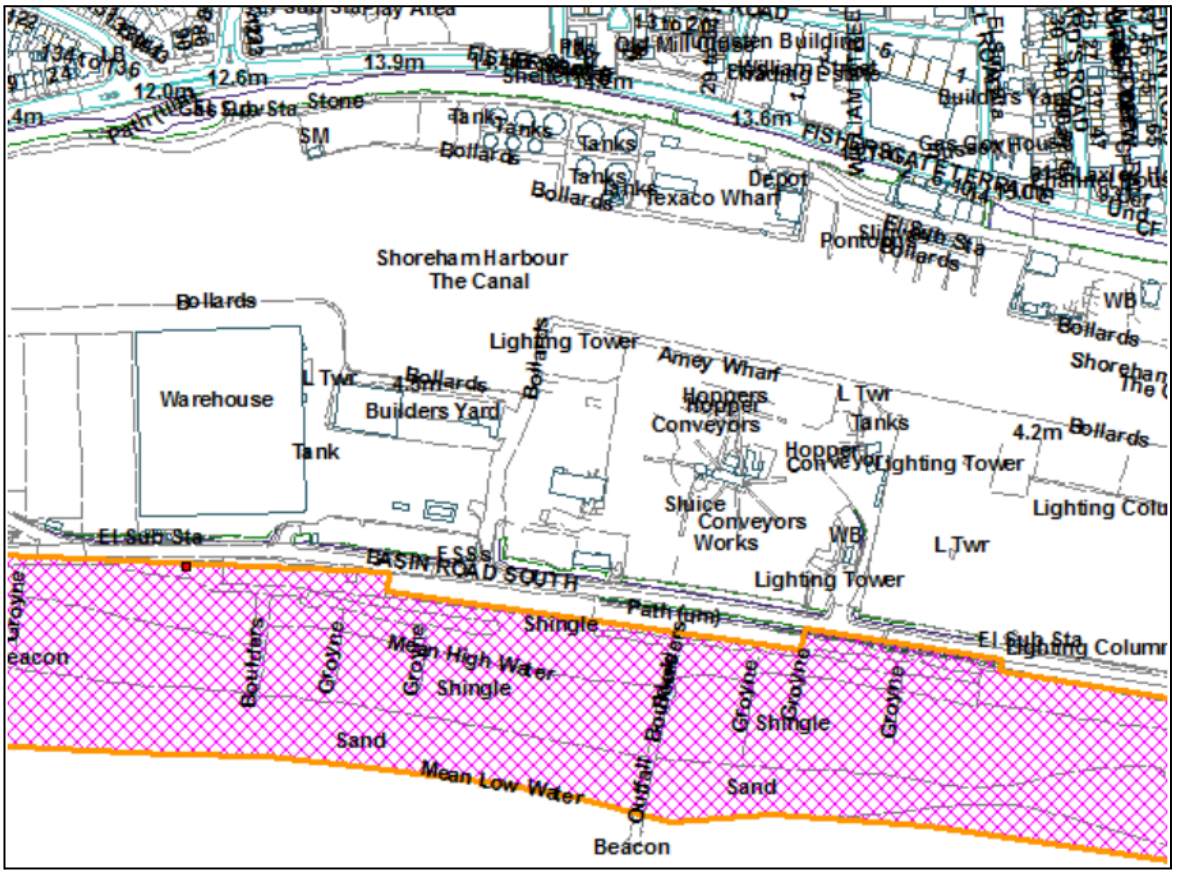
Application Number:	**AWDM/1363/24**	**Recommendation - APPROVE**
Site:	**Land South Of Lorry Park And Adjoining Edge Of Beach, Basin Road South, Southwick**	
Proposal:	**Construction of a new rock revetment along the existing defence along the central Shoreham frontage facing Basin Road South. The proposed alignment follows the seaward perimeter of the existing beach crest. Construction of a new footpath along with a new beach access ramp and steps. Application to vary Condition 1: Proposed change to design of rock revetment, changes to biodiversity enhancement and compensation proposals and additional details of ramp, steps and footpath provided and Condition 5 : for its wording to be varied to a compliance condition in line with the plans submitted with this application in relation to the steps, footpath and ramp of approved AWDM/0321/23**	
Applicant:	Brighton and Hove City Council	Ward: Eastbrook
Agent:	JBA Consulting	
Case Officer:	Peter Barnett	



Not to Scale

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Proposal, Site and Surroundings

The application site runs along the south side of Basin Road South at Shoreham Port and includes part of the beach. Planning permission was granted under application reference AWDM/0321/23 for the construction of rock revetments (sea defences) as part of a wider package of coastal defence works between Brighton Marina and Shoreham Port known as the Brighton Marina to River Adur Flood and Coastal Erosion Risk Management Strategy (FCERM). The proposed FCERM proposes work in six different locations, and this application considers works in Area 2, which is the only area within Adur District which requires planning permission.

