

<u>No:</u>	BH2019/00544	<u>Ward:</u>	Hove Park Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	270 Old Shoreham Road Hove BN3 7EG		
<u>Proposal:</u>	Demolition of existing buildings (Sui Generis) and the erection of a part 2 storey, part 3 storey building plus lower ground floor and basement comprising self storage facility (B8) and flexible office space (B1) together with vehicular and pedestrian accesses, parking, associated works and landscaping.		
<u>Officer:</u>	Henrietta Ashun, 295783	tel: <u>Valid Date:</u>	01.03.2019
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	31.05.2019
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	
<u>Agent:</u>	DWD Property + Planning 6 New Bridge Street London EC4V 6AB		
<u>Applicant:</u>	Big Yellow Self Storage Company Ltd C/O DWD Property + Planning 6 New Bridge Street London EC4V 6AB		

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to be MINDED TO GRANT planning permission subject to a s106 agreement on the Heads of Terms set out below and the following Conditions and Informatives as set out hereunder, SAVE THAT should the s106 Planning Obligation not be completed on or before 29th January 2019 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 10.1 of this report:

S106 Heads of Terms

Sustainable Transport Contribution

- A contribution of £5,200 to be allocated towards infrastructure bus stop improvements on Old Shoreham Road
- A Construction & Environmental Management Plan (CEMP). This should be submitted and approved before construction commences. Monitoring fees should also be secured to cover officer time approving successive plans, liaising with contractors and others, and carrying out monitoring and enforcement activities.
- Travel Plan for both of the Office and Storage

Artistic Component

- A contribution of £21,500 to contribute to the City's public realm by providing public art.

Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Other	2114-P14	A	28 May 2019
Other	2114-PGB-07		28 May 2019
Proposed Drawing	2114-P03	B	28 May 2019
Location Plan	2114-LP01		28 May 2019
Proposed Drawing	2114-P01	D	28 May 2019
Proposed Drawing	2114-P02	B	28 May 2019
Proposed Drawing	2114-P04	B	28 May 2019
Proposed Drawing	2114-P05	C	28 May 2019
Proposed Drawing	2114-P06	B	28 May 2019
Proposed Drawing	2114-P07	B	28 May 2019
Proposed Drawing	2114-P08	B	28 May 2019
Proposed Drawing	2114-P-10	D	28 May 2019
Proposed Drawing	2114-P-11	D	28 May 2019
Proposed Drawing	2114-P12	A	28 May 2019
Proposed Drawing	2114-P-13	A	28 May 2019
Other	180-076-SS-001	P4	25 February 2019
Other	772.19.05		28 May 2019

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions

3. No customers shall occupy the self-storage part of development hereby approved outside the hours of:

- Monday to Friday: 07:00 - 21:00,
- Saturday: 08:00 - 21:00
- Sunday: 10:00 - 17:00 or public holidays

Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

4. No machinery and/or plant shall be used at the premises except between the hours of 07.00 and 21.00 Monday to Saturday, and 09.00 to 17.00 on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

5. No servicing (i.e. deliveries to or from the premises) shall occur except between the hours of 07.00 and 21.00 Monday to Saturday, and 09.00 to 17.00 on Sundays, Bank or Public Holidays.
Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
6. The office floorspace (B1) hereby permitted shall be used solely as an office (Use Class B1(a)) and for no other purpose (including any other purpose in Class B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification), no change of use shall occur without planning permission obtained from the Local Planning Authority.
Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the supply of office floorspace in the city given the identified shortage, to comply with policies CP3 and DA6 of Brighton & Hove City Plan Part One.
7. No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):
- a) samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)
 - b) samples of all cladding to be used, including details of their treatment to protect against weathering
 - c) samples of all hard surfacing materials
 - d) samples of the proposed window, door and balcony treatments
 - e) samples of all other materials to be used externally
- Development shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.
8. No development above ground floor slab shall take place until full details of all new door(s) and window(s) and their reveals and cills including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.

