

TITLE: **Planning Support Statement V2**
CLIENT: Blenheim Estates Ltd
LOCATION: 37-41 Brighton Road, Shoreham-By-Sea, Adur, BN43 6RE
ISSUED: Tuesday, 22 July 2025

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1. Introduction

- 1.1. This Planning Support Statement (PSS) has been prepared on behalf of the applicant, Blenheim Estates Ltd, in respect of 'the Site', comprising 37-41 Brighton Road, Shoreham-By-Sea, Adur, West Sussex, BN43 6RE. The application proposes;
 - Outline application for the demolition of the existing building and the erection of a one to nine-storey block of residential apartments, a commercial unit (Class E), with associated cycle parking and car parking.
- 1.2. This Planning Support Statement is authored by Charles Raven, a Principal Planner at Axiom Planning, and reviewed by Daniel Gender-Sherry, Director.
- 1.3. Charles is a Chartered Town Planner with over 24 years local authority and private consultancy experience, holding an RTPI¹ accredited BSc degree in City and Regional Planning and an RTPI accredited diploma in Town Planning.
- 1.4. The main purposes of this planning statement are to:
 - Describe the site and surrounding area, along with any notable land designations.
 - Set out the full planning policy context in relation to the proposed development.
 - Detail, in policy terms, the extent to which the development accords with the requirements of each identified relevant Local Plan Policy.
 - Provide an overall, objective and professional conclusion on whether the proposed development has the appropriate attributes to warrant being granted planning permission.

Documents included within this Planning Application

- 00001-S0-P02 Site Location Plan
- 00002-S0-P02 Existing Site Plan
- 00003-S0-P06 Proposed Site Plan
- 00020-S0-P04 Indicative Proposed North Elevation
- 00021-S0-P02 Indicative Proposed East Elevation

¹ Royal Town Planning Institute

- 00022-S0-P02 Indicative Proposed South Elevation
- 00023-S0-P02 Indicative Proposed West Elevation
- 00024-S0-P01 Existing and Proposed Street Elevations
- 00030-S0-P02 Section 01
- 00031-S0-P02 Section 02
- 00130-S0-P04 Existing and Proposed Sections
- 00100-S0-P05 Ground Floor Plan
- 00101-S0-P04 Upper Ground Floor Plan
- 00102-S0-P03 First Floor Plan
- 00103-S0-P03 Second Floor Plan
- 00104-S0-P03 Third Floor Plan
- 00105-S0-P03 Fourth Floor Plan
- 00106-S0-P03 Fifth Floor Plan
- 00107-S0-P03 Sixth Floor Plan
- 00108-S0-P03 Seventh Floor Plan
- 00109-S0-P04 Roof Level
- 250509 Area Schedule
- Air Quality Assessment, May 2025. WSP
- Preliminary Risk Assessment, Rev 01, May 2025. WSP
- Design and Access Statement, Rev 04, May 2025. Holder Mathias Architects
- Daylight Impact Assessment, November 2024. WSP
- Surface Water Drainage Strategy, May 2025. WSP
- Surface Water Drainage Checklist

- Preliminary Ecological Appraisal, May 2025. WSP
- Bat Survey Report, May 2025. WSP
- Economic Impact Statement, May 2025. WSP
- Energy and Sustainability Statement, May 2025. WSP
- Flood Risk Assessment, May 2025. WSP
- Transport Assessment, May 2025. WSP
- Framework Residential Travel Plan, May 2025. WSP
- Noise Assessment, Rev 002, May 2025. WSP
- Statement of Community Involvement. Fairthorn Consultancy
- Utilities Statement, November 2024. WSP
- Waste Management Strategy, Rev 002, May 2025. WSP
- Planning Statement V2, July 2025. Axiom Planning

2. Site Description

- 2.1. The Site lies within an urban area currently undergoing a period of significant regeneration. Figure 1 shows the Site within its immediate surroundings. The Site has a frontage to Brighton Road and is currently occupied by a single-storey commercial unit, currently tenanted by Kwik-Fit. Adjacent to the Site is a car wash facility that has a right-of-way around the perimeter of the Site.



Figure 1

- 2.2. The Free Wharf development is currently under construction to the east and south of the site's boundaries. A right of access along the eastern boundary to the River Adur ends at an unfinished ramp. The site and the plot to the south change level by around 1.2 m. To the north, on the opposite side of Brighton Road, is Ham Road Park.
- 2.3. Figure 2 shows the Site looking south. To the east, part of the Free Wharf mixed-use scheme is nearing completion. The existing car wash is to the west, with the River Adur to the south.

Ham Road Park can be seen in the foreground. The single-storey business units further to the west are also located within the regeneration area and allocated for mixed-use redevelopment.

- 2.4. The Site is not located within a conservation area and there are not any Listed buildings within close proximity. The Site is located within Flood Zones 2 and 3 (Flood Risk Assessment, page 18).
- 2.5. The Site does not lie within, nor is adjacent to any statutory or non-statutory designated sites. The nearest nationally designated site is the Adur Estuary to the west which is designated as a Site of Special Scientific Interest (SSSI) for the presence of tidal mudflats and saltmarsh habitat.
- 2.6. With regard to landscape designations, the South Downs National Park is located approximately 1.5km to the north with the boundary essentially demarcated by the A27. There are no internationally designated sites within 10km of the Site, the nearest is the Castle Hill Special Area of Conservation northeast of Brighton (14km).



3. Planning History

3.1. Inspection of the Adur District Council's online planning database has revealed the following relevant planning history;

Application Number	Description	Decision
SU/227/87/TP	Auto Centre (Sale and Fitting of Parts and Other Vehicle Repairs) and Associated Car Parking	Approved Jan 1988
SU/203/88/TP	Car Wash	Approved Oct 1988
SU/170/93/TP	Internally Illuminated Freestanding Sign on Frontage (retrospective) - Kwik-Fit	Approved Nov 1993
SU/166/93/TP	Internally Illuminated Pole Sign on Frontage (Retrospective) - The Washing Machine Car Wash	Approved Nov 1993

3.2. Given the transforming nature of the immediate area, planning history from surrounding sites was also reviewed;



Site Addresses:

Site 1: Free Wharf, Brighton Road

Site 4: Mannings, Surry Street

Site 2: 69-75 Brighton Road

Site 5: New Wharf, Brighton Road

Site 3: Land East Of 1 To 11 Mercury House,
Ham Road

Site 6: 79-81 Brighton Road

Site Number	Application Number	Description of Development	Decision
1	AWDM/1315/22	Application to vary condition 1, 23, 26 and 34 of previously approved AWDM/1497/17 to incorporate: i) 39 additional homes (together with 8no subject of previous application AWDM/2037/20) to give a new total of 587 homes ii) associated changes to profiles of riverside blocks A-F (heights unchanged); iii) reduce commercial space (Class E a, b, c and g) to 2,163sqm; iv) reduce the level of car parking to 381 residential spaces and 24 commercial spaces, with provision of car club v) re-use of existing sheet piling to support riverside walkway (omitting need for approved posts) vi) revised energy strategy. Also, design amendments to blocks G and H, increasing overall height of block G by 1.08m	Approved 07/03/2024
1	AWDM/1307/22	Application for a Non-Material Amendment to previously approved AWDM/1497/17 to amend the description of works.	Approved 09/09/2023
1	AWDM/0558/21	Application to Vary Condition 1 of previously approved AWDM/1497/17. Amendment: change location of part of the basement under block G and H and redistributing to area under block A.	Awaiting Decision - Resolution to Approve
1	AWDM/1952/20	Application to vary conditions no.1 (Approved plans) and no.26 (Energy Strategy) of planning permission reference AWDM/1497/17.	Undetermined
1	AWDM/2037/20	Erection of a six to eight storey building comprising 782sqm of office space (Class E (g)(ii) floorspace and 97 residential homes, resident's concierge, car and cycle parking, refuse and landscaping (an alternative to the building previously approved as part of planning permission AWDM/1497/17)	Awaiting Decision - Resolution to Approve

Site Number	Application Number	Description of Development	Decision
1	AWDM/1497/17	Redevelopment of the site to provide ten buildings, containing 540 new homes (of which two will be studios, 179 x one bed, 323 x two bed and 38 x three bed), 2,707sqm of commercial floorspace at ground floor level within use classes, A1 (retail), A3 (cafes and restaurants), B1 (business) and D1 (non-residential institutions). The development also includes 512 parking spaces, of which 438 will be for residents and 74 will be for the commercial space/visitors, reconstruction of the river wall, construction of mooring pontoons and observation platform at the end of Humphrey's Gap, provision of a riverside pedestrian/cycle route, areas of semi-private and publicly accessible open space, internal access roads, 596 cycle parking spaces and associated ancillary areas.	Approved 09/08/2018
2	AWDM/2039/22	Demolition of existing buildings, construction of 176no. one and two bedroom residential apartments and commercial development over 4 blocks between 5 and 9 levels, basement parking and raised deck, new highway access, flood defences, drainage infrastructure, landscaping and ancillary development. (Including changes in heights and reduction from previously proposed 183no. apartments to 176no.).	Approved 16/06/2023
2	AWDM/1473/21	Demolition of existing buildings, construction of 81no. 1 bedroom and 102no. 2 bedroom residential apartments and commercial development over 4 blocks between 5 and 9 levels, basement parking and raised deck, new highway access, flood defences, drainage infrastructure, landscaping and ancillary development.	Refused 05/09/2022
3	AWDM/1759/23	Application for a non-material amendment to previously approved AWDM/1024/23	Awaiting Decision
3	AWDM/1024/23	Application to Vary Conditions 1 of previously approved AWDM/1450/21 (approved drawings)	Approved 08/12/2023
3	AWDM/1450/21	Erection of two blocks of development ranging in height between 3 - 9 storeys comprising 159 residential units comprising a mix of 1-bed, 2- bed and 3-bed units (including a minimum of 30% of affordable housing), commercial (Class E) floorspace at ground floor, and associated parking and landscaping.	Approved 24/04/2023

Site Number	Application Number	Description of Development	Decision
3	EIAOPINION/0002/19	EIA Screening Opinion for up to 200 new affordable units (60 percent shared ownership, 40 percent social rented) comprising 1, 2 and 3 bed units as well as commercial floor space at ground floor level, set out over 5 to 12 storeys in height; 85 parking spaces, cycle space provision and vehicular access via Ham Road	Registered
4	AWDM/0721/23	Application for a Non-Material Amendment following approval AWDM/1281/19. Amendments: Various fenestration details to all elevations.	Awaiting Decision
4	AWDM/1281/19	Demolition of existing building and structures and construction of building ranging in height from three to six storeys providing 74 residential units comprising 28no. 1 bedroom, 40no. 2 bedroom and 6 no. three bedroom units, including 27 car parking spaces 3 of which are wheelchair accessible, 86 cycle parking spaces, amenity space, soft and hard landscaping and associated ancillary facilities.	Approved 15/10/2021
5	AWDM/0886/23	Demolition of existing warehouse and erection of an 8 storey building and basement, comprising 62 residential units (Class C3) and commercial floor space (Class E), with associated basement parking, access, and landscaping.	Awaiting Decision - Resolution to Approve
6	AWDM/0501/12	Demolition of existing warehouse to facilitate new mixed-use development of 132 dwellings (Use Class C3) (comprising 32 x 1-bed flats, 87 x 2-bed flats and 13 x 3-bed flats of which 27% are affordable units), a 1265sqm foodstore (Use Class A1) and 121sqm of ancillary commercial floorspace (Use Classes A1, A2, A3, A5 and B1) in a 5-7 storey building with 150 parking spaces plus cycle spaces at basement level and at the front of the site, new vehicular access to serve the foodstore from Brighton Road, access to residential units via Surry Hard, improvements to the existing river wall, public hard and boathouse and new landscaping.	Approved 07/10/2013