The approved scheme showed a new footpath to be constructed along the top of the existing sheet piles, along with a new beach access ramp and steps. The rock revetment would span an area of approximately 740 metres in length, between 8.6 and 11.8 metres in depth and ranging from 2 to 3 metres in height from toe to crest. The footpath would be approximately 3 metres wide and approximately 545 metres in length.

The site runs from the west side of a car park, regularly used by surfers, which is to the east of a parking/storage compound on the south side of the road, in front of Barret Steel and Solent Wharf.

Rock used for the revetment would be delivered from the Lydd Ranges Sea Defence scheme (in Lydd, Kent, approximately 40 miles from the site) either by barge or by road. Any additional rock required would be imported and delivered by road.

A number of existing redundant timber and steel groynes on the beach are to be removed as part of the works.

This application seeks to vary the 2023 permission. It is proposed to amend the location and amount of compensatory coastal vegetated shingle and to make changes to the design of the rock revetment and associated works.

The Planning Statement submitted with the application explains:

"*Since the original planning application was granted, it has been identified that the extent of compensatory habitat within Area 4 (within BHCC boundary) should be reduced due to recent concerns over the long-term stability and suitability of the beach. As a result of this, it is no longer possible to deliver the areas of compensatory Coastal Vegetated Shingle (CVS) as set out in the Ecological Impact Assessment (EcIA) and Ecological Design Strategy (EDS) documents that were approved as part of the planning application and referred to in the relevant planning conditions. However, it is still proposed to deliver this compensatory habitat at an 8:1 ratio but in varied locations.*

The locations of compensatory CVS will remain as previously approved, albeit with reduced areas and therefore an additional location for CVS is proposed at Spending Beach within the administrative boundary of ADC."

Spending Beach is at the western end of Southwick Beach, adjacent to the Harbour

Mouth. It is fenced off with no public access and forms part of an area used by Shoreham Port Authority.

The proposed changes to the rock revetment are:

• Change to the alignment of the proposed footpath above the eastern end of the rock revetment. This is due to the presence of a new emergency sheet pile wall which has been installed by Shoreham Port.
• Change to the rock revetment crest height from 5.5m AOD to 6m AOD and the toe of the rock revetment from 3.5m AOD to 4m AOD due to the presence of the sheet pile wall referred to above.
• Reduction in the length of the rock revetment at its western end by 20 metres.

In addition, further details are submitted in relation to the footpath, beach access ramp and steps in order to satisfy condition 5 of the original planning permission.

Coastal vegetated shingle compensatory habitat has been amended due to concerns regarding the suitability and longevity of some of the approved locations. The overall aim to compensate on an 8:1 ratio remains the same however.

The application is supported by a Planning Statement Addendum, a Biodiversity Net Gain Justification Report, an Ecological Impact Assessment and an Ecological Design Strategy.

Planning History

AWDM/0321/23 - Construction of a new rock revetment along the existing defence along the central Shoreham frontage facing Basin Road South. The proposed alignment follows the seaward perimeter of the existing beach crest. Construction of a new footpath along with a new beach access ramp and steps. Approved

Consultations

West Sussex County Council: The ***Highway Authority*** has no objection. Comments that the changes would not be anticipated to materially alter the Highways matters relating to the proposal. The main access routes to the site are located within East Sussex and the remainder of Basin Road South appears privately maintained. Therefore, the proprietor of this road should be consulted regarding the proposed changes to this proposal. The proposals do however affect a WSCC maintained PROW, SHS/9So/1 to which WSCC PROW team have already commented upon both in the original and this revised proposal.
Matters relating to Construction Management should still be conditioned as per the initial Highways response for this proposal and provided to the LHA prior to the works commencing.
It is acknowledged that the nearest vehicular route would be in Brighton & Hove/ East Sussex County Council (Wharf Road leading to A259). Construction vehicles will arrive/leave via this route and thus ESCC, as local highway authority, should provide comments in this respect. WSCC have commented on the proposals from the perspective of any impact in safety and capacity terms on the nearby publicly maintained road network within West Sussex (which would predominantly be the

A259 to the west). The works may still require the use of the WSCC Highway Network and therefore these matters will need to be considered by the Highways Authority.

