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ADUR DISTRICT COUNCIL

25 November 2025

Adur Planning Committee

Date:	**1 December 2025**
Time:	**6.30 pm**
Venue:	**QEII Room, Shoreham Centre, Shoreham-by-Sea**

Committee Membership: Councillors Carol Albury, Dan Flower (Chair), Carolyn Fuhrmann, Andrew Harvey, Pauline Higgins, Gerry Thompson (Vice-Chair), Julia Watts, Andy McGregor and Jude Harvey

NOTE:
Anyone wishing to speak at this meeting on a planning application before the Committee should register by telephone (01903 221006) or e-mail democratic.services@adur-worthing.gov.uk before midday on **Friday 28 November 2025.**

Agenda Addendum

7. Planning Applications (Pages 3 - 6)

To consider the reports by the Head of Planning, attached as Item 7.

Recording of this meeting
Please note that this meeting is being audio live streamed and a recording of the meeting will be available the Council's website. This meeting will be available on our website for one year and will be deleted after that period. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Katy McMullan Democratic Services Officer 01903 221006 katy.mcmullan@adur-worthing.gov.uk	Caroline Perry Senior Lawyer & Deputy Monitoring Officer 01903 221081 Caroline.perry@adur-worthing.gov.uk

Duration of the Meeting: Three hours after the commencement of the meeting the Chair will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

ADDENDUM TO PLANNING COMMITTEE AGENDA

MEETING DATE - 1st December 2025

The following agenda item has updates to the original Committee report:

AWDM/1228/25: Fishermans Wharf, Brighton Road, Shoreham-by-sea

Consultation Response

Southern Water: Recommends condition: Construction of the development shall not commence until details of the proposed means of foul drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Representations

Email received from the planning agent. Summarised here:

The applicants sought pre-application advice on a ten-year temporary consent and were advised at the time that a five-year temporary consent would be more appropriate. The applicants have proceeded with the project on the basis that five years is not ideal for viability purposes but is workable. This is not the case for a three-year temporary consent for the reasons set out below.

The project can only be financed over a five-year term and a three-year consent would not allow the applicants to recover capital expenditure, so a condition limiting temporary consent to this period would be so restrictive that this (much wanted) facility will not be deliverable.

As demonstrated through the public consultation, the prospect of a new all-year-round leisure facility in this location has received considerable public support. We contest the view that the proposal is contrary to the development plan. Policy CA7 of the JAAP supports the delivery of leisure facilities and employment-generating uses within the Western Harbour Arm, as does Policy 8 of the Local Plan. To date, the 1,100 homes envisaged within Policy 3 of the Local Plan have already been delivered through approved consents, but no leisure uses have been provided alongside these homes.

We don’t believe a condition restricting temporary consent to three-years would meet the six condition tests on this basis. Planning Practice Guidance (Reference ID: 21a-005-20190723), states:

“Conditions which unreasonably impact on the deliverability of a development: Conditions which place unjustifiable and disproportionate financial burdens on an applicant will fail the test of reasonableness. In considering issues around viability, local planning authorities should consider policies in the National Planning Policy Framework and supporting guidance on viability.”

This reflects the position of Circular 11/95 which states:

36. Even where a condition would not be so unreasonably restrictive as to be ultra vires, it may still be so onerous that as a matter of policy it should be avoided. Any condition which would put a severe limitation on the freedom of owners to dispose of their property, or which would obviously make it difficult to finance the erection of the permitted building by borrowing on mortgage, should be avoided on these grounds. An unduly restrictive condition can never be made acceptable by offering the prospect of informal relaxation of its effect.

You have stated that the storage use granted temporary consent for five years on the New Wharf site in September was an existing use and therefore a different context. This is not accurate; the Cinch Self-Storage facility is a new lease of the site and the Council granted a five-year temporary permission for the erection of 33no new units within the car park in September 2025. Furthermore, the future delivery of the riverside walk and other infrastructure is financially dependent on the future redevelopment of the New Wharf site, with the heads of terms for the relevant planning permission (AWDM/0886/23) contributing £500k towards the riverside works for this section of the river frontage. Given the five-year temporary consent granted to Cinch, this cannot be realistically delivered within the five years we are seeking temporary consent for.

Similarly, the landowner of the application site operates Monteum (trading as La Poissonnerie) and the proposal to develop a riverside walkway along their land is not compatible with their ongoing use of the wider site. The landowner also met with your Local Plan Project Manager on Wednesday 19th November and communicated that they have no intention of vacating the site in the short to medium term for redevelopment. The reality is that in the absence of a viable and useful temporary use of the application site, there would be no greater prospect of the riverside walk being delivered in the short to medium term in any case. The grant of a five-year temporary consent would not be a barrier to its delivery as a result.

On this basis, the restriction of a consent to three-years would only inhibit the development proposed from ever being delivered and would provide no useful planning benefit.

Letter received from Monteum Limited (the landowner). Summarised below:

We oppose the provision of a riverside walkway on Fisherman's Wharf. Our quayside is an operational working environment of loading and unloading commercial fishing vessels and associated shore-based activities, which would cause many hazards to the public. In return the public would present many hazards to our workforce. As such the presence of a public riverside walkway would be detrimental to our activities and therefore our ability to continue operations on our land.

At present it is proposed that we rent the western section of our site to Padel Republic for their Padel Courts but that the quay frontage remains to be used by ourselves for the purposes of mooring commercial fishing vessels and for the

associated operations of loading and unloading them. As such the western section of our site is also off limits for a public walkway as far as we are concerned.

Officer Comment: *Many of the points are addressed in the Officer's Report. In terms of delivery of the 1,100 homes identified in the JAAP, 255 have been completed at Kingston Wharf and 137 in Phase 1 of Free Wharf with a further 145 nearing completion in Phase 2.*

There is a fundamental difference between the Cinch storage site and this site in that the storage use and warehouse buildings were existing on the Cinch site whereas this site is vacant with no existing permission for leisure use.

It is accepted that the Cinch storage use will prevent delivery of the housing scheme AWDM/0886/23 but, by granting a five year permission for the proposed padel courts, there is a risk that this will affect the deliverability of other schemes identified in the JAAP within its lifetime.

Recommendation: Subject to receipt of confirmation that the Surface Water Drainage Consultant (WSP) has no objection, delegate to the Head of Planning to approve as recommended (3 year temporary permission) with additional condition:

Construction of the development shall not commence until details of the proposed means of foul drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with the approved details.

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