3.3. The following appeals were also considered relevant and reviewed.

Site Number	Appeal Reference	Appeal Details	Decision
6	APP/Y3805/Q/ 20/3255730	<p>The development to which the planning obligation relates is a mixed-use development of 132 dwellings, foodstore and ancillary commercial floorspace with parking, accesses and improvements to the river frontage.</p> <p>The application Ref AWDM/0501/12, dated 31 January 2020, was refused by notice dated 7 April 2020.</p> <p>The application sought to have the planning obligation modified by the deletion of the requirement for a highway contribution of £87,500.</p> <p>It was concluded that the highway contribution complies with the tests set out in Regulation 122 and as repeated in paragraph 56 of the National Planning Policy Framework. There continues to be a need to improve the local highway network and therefore the contribution continues to serve a useful purpose.</p>	Dismissed
5 Brighton Road	APP/Y3805/W/ 22/3312889 Planning App ref: AWDM/ 1481/21	<p>Mixed-use re-development comprised of townhouses, mixed-use apartment block, riverside walk, landscaping, and parking.</p> <p>Unacceptable impact on Listed building.</p>	Dismissed 08/12/23
5 Brighton Road	APP/T3805/W/ 23/3320322 Planning App ref: AWDM/ 1962/22	<p>Proposed mixed-use re-development between 3 and 8 storeys comprising of 21 townhouses, mixed-use apartment block of 24 flats, commercial unit, riverside walk, play area, landscaping, and parking (with revised design and provision of on-site affordable housing).</p> <p>Supports the principle of development by reason of the JAAP allocation, and establishes a significant shortfall in parking provision.</p>	Allowed 08/12/23

4. The Proposal

- 4.1. This application entails the demolition of the existing building and the erection of a block of residential flats between 5 and 9 storeys in height, a commercial unit (Class E), with associated car and cycle parking.
- 4.2. The application is made in outline with only matters of Scale and Access to be considered. Appearance, Landscaping and Layout are reserved for subsequent consideration. For clarity, the matters to be considered are:
- **Access** relates to the access to and within the Site, circulation routes and how these fit into the surrounding access network;
 - **Scale** relates to the height, width, and depth of the proposed building.
- 4.3. The reserved matters consist of:
- **Appearance** relates to aspects of the building which affect the way it looks;
 - **Landscaping** relates to the improvement or protection of the ecological amenities of the Site;
 - **Layout** relates to the external and internal arrangements of the proposed development.
- 4.4. Where relevant, in relation to those matters reserved, illustrative drawings have been provided that demonstrate how the development could come forward in an entirely appropriate manner.
- 4.5. It is envisaged that the development will provide 49 residential units consisting of a mix of one, two and three-bedroom apartments. All units would meet the described National Space Standard and would be arranged as:

Unit Type	Number	% Mix
Studio	2	4%
1 Bedroom	12	25%
2 Bedroom	30	61%
3 Bedroom	5	10%
Total	49	100%

Table 1: Proposed Unit Provision

- 4.6. The Design and Access Statement (DAS) (page 45) further explores the size of the proposed units in terms of the maximum number of persons that could reside in the unit types based on their size.
- 4.7. With regard to the description of development, it is not a legal requirement to specify the quantum of development in the formal description of the planning application. The permission needs to be read as a whole, so a condition that limits the development quantum to that specified in the application will be effective and certain. Given the outline nature of the application, this allows the developer a level of flexibility whilst the LPA retains full control over the development through appropriate conditions.
- 4.8. As identified in the DAS (page 42), no part of the development encroaches onto land that could come forward to be dedicated for a proposed cycleway along the A259. The frontage has been designed to ensure the retention of the proposed tree planting should the cycleway come forward.
- 4.9. The DAS also sets out the design process and explains how the development plans have evolved from conception, through a pre-application enquiry, community engagement, and through to this outline planning application submission.
- 4.10. Most significantly, following pre-application advice received from the Local Planning Authority (LPA), the scale of built form has significantly reduced when compared to the initial proposals. In addition, following a very well-attended community engagement exercise and the comments received, the level of off-street car parking has been increased.

5. Planning Policy

NATIONAL PLANNING POLICY FRAMEWORK 2024 (NPPF)

- 5.1. In December 2024, the Government published an updated National Planning Policy Framework (NPPF), which was amended again in February 2025. This provides an overarching framework for the production of local policy documents and the consideration of development proposals.
- 5.2. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise (NPPF, paragraph 2).
- 5.3. The policies in the Framework are material considerations which should be taken into account in dealing with applications from the day of its publication (NPPF, paragraph 231).

SUSTAINABLE DEVELOPMENT

- 5.4. Paragraph 7 of the NPPF which, as already stated, is a material consideration in planning decisions (NPPF, paragraph 2) states that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 5.5. Sustainable development is at the heart of the NPPF. There was no specific definition of sustainable development within the original 2012 NPPF, but its Ministerial Foreword stated that it concerned making economic, environmental and social progress for this and future generations. These comments were formalised in paragraph 8 of the 2019 NPPF. The subsequent versions strengthen the wording in relation to the environmental objective which is now, “to protect and enhance our natural, built and historic environment”.
- 5.6. Paragraph 10 of the NPPF states that at its heart is a presumption in favour of sustainable development. Paragraph 11 states that for decision-taking, this means,

“approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework “(the NPPF)” that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination”.

DECISION MAKING

- 5.7. Local planning authorities should approach decision-making in a positive and creative way (NPPF, paragraph 39). They should use “the full range of planning tools available” and “work proactively with applicants to secure developments that will improve economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible” (NPPF, paragraph 39).
- 5.8. Decisions on applications should be made as quickly as possible and within the statutory timescales unless a longer period has been agreed by the applicant in writing (NPPF, paragraph 48).
- 5.9. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations (NPPF, paragraph 56).
- 5.10. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification and the applicants written consent is first obtained (NPPF, paragraph 57).

DELIVERING A SUFFICIENT SUPPLY OF HOMES

- 5.11. Paragraph 61 of the NPPF states that in order to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community.
- 5.12. Paragraph 66 states that policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures.

IDENTIFYING LAND FOR HOMES

- 5.13. Planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability (NPPF, paragraph 72). Paragraph 77 then goes on to say that “working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way”.

SUSTAINABLE TRANSPORT

- 5.14. Paragraph 115 of the NPPF states that in considering development proposals, it should be ensured that, “sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location...”.
- 5.15. Paragraph 116 states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, taking into account all reasonable future scenarios”.

MAKING EFFECTIVE USE OF LAND

- 5.16. Paragraph 124 of the NPPF states that “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or ‘brownfield’ land”.

WELL-DESIGNED PLACES

- 5.17. Paragraph 131 of the NPPF states, “the creation of high-quality quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”.
- 5.18. Paragraph 139 states, “significant weight should be given to:
- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
 - b) outstanding or innovative design which promote high levels of sustainability, or help to raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings”.

CONSERVING AND ENHANCING THE NATURAL ENVIRONMENT

5.19. Planning decisions should, according to paragraph 187 of the NPPF, contribute to and enhance the natural and local environment.

5.20. Paragraph 193 states:

“if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused...

development whose primary objective is to consider and enhance biodiversity should be supported; while opportunities to improve biodiversity in and around development should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate”.

5.21. Paragraph 136 of the NPPF emphasises the importance of trees in new development. It states, inter alia,

“Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments,...that appropriate measures are taken to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible..”

HISTORIC ENVIRONMENT

5.22. Paragraph 212 of the NPPF states,

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.

5.23. Paragraph 215 states,

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use”.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

5.24. The Department for Communities and Local Government operates the National Planning Practice Guidance (NPPG). The following sections of the NPPG have been assessed in relation to this application:

- Design: Process and Tools
- Effective Use of Land
- Historic Environment

THE DEVELOPMENT PLAN

5.25. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that development be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 states that in the determination of applications, the authority shall have regard to:

- The provisions of the development plan, so far as material to the application
- Any local finance considerations, so far as material to the application
- Any other material consideration.

5.26. In Adur District Council (ADC), the adopted Development Plan consists of:

- Adur Local Plan 2017 (adopted 14 December 2017)
- Adur Policies Map 2019
- Shoreham Harbour Joint Area Action Plan (JAAP) (adopted October 2019)
- West Sussex Waste Local Plan (adopted April 2014)
- West Sussex Joint Minerals Local Plan (Adopted July 2018)

5.27. Other material policy considerations will arise from the following documents;

- Adur District Council Housing Delivery Test Action Plan 2022
- Sustainability Statement Guidance Note - Shoreham Harbour Regeneration Area
- Shoreham Harbour Flood Risk Management Guide SPD
- Shoreham Harbour Transport Strategy

- West Sussex Transport Plan 2022
- West Sussex County Council - Guidance on Parking at New Developments 2020
- Development Management Standard No.1 - Space around new dwellings and flats
- Sustainable Energy SPD
- Adur Guidance Note for Intertidal Habitats
- National Planning Policy Framework 2024 (NPPF)

5.28. Policies considered material to this application are identified below;

Adur Local Plan Policies

Policy	Page No.	Description
Policy 1	14	Sustainable Development
Policy 2	16	Spatial Strategy
Policy 3	20	Housing Provision
Policy 4	25	Planning for Economic Growth
Policy 8	45	Shoreham Harbour Regeneration Area
Policy 15	65	Quality of the Built Environment and Public Realm
Policy 18	71	Sustainable Design
Policy 19	72	Decentralised Energy, Stand-alone Energy Schemes and Renewable Energy
Policy 20	76	Housing Mix and Quality
Policy 21	78	Affordable Housing
Policy 28	90	Transport Connectivity
Policy 29	92	Delivering Infrastructure
Policy 30	94	Green Infrastructure
Policy 31	95	Biodiversity

Shoreham Harbour Joint Area Action Plan Policies

Policy	Page No.	Description
Policy SH1	34	Climate Change, Energy and Sustainable Building
Policy SH3	41	Economy and Employment
Policy SH4	43	Housing and Community
Policy SH5	47	Sustainable Travel
Policy SH6	50	Flood Risk and Sustainable Drainage
Policy SH7	58	Natural Environment, Biodiversity and Green Infrastructure
Policy SH9	69	Place Making and Design Quality
Policy CA7	128	Western Harbour Arm
Policy SH10	135	Infrastructure Requirements

5.29. Paragraph 232 of the NPPF emphasises that due weight must be given to policies made before its publication, in accordance with their consistency with it. Thus, development plan policies are considered to be relevant if they accord with the content of the extant NPPF.

FIVE-YEAR HOUSING LAND SUPPLY POSITION

5.30. As of April 2025, Adur District Council can demonstrate a supply of housing for 3.3 years. This is significantly below the five-year housing requirement and means that paragraph 11 of the NPPF is engaged. This means that those policies related to housing provision can be considered to be out of date. Consequently, planning permission should be granted unless:

- the application of policies in this Framework “(the NPPF)” that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination”.

5.31. This, therefore, determines the way in which planning policy must be applied and introduces a ‘tilted balance’ in favour of sustainable development. This is a significant material consideration in the assessment of the development proposals for this Site, which will contribute to the currently identified considerable unmet need for housing within the authority area.

6. Material Planning Considerations

DECISION MAKING

6.1. The determination of an application for planning permission is to be made in accordance with the development plan, unless material considerations indicate otherwise. Section 70(2) TCPA 1990 provides that the decision-maker shall have regard to the provisions of the development plan, so far as material to the application. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) provides:

‘If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise’.

6.2. The NPPF is a material consideration for these purposes, but it is policy, not statute, and does not displace the statutory presumption in favour of the development plan: see NPPF paragraphs 2 and 12. It must be exercised consistently with the statutory scheme giving primacy to the development plan, and not displace or distort it: *Suffolk Coastal DC v Hopkins Homes Ltd*¹.

