliver 1,400 new homes, 23,500sqm of new employment space, a consolidated port, with improved flood defences, transport infrastructure, public spaces and community and leisure facilities.
- 3.2 The adopted Brighton & Hove City Plan Part One and the Adur Local Plan (which is at Examination Stage), both include a policy for the Shoreham Harbour Regeneration Area. City Plan Part One includes policy DA8, which identifies the Shoreham Harbour area as a broad location for future strategic development. Both the City Plan Part One and the Adur Local Plan make clear that the detailed area wide policies and development proposals for the Shoreham Harbour area will be set out in the JAAP.
- 3.3 The Councils first consulted on a draft of the JAAP in 2014. Following a number of changes to the national and local policy context, a revised draft was consulted on between December 2016 and February 2017 (approval granted by the Economic Development & Culture Committee in November 2016).
- 3.4 A total of 46 respondents submitted representations on the revised draft plan and these have been taken into account in preparing the proposed submission JAAP. A summary of the representations is provided in Appendix 4.
- 3.5 The key points made in representations were:
- general support for the area’s regeneration for housing and employment and for the plan’s approach to traffic, green infrastructure, linkages, leisure/community facilities, and minerals;

- Key areas of concern related to:
  - Building height limitations not considered to be justified;
  - A call for protection and enhancement of surfing within the Port Area and not just off Southwick Beach;
  - Congestion and air quality;
  - Some detailed issues relating to site allocations

These areas of concern have been addressed within the proposed submission plan where relevant.

#### 4. SUMMARY OF JAAP PROPOSALS

4.1 The area covered by the Shoreham Harbour JAAP stretches from the Adur Ferry Bridge in the west to Hove Lagoon in the east. In addition to the operational areas of Shoreham Port, the regeneration area includes the Western Harbour Arm, Adur Homes estates south of the railway line at Southwick and Fishersgate, and industrial estates at Fishersgate and South Portslade

4.2 The vision for the Shoreham Harbour Regeneration Area is:

*By 2032, Shoreham Harbour Regeneration Area will be transformed into a vibrant, thriving, waterfront destination comprising a series of sustainable, mixed-use developments alongside a consolidated and enhanced Shoreham Port which will continue to play a vital role in the local economy.*

*The redevelopment of key areas of the harbour will provide benefits for the local community and economy through increased investment, improved leisure opportunities, enhanced public realm and the delivery of critical infrastructure that will help respond positively to climate change*

4.3 Key objectives include delivering a vibrant port, growing jobs, the delivery of new homes, promoting sustainable travel and managing the natural environment and flood risk.

4.4 Key proposals which fall within Brighton and Hove concern two of the seven identified character areas and are as follows.

##### **CA2 – Aldrington Basin** (within Brighton & Hove)

4.5 Aldrington Basin forms the eastern gateway to the harbour. It currently includes a mixture of port operations, employment space and some residential areas.

4.6 The JAAP seeks to safeguard and improve the port facilities and includes a strategic allocation for employment (uses classes B1, B2 and B8) and mixed use (use classes A2, B1, C3 and ancillary A1). The allocation in Aldrington Basin will deliver a minimum of 90 new dwellings and 4,500sqm employment floorspace.

4.7 In combination with the allocation at South Portslade it forms a key employment area within Brighton and Hove and will help deliver the additional industrial floorspace required in the city in accordance with policy CP3 of the City Plan Part One.

### **CA3 – North Quayside and South Portslade** (within Brighton & Hove)

- 4.8 North Quayside is mostly a port-operational area and South Portslade is currently predominantly an employment area.
- 4.9 The JAAP seeks to safeguard and improve the port facilities and, within South Portslade, includes a strategic allocation for employment (uses classes B1, B2 and B8) and mixed use (use classes A1, A2, A3, B1 and C3). The allocation in South Portslade will deliver a minimum of 210 new dwellings and 3,000sqm employment floorspace.
- 4.10 Together the allocations in Aldrington Basin and South Portslade will deliver a minimum of 7,500sqm employment generating floorspace and 300 new homes. South Portslade will provide much of the proposed housing key in delivering the housing target set out in policy CP1 of City Plan Part One.
- 4.11 The other character areas within Shoreham Harbour JAAP and key proposals are set out in Appendix 3.

