

Subject:	Proposed Submission – Shoreham Harbour Joint Area Action Plan – Extract from the proceedings of the Tourism, Development & Culture Committee meeting held on the 21 September 2017		
Date of Meeting:	2 November 2017 21 September 2017 – Tourism, Development & Culture Committee		
Report of:	Executive Lead for Strategy, Governance & Law		
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Wards Affected:	All		

FOR GENERAL RELEASE***Action Required of Council:***

To Agree the recommendations set out in the item referred from the Tourism, Development & Culture Committee for decision:

Recommendations:

- (1) That the “Proposed Submission Shoreham Harbour Joint Area Action Plan” appended as Appendix 1 to the report be agreed and published for a six week period of statutory public consultation together with its supporting documents commencing in November 2017;
- (2) That the document be subsequently submitted to the Secretary of State, subject to no material changes arising from the consultation, other than alterations for the purposes of clarification, improved accuracy or meaning or typographical corrections, being necessary;
- (3) That the Head of Planning be authorised to publish and subsequently submit all necessary supporting evidence and studies to the Secretary of State;
- (4) That the Head of Planning be authorised:
 - (a) to agree any draft “main modifications” to the Shoreham Harbour Joint Area Action Plan as necessary to make the plan sound; and
 - (b) to publish such draft modifications for public consultation; save that should any draft modification involve a major shift in the policy approach of the Shoreham Harbour Joint Area Action Plan the draft modification shall be referred by the Head of Planning to the Tourism, Development & Culture Committee for approval;
- (5) That it be noted that all modifications to the Plan will be presented to the Tourism, Development & Culture Committee and Full Council in due course as part of the adoption of the Shoreham Joint Area Action Plan.

BRIGHTON & HOVE CITY COUNCIL
TOURISM, DEVELOPMENT & CULTURE COMMITTEE

4.00pm 21 SEPTEMBER 2017

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Robins (Chair), Cattell (Deputy Chair), Nemeth (Opposition Spokesperson), Druitt (Group Spokesperson); Allen, Cobb, Horan, Mac Cafferty, Mears and Morris.

PART ONE

- 20.1 The Committee considered a report of The Executive Director, Economy, Environment and Culture seeking approval for the application of the Submission Shoreham Harbour Joint Area Action Plan (JAAP) along with its supporting documents. Approval was also sought for formal submission to the Secretary of State for independent examination. It would once approved provide a detailed planning policy framework for the implementation of development and infrastructure in the Shoreham Harbour Regeneration Area and covers a 15 year period.
- 20.2 It was explained that publication (once the submission had been approved) would be for a six week period of statutory public consultation prior to submission to the Secretary of State. The JAAP had been prepared jointly between the three local planning authorities: Brighton & Hove City Council, Adur District Council and West Sussex County Council and in partnership with the Shoreham Port Authority. Once adopted the JAAP would form part of Brighton & Hove's Development Plan and would sit alongside and would need to comply with the Brighton & Hove City Plan Part One. It would also need to comply with Adur's Local Plan.
- 20.3 The Head of Planning, Policy and Major Projects, Liz Hobden, explained that approval was sought for approval of the proposed submission in respect of the Shoreham Harbour Joint Area Action Plan (JAAP) along with its supporting documents. It would provide a detailed planning policy framework for the implementation of development and infrastructure in the Shoreham Harbour Regeneration Area and covered a 15 year period.
- 20.4 The Head of Planning, Policy and Major Projects, advised that a correction was required to the JAAP submission in order to address a drafting error, this related to the section titled "Development Form and Typography" in the supporting text on page 79.(Deleted wording is shown underlined and the replacement wording is shown in bold and underlined):

Paragraph 4.2.34

The following principles for development form are proposed:

- For new employment floor space at the basin level, flexible employment uses are proposed arranged as two to three storey buildings on under-used plots.
- Mixed employment and residential uses with a dual frontage onto Kingsway (residential/mixed commercial activities of up to four storeys above Kingsway)
- **(mixed commercial activities with residential accommodation on upper storeys)**, and Basin Road North (employment uses)
- Buildings in the basin itself should be simple and flexible with a contemporary appearance and character in keeping with the aesthetic of the harbour.
- New buildings should be of a modern design which complements the existing historic character.

20.5 The correction addressed an inconsistency between the policy and the supporting text. The inconsistency arose because the policy was amended after the landowner/developer challenged the soundness of the restriction on building heights. In addition to this the policy was not considered to comply with the adopted City Plan Part One which seeks full and effective use of all sites (the policy amendment is set out at Appendix 2, page 6, amended clause (7) to policy CA2.). The supporting text of the JAAP was not updated to reflect the change to the policy which was an oversight.

20.6 Councillor Nemeth proposed an amendment on behalf of the Conservative Group, stating that notwithstanding the rationale given for the officer amendment he considered that the wording as originally set out (notwithstanding the officer view that this was incorrect), reflected his views and, he wished that wording to be voted on. In his view 7a should read as follows:

“Building heights (as set out in Note 4.2.34) should be justified with regard to analysis of the local urban design context, orientation, sunlight and daylight impacts and apply high quality design principles.

Councillor Nemeth stated that he had simply added the words “(as set out in Note 4.2.34).” and the express wording: “Building Heights up to four storeys above Kingsway” The amendment was seconded by Councillor Mears.

20.7 Councillor Nemeth stated that he considered that it was very important to ensure that height restrictions be maintained particularly once the Port Zed scheme came on stream. Residents of his ward had raised strong objections in respect of this matter and he considered that these should be respected.

20.9 Councillor Druitt sought clarification regarding the position should any amendment be agreed e.g., whether the process would be delayed and

whether that would give rise to be a further consultation period.

- 20.10 Councillor Mac Cafferty stated that he was aware that it had taken a long time to this point. Enquiring whether approval of all of the constituent authorities would be required in order to effect any changes and whether this would be impacted by any subsequent boundary changes.
- 20.11 Councillor Morris noted that 46 letters of objection had been received in total, very few in relation to the size and scope of JAAP. The document had been fully consulted on and he did not therefore support the proposed amendment.
- 20.12 The Head of Planning Policy and Major Projects, Liz Hobden explained that the contents of the document before the Committee needed to be agreed by each of the constituent authorities and had been drawn up following a full consultation process. Any changes could not be agreed without further consultation and agreement by all parties.
- 20.13 The Legal Adviser to the Committee, Hilary Woodward, concurred that was so. Detailed and lengthy discussions had taken place and the submission now needed to move on to the next stage.
- 20.14 A vote was taken in respect of the proposed amendment put by Councillor Nemeth and seconded by Councillor Mears. The amendment was not carried, it was lost on a vote of 7 to 3. The Committee then voted on the substantive recommendations as set out in the report to include the officer amendment to the JAAP document itself. These were agreed on a vote of 7 to 3 as set out below.
- 20.15 **RESOLVED TO RECOMMEND** - That the Tourism, Development and Culture Committee recommends the following to Full Council
- (1) That the “Proposed Submission Shoreham Harbour Joint Area Action Plan” appended as Appendix 1 to the report be agreed and published for a six week period of statutory public consultation together with its supporting documents commencing November 2017;
 - (2) That the document be subsequently submitted to the Secretary of State, subject to no material changes arising from the consultation, other than alterations for the purposes of clarification, improved accuracy or meaning or typographical corrections, being necessary;
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- (5) That it be noted that all modifications to the Plan will be presented to the Tourism, Development & Culture Committee and Full Council in due course as part of the adoption of the Shoreham Joint Area Action Plan.