CONSIDERATION OF ADOPTED POLICY

Adur Local Plan 2017 and Shoreham Harbour Joint AAP 2019

PRINCIPLE OF DEVELOPMENT

6.3. Local Plan **Policy 2** (Spatial Strategy) states that Shoreham Harbour will be a focus for development to facilitate regeneration through the delivery of a mix of uses including housing which will be delivered through an Area Action Plan. Local Plan **Policy 3** (Housing Provision) goes on to state that a minimum of 1,100 dwellings will be provided within the Shoreham Harbour Regeneration Area Western Arm, within which the application Site is located. It should be noted that the area was originally allocated in the South East Plan 2009 for up to 10,000 dwellings. This allocation is further supported by Shoreham Harbour Joint Area Action Plan (JAAP) **Policy CA7** (Western Harbour Arm), which designates the area for mixed-use development comprising new homes and employment generating floorspace on the south side of Brighton Road.

6.4. The application Site forms part of a specific designation known as WH6 and includes the adjacent car wash and the Ham Business Centre. The JAAP anticipates that this Site will come

¹ [2017] UKSC 37, per Lord Carnwath at [21]

forward during the middle of the plan period, which would be around 2025/26. Whilst it is acknowledged that the current Site does not include the entirety of the WH6 allocation, attempts have been made with the landowner of the adjacent car wash for a number of years to bring forward a more comprehensive proposal. Unfortunately, this has not been forthcoming despite the efforts of the Applicant and the lack of engagement from the adjacent owner. The Applicant is willing to provide evidence of the efforts made for the benefit of the LPA. However, as this information is commercially sensitive, it should not be made available in the public domain.

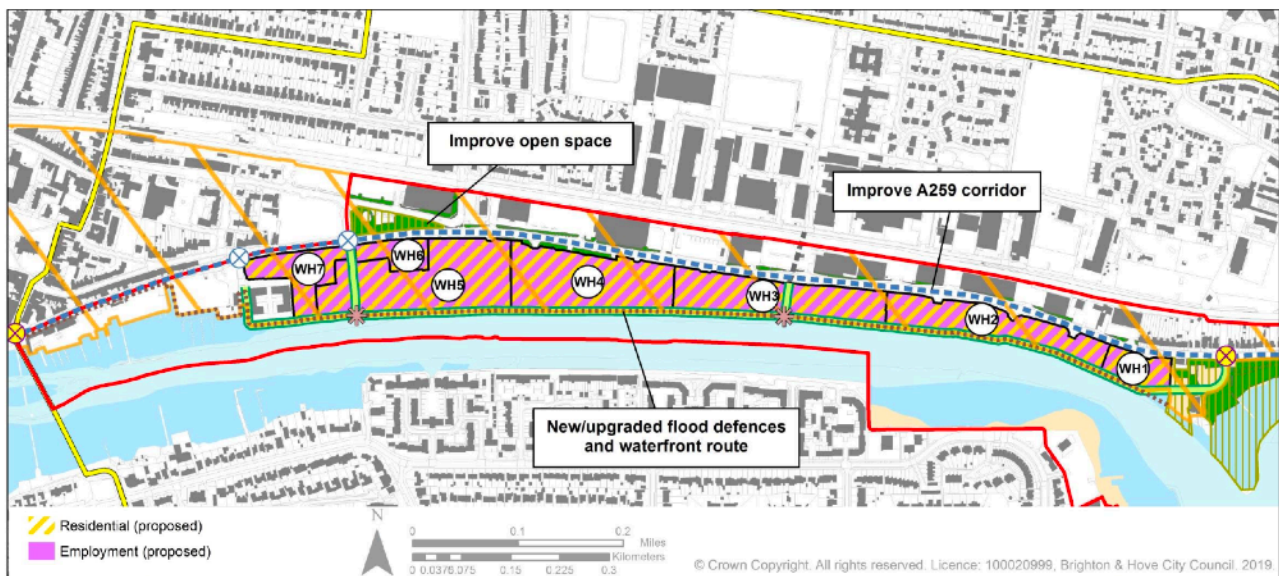


Figure 4: Source - Shoreham Harbour JAAP 2019. Page 116

- 6.5. The submitted plans and DAS demonstrate that the functionality of the adjacent car wash facility will be maintained throughout the building phase and final use of the proposed development. Furthermore, the DAS (pages 33, 36, 54) demonstrates that the development of the Site will not stifle the opportunity for the redevelopment of the remaining adjacent sites within the WH6 allocation in the future.
- 6.6. The proposal incorporates future resilience should the car wash site be developed later. The right of access is maintained; however, if an alternative access from the Ham Business Centre is utilised, this right of access may be revoked. The rear element is likely to become additional communal private amenity space, and the colonnade could potentially be infilled to provide more commercial floorspace.
- 6.7. The Site therefore benefits from a specific allocation within the Development Plan for redevelopment for residential and employment uses.

- 6.8. High-density residential development is identified as the preferred development type for the Western Harbour Arm under Policy CA7 of the JAAP and forms the key housing provision proposed at the Site. The development proposals embrace this and provide a residential-led redevelopment of this brownfield Site, in line with the allocation within the JAAP.
- 6.9. The loss of the existing use is already accepted in principle under the strategic policy allocation. Notwithstanding, a commercial element is re-provided within the proposed scheme. The pre-application response stated that an element of commercial space should be provided within the redevelopment proposals for the Site. Following ongoing observations of approved developments within the JAAP area, as well as responses received at the community engagement event, it is clear that the uptake of provided commercial spaces has stalled, with many units remaining empty. The proposals have therefore been revised in line with the recent approval at appeal of the mixed-use scheme at 5 Brighton Road¹, which provided a commercial unit of 55.6 square metres. The application scheme proposes a commercial unit of 57.6 square metres which, given the identified context, is considered to be entirely appropriate for the Site and development proposed.
- 6.10. Paragraph 4.7.49 of the JAAP states that shops, cafes and restaurants that are ancillary to new mixed-use developments have an important role to play in realising the vision for the regeneration of the Western Harbour Arm. Although residential dwellings and employment generating floorspace will be the primary land use, ancillary retail development will help to bring life to the waterfront and strengthen the overall offer of Shoreham-by-Sea, complementing the town centre. The proposed development helps to achieve this important role.
- 6.11. Policy CA7 reinforces this by stating that smaller-scale retail outlets, food and drink, and marine-related leisure facilities are also encouraged. The provision of what is an ancillary commercial unit is therefore fully supported by the relevant cited policies.

HOUSING NEED

- 6.12. As previously identified, Adur District Council can only demonstrate a 3.3 year housing land supply, a significant shortfall under the required 5 year supply. Paragraph 11 of the NPPF is therefore engaged, identifying that there is a presumption in favour of granting sustainable development. Whilst the Site is specifically allocated for residential development, it has not been brought forward in the most recently published Strategic Housing Land Availability Assessment (SHLAA). The shortfall in Adur DC equates to 1,143 residential units.

¹ AWDM/1962/22 Appeal Ref APP/Y3805/W/23/3320322

- 6.13. This means that the granting of permission on this Site for the development proposed will have a positive impact on the identified housing supply figure, to the tune of 49 additional units and will go towards addressing the significant housing shortage.
- 6.14. **Policy 20** of the Adur Local Plan requires housing at strategic locations to mainly provide two and three bedroom homes. A total of 71% of the residential units proposed will be two and three bedroom units, in full compliance with the strategic aims of this policy.

HOUSING MIX

- 6.15. The Strategic Housing Market Assessment (SHMA) (May 2020) informs development management activities including the housing mix sought through planning applications. It addresses housing needs over the period from 2019 to 2036 and 2039. The SHMA identifies a need for different sizes of homes in both the market and affordable sectors, as indicated in Table 2 below. It should be noted that this relates to all housing types, not just flats.

Adur	Social/Affordable Rented	Affordable Home Ownership	Market Housing
1 Bed	35-40%	30-40%	5-15%
2 Bedrooms	30-35%	35-45%	40-45%
3 Bedrooms	20-25%	15-25%	35-40%
4+ Bedrooms	5-10%	0-10%	10-20%

Table 2: SHMA 2020, Page 8

- 6.16. The SHMA recommends that this informs negotiations regarding the mix of housing to be delivered on individual development sites. Where sites are suitable for family sized houses, the delivery of these should be prioritised. It would be reasonable to expect justification for a housing mix on such sites which significantly differs from that set out. Flatted schemes should also be expected to deliver 3+ bedroom units to meet housing need.
- 6.17. As identified in paragraph 4.5 above, the proposed development will provide a generous mix of residential units. This entails the provision of 2 no. studio units, 12 no. one bedroom units, 30 no. two bedroom units, and 5 no. three bedroom units. As identified in the next section, 30%, or 15 no., of these units will be affordable. The DAS (page 45) breaks down these numbers further to account for the number of maximum persons per unit, which further increases the range and mix of units being provided.

Unit Type	No.	% Mix
Studio	2	4%
1 Bed 2 Person	12	24%
2 Bed 3 Person	3	6%
2 Bed 4 Person	27	55%
3 Bed 4 Person	1	2%
3 Bed 5 Person	4	8%

Table 3: Proposed Housing Mix

- 6.18. Whilst the largest proportion of units proposed are two bedroom flats, this is entirely in line with the required housing mix sought for developments identified in the SHMA, across all tenures.
- 6.19. In addition, and as identified above, **Policy 20** of the Local Plan states that new residential development should incorporate a range of dwelling types, tenures and sizes (including affordable housing) that reflect and respond to Adur’s identified housing needs and demands. The Policy goes on to state that market housing within strategic locations and town centre regeneration areas should mainly provide two and three bedroom units. As shown above, 71% of the development will be two and three bedroom units, all with private amenity spaces, in full compliance with the aims of this policy.

AFFORDABLE HOUSING

- 6.20. **Policy SH4** of the JAAP relates to housing and community. Section 3 of the Policy states that new residential development will be expected to make provision for a mix of affordable housing, including social rented, affordable rented and intermediate housing in accordance with local plan policies.
- 6.21. Local Plan **Policy 21** relates to affordable housing and states that on development sites of 11 dwellings or more, a target of 30% affordable housing, including social rented, affordable rented and intermediate housing will be sought. The preferred mix of tenure will be 75% social/affordable rented housing and 25% intermediate housing. On individual sites, the preferred affordable housing mix in terms of size and tenure will be determined through negotiation, taking account of up-to-date assessments and the characteristics of the area.
- 6.22. The preamble to the policy states at paragraph 4.38 that evidence clearly indicates that the need for social/rented dwellings is focused towards smaller units, the greatest need of which being two bedroom units. The following table contained within the local plan demonstrates this, and also identifies a slightly higher requirement for one bedroom units over three bedroom units.

	1-bedroom	2 bedrooms	3 bedrooms	4+ bedrooms
Intermediate homes	15-20%	50-55%	25-30%	0-5%
Social/Affordable Rent	30%	40%	25%	5%

Table 4: Adur Local Plan 2017. Page 78

6.23. The Applicant is proposing the provision of a policy-compliant 30% affordable housing provided on-site. Given that the development entails the provision of a mix of one, two and three-bedroom units, this will be entirely achievable. As identified, it is acknowledged that the LPA seeks a ratio of 75% social/affordable rented housing and 25% intermediate housing provision. This is considered to be entirely deliverable, and the distribution of the units will be led by the Local Authority and secured through an appropriate condition or legal agreement. The development as proposed, fully accords with the requirements of Policy 21.

SCALE AND MASSING

- 6.24. **Policy SH9** of the JAAP states that proposals for development will be expected to consider suitable scale and massing in relation to housing type and local context, including landscape, townscape character and historic environment.
- 6.25. **Policy CA7** of the JAAP states that building heights up to five storeys are generally considered acceptable on the Brighton Road and River Adur Frontages. Away from these frontages, greater storey heights may be acceptable within deeper sites.
- 6.26. Local Plan **Policy 15** relates to the quality of the built environment and states that, amongst other things, development should enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development.
- 6.27. The evolution of the scale and massing of the development is explained within the DAS (pages 32 to 38).
- 6.28. The scheme evolved initially through reviews within the development team following a context appraisal of the surrounding area, including important longer views. It was considered that, given the location of the Site within the surrounding context of the Free Wharf development, there was an opportunity to provide more of a focal point, given the centralised location of the plot. It was also considered that, given the significant shortfall in identified housing land supply, there was an opportunity to explore the height limits stipulated within the

JAAP. Significantly taller scenarios were considered but ultimately discounted as they were uncharacteristic when viewed within the surrounding context.