### **Summary of Key Amendments**

- 4.12 A full summary of the amendments to the Shoreham Harbour JAAP, following consultation on the revised draft version, has been appended as Appendix 2. The key amendments undertaken between the revised draft and the proposed Submission JAAP in relation to the character areas in Brighton & Hove include:
- Plan Period – this has been amended from 2031 to 2032 to accord with Adur Local Plan;
  - Formatting amendments: Policy and Strategic Site Allocation References – the Shoreham Harbour area wide policies continue to be prefixed with “SH”, however the Character Area policies have been amended from “SH” to “CA” and the Strategic Site Allocations have been amended from “SS” to an abbreviation of the respective Character Area, e.g. sites in Aldrington Basin, formerly SS1, are now prefixed with “AB” and sites in South Portslade, formerly SS2, are now prefixed with “SP”;
  - The two former strategic site allocations within the Brighton & Hove area (SS1 and SS2 as referred to above) which were originally aggregated have now been disaggregated clearly setting out the respective development targets for each Character Area (Aldrington Basin and South Portslade);
  - Amendments specific to Aldrington Basin:
    - The removal of the development height restriction to that of the Vega apartment building for the site between Basin Road North and Kingsway (formerly site E, amended to site AB4 – this includes the ‘Portzed’ site) to address a potential soundness issue raised through consultation;
    - Clearer recognition given to the link between Hove Lagoon and the Port Canal via policy support for an area of open space fronted by ancillary leisure, retail, food and drink uses in order to improve the connection between Hove Lagoon and the harbour;
    - Reference to Ferry Wharf amended to reflect waste use;

- Ground levels added for flood risk at request of Environment Agency.
- Policy and Policies Map amendments to provide greater clarity on the proposed development sites and protected employment sites.

## **5. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 5.1 Due to the long term aspiration of the partner authorities to regenerate Shoreham Harbour and the need for an effective joint approach, it is not considered any alternative options can be effectively deployed.
- 5.2 The Sustainability Appraisal process throughout the preparation of the plan allowed for the consideration and analysis of alternative options.

## **6. COMMUNITY ENGAGEMENT & CONSULTATION**

- 6.1 The councils consulted on the first draft of the JAAP in 2014. Following a number of changes to the national and local policy context, the councils consulted on a Revised Draft between December 2016 and February 2017. Consultation has been carried out in accordance with statutory requirements and the Statement of Community Involvement for each of the partner authorities. Representations received at each stage have been taken into account when developing the next iteration of the plan. The councils received a total of 46 representations on the revised draft plan which have informed the proposed submission JAAP.
- 6.2 Subject to approval by Full Council, the Proposed Submission Shoreham Harbour Joint Area Action Plan will be published in order that representations may be made on the legal compliance and soundness of the plan and the accompanying sustainability appraisal. This will take place from 10 November 2017 (0:00 am) to 21 December (23:59 pm).
- 6.3 Representations made during the publication period, and the councils' accompanying submission documents will then be submitted for examination alongside the plan itself. It is anticipated that this submission will occur in March 2018. Following this an Inspector will be appointed, and examination of the plan will commence. The public hearing is anticipated to start in June 2018.

## **7. CONCLUSION**

- 7.1 This report seeks approval for the Proposed Submission Shoreham Harbour Joint Area Action Plan, its publication for statutory public consultation, consequent minor alterations and then its submission to the Secretary of State. It also seeks approval for the publication of the JAAP's Sustainability Appraisal and other supporting documents; and, the authorisation for the Head of Planning to produce and submit all appropriate evidence, studies and "main modifications" as necessary in order to make the plan sound prior to and during the examination of the plan in public.
- 7.2 This is to ensure the JAAP accords with the statutory development plan procedures and to avoid undue delay during the examination stage.

