Adur & Worthing Councils
Development Management
Economy Directorate
Portland House
44 Richmond Road
Worthing
West Sussex
BN11 1HS

14 March 2018

Dear Sir/Madam

Planning Application AWDM/1979/17 – 5 Brighton Road, Shoreham

Shoreham Port Authority (SPA) strongly objects to the application and we would like to summarise our position on the key points of concern. This statement should be considered in conjunction with our response to the above planning application submitted on 22nd February 2018.

Impact of light from the development on navigational safety

The applicant's Exterior Lighting Design does not demonstrate that the following risks are mitigated:

1. Light emitted from this development would interfere with safe navigation by impairing the night vision of ship masters/pilots.
2. Light from the development would make it harder for vessels to identify one another. This could cause collisions, contact or grounding of vessels.
3. The background light created by this development would obscure navigational aids, again creating a risk of collisions.

In order that we may assess the light impact of the development we ask that the following technical detail be provided:

1. A light pollution assessment incorporating navigational lights in the harbour entrance.
2. A lighting statement explaining an external lighting strategy that will not cause light pollution including points such as:

- All exterior lighting will be controlled and directed away from the harbour entrance.
- Lamp sources will be shielded and locked in a permanent position that cannot be adjusted at a later date.
- There will be no surface mounted luminaires to the building façade (including balconies).
- Festive lighting or any other temporary lighting will not be permitted on the building.

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- The scheme will use a dark palette of materials and highly reflective surfaces will be avoided.
- Any necessary external ground level lighting will be positioned to ensure that lights cannot be seen from the water.

3. Plans and elevations focusing on the areas with the potential to cause light pollution.
4. Detailed plans of the design solutions.
5. Plans of any other external lighting for instance along the riverside walk.
6. A statement regarding how lights during construction will be dealt with.
7. A statement on protective measures for SPA following planning permission and construction such as:

- The requirement for the lighting design to be approved prior to occupation of the completed development to enable alterations or amendments if necessary.
- A review after occupation to assess the building in operation and ensure that any unanticipated activities on the site could be mitigated by the management committee.
- Long term management of residents through lease agreements, to ensure that later external lighting modifications cannot be made.

Risk of a ship striking the development

The eastern block of the proposed development is suspended over the water on columns, shown clearly in the drawing 'East Wing – East Elevation'. Seven floors of this block feature residential units within the area projecting over the water.

There is a small but significant probability that a ship entering or departing the Western Arm from the harbour entrance or from the berth will lose steerage or power on the bend in the navigation channel at Soldiers Point due, for instance, to mechanical difficulties. Necessarily, the vessel will at the time be travelling at up to five knots in order to maintain steerage in the flood tide and, on losing steerage, is then likely to collide with the eastern block of the proposed development. There is further potential for collisions with the proposed development if commercial vessels are caught in the tide as they transit around Soldiers Point. There is nothing we can do to mitigate against these events.

We understand that engineering solutions have been considered which could deflect or absorb the energy of a ship on a collision path with the building. This is mitigation of unnecessary risk. The only truly safe design is one that does not project into the channel.

Shoreham Port Authority has a duty to object to any design incorporating a building that projects into the channel on safety grounds.

Statutory Navigation Rights and Leisure Activity in the Western Arm

SPA is a statutory harbour authority, governed by legislation that has been tailored to the needs of ports. Leisure stakeholders have the right to navigate below mean high water. We have a statutory responsibility to ensure navigation and safety for commercial and leisure users.

The proposed development will over-sail the mean high water mark, making navigation in that part of the channel unsafe. As a result, statutory legislation would be breached.

We must object to this design to avoid breaching our own legislation, necessitating curtailment of commercial operations and leisure activities. The necessary licences will not be provided for the development in its current form.

Yours faithfully

Tim Hague
Director of Property and Development

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