- 6.29. A scheme for a 7 to 10 storey block was submitted to the LPA through a pre-application enquiry. This would have delivered 57 residential units, 120 square metres of commercial space and 20 car parking spaces. The highest part of this scheme was commensurate with the tallest elements of the approved Free Wharf development. Details of the pre-application submission are contained within the DAS at page 26, together with a discussion of the LPA's feedback.
- 6.30. Following the feedback received from the LPA, significant revisions were made to the development scheme, most notably to its height across the entire block, together with a reduction in the depth of the upper element in order to introduce a deep step in built form facing the lane to the rear.
- 6.31. The development of the massing of the built form is further discussed within the DAS on pages 51 to 54. Sketch montages are provided, demonstrating the proposed scale of built form in the context of the Free Wharf development, together with possible massing of built form achievable on the Ham Business Park site.

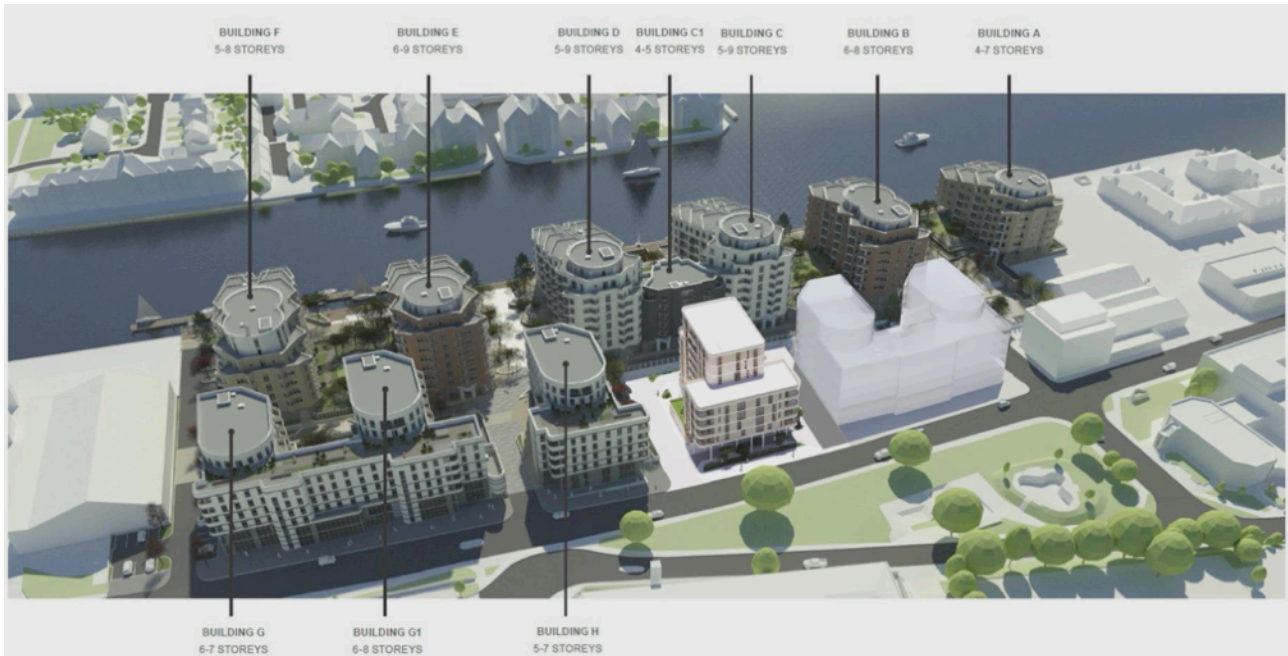


Figure 5: Image - DAS, page 54

- 6.32. The scale of built form is now considered to be entirely appropriate and in keeping with the prevailing pattern of approved development, within the context of which the proposed development will be viewed. The tallest part of the development will be lower than the tallest

elements of the Free Wharf scheme, fronting the River, which will form a backdrop to the proposal. The development sits comfortably within the plot, providing appropriate spacing between built forms, in excess of what was considered acceptable within the surrounding development.

- 6.33. The principal elevation does not extend any further towards Brighton Road than the adjacent Free Wharf scheme. The double-height ground floor at the frontage is set significantly back from the road to account for the right-of-way associated with the car wash. This has resulted in the provision of a double-height colonnade feature, which adds visual interest as well as breaking up and softening the mass of built form, whilst providing a welcoming canopy for the residential and commercial entrances. This would be supplemented by appropriate landscaping and tree planting.
- 6.34. The DAS provides an assessment of townscape views on pages 63 to 66, together with indicative street scape views following this, which demonstrate that the scale of built form is entirely appropriate in this area of regeneration.
- 6.35. It is considered that it has been demonstrated that the scale and massing of the proposed development has been informed by the context of the surrounding area, particularly the ongoing development at Free Wharf, and would not have any harmful impact on the character or appearance of the area, in compliance with the aims of Policy 15 of the Local Plan, and Policies CA7 and SH9 of the JAAP.

DENSITY

- 6.36. Local Plan **Policy 22** (Density) states that new residential developments should achieve densities of a minimum of 35 dwellings per hectare (dph). Development in the defined town/village centres and Shoreham Harbour will be expected to achieve higher densities (discussed below).
- 6.37. This is confirmed in JAAP **Policy CA7** which states that new development should achieve densities of a minimum of 100 dwellings per hectare consisting of predominantly flatted development. There is no published maximum. The current proposal provides a policy compliant density of 228dph. The table below demonstrates that this is entirely commensurate with nearby schemes previously found to be acceptable. The density of the development as proposed is notably lower than the densities of the majority of nearby approved schemes.

Site	Number of Dwellings	Density
Land at 5 Brighton Road	45 (24 townhouses & 21 flats)	97 d/ha
Mariners Point	132	189 d/ha
Free Wharf	587	199 d/ha
37-41 Brighton Road	49	228 d/ha
Kingston Wharf	150	250 d/ha (ex commercial land)
Former Civic Centre Site	159	256 d/ha
69-75 Brighton Road	176	259 d/ha
The Mannings	74	264 d/ha

Table 5: Density of Development

6.38. The development is therefore in full compliance with Local Plan Policy 22 and JAAP Policy CA7. The number of units per hectare is significantly lower than multiple developments within the immediate vicinity that have been granted planning permission. The development would realise the potential of this underutilised brownfield site, in compliance with the overarching regeneration aims of the JAAP.

ACCESS, PARKING AND HIGHWAY SAFETY

6.39. Access to the site from Brighton Road is not proposed to change. There is a right of access to the slipway within the Free Wharf development in the south-east corner of the Site which shall be maintained (DAS page 47). As previously stated, there is a right of access to the adjacent car wash facility around three sides of the Site (DAS page 30).

6.40. The development scheme has been progressed in full awareness of Local Plan **Policy 28** (Transport and Connectivity), JAAP **Policy SH5** (Sustainable Travel), the Shoreham Harbour Transport Strategy, and the West Sussex County Council Guidance on Parking at New Developments (2020). It is also noted that the Site is located within Parking Behaviour Zone (PBZ) 3.

6.41. This application is accompanied by a Transport Assessment and a Framework Residential Travel Plan, undertaken by WSP. These reports were developed in consultation with West Sussex County Council as the Local Highway Authority. It should be noted that WSP completed the Transport Assessment work that supported the planning application for the Free Wharf development, and the same methodology and junction models have been used within this application's Transport Assessment.

- 6.42. Car parking spaces are provided within an undercroft car park and accessed via the side of the building, as is the case for many of the approved Free Wharf development buildings. The development originally proposed 18 car parking spaces, which is acknowledged to be below the policy requirement. However, the community engagement exercise highlighted local feelings towards car parking and as a direct result, the Applicant has made significant revisions to the development in order to increase the number of car parking spaces to 24, together with the inclusion of 2 car club spaces, which were recommended following pre-application advice.
- 6.43. The current indicative layout for the site provides 24 car parking spaces, a ratio of 0.49 spaces per residential unit assuming that all spaces are allocated to the residential use (with evidence showing that each car club space is the equivalent of 22 parking spaces, the site would effectively be providing 66 parking spaces, a ratio of 1.35 spaces per unit). EV charging will be provided in line with policy requirements.
- 6.44. As set out within section 3.9 of the Transport Assessment, there is no viable on-street / local unrestricted parking available to future residents of the proposed development who do not have access to one of the on-site parking spaces. It is therefore considered that the proposed development would not be attractive to residents wishing to own a car who do not have access to on-site parking. Regardless of this, the ratio of proposed parking provision is in line with other consented applications in the immediate area, as evidenced by paragraph 4.3.8 of the Transport Assessment.
- 6.45. Based on the standards set out in the West Sussex County Council Guidance on Parking at New Developments (August 2019), 27 long-stay cycle parking spaces would be required to meet the minimum parking standard. Originally, 28 cycle parking spaces were provided in line with policy requirements. However, as above, following the community engagement exercise, it was suggested that an overprovision be sought. The development now provides 32 cycle parking spaces and 2 spaces for cargo bikes.
- 6.46. The Transport Assessment demonstrates how the site is located in a very sustainable position and is therefore well placed to support the proposed development. Of particular note:
- The site is within 500m of Shoreham town centre and therefore, along with other retail and commercial facilities outside of the town centre area (which will include facilities within the neighbouring Free Wharf development and the commercial unit at the proposed development) residents will have easy access to the amenities required to support their day to day needs;

- The site is within a 200m / 2 minute walk of bus stops that provide a high frequency of service to key local destinations, with up to nine buses per hour running between the site and Shoreham town centre and Brighton and up to six buses per hour to destinations including Arundel, Littlehampton and Rottingdean. The local buses run throughout the day, from early in the day until late at night, with there also being a night bus that operates with an hourly frequency and provides access to Brighton, Shoreham and Worthing.
- The site is located approximately a 600m / 8 minute walking distance from Shoreham-by-Sea railway station. The station is managed by Southern trains, with services operating between London, Brighton, Littlehampton, Chichester, Portsmouth and Southampton. There is a good level of service provided, for example, up to 7 trains per hour to Worthing and 4 trains per hour to Brighton.

- 6.47. A Travel Plan will be in place at the development, providing incentives and measures to support and encourage residents and visitors to the apartments to travel by sustainable modes.
- 6.48. The proposed site layout safeguards land along the northern boundary in order to assist with the aspiration to provide space for a high-quality segregated cycle route along the A259 Brighton Road that would provide stepped separation from road vehicles and pedestrian facilities. As identified, secure and covered cycle parking will be provided at the Site, including spaces for wider/adapted bikes as well as an area for cycle maintenance.
- 6.49. The Transport Assessment demonstrates that the proposed development is forecast to have a negligible net impact on the level of vehicle trips generated to and from the Site. During the morning peak hour, when compared to the existing Kwik-Fit site use, the development is forecast to result in no increase in trip generation, although the direction of trips will change, with 8 fewer arrivals and 8 additional departures. During the afternoon peak hour, there is a net increase of just 8 vehicles, with 5 more arrivals and 3 more departures.
- 6.50. The Assessment demonstrates how the net impact of the proposed development on the highway network will be low. The result is an entirely acceptable impact on pedestrian and highway safety.
- 6.51. The proposed level of parking is considered sufficient based on the highly sustainable location of the Site, with it being within walking distance of Shoreham town centre and Shoreham train station. The Site is also served by local bus routes that run directly past the site on Brighton Road.

6.52. The Transport Assessment and Framework Residential Travel Plan identify how the development will reduce the need to travel by car and help deliver sustainable transport improvements, in full compliance with the aims of Policy SH5 of the JAAP.

