Development Management – Delegated Officer Report

Application Number: AWDM/0461/24 Recommendation: APPROVE

Site: Foreshore North And East Of Shoreham Sailing Club And Land At East Corner Of Car Park, Harbour Way, Shoreham-by-Sea

Proposal: Remedial work to rock armour and surrounding area of Soldier's Point, Shoreham, including addition of a roundhead and improvements to landscaping.

Date of Site Visit: 10 June

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

This application seeks full permission for remedial work to the rock armour and surrounding area at Soldier's Point which is accessed at the eastern end of Harbour Way. The proposal consists of 5 main elements:

- Deepening the profile of the existing rock armour
- Adding a roundhead to the profile of the existing rock armour
- Removal of timber structure
- Adjustment of Shoreham Sailing Club fence line alignment
- Additional landscaping to delineate footpath

The application has been accompanied by a number of supporting documents including a heritage assessment, flood risk assessment, contamination report and ecological appraisal. During the determination of the application, a Ground Investigation Report was submitted following the receipt of comments from the Environment Agency.

The existing flood risk measures were implemented at the development site as part of the Shoreham Adur Tidal Walls flood defence scheme but it is stated that following changes to the local environment and coastal processes, the condition of these flood risk management assets has deteriorated and hence the proposed works are now required.

The application site is between Shoreham Fort and The Harbour Club. It is adjacent to Shoreham Sailing Club and a car park off Harbour Way. The site is bounded by a public beach and the River Adur to the north, and the River Adur to the east.

Planning History:

The site was part of the Adur Tidal Walls flood defence scheme originally granted permission in 2016 and which has been subject to around a dozen subsequent applications amending the scheme, largely consisting of non material amendments and variations to condition, all approved.

Consultations:

Environmental Health - no objection

West Sussex County Highways

The remedial works to the rock armour and surrounding area of Soldiers Point will require the installation of new revetments and as such will use a combination of existing material on site as well as importing 785sqm of rock.

The site is located next to Shoreham sailing club and will utilise the existing car park on Harbour Way as a site compound to store plant and machinery associated with the works. There will also be enough space to store materials. This is located with the public highway and as such the applicant will need to arrange for a licence to temporarily close this section on the highway to the public. An informative at the end of this response explains what the applicant will need to do.

The applicant has provided a CEMP which plans for the storage and delivery of plant, machinery, and materials to progress the works. WSCC are satisfied with this document.

Plant and Machinery will be delivered via a hi-ab lorry, and it's not expected to require more than 3 deliveries. In addition, the rock required to create the revetment will be transported from Albion Wharf within Shoreham Harbour and transported via the A259 and local roads (Beach Green/Riverside Road/Harbour Way) to the site. This is a short journey, and it is not expected to require more than 10 one-way HGV trips per day (5 two-way). A skip will also be required to be placed in the highway and this will also require a license. (See informative).

The car park remains closed whilst it is in use by the contractors however Harbour Way has plenty of parking, to accommodate any displaced parking in the short term. The works will take approximately 12 weeks to complete so will be temporary in nature.

Environment Agency

No objection subject to conditions relating to a remediation strategy, verification report and previously unidentified contamination.

Officer note: Following receipt of this consultation response, the applicant expressed a desire to submit further information to deal with the proposed conditions at the application stage rather than post decision.

Environment Agency (2nd comments following the submission of further information)

We have reviewed the submitted Ground Investigation Report (Soldier's Point, Shoreham, Geotechnics Limited, June 2024, reference PE241896) and Technical Note (Shoreham Soldiers Point Geo-Environmental Summary, JBA Consulting, 24/06/24, reference: 2022s0982). We are satisfied that we no longer need to request a remediation or verification report condition (requested conditions 1 and 2 of our previous response, dated 2 July 2024, our ref: HA/2024/125972/01), as a result of the required information being sufficient to lead to us recommending discharge of these conditions if imposed. We would maintain the requested condition regarding previously unidentified contamination (requested condition 3 of our previous response, dated 2 July 2024, our ref: HA/2024/125972/01) and advice to the Applicant.

Southern Water

No objection

Representations

No comments received

Relevant Planning Policies

Adur Local Plan 2017

Policy 1: Presumption in favour of sustainable development • Policy 8: Shoreham Harbour Regeneration Area • Policy 11: Shoreham-by-Sea • Policy 13: Adur's countryside and coast • Policy 14: Local green gaps • Policy 15: Quality of the built environment and public realm • Policy 16: A strategic approach to the historic environment • Policy 17: The historic environment • Policy 18: Sustainable design • Policy 29: Delivering infrastructure • Policy 31: Biodiversity • Policy 32: Open space, recreation, and leisure • Policy 33: Planning for sustainable communities • Policy 34: Pollution and contamination • Policy 36: Flood risk and sustainable drainage

Shoreham Harbour Joint Area Action Plan 2019

South Inshore and South Offshore Marine Plan (2018)

National Planning Policy Framework (December 2023)

Planning Assessment

It was originally anticipated that the proposal would be dealt with as a minor amendment to the existing permission for the Flood Wall scheme but as the red edged area differs slightly from the original approval, it was considered that a full application should be submitted.

The principle of improving flood defences for the town has been long established via the previous permission and is set down in Local Plan policy. It is understood that despite the relatively recent improvement to the flood defences in this location (one of the 10 reaches forming part of the initial scheme), further improvements are now required.

The information submitted with the application states:

Since the flood risk management assets were built in 2018, beach levels have dropped to expose a clay layer beneath the shingle beach. This has resulted in the failure of the rock armour. The rocks have separated from each other, and the structure is migrating towards the river.

The EA also have concerns that further erosion to the northern end of the steel sheet pile at Soldiers Point will occur due to increased storm events such as the 2020 November storm. As such, the works proposed for this project have been broadened to encompass the effects of scour. Scour needs to be prevented to reduce the risk of the ground levels dropping on either side of the sheet piles. Scour would also introduce a slope/step into the footpath behind the sheet piled wall and could erode into the area of the sailing club.

The timber structures would have provided some protection in the past, reflecting wave energy and sheltering the beach. However, as beach levels have decreased, the level of protection provided by the structure has reduced. Water now passes underneath the timbers, exacerbating the loss of material from beneath the structure. This protection has been compromised in the past both before and after the implementation of the Shoreham Adur Tidal Walls Scheme.

The application site is quite secluded and has little impact upon public views and so while the rock revetment is larger than the existing, it is not considered to have a significant visual impact. Likewise, while there are heritage assets, nearby including

Shoreham Fort and the Kingston lighthouse, it is not considered, having regard to the existing layout of the area, that a small increase to the rock revetment will have any material impact upon the settings of these buildings.

The Environment Agency has confirmed that the submitted Flood Risk Assessment is acceptable and that any impacts of unidentified contamination can be dealt with by condition following the submission of further information by the applicant.

The site is exempt from the 10% Biodiversity Net Gain requirement as the site is classed as a 'small site' and the statutory requirement for 10% BNG for small sites was not implemented until 2 April 2024 (after the submission of this application). As part of coastal management, these localised works are not considered to impact on marine conservation.

The proposal is considered to further improve the previously permitted flood defences and is therefore considered to be acceptable.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Full Permission
3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

   Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in accordance with paragraph 180 of the National Planning Policy Framework.
4. Hours of construction

Informative

Temporary Works Required During Construction

The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

Is recommendation contrary to letter(s) of representation N

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Gary Peck Date: 30 August 2024

Authorised by: Stephen Cantwell Date: 30th August 2024