9. No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the PV panel arrangement have been submitted to and approved in writing by the Local Planning Authority. The details shall include a roof plan, cross section, and details of materials. The roof shall then be constructed in accordance with the approved details and shall be retained as such thereafter.
Reason: To ensure that the development contributes to sustainability objectives and the visual amenity of the streetscene in accordance with CP18, CP12 and CP15 of the Brighton and Hove City Plan Part One.
10. No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the construction of the green roofs have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement, the seed mix, and a maintenance and irrigation programme. The roofs shall then be constructed in accordance with the approved details and shall be retained as such thereafter.
Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy CP10 of the Brighton & Hove City Plan Part One.
11. Prior to first occupation of the development hereby permitted, the amended BYSS Management Plan June 2019 shall be implemented and measures retained.
Reason: To safeguard the amenities of occupiers of the adjoining properties in accordance with QD27 of the Brighton and Hove Local Plan.
12. Prior to the first occupation of the development, the recommendations in the Noise Impact Assessment by Sharps Redmore dated 14th February 2019, reference 1818377 shall be implemented as hereby approved and measures retained.
Reason: To safeguard the amenities of occupiers of the adjoining properties in accordance with QD27 and SU10 of the Brighton and Hove Local Plan.
13. Noise associated with any plant and machinery incorporated within the development shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed the existing LA90 background noise level. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:2014. In addition, there should be no significant low frequency tones present.
Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
14. Prior to first occupation of the development hereby permitted, a Car Park Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. This shall include details of how bays will be

allocated to user, staff and visitors; and how this will be enforced. The car park shall thereafter be managed in accordance with the approved plan at all times.

Reason: To ensure the development provides for the needs of all users and visitors to the site, to ensure the provision of satisfactory facilities for pedestrians and to comply with policies CP9 of the Brighton & Hove City Plan Part One and TR18 of the Brighton & Hove Local Plan.

15. Notwithstanding the plans hereby approved and prior to first occupation of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.

16. Full details of electric vehicle charging points within the proposed car park hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To encourage travel by more sustainable means and seek measures which reduce fuel use and greenhouse gas emissions and to comply with policies, CP7, CP9, CP12 and CP13 of the Brighton and Hove City Plan Part One and SPD14 Parking Standards.

17. The vehicle parking areas shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved.

Reason: To ensure that adequate parking provision is retained and to comply with policy CP9 of the Brighton and Hove City Plan Part One.

18. The development hereby permitted shall not be occupied until a Delivery & Service Management Plan, which includes details of the types of vehicles, how deliveries servicing and refuse collection will take place and the frequency of those vehicle movements has been submitted to and approved in writing by the Local Planning Authority. All deliveries servicing and refuse collection shall thereafter be carried out in accordance with the approved plan.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with policies SU10, QD27 and TR7 of the Brighton & Hove Local Plan.

19. The development hereby permitted shall not be commenced until a survey report and a method statement setting out how the existing boundary walls are to be protected, maintained, repaired and stabilised during and after demolition and construction works, and including details of any temporary support and structural strengthening or underpinning works, shall have been submitted to and approved in writing by the Local Planning Authority. The demolition and construction works shall be carried out and completed fully in accordance with the approved method statement.
Reason: To safeguard the amenities of occupiers of the adjoining properties and ensure a satisfactory appearance to the development in accordance with Policy QD27 of the Brighton and Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.
20. Prior to first occupation the development the amended landscaping scheme by Terry Anderson Landscape Architects reference 772.19.15 received 30th May 2019 shall be implemented as hereby approved.
Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD15 of the Brighton & Hove Local Plan and CP12 and CP13 of the Brighton & Hove City Plan Part One.
21. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD15 of the Brighton & Hove Local Plan and CP12 and CP13 of the Brighton & Hove City Plan Part One.
22. Within 3 months of first occupation of the non-residential development hereby permitted a BREEAM Building Research Establishment has issued a Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM New Construction rating of 'Excellent' and such certificate has been submitted to, and approved in writing by, the Local Planning Authority.
Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy CP8 of the Brighton & Hove City Plan Part One
23. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans and specified in the BYSS Site Waste Management Plan received 12th August 2019, have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.
Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan, policy CP8 of the Brighton & Hove City Plan Part One and Policy

WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan.

24. The development hereby permitted shall not be first occupied until:
- i) details of external lighting, which shall include details of; levels of luminance, predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent receptors, hours of operation and details of maintenance have been submitted to and approved in writing by the Local Planning Authority.
 - ii) the predicted illuminance levels have been tested by a competent person to ensure that the illuminance levels agreed in part 1 are achieved. Where these levels have not been met, a report shall demonstrate what measures have been taken to reduce the levels to those agreed in part i). The external lighting shall be installed, operated and maintained in accordance with the approved details and thereafter retained.