APPEARANCE

- 6.53. Local Plan **Policy 15** relates to the quality of the built environment and states that, amongst other things, development should enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development. JAAP **Policy SH9** relates to place making and design quality and requires all development to demonstrate a high standard of design that enhances the visual quality of the environment, amongst other things.
- 6.54. Whilst appearance is reserved for subsequent consideration and does not form part of the outline application, illustrative drawings have been provided which indicate how the Applicant envisages the building will come forward. The design evolution of the scheme is discussed above and highlighted within the DAS.
- 6.55. The DAS also considers appearance and identifies, from page 72, existing materiality found throughout the area, whilst reviewing the approved finishes of the Free Wharf development, given its immediate context to the application Site. Local precedents are considered, and details of an indicative brick are provided, as well as examples of elevational opening options.
- 6.56. During the Stakeholder Engagement drop-in session, it was welcoming to hear a lot of complimentary comments relating to the design and finish of the development, as shown on the illustrative drawings and within the DAS. It is clear that the Site is deserving of a high-quality development. The specific details of the finish and appearance of the development will be provided and reviewed at the reserved matters stage, however, the submitted information provides a clear indication of the developer's intention to provide a high-quality development.

RESIDENTIAL AMENITY

- 6.57. **Policy SH9** states that, amongst other things, proposals must demonstrate that the effects of the development on the amenity of proposed future and existing users, residents and occupiers would not be unacceptable. When designing new development, applicants will be required to consider the effect of their proposal upon all of the following: Visual privacy and overlooking, outlook, overshadowing, sunlight and daylight, artificial lighting, disturbance from noise, odour, vibration, and air pollution.

Privacy and overlooking

6.58. To the rear of the Site is part of the approved and under-construction Free Wharf development scheme. There is a section of built form (building C1) essentially along the rear boundary of the Site, and whilst the central element of this building is given over to core circulation areas, it is acknowledged that there are additional windows serving main habitable rooms as well as a few balconies and terraces, which could potentially be impacted by the proposed development. In light of this, the DAS (Page 38) demonstrates that the scheme has been sited and designed to ensure an acceptable impact on the future occupiers of both developments. Separation distances are similar, if not greater than those previously accepted within the Free Wharf development, and the indicative layout of the development's flats and circulation spaces has been designed to mitigate any impact. Furthermore, balcony screens provide additional privacy.

Outlook

6.59. The illustrative drawings show that the majority of residential units are dual aspect and all units have at least one area of external private amenity space as well as use of communal green spaces. The spacing to the surrounding built form ensures a commensurate or better outlook than previously considered acceptable for the Free Wharf development, as highlighted within the DAS on page 38 and throughout the Daylight Impact Assessment. This ensures a reciprocal outlook from neighbouring residential units is not compromised, considered to be entirely acceptable within this high-density area of regeneration and comparable to previous approvals.

Overshadowing, daylight and sunlight

6.60. The application is supported by a Daylight Impact Assessment, undertaken by WSP. The report assesses the daylight impact of the proposed development on nearby residential buildings, focusing specifically on first-floor flats in Blocks C, C1, and D of the adjacent Free Wharf development. The assessment follows Building Research Establishment (BRE) and British Standards (BS EN 17037:2021) guidelines, using Climate-Based Daylight Modelling (CBDM).

Assessment Methodology

- A digital 3D model of the proposed and existing buildings was created.
- Internal daylight levels were assessed using realistic climate-based conditions.

- Rooms assessed include bedrooms and combined living/kitchen/dining (LKD) areas, considered primary living spaces under BRE guidelines.
- Two scenarios were analysed:
 - Baseline (existing site conditions)
 - Proposed (with the new development in place)

Assessment Metrics

- Target illuminance:
 - Bedrooms: 100 lux for 50% of the time
 - LKD Rooms: 200 lux for 50% of the time
- A room is compliant if at least 50% of its floor area meets the target illuminance during 50% of daylight hours.

Key Findings

6.61. Baseline Scenario:

- All assessed rooms met or exceeded daylight requirements (100% compliance).

6.62. Proposed Scenario:

- While some reduction in daylight was observed in certain rooms, all rooms still met the BRE target illuminance criteria.
- Compliance remained at 100% across all spaces assessed.
- The impact is therefore considered negligible.

6.63. The assessment confirms that the proposed development will have a negligible impact on the daylight levels in the nearest residential buildings. All rooms assessed in the Free Wharf development remain fully compliant with BRE guidelines. As such, the development is considered acceptable in terms of daylight, sunlight and overshadowing impacts on neighbouring properties, in full compliance with JAAP Policy SH9.

Noise

- 6.64. Local Plan **Policy 34** states that development should not result in pollution or hazards which prejudice the health and safety of the local community and the environment, including nature conservation interests and the water environment. Going on to state that new development in Adur will be located in areas most suitable for the use of that development to avoid risks from noise, air, odour or light pollution. Where appropriate, air quality assessments and/or noise assessments will be required in conjunction with development proposals.
- 6.65. **Policy SH7** of the JAAP states that development proposals should adhere to the following basic principles of noise control: Noise sources should be separated from sensitive receptors. Noise should be controlled at the source. Finally, the sensitive receptor should be protected.
- 6.66. Going on to state that particular consideration will be required in relation to noise generated by transport and arising from adjacent industrial, trade and business premises, construction sites, activities in the street and ongoing port and marine-related activities.
- 6.67. This application is accompanied by a Noise Assessment undertaken by WSP. The scope and approach of the Assessment have been agreed upon in consultation with Adur District Council's Environmental Health Section¹.
- 6.68. A baseline noise survey has been undertaken to inform the assessment, with the noise climate being dominated by road traffic from Brighton Road to the north. To the west of the site, the operation of the car wash facility was noted to be dominant, when in reasonably close proximity and during lulls in road traffic noise.
- 6.69. Following this, a digital noise model of the site, including traffic on Brighton Road and the commercial noise sources from the car wash, was developed and used to inform the assessment results.
- 6.70. The report concluded that there is potential for impacts on future occupiers' amenities when using the balconies along the western boundary in the southern section of the building on floors one through three. The report recommends that these be removed or replaced with winter gardens. This will be fully addressed at the detailed design stage. At higher level floors, the impact is considered acceptable.
- 6.71. The report goes on to conclude that daytime and night-time noise levels at the building façades of the predicted magnitudes indicated by the noise modelling can be suitably mitigated. In addition, potential issues of overheating on the Brighton Road façade can be

¹ Noise Assessment 70118838 Rev 2, May 2025 - Table 2-3 Page 19

suitably mitigated through appropriate controls, again to be determined at the detailed design stage and secured through an appropriate condition.

- 6.72. Subject to the recommended mitigation measures and detailed design to confirm the specification for glazing units, ventilators and overheating control, which can be secured via an appropriate condition, the development will fully align with the aims of Local Plan Policy 34 and JAAP Policies SH7 and SH9.

Air Quality

- 6.73. Local Plan **Policy 34** states that development should not result in pollution or hazards which prejudice the health and safety of the local community and the environment, including nature conservation interests and the water environment. Going on to state that new development in Adur will be located in areas most suitable for the use of that development to avoid risks from noise, air, odour or light pollution. Where appropriate, air quality assessments and/or noise assessments will be required in conjunction with development proposals.
- 6.74. **Policy SH7** of the JAAP states that Air quality impacts should be considered at an early stage in the design process to ensure that creating new exposure to poor air quality is avoided. Development proposals must be accompanied by an assessment of the air quality impacts for existing and future occupants. This assessment must have regard to the cumulative impacts of committed and planned development on air quality.
- 6.75. The Policy goes on to state that proposals will be required to demonstrate that appropriate mitigation measures are introduced to ensure that new and existing residents are not exposed to poor air quality.
- 6.76. This application is accompanied by an Air Quality Assessment undertaken by WSP. The Assessment covers both the construction and operational phases of the development. The Assessment considers the potential exposure of new occupants to poor air quality and outlines the inherent mitigation measures included in the design to minimise emissions of air pollutants.
- 6.77. It is confirmed that the Site does not fall within any identified Air Quality Management Areas (AQMA) and there is not an AQMA within 2km of the Site.
- 6.78. The Assessment confirms that a review of roadside monitoring data collected by the local authority, Adur District Council, over the past five years shows that air quality levels have improved in recent years. DEFRA's background mapping data for both current baseline and future years are below the relevant air quality standards, meaning that background

concentrations of Nitrogen Dioxide (NO₂), particulate matter (PM₁₀) and matter with a finer fraction (PM_{2.5}) are predicted to be well below standard tolerances. The application Site is therefore suitable for the proposed development and is unlikely to expose new occupiers and users to poor air quality.

- 6.79. The Assessment considers that construction activities have the potential to create dust, which in turn can have a negative impact on air quality. The Assessment acknowledges that measures will be required to mitigate the impact of the construction phase. These measures are identified in sections 6.1.1 and 6.1.2 of the assessment and can be secured via a suitable condition.
- 6.80. With the implementation of the proposed mitigation measures and adherence to good site practices, the residual effects of dust and PM₁₀ generated by construction activities are expected to be insignificant. The residual effects of emissions to air from construction vehicles and plant on local air quality are considered to be insignificant.
- 6.81. For the operational phase exposure assessment, the predicted future year concentrations are well below the relevant air quality standards and Exposure Criteria. Therefore, exposure of future site users to short-term NO₂ concentrations above the air quality standard objective is not anticipated. No additional operational phase mitigation measures are required.
- 6.82. The Assessment concludes that the proposed development is anticipated to have a minimal impact on local air quality. The Assessment has demonstrated that the development aligns with national and local air quality policies and that appropriate mitigation measures can be secured to address potential issues related to construction activities and operational emissions. By reducing emissions from existing sources and contributing to a healthier environment, the development can play a positive role in improving air quality in the area.
- 6.83. Subject to the recommended mitigation measures, which can be secured via an appropriate condition, the development will fully align with the aims of Local Plan Policy 34 and JAAP Policies SH7 and SH9.

HERITAGE

- 6.84. **Policy 17** of the Local Plans relates to the Historic Environment and states that new development which would adversely affect the setting of a Listed Building, in terms of design or materials, will not be permitted. This is considered in conjunction with paragraph 212 of the NPPF, which relates to the impact of a proposed development on the significance of a designated heritage asset.

- 6.85. The Site is located some 280m from the Shoreham-by-Sea Conservation Area, which is also the distance to the nearest Listed Building, 55-57 New Road. Given this significant separation distance, it is considered that the development as proposed, when viewed in the context of the surrounding Free Wharf development, and other ongoing intervening sites of redevelopment, will not result in any harmful impact on the setting of these heritage assets.
- 6.86. Notwithstanding this assertion, the DAS (pages 12, 13, 63, 64, 65) does consider the impact of the development upon these assets, identifying key views from within the conservation area. This demonstrates that there would either be no or minimal visibility of the development from these highlighted viewpoints. These impacts are considered to be entirely appropriate and would not result in any degree of harm to the setting of the heritage assets, in full compliance with Policy 17 and the NPPF.

ECOLOGY

- 6.87. Local Plan **Policy 31** (Biodiversity) seeks the enhancement of biodiversity, where possible. JAAP **Policy SH7** (Natural Environment, Biodiversity and Green Infrastructure) states that, amongst other things, all development applications must be accompanied by up-to-date ecological information to ensure no net loss, and seek to provide a net gain to biodiversity. Development proposals will be required to include schemes to conserve, protect and enhance existing biodiversity and to create appropriate habitats, taking into account appropriate coastal protected sites and species.
- 6.88. This application is accompanied by a Preliminary Ecological Appraisal (PEA), including a Preliminary Bat Roost Assessment (PBRA), undertaken by WSP.
- 6.89. The PEA confirms that the Site is located 0.63km west of the Adur Estuary Site of Special Scientific Interest (SSSI), a site of national importance which is subject to strict protection under the Wildlife and Countryside Act 1981 (as amended). Due to the proximity to the SSSI and the nature of the proposed development, consultation with Natural England prior to the commencement of the development will be required, but is not a constraint to the determination of the outline planning application. Three Local Nature Reserves (LNRs) and one National Park, also sites of national importance, were identified. Three Local Wildlife Sites (LWS) and three Designated Road Verges (DRVs) were present within 2km of the Site. With relevant best practice measures and precautionary method of works, long-term or permanent negative impacts as a result of the proposed development are not anticipated at any of the identified sites. These measures are highlighted in the recommendations of the PEA and it is usual practice for a condition to be used to ensure their use.