Public Rights of Way: The planned new footpath in Area 2 is welcomed. It is not clear from the application whether this will be a permissive path or whether an application will be made for this to be adopted as a public right of way (PROW). This should be clarified. Whilst the 545m of new footpath in Area 2 is welcome, the connectivity & public amenity value of this new path could be improved by extending it further eastwards to and beyond the boundary with Brighton & Hove City Council, (subject to the necessary planning approvals with input from BHCC). It is assumed that the existing Public Right of Way (PROW), footpath 9So, which runs alongside Basin Road South will remain unaffected and open to path users during & after the construction of the revetments.

If the route of the King Charles III England Coast Path (KCIIIECP) is to be closed for any period of time, then the WSCC Public Rights of Way team must be informed at least 4 weeks in advance. Also, an alternative temporary diversion should be implemented and signed accordingly to ensure onward access along the National Trail.
The proposed addition of a new path along the sea defence is welcome. WSCC request that the Public Rights of Way team are notified once a completion date for the path/development is confirmed as there is an opportunity to realign the KCIIIECP onto the proposed new path as this may offer an improvement in accessibility and public enjoyment of the trail along Basin Road.
The proposed public access steps onto the beach are welcomed as this would provide improved access onto the coastal margin alongside the KCIIIECP trail.
The development proposed may impact on the King Charles III England Coast Path (KCIIIECP). Local authorities should reflect the status of the King Charles III England Coast Path as a National Trail in the development of local plans and when determining planning applications as set out in the National Planning Policy Framework (paras 104, 178 (d) and 180 (c)). Local authorities should take into account Part B of the Coastal Access Scheme (key principles of alignment and management) so that the development allows for the King Charles III England Coast Path to be aligned in close proximity to the sea or estuary, and where possible should provide a good recreational experience for the access user which would normally include good views of the sea. See paragraph 5.5.5 of the Scheme. Planning authorities should ensure that development does not hinder the creation and maintenance of a continuous signed and managed route around the coast (Para 178.d), as required by the Marine and Coastal Access Act 2009. It is considered that paragraph 104 of the NPPF provides sufficient policy support for resisting applications that would conflict with the route of the KCIIIECP, both where it is on a PROW and Open Access Land

Environment Agency: No objection

Sussex Wildlife Trust: **Original Comments**: We are concerned at the proposed 30% reduction in compensatory coastal vegetated shingle habitat from 0.46 ha to

0.32 ha. As well as this reduction in the total area of compensatory habitat, the proposal also seeks a change from fewer, larger sites of habitat recreation to more, smaller sites. This is likely to result in reduced long-term habitat resilience, as smaller patches are more vulnerable to change and the negative impacts of increased edge effects.
The Sussex Wildlife Trust also queries how the stated aim of compensating at a ratio of 8:1 is being achieved. Even prior to the proposed reduction in area, this ratio was not being met. As currently stated, the total area of vegetated shingle habitat loss and impact is 0.1ha; and the total area of proposed enhancement and creation is 0.32 ha; achieving a ratio of just 3:1. When considering just the proposed permanent loss of habitat (0.03 ha), this is being recreated on a slightly better than like for like basis i.e. a ratio of close to 1:1.
It should be noted that there is inconsistency within the reports regarding the total area of vegetated shingle habitat that will be permanently lost, within Basin Road South Local Wildlife Site. We have assumed the correct value is 0.03 ha but elsewhere (e.g. paragraph 2.4 (p.6) of the BNG Justification Report) it is stated as 0.3 ha.
Overall, it is not clear that a biodiversity net gain is being achieved as required by national policy for this development