Reason: To safeguard the amenities of the area, to reduce light spillage, impact on the International Dark Sky Reserve and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.

25. The development hereby permitted within any parcel shall not be first occupied until a Scheme for Crime Prevention Measures for the development within that parcel has been submitted to and approved in writing by the Local Planning Authority. The agreed crime prevention measures shall be implemented and retained within the development thereafter.

Reason: In the interests of crime prevention, to comply with policy CP12 of the Brighton and Hove City Plan Part One.

26. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To safeguard the health of existing residents and occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

27. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To safeguard the health of existing residents and occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

28. 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 safeguard the health of existing residents and occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

29. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the health of existing residents and occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

30. Piling and using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed development, does not harm groundwater resources in accordance with policy SU3 of the Brighton & Hove Local Plan.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of

sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

2. The applicant should be aware that whilst the requisite planning permission may be granted, this does not preclude the Environmental Protection department from carrying out an investigation in line with the provisions Environmental Protection Act 1990, should any complaints be received with regards to noise from the premises.
3. The applicant is minded that, under the Wildlife and Country Side Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting birds activity on site during this period and has shown it is absolutely certain that nesting birds are not present.
4. The applicant is advised that the details of external lighting required by the condition above should comply with the recommendations of the Institution of Lighting Engineers (ILE) 'Guidance Notes for the Reduction of Light Pollution (2011)' or similar guidance recognised by the council. A certificate of compliance signed by a competent person (such as a member of the Institution of Lighting Engineers) should be submitted with the details. Please contact the council's Pollution Team for further details. Their address is Environmental Health & Licensing, Bartholomew House, Bartholomew Square, Brighton, BN1 1JP (telephone 01273 294490 email: ehlpollution@brighton-hove.gov.uk website: www.brighton-hove.gov.uk).
5. Crime prevention measures could be evidenced by a Secure By Design Developers Award Certificate or equivalent.

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1. The site is located on the southern side of Old Shoreham Road (A270) and measures 0.4ha. The site currently houses a single storey building and car park area providing 1,316 sq.m of floorspace and circa 80 car parking spaces. The current tenant is a Jaguar and Land Rover car dealership operated by Harwoods.
- 2.2. The site is bound to the east by Amherst Crescent and to the west by a side access road. Beyond the access road to the west is Currys PC World and Carphone Warehouse retail units extending two/three storeys high. To the south of the site is Martlets Furniture Store. To the north, on Old Shoreham Road is a two/single storey property with a large co-operative food retail unit at ground floor and residential above. Further west of the site is Hove

Cemetery. Beyond the Old Shoreham Road highway to the north is Holmes Avenue, a residential street.

- 2.3. The surrounding area is characterised by a mix of uses including residential, commercial, retail and industrial.
- 2.4. The site is covered by the Goldstone Archaeological Notification Area.
- 2.5. The proposal is for the demolition of the existing showroom, MoT and car sales building and the erection of a two/three storey building to provide storage (B8) facilities and a separate flexible office (B1a) space; with associated landscaping, car parking and cycle parking.
- 2.6. The storage facility would provide 3153 sq.m of space over two floors. The ground floor would provide a small reception area, loading area and self storage and the first floor would provide self storage.
- 2.7. The storage facility would have the ability to provide a demountable mezzanine floors providing an additional 4237 sq.m of storage floor space; however this is not subject to the planning application, and the information provided is indicative only.
- 2.8. The storage facility would have 8 dedicated parking spaces (including 2 disabled parking spaces) and 8 cycle spaces. Vehicular access is proposed by Old Shoreham Road as existing.
- 2.9. The Flexi Offices would provide short term leases support start-ups and small businesses providing circa 23 offices totalling 688 sq.m of floor space over three floors (ground, first and second).
- 2.10. The Flexi Offices would have 11 parking spaces are provided, including 1 disabled parking space at the front and 10 parking spaces within the rear yard. 10 cycle spaces are also proposed including 2 at the front and 8 in the rear yard.
- 2.11. A separate pedestrian entrance is provided to the flexi offices which fronts onto Old Shoreham Road.
- 2.12. The main site opening hours will be:
 - Monday to Friday: 07:00 – 21:00
 - Saturday: 08:00 – 21:00
 - Sunday: 10:00 – 17:00
- 2.13. The site will be manned from 08:00 to 18:00 Monday to Saturday and from 10:00 to 17:00 on Sundays. These times are known as the 'core opening hours'.