- 6.90. A site visit identified three primary habitats within the Site, mostly in the form of hardstanding. None of the habitats qualify as habitats of principal importance and there are no waterbodies within 10m of the Site. A small Berge of modified grassland is present to the north of the Site, but has limited suitability for protected species.
- 6.91. The existing building on Site was identified as low suitability for roosting bats, meaning that further surveys are required during the optimum survey season, May through August. The requisite survey was undertaken on the 6th of May 2025, during the active survey season. A copy of the Bat Survey Report, undertaken by WSP, accompanies this planning application.
- 6.92. The report confirms that no signs of bat activity or roosting bats were recorded during the survey. Therefore, roosting bats are likely absent from the existing building. Given the survey results, the low suitability of the building for roosting bats and the unsuitable nature of the surrounding habitat, it is considered that the presence of roosting, foraging and/or commuting bats within the Site is unlikely. The report states that the timing of works should adhere to good practice guidelines and avoid the bat hibernation period (November – March inclusive). Otherwise, ecological supervision of works by a suitably experienced ecologist, including the demolition of the existing building, may be required for the development to proceed. The report confirms that no further mitigation or enhancement measures are required.
- 6.93. As identified below, there will be an obvious net gain in biodiversity, although the specific details will be considered under the reserved matters. Notwithstanding, the development is considered fully compliant with the overarching aims of Policy 31 and Policy SH7.

LANDSCAPING

- 6.94. Local Plan **Policy 15** relates to the quality of the built environment and states that, amongst other things, development should enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development. JAAP **Policy SH9** relates to place making and design quality and lists landscaping as an important characteristic of any future development.
- 6.95. Whilst landscaping is a reserved matter and does not form part of the consideration of this application, the overarching scheme identifies areas suitable for soft landscaping and provides illustrative ideas as to how these could come forward under the reserved matters application. The landscaping potential of the Site has been considered throughout the design process to date and strengthened further following the community engagement exercise. The DAS (page 60) and the submitted illustrative plans indicate the areas that will provide ecological

enhancement. It is clear that the development will entail a significant increase in biodiversity when compared to the existing baseline.

BIODIVERSITY NET GAIN

6.96. The Environment Bill was brought into law on the 8th of November 2021 and now requires all developments to provide a biodiversity net gain (BNG) of at least 10%. On sites where these biodiversity gains are secured, they would have to be managed for at least 30 years. National Guidance¹ provides a number of exemptions from BNG provision. One of these being development below the threshold, which includes a development that does not impact a priority habitat and impacts less than:

- 25 square metres (5m by 5m) of on-site habitat;
- 5 metres of on-site linear habitats such as hedgerows.

6.97. A development is considered to impact a habitat if it decreases the biodiversity value. The submitted PEA confirms that the Site is not and does not form part of a priority habitat, nor is it in close proximity to one to cause impact. The majority of the site is laid to hardstanding with a small area of unkept grass to the frontage. This small landscaping strip would be retained, extended and improved as part of the development proposals. There are not any linear habitats such as hedgerows within the Site. Figure 6 below identifies small areas of unkept grass that will be lost (shaded dark green), totalling 24.4 m². Therefore, given that the development impacts less than 25 m² of on-site habitats and less than 5 metres of on-site linear habitats (zero in this instance), the development is exempt from the provision of the statutory BNG.

¹ <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

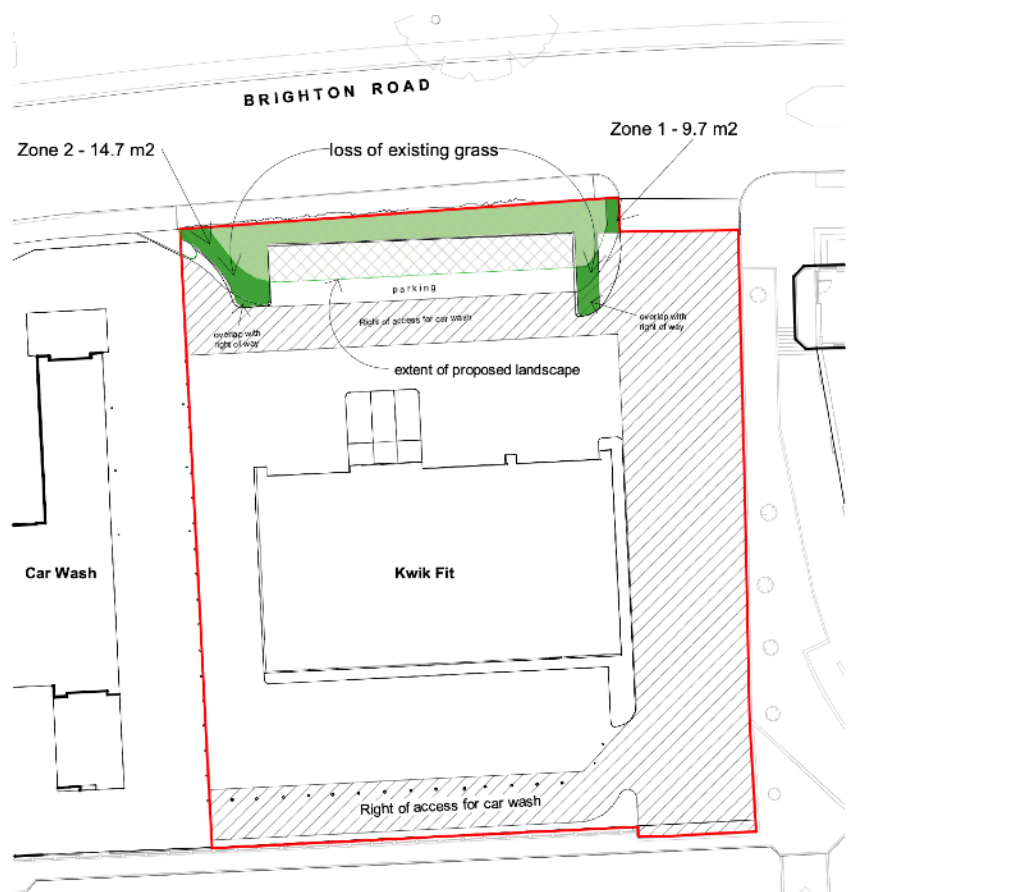


Figure 6: BNG Exemption

- 6.98. Notwithstanding, it is envisaged that the development will provide an uplift in biodiversity and ecological enhancement when compared to the existing situation on the Site as indicated by the opportunities identified within the PEA and the illustrative landscaping scheme. However, given that landscaping is reserved for subsequent consideration, a detailed scheme is not provided at this stage and will form part of the reserved matters. The development would fully accord with **Policy 31** of the Local Plan, which states that all development should ensure the protection, conservation, and where possible, enhancement of biodiversity, including nationally and locally designated sites, Biodiversity Opportunity Areas (BOAs), marine habitats and other Biodiversity Action Plan (BAP) habitat areas, wildlife corridors, and protected and priority species. As identified, the development will demonstrate an enhancement of biodiversity through the proposed landscaping scheme to be considered under the reserved matters.
- 6.99. **Policy SH7** of the JAAP relates to the natural environment, biodiversity and green infrastructure. In respect of biodiversity, the policy requires development to ensure no net loss and seek to provide a gain, and identifies measures to enhance biodiversity. As identified, the development would not result in a net loss of biodiversity and, through the subsequent

reserved matters, will provide a significant net gain and will ensure the appropriate measures identified in Policy SH7 are incorporated in the ecological enhancement strategy.

OPEN SPACE PROVISION

- 6.100. JAAP **Policy SH9** states that, amongst other things, all new residential development will be required to provide useable private outdoor amenity space appropriate to the scale and character of the development.
- 6.101. Every residential unit proposed has access to its own private amenity area, either in the form of a balcony or terrace. In total, 623 square metres of private amenity space is provided, alongside a further 150 square metres of communal green amenity space.
- 6.102. The Adur and Worthing Open Space Study 2019 has been fully reviewed as part of the design proposals. This identifies the level and type of open space developments are expected to provide. As a minimum, amenity green space should be provided on site. It also acknowledges that not all developments will be able to accommodate these requirements on-site. When this is the case, a financial contribution will be sought in lieu of on-site provision. A cost calculator is provided as part of the study, which the Council uses to calculate the level of contribution required.
- 6.103. JAAP **Policy CA7** states at point 17 that where open space requirements cannot be met on site, development will be expected to contribute towards the creation of the proposed green corridor along the A259, and/or existing open spaces, such as The Ham and Kingston Beach.
- 6.104. Whilst available space for amenity use within the Site is constrained and therefore impractical by reason of the right of access to the adjacent car wash, the proposal does provide a significant element of amenity green space within the scheme as well as the potential for a children's play space and further communal spaces. This demonstrates an innovative and inclusive design rationale, although the final scheme will form part of the landscaping details to be subsequently considered as part of the reserved matters.
- 6.105. On the basis of the information and indicative layout provided, the Applicant has provided a breakdown of the relevant cost calculator in Appendix 1. The required contributions can be secured through a legal agreement.

INFRASTRUCTURE

- 6.106. **Policy 29** of the Local Plan states that development will be required to provide or contribute to the provision (and where appropriate, maintenance) of facilities, infrastructure and services

made necessary by development, or where it gives rise to a need for additional or improved infrastructure.

6.107. This application is accompanied by a Utilities Statement, undertaken by WSP. This identifies the relevant utility providers and evidence that enquiries have been made and notifications given of the proposed development. None of the responses received raises any issues, and the developer will work with the providers to ensure appropriate connections and capacity are provided with no detrimental impact on service provision to existing users.

SUSTAINABLE TRANSPORT

6.108. **Policy SH5** of the JAAP relates to sustainable travel and requires new development to demonstrate how it intends to reduce the need to travel by car and help deliver sustainable transport improvements as identified in the Shoreham Harbour Transport Strategy, amongst other things.

6.109. This application is accompanied by a Framework Residential Travel Plan and Transport Assessment, prepared by WSP, and collectively demonstrate that the development is well-positioned within a highly accessible location, approximately 500 metres from Shoreham-by-Sea town centre and within close walking distance to Shoreham railway station and numerous local amenities, thereby significantly reducing the need for car travel.

6.110. The site benefits from excellent public transport connectivity, with frequent bus services along the A259 corridor and direct train links to key regional destinations, including Brighton, London, and Gatwick Airport. These connections are complemented by high-quality pedestrian and cycling infrastructure, existing and proposed, including National Cycle Network routes and planned improvements along the A259, to which the development will contribute land. Additionally, the development design incorporates appropriate levels of cycle parking in line with West Sussex County Council standards and encourages walking and cycling through the provision of travel information and promotion of non-car modes. Car ownership within the development will be reduced through the provision of a two-vehicle car club, equivalent to 44 car parking spaces.

6.111. The Travel Plan includes specific targets and measures to encourage modal shift, such as the appointment of a Travel Plan Manager, the dissemination of sustainable travel information to residents, and active engagement with the area-wide Shoreham Harbour Travel Behaviour Change programme. The development also aligns with the JAAP's vision by safeguarding routes for future cycle and pedestrian access, integrating green infrastructure, and maintaining permeability through the site.

6.112. Through these interventions, the proposed development not only complies with but actively supports the aims of Policy SH5 to reduce car dependency, promote sustainable travel choices, and contribute to a cohesive and sustainable transport strategy for the Western Harbour Arm regeneration area.

