This outline application relates to the redevelopment of 4-5 Waterside Road, a freehold property that I have owned and operated for the last 23 years. Although situated within the confines of Shoreham Port, they hold no interest in it. The North end of the property comprises of an old substantial towering wall (see photo) providing support to three 200 year old cottages, the South end accesses Waterside Road.

The wall is in very bad condition, this fact is supported by Adur Council, who, in the past, has commissioned a full structural report and submitted it to tender, before abandoning the scheme due to financial constraints. However the problem has not gone away, whereby local repairs will no longer suffice. Due to the inaccessible location of this wall and no one accepting responsibility for ownership/maintenance of it, a three storey development seems to be the only viable way of achieving support and funding it. (There is a full structural engineers report commissioned by Adur Council available)

A total collapse would be catastrophic!

Note: - Shoreham Port Authority is in partnership (JAAP) with Adur Council (the planning authority)

The JAAP stated that they "*do not object to the principle of the proposed land use in this area"*

West Sussex County Council Planning Services state *"The LHA does not raise transport grounds to resist the application."*

The Statutory and Commercial Land use Planning Advice Team also state ,*"HSE does not advise against the granting of planning permission for AWDM/1220/17",* in fact, none of the advisory bodies approached by planning have any objections.

Shoreham Port along with two of their tenants are the only objectors to this development.

The Port publicly state the following: - "*Shoreham Port now owns all of Waterside Road, This will be improved to ensure safe access and the area generally upgraded"* and *"When land and property becomes available in the East Arm, the Port will endeavour to purchase,"* I believe my property is the only privately owned premises left in Waterside Road that the Port haven't yet purchased.

The objections received and the subsequent planning refusal all relate to *"likely to result in associated vehicles obstructing the access road leading to conflict with other users"*, so a few facts:-

1. Waterside Road is within the East Arm of Shoreham Port. It is a private, substantial, two way, purpose-built access road designed and built in the 60s, over an earlier 'track', specifically to serve the Fuel Depot, a concrete plant and the various existing businesses adjoining it. Shoreham Port claim to own the complete road, which extends some 460 metres from the main A259 to the Local Fuel Depot 'cul de sac'. It has double yellow lines over its complete length and is vigorously patrolled by a parking management company who enthusiastically applies £100 parking charges. It is plenty wide enough for vehicles pass each other along its complete length.
2. I, along with others have an unrestricted right of way over the complete length of this road, I am not aware of any other user having any legal priority of travel or any superior rights of access.
3. The Port within the last few years have developed a 30 to 40 boat, fishermen/leisure 'marina' (I think without PP.) adjacent to the Fuel Depot. They have further provided a car park for the benefit of the marina users and a 'builder's yard' both adjoining the entrance to the Fuel Depot. They are positioned on the only bend in the road. I am not aware of any objections raised by the Port, their tenants, or anyone else for that matter, relating to this development, cars reversing

out of the car park, manoeuvring on to the road or generally causing obstructions. The fishermen constantly transport their chattels across the road as their stores are on the North side, and the 'builder's yard requires deliveries etc. All of this does demonstrate that reversing out/ manoeuvring on to this road and goods being transported across the road in the path of tankers causes no issues, so, it's difficult to argue that my development would, as the road has functioned completely as normal for the 10 plus years since inception. (see photos site 2007 & 2019 and fisherman transporting goods)

4. Shoreham Port Authority has also proposed extending Waterside Road to form a through route from the fuel depot to Riverside At Southwick (This is confirmed within PREAPP/0465/17 and the Port's Masterplan), hardly the actions of a body concerned about congestion. Currently there is very little traffic using this road, there are generally less than 30 tanker movements a day, if this route is to be extended there will a vast increase in vehicles using it, so congestion is obviously not an issue.
5. I have cooperated with the planning departments various requests, submitting revisions over a period of two years, including withdrawing a 5 live work units application, resubmitting as a commercial unit and obtaining land next door to provide 8 extra parking spaces which far exceeds the WSCC highways requirements. So I was very surprised that it was submitted to committee (giving me only 5 working days notice) and recommending refusal.
6. The reason for refusal *"likely to result in associated vehicles obstructing the access road leading to conflict with other uses or constraint of the day to day operations of the port and port related users"* is further confusing considering the following:-

The planning officer, following my initial application responded to PREAPP/0465/17 for the property next door (which is of identical construction to mine and has been recently purchased by the Port) recommending, "consider increasing the height of the building to three floors" "This would enable car parking to be provided at ground floor" Why would this advice be given by an experienced planner if a problem with parking/manoeuvring was envisaged? The reason is there would be no problem!

I have finally managed, (after three attempts (FOI) and information being withheld), to obtain copies of emails between Adur and the Port. As I interpret them, I believe that the Port and Adur Council are in a very 'cosy' relationship and this has been reflected in the refusal decision.

I would consider two units instead of five, using the same height, same footprint, if a pass and support to the wall could be achieved.

Thanks

Richard Howell