- 2.14. Outside of the core hours that the site will be manned, some customers will have access to the site. These times are known as the 'extended opening hours' and comprise of the following times:
- Monday to Friday: 07:00 – 08:00 and 18:00 – 21:00
 - Saturday: 18:00 – 21:00
- 2.15. There have been a number of revisions to the scheme during the life of the application. The key alterations include:
- Reduction in the height of the south-eastern element nearest to 80 and 82 Amherst Crescent from three storeys to two storeys
 - The three storey element of the scheme has been set back 8 metres from the original scheme so that it is positioned further away from the residential properties on Amherst Crescent
 - At ground and first floor, the building line has been set back 2 metres from the original proposal on the southern extent of the proposed building, adjacent to the south-eastern boundary with 80 and 82 Amherst Crescent.
 - The vertical green screen and proposed planting/ landscaping in this area will be retained and has been stepped westwards to align with the revised wall position additional 2 metres of soft landscaping between the building and site boundary
 - At the rear of the building, the building line has been pushed 1.1 metres towards the office car park
 - All the PV panels are now proposed to be located on the south west section of the roof, further from the residential uses.
 - The opening hours for the self-storage facilities have changed from 05:00 – 23:00 Monday to Sunday to Monday to Friday: 07:00 – 21:00, Saturday: 08:00 – 21:00 and Sunday: 10:00 – 17:00.

3. 3.0 RELEVANT HISTORY

Pre-Application History:

- 3.1. The applicant entered pre-application discussions with the council in June 2018 for demolition of existing property and erection of part 3, part 4 storey building plus lower ground floor and basement comprising self-storage facility (B8) and office space (B1) with associated works.
- 3.2. In short, the BYSS was informed that the principle of development was appropriate however they were advised that the following required further consideration:
- The design of the dormers appear disjointed – the 4th floor has now been removed as part of this application.
 - Further details of the parking is required for assessment – a transport assessment is now provided as part of this application.

- The amenities of the adjoining occupiers –the parking layout and overall massing and height have been amended –a noise assessment and daylight and sunlight report have been undertaken and support the scheme.
- Security measures –are now included as part of this application.

Previous planning applications

- 3.3. There are a number of applications relating to the use of the site as follows:
- 3.4. BH2007/02407 - Construction of single storey extension to accommodate additional service bays and staff facilities at 270-272 Old Shoreham Road- approved August 2007.
- 3.5. BH2004/03263/FP-Change of use from petrol station to car sales display area (Retrospective) – approved December 2004
- 3.6. BH2002/02568/FP - New exterior cladding and insertion of additional showroom windows to Frosts Jaguar Showroom (retrospective). This scheme was carried out prior to consent being granted.
- 3.7. BH1998/00862/FP - Change of use from B1 (light industrial) to B2 (general car repair and minor spraying)- approved June 1998

4. REPRESENTATIONS

- 4.1. An amended scheme was submitted on the 30/05/2019 a 21 day week re-consultation was undertaken which completed on the 20.06.2019.
- 4.2. Nineteen (19) letters has been received from adjoining occupiers objecting to the proposed development for the following reasons:
- 4.3. Design/Appearance
- Obtrusive
 - The building size and colour is going to be extremely unsightly, obtrusive and not in keeping with the surrounding buildings.
 - The scale and height of the building is in is not compatible with our street
 - Height in excess of residential units
 - The current design, appearance and materials (going from glass fronted building that reflects light to three storeys of solid walls) will be an eyesore - the colours and textures of the proposed building are not compatible with the style of existing buildings in the area.
- 4.4. Amenity
- Noise
 - Extended opening hours would cause nuisance
 - The extended opening hours from 5pm - 11pm are likely to cause additional noise & disturbance to local residents.