FLOODING

6.113. **Policy 36** of the Adur Local Plan relates to Flood Risk and Sustainable Drainage and requires a site specific flood risk assessment to be submitted for all developments or changes of use to a more vulnerable use in Flood Zones 2 and 3. The Policy goes on to state that the flood risk assessment will need to demonstrate that development:

- is appropriately flood resilient and resistant, includes safe access and escape routes where required, and that any residual risk can be safely managed;
- will be safe for its lifetime taking account of the vulnerability of its users;
- will not increase flood risk (including sewer flooding, surface water and groundwater flood risk) elsewhere;
- will, where possible, reduce flood risk overall; and
- will give priority to the use of sustainable drainage systems.

6.114. The flood risk assessment will also need to demonstrate that, where possible, higher vulnerability uses have been located on parts of the site at the lowest probability of flooding.

6.115. **Policy SH6** of the JAAP is also relevant and states that, amongst other things, residential development proposals must protect against a breach scenario through the application of an appropriate finished floor level of 5.77m AOD.

6.116. The application Site is located within Flood Zones 2 and 3¹, therefore, this submission is accompanied by a Flood Risk Assessment (FRA), undertaken by WSP. The FRA sets out the flood risk to the proposed development and the potential impacts of the proposed development on flood risk off-site. It should be noted that all proposed built development is directed within Flood Zone 2 only.

6.117. The 'Sequential and Exception Test for the Proposed Submission Adur Local Plan 2014' by Adur District Council sets out the Sequential and Exception test for the site allocation in the local plan under Policies 8 and CA7. The report concludes that the Shoreham Harbour area

¹ FRA 70118838 May 2025 - Figure 10 Page 18

where the proposed development is located, passes the sequential test. The development complies with the National Planning Policy Framework (NPPF) and local planning policy with respect to flood risk and is an appropriate use in this location.

- 6.118. The proposed development is in Flood Zones 2 and 3. The risk of flooding is associated with the River Adur, which is tidal. The FRA has assessed all sources of flooding, those being fluvial, tidal, surface water, groundwater, sewer, and artificial sources. The Environment Agency (EA) provided pre-application advice¹ in November 2024, and confirmed that flood compensation will not be needed for the proposed development as it is under tidal flood risk.
- 6.119. The EA's latest modelled 0.5% design flood level, excluding climate change, is 4.24m Above Ordnance Datum (AOD). Using the latest climate change allowances for the "upper end" scenario (an additional 1.6 m cumulative rise in sea level to 2125), a design flood level of 5.84m AOD for residential use was agreed with the EA during pre-application discussions. The residential finished floor levels are set at a minimum of 8.0m AOD, 2.16m above 0.5% design flood level plus the latest allowance for climate change level.
- 6.120. The EA's latest modelled 0.5% design flood level for the undefended scenario is 5.39m AOD. The proposed commercial finished floor levels to 4.40m AOD. Therefore, it is proposed to include flood resilience and resistance measures into the structure of the building and the commercial development to mitigate the residual risk of floodwaters entering the site. These measures will follow the guidelines from the DEFRA/EA document "Improving the Flood Performance of New Buildings – Flood Resilient Construction". These measures aim to prevent floodwater from entering the building by implementing barriers and low permeability materials in walls and floors.
- 6.121. In addition, flood-resilient techniques will be used to ensure that if water does enter during severe events, the building remains usable afterwards. This involves using materials that maintain structural integrity and facilitate drying and cleaning. Furthermore, barriers will be integrated to prevent vehicles from floating away during flooding incidents, enhancing overall safety and resilience. This was discussed with the EA and was agreed to be appropriate.
- 6.122. The EA 'Flood Risk from Reservoirs' map² shows that the proposed development does not fall within the maximum extent area at risk of flooding from reservoirs, neither when river levels are normal nor when there is also flooding from rivers. The proposed development is also not

¹ FRA 70118838 May 2025 - Appendix G

² FRA 70118838 May 2025 - Figure 18 Page 31

at flood risk from sewers, therefore, the likelihood of flooding from artificial sources for the proposed development is considered to be low.

- 6.123. The proposed development has a very low probability of surface water flooding, based on the EA's flood map¹ for planning from surface water. The surface water flood risk within the proposed development area is entirely managed by on-site drainage features and the same is detailed within the Surface Water Drainage Strategy².
- 6.124. The FRA clearly demonstrates compliance with Policy 36, the development is appropriately flood resilient and resistant, includes safe access and escape routes where required, and that any residual risk can be safely managed; it will be safe for its lifetime taking account of the vulnerability of its users; it will not increase flood risk (including sewer flooding, surface water and groundwater flood risk) elsewhere; and will give priority to the use of sustainable drainage systems, as will be demonstrated.

DRAINAGE STRATEGY

- 6.125. With regard to sustainable drainage, Local Plan **Policy 36** states that new development within Adur must include some form of Sustainable Drainage System (SuDS) or other appropriate design measures in order to reduce the risks of surface water flooding and to mitigate the risk of pollution to groundwater sources. SuDS should be considered before other forms of disposal.
- 6.126. Substantial storage through SuDS will be required to achieve a reduction in runoff to levels below those experienced prior to development. On relevant sites, storage of runoff during the high part of the tidal cycle should be addressed. SuDS must be designed sensitively and must seek to enhance landscapes, increase biodiversity gains, and provide quality spaces.
- 6.127. For all developments, applicants will be required to demonstrate that acceptable management arrangements are in place and funded to ensure the ongoing maintenance of SuDS into the future.
- 6.128. **Policy SH6** of the JAAP states that, amongst other things, proposals should demonstrate how the risks of surface water runoff and water pollution have been reduced, including through the introduction of sustainable drainage systems (SuDS) and water capture/recycling technology. SuDS must also be applied to hard landscaping (including paving and road carriageways).

¹ FRA 70118838 May 2025 - Figure 15 Page 26

² Surface Water Drainage Strategy 70118838 May 2025

- 6.129. New developments must incorporate open space, appropriate planting, green roofs and/or green walls (suitable for coastal growing conditions) to reduce levels of surface water runoff and consequent risk of flooding.
- 6.130. The application is accompanied by a Surface Water Drainage Strategy (SWDS), undertaken by WSP. The existing site is fully hard-surfaced and impermeable, with gullies and chambers across the site, outfalling to the highway drainage system for Brighton Road. The SWDS confirms that the Site has a very low probability of surface water flooding¹.
- 6.131. Whilst the proposed development does include enlarged and additional areas of landscaping, for the purposes of calculating the drainage solution, the impermeable area of the site post-development is considered to be equal to that of the pre-development site.
- 6.132. To provide a robust drainage solution to reduce flood risk downstream, the brownfield discharge rate for 1-year event will be used with 50% betterment i.e. 17.20 l/s, during all rainfall event up to and including 100-year rainfall event with 40% climate change, which requires approximately 112m³ of attenuation volume which can be provided within the site. Given the outline nature of the proposals, the detailed design of the surface water drainage solution will include the exact location and dimensions of the proposed attenuation facility. However, the indicative drawing at Figure 5 on page 8 of the SWDS suggests that the attenuation tank can be accommodated below the right of access to the car wash in the north section of the Site.
- 6.133. Guidance stipulates that the surface water drainage system must be designed to prevent flooding on any part of the site during a 1 in 30-year rainfall event. Additionally, it should ensure that no flooding occurs in any part of a building, including basements, or in any utility plants susceptible to water during a 1 in 100-year event. The detailed design of the surface water drainage system will consider these parameters, with pipe networks appropriately arranged to meet these requirements.
- 6.134. The existing site, sloping north towards Brighton Road, will maintain this gradient in the proposed development. During extreme rainfall events, exceedance flow will be directed towards Brighton Road, where it will be captured by the Brighton Road drainage system.
- 6.135. The use of planting, landscaping areas with bioretention features and permeable paving at the ground level will offer further improvement in post-development peak run-off both qualitatively and quantitatively. The amount of potential improvement to the surface water run-

¹ Surface Water Drainage Strategy 70118838 May 2025 - Figure 2 Page 3

off post development is dependent upon the landscaping design and shall be addressed at the detailed design stage as it is a reserved matter.

- 6.136. The SWDS confirms that runoff from residential roofs is considered a very low risk of pollution hazard and does not require any pollution control measures except removal of gross solids and sediments only. This can be achieved by the use of trapped gullies, silt traps and catchpits, etc. in the surface water drainage system. The detailed design of the drainage will consider and include these provisions where appropriate.
- 6.137. Residential car parks and internal roads are considered low risk areas for containing contaminants. Provision of pollution control elements and treatment prior to discharging in the receiving drainage network shall ensure a significant improvement to the quality of the surface water run-off from the existing Site arrangements.
- 6.138. SuDS components at the Site are not to be adopted and will be maintained for their lifetime by the managing company of the development. This will form part of the detailed drainage design and be secured in perpetuity by an appropriate condition.
- 6.139. The SWDS clearly demonstrates that the principle of a sustainable urban drainage system on the Site is achievable, in full compliance with the relevant aims of Local Plan Policy 36 and Policy SH6 of the JAAP.

SUSTAINABLE DEVELOPMENT

- 6.140. **Policy SH1** of the JAAP relates to climate change, energy and sustainable building and requires the inclusion of a Sustainability Statement with all relevant planning applications. **Policy 18** of the Adur Local Plan relates to sustainable design and requires all new residential dwellings to achieve a water efficiency standard of no more than 110 litres per person per day (LPD).
- 6.141. This application is accompanied by an Energy and Sustainability Statement, undertaken by WSP. The sustainability element of the statement is structured around a series of sustainability themes derived from national and local policies. These include energy, air quality, flood risk and drainage, ecology, transport, land contamination, waste, noise, daylight, utilities, and economic impacts. These themes were examined through detailed specialist reports that accompany this planning application. The findings confirm that the proposed development responds proactively to local planning policy by incorporating measures that contribute to environmental performance and quality of life outcomes.

6.142. The development achieves a 70.8% reduction in regulated carbon emissions against 2021 Building Regulations Part L baseline figures, significantly exceeding the 31% regulatory minimum. This is achieved through the "Be Lean, Be Clean, Be Green" energy hierarchy:

- Be Lean: 60.2% reduction in carbon emissions through passive design, enhanced fabric performance, and efficient systems.
- Be Clean: Incorporation of air source heat pumps and readiness for future district heat network connection.
- Be Green: Installation of solar PV systems, meeting the 10% renewable energy target.

6.143. With regard to Policy 18 of the Local Plan, the development meets the required water efficiency standard of 110 litres/person/day and delivers high standards of sustainable design, confirmed through assessments of daylight provision, ventilation, and overheating. It also supports Policy SH1 of the JAAP by minimising carbon emissions, maximising resource efficiency, enabling renewable energy deployment, and integrating sustainable transport options. The transport strategy includes limited car parking with associated car club, increased cycle provision, and electric vehicle infrastructure. Moreover, measures to enhance biodiversity and mitigate ecological impacts reflect a commitment to environmental stewardship.

6.144. The Energy and Sustainability Statement demonstrates that the scheme is designed with high environmental standards, integrates renewable technologies, and supports the broader climate change, housing, and regeneration goals of the Shoreham Harbour Regeneration Area.

RENEWABLE ENERGY

6.145. Local Plan **Policy 19** states that all new major development will be expected to incorporate renewable/low carbon energy production equipment to provide at least 10% of predicted energy requirements.

6.146. **Policy SH1** of the JAAP relates to climate change, energy and sustainable building and requires the inclusion of a Sustainability Statement with all relevant planning applications.

6.147. This application is accompanied by an Energy and Sustainability Statement, undertaken by WSP. The energy element of the statement confirms that all renewable energy technologies have been considered for their feasibility on the Site. It was concluded that the most appropriate form of renewable technology for the building would be to utilise Photovoltaic (PV) panels on the main large flat roof. In terms of energy supply efficiency, the proposed

specifications for an air source heat pump with radiators and underfloor heating as emitters will deliver >90% efficiency.