2nd Comments: The changes made to each document have not been identified or highlighted but include amended figures for coastal vegetated shingle.
The BNG Justification Report shows Table 1.1 'Comparison of approved compensatory habitat vs proposed for the Section 73 update' with modified values for Carat's Café, which previously had an approved area of 0.16 ha compensatory habitat. This figure has now been deleted, reducing the total approved compensatory habitat to 0.31 ha, and it is unclear why this deletion has been made. We previously raised concern about the disparity between approved (0.46 ha) and proposed (0.32 ha) compensatory coastal vegetated shingle habitat. Deletion of the 0.16 ha figure from Carat's Café in Table 1.1 closes this gap on paper, however without further clarification or justification for this deletion we remain concerned over the reduction in proposed compensatory habitat.
The updated reports list a permanent loss of 0.11 ha 'existing shingle beach' in Area 1 (0.01 ha) and Area 2 (0.10 ha) but it is not clear whether these areas are coastal vegetated shingle habitat. There is no proposal to compensate for this permanent loss.
Working on a stated permanent loss of 0.03 ha coastal vegetated shingle in Area 4 (Basin Road South Local Wildlife Site), the proposal is to compensate for this loss primarily by enhancing existing coastal vegetated shingle habitat (0.285 ha total) rather than creating new coastal vegetated shingle habitat, which is limited to 0.038 ha. The stated compensation ratio of 8:1 is based on area i.e. quantity/extent of coastal vegetated shingle and on this basis, it is not being achieved since only 0.038 ha additional habitat is being created.
Enhancing existing habitat, though clearly beneficial, is not necessarily equivalent to creating new habitat and changes to quality cannot be measured or compared by area alone – for example, 0.22 ha of existing coastal vegetated shingle will be enhanced from poor condition to moderate condition; and 0.065 ha from moderate to good condition. Combining measures of habitat quantity/extent with habitat quality/condition reduces clarity and may not be appropriate. We therefore query whether the area of proposed habitat enhancement should be included when

calculating the 8:1 ratio.
Overall, as currently presented, the figures do not present a clear enough picture for us to be confident that the 8:1 compensation ratio will be delivered

3rd Comments: No further comments but recommends that the Council seeks independent ecological advice to assess the information provided and ensure the compensation will be adequate

Ecology Co-Op: 1st response: Information about the impacts, mitigation and compensation is spread over multiple separate documents, and with a lot of repeated text, the information is presented in a way that is not user-friendly and makes it very difficult to digest. All documents would benefit from the inclusion of more detailed figures, maps and plans more clearly illustrating the geographic relationships, the extent of existing habitat parcels and how the proposed sea defence works will impact on them. It would be helpful if the proposed amendments to the scheme are also more clearly illustrated.
Across the three documents, there are several inconsistencies that have crept in, whilst these are generally minor, they add to the confusion, and reduce confidence in the conclusions made.
Despite the above criticisms, there is a clear recognition that coastal vegetated shingle carries high importance to conservation, and that mitigation and compensation for impacts on the last remaining fragments of this habitat are worthwhile. This is to be welcomed, especially given that previous sea defence schemes have resulted in net loss of this habitat type with inadequate compensation, even though their importance is recognised through designation as a local wildlife site (e.g. Black Rock LWS, Brighton Marina).
The impact of the proposed rock revetment construction remains unchanged despite the amendment to the dimensions. The change in compensation area at Area 4 is solely in response to recent natural changes in the beach profile and concerns about its viability, and the removal of this area is compensated for by bringing in two new areas of compensatory habitat in addition. As such, the overall area of compensation appears to remain the same.
By my calculations, the proposed compensation doesn't add up: Total permanent lost and disturbed habitat (0.11+0.03+0.07) x 8 = 1.68 ha anticipated compensation area. However, the total proposed (enhanced +created) is 0.323 Ha, which leaves a deficit of 1.357 Ha.
It is understood that the scheme is not subject to the mandatory 10% net gain requirements for the reasons provided and that a 'bespoke compensation strategy' is more appropriate for the 'high distinctiveness' coastal vegetated shingle habitat. However, as shown above, we do not think that the compensation proposal as it stands, meets the self-imposed target of 8:1 habitat compensation (by area). It is appreciated that the scheme will have many constraints, and opportunities for the creation of new habitat will be limited, but the EcIA and EDS do not make it clear enough for the council to be confident that the proposal still meets biodiversity objectives set for coastal vegetated shingle.

Subsequent Comments following receipt of further information from the applicants: I am still unclear about the numbers presented on habitat losses, disturbed, vs created and enhanced. However, overall, the intention is good within the constraints on an already highly modified section of coastline. Furthermore, I do

appreciate that the scheme as proposed (and already approved planning permission) from BHCC on the basis that the BNG policy 6 on 'bespoke compensation' applies, and that the 'biodiversity wall' is intended to 'bridge the gap' between any shortfall in the targeted 1:8 ratio of compensation for losses of vegetated shingle to the scheme. The issue I have had is probably more to do with understanding the documents and scheme as presented, rather than the ecological rationale.