- Block daylight houses
- Noise and headlights from parking positioned directly at end of garden
- Light pollution from operation
- The height of the building will shadow domestic properties, dramatically effect sunlight, create light pollution at night
- There will also be substantial impact on properties in Holmes Avenue, Old Shoreham Road, Cranmer Villas, Elm Drive and Maple Gardens. This will include light, noise and air pollution
- Pollution levels in this area are already high and this development will further increase them affecting the health of the local residents
- Loss of sea view

4.5. Transport

- Excess traffic
- The parking offered for the proposed site doesn't seem adequate and could overflow into the already over congested local residential area creating parking problems for the residents.
- The Holmes Avenue/Old Shoreham Road junction is a precarious one without the inevitable extra traffic & increased pollution.
- If access was opposite Holmes Avenue and traffic lights were installed it would be slightly better.
- Heavy traffic on an already busy road and especially the impact whilst the substantial building programme will increase accident risk.
- The road is also busy as it is a route for children crossing for access to 4 schools
- Traffic and parking in the area are likely to increase leading to a nuisance for local residents
- Articulated and other large vehicles will be using the entrance in close proximity to a busy pedestrian crossing which is used by unaccompanied children to travel to and from the two large secondary schools nearby soon to be three
- The increased traffic will pose further safety issues to the hundreds of children and parents who use this crossing point to go to Goldstone, Aldrington, Blatchington Mill and Hove Park Schools and the numerous nurseries in the near vicinity on a twice daily basis
- Question whether a total of 19 parking spaces would be enough for the forecast numbers of employees and users of the self-storage and flexi-office facilities and the potential impact on neighbouring roads
- The size and layout of the Self-Storage Yard as does not appear to be large enough to accommodate several vehicles turning, manoeuvring and loading/unloading at the same time, bearing in mind their restricted rearward visibility and the risk of obstruction to Old Shoreham Road while vehicles wait to enter the yard at peak times
- The total of 19 parking spaces would not be enough for the forecast numbers of employees and users of the self-storage and flexi-office facilities and the potential impact on neighbouring roads

4.6. Other considerations

- Inconsistency with domestic property applications being rejected because of height yet this is not the case for industrial / business developments
- A development this size should be on an Industrial Park not a smaller Business Park in a residential area
- The preferred option is that site is redeveloped for appropriate social housing for families, key workers and others in need
- The size of the development, especially the below ground element, will lead to lengthy building works which will be noisy and dusty and will cause a traffic nuisance
- This development adds little or no value to the local area. The site could be used as a housing, community space, youth clubs, local authority fitness services, or facilities to bring people of all ages and demographic together.
- The developer's efforts in addressing some of the concerns raised during the consultation process, and the soft landscaping proposals are particularly impressive.

4.7. Insufficient information on offices

4.8. **Councillor Vanessa Brown** objects to the proposed development and a copy of the objection is attached.

5. CONSULTATIONS

5.1. **Environment Agency:** No objection subject to conditions.

5.2. **County Ecologist:** Comments on revised scheme

It is disappointing that the landscape plans have been amended to replace a brown roof with high biodiversity value with a sedum roof with low biodiversity value. The reasoning behind this change is unclear. The species lists include a reasonable proportion of plants of known wildlife value. Given the relatively low biodiversity value of the site pre-development, this is acceptable. Summary In summary, the landscape plans are acceptable and can be supported from an ecological perspective.

Initial comment on original scheme:

5.3. In summary, the proposed development is unlikely to have an adverse impact on biodiversity and can be supported from an ecological perspective. The provision of a brown roof, green wall and boundary planting will provide a net gain in biodiversity.

5.4. **Brighton and Hove Archaeological Society:** Comment

We are unaware of any archaeological deposits that are likely to be affected by this development. However, it is possible that The County Archaeologist

has information not available to this Society. The Society would suggest that you contact him for his recommendations.

5.5. **County Archaeologist: Comment**

Although this application is situated within an Archaeological Notification Area, based on the information supplied, I do not believe that any significant archaeological remains are likely to be affected by these proposals. For this reason I have no further recommendations to make in this instance. Please do not hesitate to contact us again however if you need any further information or advice.