- 6.148. The application of low carbon technologies has been explored; the application of a district heating network has not been considered for the assessment at this stage as it has not been built yet. However, the identified plant room location will facilitate the required connections if and when a district heating network is brought forward.
- 6.149. The statement confirms that calculations based on preliminary assumptions show that the development will achieve more than +60% overall improvements above Building Regulations standards.
- 6.150. The statement clearly supports the proposed development by showing strong alignment with the aims of Local Plan Policy 19 and JAAP Policy SH1. It demonstrates that the proposed development will achieve substantial carbon emissions reductions, incorporate renewable energy technologies, and be capable of integrating with a future district heat network, fulfilling both local and national energy efficiency and sustainability goals.

WASTE AND RECYCLING

- 6.151. In relation to waste and recycling, JAAP **Policy SH7** states that all development proposals will be required to incorporate facilities that enable and encourage high rates of recycling and re-use of waste and materials. All new development will be required to demonstrate that waste is minimised both during the construction phase and the lifetime of the building. Development proposals shall be accompanied by a Site Waste Management Plan.
- 6.152. This application is accompanied by a Waste Management Strategy, undertaken by WSP. The strategy identifies how the development complies with the requirements of Policy SH7 under the following headings:

Residential Waste Management

- 6.153. Each dwelling will include segregated internal waste bins. A ground floor waste store will house refuse, recycling, and food waste containers (7 x 1,100L refuse bins, 7 x 1,100L recycling bins, and 4 x 240L food waste bins), based on BS5906:2005 standards and local policy.
- 6.154. Waste will be collected directly from the store, which is less than 10m from the road, by Adur & Worthing Councils' waste contractors. The route from the store to the collection vehicle will be level, hard-surfaced, and fully accessible.

6.155. The waste store will feature washable surfaces, floor drainage, ventilation, lighting, and a nearby water point, supporting hygiene and ease of maintenance.

Commercial Waste Management

6.156. Using Class E usage assumptions (restaurant as a worst-case scenario), weekly waste is estimated at 1,728L (864L refuse, 691L recycling, 173L food). The commercial bin store is separate to the residential bin store and will include 1 x 1,100L refuse, 1 x 1,100L recycling, and 1 x 240L food waste bins. The commercial tenant will be responsible for managing the storage and transport of waste to the bin store, appointing a licensed contractor, and educating staff to ensure proper segregation.

Construction Waste Minimisation

6.157. The strategy aligns with Policy SH7's requirement to reduce waste throughout the building's lifetime. Given the outline nature of the application, it would be premature to provide a Site Waste Management Plan at this stage, and it will form part of the detailed design phase.

6.158. The Waste Management Strategy incorporates robust measures for waste minimisation, segregation, and recycling, fulfilling the aims of Policy SH7. The strategy promotes a sustainable approach to waste, supporting circular economy principles and high environmental standards in line with local and national guidance.

ECONOMIC IMPACTS

6.159. This application is accompanied by an Economic Impact Assessment, undertaken by WSP, and sets out the economic benefits of the proposed development.

6.160. Adur faces a significant housing shortfall, with past delivery falling well below both the Local Plan target of 177 homes per year and the Strategic Housing Market Assessment's estimate of 248 homes annually. The delivery of new homes on this Site will contribute to addressing these deficits, particularly in affordable housing, where historic provision has consistently fallen short of the 30% target. Local housing costs, both purchase and rental, have outpaced regional and national trends, underlining the urgent demand for new supply.

6.161. During the construction phase, the development is estimated to generate around 38 full-time equivalent (FTE) jobs, equating to 19 FTEs annually over an anticipated two-year build period. These roles will primarily benefit workers from the local and regional area. This activity will also produce gross value added (GVA) to the local economy and stimulate additional employment through the supply chain and associated effects.

- 6.162. Once operational, the development will accommodate up to 169 residents and generate substantial annual household spending estimated at £4.3 million, a significant injection into the local economy. The commercial unit is expected to support three jobs and produce annual business rates of over £5,000, enhancing council revenues. The residential component will generate over £100,000 annually in Council Tax, and a one-off New Homes Bonus payment of approximately £280,000.
- 6.163. Importantly, this redevelopment will repurpose an underutilised brownfield site in an area identified for regeneration. The proposed design takes cues from nearby developments, ensuring appropriate scale and integration into the urban fabric.
- 6.164. The proposed development will help meet Adur's pressing housing needs, support local employment and economic activity during construction and ongoing operation, and contribute to strategic regeneration goals, making it a highly positive and policy-aligned proposal.

FIRE SAFETY

- 6.165. With regard to fire safety, the Applicant is fully aware of the HSE Gateway One consultation process. However, given the outline nature of the application, it is premature to go through this process at this stage. Notwithstanding, the scheme has been developed fully in line with current Building Regulation principles. At the detailed design stage, fire safety consultants, mechanical and electrical services consultants, and structural engineers will be fully involved to ensure fire safety compliance with all current requirements. It is envisaged that a suitable condition will be used to ensure this is facilitated.

CONSTRUCTION MANAGEMENT

- 6.166. Given the specific constraints of the Site, namely the right of access to the adjacent car wash, the Applicant acknowledges that a robust construction management plan will be fundamental to the success of the development. Whilst the provision of a detailed construction management plan will not be provided until the scheme is at the detailed design stage following agreement of the reserved matters, the Applicant considers it important to demonstrate that, in principle, the constraints of the Site do not preclude its physical redevelopment.
- 6.167. The DAS provides details relating to the anticipated construction strategy on page 61. This identifies the anticipated actions required in order to ensure the adjacent car wash facility can continue to operate unhindered and in an entirely safe and secure manner. It is envisaged that

an appropriate condition will require the submission of a detailed construction management statement.

STAKEHOLDER ENGAGEMENT

6.168. Given the scale of the proposed development, following the receipt of pre-application advice from the LPA, the Applicant revised the proposed development and then engaged the local community. This application is therefore accompanied by a Statement of Community Involvement (SCI), facilitated by Fairthorn Consultancy.

6.169. The purpose of the community engagement exercise was to ensure meaningful engagement with local stakeholders, residents, and statutory consultees. The objective was to inform, consult, and respond to local views prior to submission, promoting transparency and collaboration.

6.170. In order to facilitate this, the Applicant utilised the following engagement methods:

- Website: A dedicated consultation website was launched with detailed information, visuals, and a feedback form.
- Postcard Drop: Approximately 1,700 postcards were distributed to local addresses inviting them to participate online or attend a drop-in session to meet the development team and discuss the proposals in person.
- Online Survey: A feedback form collected views on the proposal, with the opportunity to comment and suggest improvements.
- Stakeholder Notification: Key stakeholders, including local councillors and community groups, were notified directly.

6.171. Following the drop-in event and online survey, it was clear that many respondents supported the principle of the redevelopment of the underused Site and welcomed new housing opportunities. They understood that the Site was allocated for redevelopment. Respondents supported the high-quality architecture and sustainability features but asked for more green space and community integration.

6.172. In addition, a number of concerns were raised; these principally consisted of issues with parking capacity and accessibility, lack of uptake of commercial spaces in the area, building height and massing, and potential loss of views or light.

6.173. The Applicant carefully considered the points raised, and following this exercise, significantly revised the proposals. These are discussed in full within the DAS on pages 40 to 43. In summary, these include:

- A 30% increase in the number of car parking spaces;
- The provision of two disabled parking spaces;
- An increase in the number of cycle parking spaces;
- The realignment of frontage trees to ensure their retention when the future cycle lane is incorporated;
- Increased biodiversity enhancements and green energy generation;
- Reduction in the size of the commercial unit and repositioning of the residential entrance closer to the town centre

6.174. The SCI demonstrates that the applicant has actively engaged with the local community in line with best practice and Adur District Council guidance. The feedback helped shape the final proposal, ensuring it responds to local aspirations and planning policy.

DRAFT HEADS OF TERMS

6.175. The draft Section 106 Heads of Terms are provided in Appendix 2 of this statement. The identified contact details should be redacted prior to planning record publication.

7. Conclusion

- 7.1. This Planning Support Statement has been prepared on behalf of Blenheim Estates Ltd in respect of 'the Site' at 37-41 Brighton Road, Shoreham-by-Sea, Adur, West Sussex, BN43 6RE. The application proposes;
- Outline application for the demolition of the existing building and the erection of a one to nine-storey block of residential apartments, a commercial unit (Class E), with associated cycle parking and car parking.
- 7.2. The proposed development represents a sustainable and policy-compliant opportunity to deliver 49 high-quality residential units, including 30% affordable housing, on a brownfield site that is specifically allocated for mixed-use redevelopment within the Shoreham Harbour Joint Area Action Plan (JAAP). The Site forms part of allocation WH6 and is identified for delivery during the current plan period, aligning directly with the spatial and housing strategies of both the Adur Local Plan and the JAAP.
- 7.3. Significantly, Adur District Council is currently unable to demonstrate a five-year supply of deliverable housing land, with the latest figure standing at just 3.3 years. As a result, paragraph 11(d) of the National Planning Policy Framework (NPPF) is engaged, which introduces the presumption in favour of sustainable development. In this context, the policies most important for determining this application are considered out-of-date, and planning permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate that development should be restricted.
- 7.4. No such restrictive policies are applicable to this Site. It is not located within a protected area, nor does it involve heritage assets, irreplaceable habitats, or designated landscapes that would trigger paragraph 11(d)(i) of the NPPF. The proposal, therefore, benefits from the 'tilted balance' in favour of approval.
- 7.5. The application accords with the development plan in principle and contributes positively to local housing need, urban regeneration objectives, and placemaking ambitions set out for the Western Harbour Arm. It does so while preserving the opportunity for the remainder of the WH6 allocation to come forward in the future, maintaining access for existing adjacent uses, and delivering development that is well-considered in scale, density, and amenity.
- 7.6. The proposed development constitutes sustainable development as defined by the NPPF. Given the acute housing land supply shortfall and the full alignment of the proposals with both

local and national policy aims, the Council is respectfully urged to grant outline planning permission without delay.

- 7.7. If the Local Planning Authority requires any further clarification on any points raised, or if there are any issues that arise during the consideration of this application which would preclude the granting of planning permission, we would be grateful if we could be made aware and given the opportunity to respond prior to determination. This concludes the Planning Support Statement.

Appendix 1 - Open Space Cost Calculator

Number of dwellings	Enter number	Equivalent people	Open Space requirement	Required msq per person	Cost per msq	Total requirement (msq)	Cost of provision (£)	On site required?	Required quantity on site (msq)	Enter actual provision on site (msq)	Difference between required quantity on site and actual provision	Value of provision	Contribution required	Commuted sum required	Annual commuted sum (£)	Total commuted sum over 15 year period (£)
1 bed	14	18.2	Allotments	2	22.34	161.40	£3,606	0	None	0	0	0	£3,606	0	0	0.00
2 bed	30	57	Amenity Green Space	6	20.24	484.20	£9,800	Y	484	150	334	3,036	£6,764	Y	257,334	3,860.01
3 bed	5	12.5	Parks & Recreation Grounds	8	92.94	645.60	£60,002	0	None	0	0	0	£60,002	0	0	0.00
4 bed		0	Play Space (Children)	0.6	168.76	48.42	£8,171	0	None	0	8	0	£8,171	0	112,3228	1,684.84
5 bed		0	Play Space (Youth)	0.6	114.34	48.42	£5,536	0	None	0	0	0	£5,536	0	0	0.00
Elderley 1 bed		0	Natural Green Space	10	20.24	807.00	£16,334	0	None	0	0	0	£16,334	0	0	0.00
Elderley 2 bed		0														
TOTAL	49	80.7		27.20		2,195	£103,449		484			3,036	£100,413		369,6568	

Appendix 2 - Draft S106 Heads of Terms

Please see the relevant attachment.

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