I welcome the response ref. plug planting and reassurances given ref deliver responsibilities. I'm a little disappointed in the response to comment 13 regarding control of silver ragwort; it is worth exploring all opportunities to coordinate control of this species where it is present outside the immediate footprint of the scheme.

Representations

None received

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 1, 13, 15, 31, 34, 36
Shoreham Harbour Joint Area Action Plan 2019 Policy SH6, SH7, SH9, CA4
National Planning Policy Framework (December 2024)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The proposal would have substantial public benefits through the protection of residential and commercial properties (including Shoreham Sewage Pumping Station and Shoreham Power Station). There is widespread policy support for the improvement of coastal defences in this area. Both the Beachy Head to Selsey Bill and South Downs Shoreline Management Plans require the continued defence of the sea frontage through upgraded and new defences. The JAAP requires appropriate flood infrastructure to be delivered. In addition, the Shoreham Harbour Flood Risk Management Guide (SHFRMG) gives specific support for rock revetments in this location.

The application is therefore considered to be acceptable in principle subject to consideration of the visual, environmental and ecological impacts.

Visual amenity

The proposed rock revetments will be noticeable but will be in keeping with existing rock defence elements elsewhere along the wider sea front. Due to the difference in levels from the road down to the beach, the rocks will not obscure the existing open views of the foreshore from the road. The site already contains steel sheet piling, a smaller rock revetment, redundant timber groynes (which are to be removed) and security fencing and it is not considered that the proposed works would have a harmful visual impact when viewed from the beach.

Accessibility and parking

The works include a new footpath plus access steps and ramp to the beach, details of which have been submitted as part of the current application. The footpath will be approximately 3m wide and 570m long. An access ramp will be located at the eastern end of the revetment, providing access from the car park to the beach for both maintenance vehicles and pedestrians. Two sets of access steps will also be built to provide access to the beach from the new footpath, one at the western end and the other centrally positioned adjacent to the existing eastern rock armour groyne where there is currently no safe access. The proposal will represent an enhancement of the public right of way and will enable improved access to the beach at this location.

In highway terms, the works will generate HGV movements and a Construction Management Plan (CMP) has been previously submitted. West Sussex Highways has confirmed that, subject to a finalised CMP and appropriate traffic management measures, which can be finalised by condition, they would have no objection to the proposals.

Flood risk

The site lies in Flood Zone 3 and a FRA was previously submitted. The purpose of the application is to improve flood defences and there are no sequentially preferable sites for the proposal as it is required in this particular location in order to offer protection from flooding and reduce flood risk. The proposal would be flood resilient and resistant, and water-compatible and safe for its lifetime. As the rock revetments would allow water to flow through them and back into the sea, it is not considered that there would be an increase in flood risk elsewhere.

The Environment Agency has no objection.

Compensatory Habitat and Biodiversity Net Gain

Since the original approval, the Statutory Biodiversity Metric (2024) has been introduced and it is now a legal requirement to meet a 10% net gain in biodiversity in the UK. However, given the original scheme was already granted approval and this is a minor update, the statutory obligations do not apply. Nevertheless, an Increase in

habitat units is achieved through compensation and enhancement measures.

There will be a permanent loss of 0.3ha of existing coastal vegetated shingle within Area 4 (Basin South Local Wildlife Site (LWS)) which is within Brighton and Hove, temporary disturbance to 0.07ha within Area 2 (within Adur), due to the location of the new footpath and a permanent loss of 0.10ha of shingle beach in Area 2.

This loss will be compensated at an 8:1 ratio and comprise a total of 0.33ha at four different locations across the wider site extent, as set out below:

• Enhancement of 0.22ha of existing poor condition (to moderate condition) of coastal vegetated shingle, within Area 2 (ADC);
• Creation of 0.021ha of new coastal vegetated shingle in Area 2d (within BHCC); • Creation of 0.017ha of new coastal vegetated shingle within Area 1, near Carat's café (ADC);
• Enhancement of 0.065ha of existing moderate condition coastal vegetated shingle (to good condition) within Area 7, Spending Beach (ADC)

The original compensation strategy sought to create coastal vegetated shingle in fewer but larger areas across the coastal frontage, with the majority falling within Area 4 where the impacts occur. However, due to risks foreseen with exposure and coastal erosion, and the limited space available on the beach crest, the long-term viability of creating coastal vegetated shingle within Area 4 was seen as not viable. Therefore, further compensation areas were sought across a wider extent.