5.6. **Environmental Health: No comments received.**

5.7. **Heritage: Comment on revised application**

No objection

Initial comments on original application:

5.8. This site is adjacent to Hove Cemetery, which along with the lodge and chapels has been identified as historic assets of local interest, due to the aesthetic interest of the designed landscape (which retains much of its original layout), and the quality of the architectural elements which are also largely intact. The openness of the frontage provides contrast to the surrounding built-up environment, later retail development and the busy Old Shoreham Road. The Proposal and Potential Impacts The Heritage Team considers the architectural approach to this development generally acceptable, however due to its proposed height at the front of the site there is some concern in relation to the impact the redevelopment of this site with a 3 storey building would have on the setting of the local heritage assets immediately to the West. It is therefore suggested that contextual elevations and/or a section should be sought to enable a comparison to be made with the height of the existing building at 255 Old Shoreham Road which has already impacted the setting.

5.9. **Planning Policy: Comment**

270 Old Shoreham Road is an unallocated site in the 2005 retained Brighton & Hove Local Plan and the 2016 adopted City Plan Part 1.

5.10. The draft City Plan Part 2 has proposed the site's allocation for mixed uses in Policy H1 for a 1000 sq m of B1 employment floorspace and an indicative 10 residential units. Whilst limited weight can be given to the draft policy it indicates that the draft CPP2 recognises the potential of the site for redevelopment including employment uses.

5.11. In principle the redevelopment of this site for B8 and B1a uses would be acceptable and would make a welcome contribution to meeting the forecast demand for B Use Class employment uses over the Plan period. The proposal accords with EM4 a) – d) and EM7 a) – c) of the Brighton & Hove Local Plan and would help support the delivery of employment land over the

plan period (City Plan Part 1 Policies CP2 Planning for Sustainable Economic Growth and CP3 Employment Land).

- 5.12. Through the redevelopment of the site the proposal increases the footprint and amount of employment floorspace compared with existing car showroom. In principle whilst a more effective use of a brownfield site would accord with the NPPF and emerging policy DM11 New Business Floorspace in the draft City Plan Part 2 it will be for the case officer to determine whether the proposal meets the requirements of EM4 e) – f) and EM7 c) – e). Policy QD27 Amenity is also relevant.
- 5.13. It is welcome that the applicant has indicated that the proposal is expected to attain BREEAM excellent in accordance with CP8 Sustainable Buildings. It is noted that areas of landscaping and a brown roof is proposed which offer the opportunity for a net gain in biodiversity on the site. Consideration should be given to the choice of planting and tree species to support the city's Biodiversity Action Plan targets and opportunities should be sought to incorporate provision of roosting/nesting boxes for bats/birds and bricks to support pollinators. Policy CP10 Biodiversity and SPD11 Nature Conservation and Development apply
- 5.14. Policy WMP3d of the Waste and Minerals Plan requires development proposals to minimise and manage waste produced during construction demolition and excavation and a Site Waste Management Plan is required. The National Planning Practice Guidance provides guidance on what could be covered in the SWMP in order to meet the requirements of the policy.
- 5.15. The site comprises a single storey building and a car park that is currently used as a car showroom and vehicle servicing (Use Class Sui Generis) – 3,153 sq m. The current car showroom business is relocating to Hollingbury Industrial Estate.
- 5.16. The surrounding area is characterised by a mix of uses, including residential, commercial, industrial and retail. In particular to the rear of the site is Sussex House Industrial Area, a safeguarded industrial estate in the adopted City Plan Part 1 and retail warehouse units to the west of the site. Residential properties to the east are located on Amherst Crescent.

Principle of Proposed Use

- 5.17. The proposed development comprises the demolition of the existing building and the construction of a part two and part three storey permanent self-storage accommodation (Use Class B8) to the rear of the site providing 3,153 sqm GIA and a three storey 688 sqm GIA of flexible office accommodation (Use Class B1a) to the front of the site. The development will also comprise a service yard, parking, landscaping and ancillary works.
- 5.18. The building proposals indicate that the B8 storage unit will be equivalent height of part two and part three storeys above ground. The equivalent of 2

further storeys below ground level (lower ground floor and basement) will be provided. The applicant has also indicated that the building will be constructed to enable demountable mezzanine floors to be inserted. The building would then be able to provide in total 7,387 sqm B8 floorspace. However the mezzanines are not subject to the current application (and this should be further clarified with the applicant).