## 8. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 8.1 The costs associated with the report recommendations for the Shoreham Harbour Joint Area Action Plan such as officer time, public consultation and publication will be funded from grants awarded to the three partner authorities, for which Adur District Council is the accountable body.

*Finance Officer Consulted: Gemma Jackson*

*Date: 01/08/17*

### Legal Implications:

- 8.2 As noted in the report, the JAAP will be a local plan. The procedures to be followed in drafting and adopting local plans are contained in the Planning and Compulsory Purchase Act 2004 and The Town and Country Planning (Local Planning) (England) Regulations 2012. The legislation requires that draft local plans undergo independent examination by a person appointed by the Secretary of State and that prior to submission to the Secretary of State the draft local plan must be subject to at least six weeks of publicity, during which time representations can be made.
- 8.3 In order for a local plan to be adopted by the local planning authority the Examiner must have found the draft plan “sound”, which means, as per paragraph 182 of the National Planning Policy Framework, that the local plan must be positively prepared, justified, effective and consistent with national policy. If the Examiner considers that a local plan is not sound but could be found sound with “main modifications” these can be recommended (s20 and s23 of the 2004 Act).
- 8.4 It is not considered that any adverse human rights implications arise from the recommendations of the report.

*Lawyer Consulted:*

*Hilary Woodward*

*Date: 31/7/17*

### Equalities Implications:

- 8.5 Equality issues have been considered as part of the Sustainability Appraisal (SA) for the Shoreham Harbour JAAP. The JAAP aims to ensure that all groups have equal access to the spatial opportunities offered by the plan.

### Sustainability Implications:

- 8.6 It is a legal requirement that all local plans are subject to a sustainability appraisal (SA). A Sustainability Appraisal has been produced to inform the preparation of the JAAP.

### Crime & Disorder Implications:

- 8.7 The JAAP will form part of the development plan for Brighton and Hove and, Adur respectively. When considered alongside the City Plan and the Brighton & Hove Local Plan crime and disorder is addressed through a number of policies.

### Risk and Opportunity Management Implications:

- 8.8 The council and its partner authorities have committed to producing the JAAP through the Brighton & Hove City Plan Part One and the Adur Local Plan. Failure to do so could impact on a number of the Council's priorities including economic and social regeneration as well as the delivery of new employment floorspace and homes (including affordable housing).

### Public Health Implications:

- 8.9 The revised draft JAAP takes forward strategic policies in the City Plan Part One and the Adur Local Plan. The City Plan Part One was subject to an Equality and Health Impact Assessment and the findings informed the plan.

### Corporate / Citywide Implications:

- 8.10 The preparation of this joint document helps the council meet its Duty to Cooperate and steer development within the Shoreham Harbour area for the next 10-15 years. The JAAP will contribute to delivering the Corporate Plan and plans and strategies across the JAAP regeneration area including new housing and employment space.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Proposed Submission Shoreham Harbour Joint Area Action Plan (JAAP) (2017)
2. Summary of Amendments to the JAAP (following consultation on the revised draft version)
3. Other Character Areas within Shoreham Harbour JAAP and Key Proposals
4. Summary of the Representations to the Revised Draft Shoreham Harbour JAAP

### **Documents in Members' Rooms**

1. Representations to Revised Draft Shoreham Harbour Joint Area Action Plan
2. Sustainability Appraisal of the Shoreham Harbour Joint Area Action Plan (2017)
3. Sustainability Appraisal of the Shoreham Harbour Joint Area Action Plan - Non Technical Summary (2017)

### **Background Documents**

1. City Plan Part One
2. Revised Draft Shoreham Harbour Joint Area Action Plan (2016)
3. Shoreham Harbour Transport Strategy (2016)
4. Adur Local Plan Second Addendum and Appendices: Revised Reissue Transport Study (2016)
5. Draft Shoreham Harbour Joint Area Action Plan (2014)
6. Adur Local Plan and Shoreham Harbour Transport Study – Report Addendum (2014))
7. Adur Local Plan and Shoreham Harbour Transport Study (2013)