This has resulted in a greater number of scattered areas being proposed which may have greater benefits in providing a 'stepping stone' for this important habitat. The majority of compensation now falls within Adur and Worthing which is outside of the jurisdiction of BHCC, where the impacts occur. However, due to limited options and good suitability of these areas, the applicants consider that it is the best approach in terms of ecology functionality.

Ecological enhancement of 0.22ha will be achieved through natural re-seeding within the existing beach. Further enhancement is proposed at Spending Beach, at the far western end of the site, adjacent to the harbour mouth.

Biodiversity Net Gain will be achieved through the creation of a biodiversity wall on an existing concrete sea defence wall in Basin Road South. It is approximately 200m in length and 4m in height and will be enhanced to provide habitats for a range of species. Enhancements include providing a range of bird boxes, bug hotels and planters.

The Biodiversity Metric fails to recognise the value and importance of creating new green infrastructure in an urban setting, and has subsequently only awarded low BNG (0.5 habitat units), for creation of the new Biodiversity Wall. However, the applicants' Biodiversity Net Gain Justification Report states that "*the overall ecological benefits associated with creation of this feature within the site to deliver BNG for the project is based on ecological expertise rather than a numeric number driven approach derived by the Biodiversity Metric. The ecological benefits for species and local communities delivered via the creation of the biodiversity wall far*

outweigh the very low number of biodiversity units (0.5 habitat units), quantified by the Biodiversity Metric."

The Biodiversity Wall will provide a stepping stone habitat and help to improve the connectivity and functionality of the habitats present throughout the site.The provision for nest boxes for birds incorporated into the Biodiversity Wall will benefit House Sparrow as well as other birds using the area. As well as benefits to wildlife, the Biodiversity Wall will have social and educational benefits to the local community as well as improving the visual aspect of the wall for runners and cyclists who frequently use the road.

The information provided by the applicants has been rather unclear and both Sussex Wildlife Trust and the Council's ecological consultants have questioned the accuracy of the figures put forward for habitat compensation. After the submission of further information and clarification from the applicants, it has been clarified that the 8:1 compensation ratio relates across the entire coastal area, not just the small area within Adur. There is a permanent loss of 0.03ha of coastal vegetated shingle in Area 4 (Adur) due to the coastal defence works. 0.32ha of compensatory habitat is proposed which is greater than the 8:1 ratio (0.03x8 = 0.24ha) and will therefore provide some compensation towards Area 2 (outside Adur). Furthermore, a bespoke 'biodiversity wall' is to be provided to help meet BNG for the development.

It is therefore considered that, subject to appropriate conditions, the ecological impact of these essential works is considered to be suitably compensated for and permission can be granted.

Recommendation

Approve

Subject to conditions:-

1. Approved Plans
2. Standard time limit
3. CEMP to be submitted and approved
4. The development hereby permitted shall be carried out in accordance with the approved Ecological Design Strategy (EDS) received 28th January 2025 and Ecological Design, Management and Monitoring Strategy (EDMMS) received 28th January 2025, addressing compensation for the loss of coastal vegetated shingle. All features shall be retained in that manner thereafter.
5. Monitoring of the compensatory Coastal Vegetated Shingle (CVS) habitat shall take place in accordance with the details contained within the approved Ecological Design Strategy (EDS) received 28th January 2025 and Ecological Design, Management and Monitoring Strategy (EDMMS) received 28th January 2025, including the periodical submission of monitoring reports to the Local Planning Authority.
6. The provision of a biodiversity wall to provide biodiversity net gain shall be implemented in accordance with the approved Ecological Design Strategy (EDS) received 28th January 2025 and Ecological Design, Management and Monitoring Strategy (EDMMS) received 28th January 2025 and all features

shall be retained in that manner thereafter

7. Construction of the new footpath, access steps and ramp to the beach shall not take place until final details of their design and location have been submitted to and approved in writing by the Local Planning Authority. The footpath and access enhancement works shall thereafter be carried out in accordance with the approved details as part of the overall flood defence works.