- 5.19. The site is not allocated employment site in either the adopted retained BHLP or the adopted City Plan Part 1 and Sui Generis uses are not covered by Policy CP3 Employment Land.
- 5.20. The draft City Plan Part 2 has proposed the site's allocation for mixed uses in Policy H1 for a 1000 sq m of B1 employment floorspace and an indicative 10 residential units. However the applicant made representations to the draft Plan during the Regulation 18 Consultation (July- September 2018). Whilst being supportive of the '...Council's recognition in the policy for an opportunity for redevelopment incorporating an element of B1 employment floorspace, the provision of residential units is not supported.' It is therefore considered that whilst limited weight can be given to the draft policy it indicates that the draft City Plan Part 2 recognised the potential of the site for redevelopment including employment uses.
- 5.21. Retained Policy EM4 of the adopted BHLP relates to new business and industrial uses on unidentified sites. It is considered that the proposal would be meet the criteria a) – d).
- 5.22. In particular with regard to a) it is important to note that the 2012 Employment Land Study which informed the City Plan Part 1 forecast a modest demand for industrial and storage (B1c, B8 Use class) floorspace over the plan period of 43,430 sqm and office floorspace and a forecast demand for office (B1a, B1b) floorspace over the plan period of 112,240 sqm.
- 5.23. City Plan Part 1 Policy CP3 Employment Land acknowledges that there is a shortfall of identified sites in the Plan to meet that forecast demand to 2030. There is also currently strong market demand for both office and industrial and storage buildings and a lack of available stock. With respect to industrial units over 500 sq m whilst availability has increased to c.13, 500 sq m majority of available spaces is available at 2 buildings. With respect to office availability (over 500 sq m) this remains low and fairly static at 17,000 sq m and less than 3.5% of total stock. (Stiles Harold Williams - Industrial and Logistic Focus Q1 2019).
- 5.24. Policy EM7 Warehouses (B8) in the retained BHLP requires demonstration that new primary warehousing development will only be permitted where the criteria a) – e) are met. With respect to criterion b) however it should be recognised that the retained BHLP policy reflects the employment land supply forecasts undertaken in 1998. As outlined above, up to date employment land forecasts indicates there is a demand B8 floorspace over

the plan period and market analysis indicates market demand and a lack of supply of space. This is acknowledged in the adopted City Plan Part 1 policy CP3 Employment Land.

- 5.25. With respect to EM7a) The applicant has provided information on the number of jobs likely to be created by the proposal.
- 5.26. The application form indicates the proposed uses would employ 39 FTE employees. The Planning Statement at paragraph 6.14 indicates that the B8 floorspace will employ 3-4 employees and the office floorspace could potentially accommodate 39-45 employees (using HCA Employment Density Guide 2015).
- 5.27. The B8 warehouse will accommodate self storage accommodation for both domestic and commercial customers and allow Big Yellow Self Storage to expand to a second site in the city to meet customer demand. The store provides a variety of different room sizes from 10 - 400 sq. ft. dependent on the requirements of the customer. The individual rooms can be rented for as short a period as 7 days or for as long as the customer requires.
- 5.28. Analysis of Big Yellow stores nationwide provided by the applicant (Appendix 1 of the Planning Statement) indicates that the majority of customers of a store will be domestic, with the remaining 16% being business customers. By floor area businesses occupy 28% of the average store and provide flexibility to local businesses as they can rent the space they need at any particular time. The nationwide analysis suggests that 60% of businesses in Big Yellow are start-ups, who have not rented elsewhere before. The applicant considers that: 'the development will support the local economy by providing self-storage capacity to support small and independent businesses and creative industries.' They consider that this local economic benefit, and the number of jobs indirectly that the facility supports should be taken into consideration.
- 5.29. The office floorspace is proposed to accommodate small business enterprises and start-ups providing flexible office space from 7 m² to 19 m² in size. They envisage there would be 23 offices spread across the three floors with the flexibility to alter the space as individual business requirements change. The offices will be managed by Big Yellow and will offer flexible lease arrangements with a minimum stay of 4 weeks. The applicant indicates that many office occupiers will also rent storage space within the main building. Providing flexible floorspace suitable for start-up and SME business would accord with CP2 Planning for Sustainable Economic Development.
- 5.30. In principle the redevelopment of this site for B8 and B1a uses would be acceptable and would make a welcome contribution to meeting the forecast demand for B Use Class employment uses over the Plan period. The proposal accords with EM4 a) – d) and EM7 a) – c) of the Brighton & Hove

Local Plan and would help support the delivery of employment land over the plan period (City Plan Part 1 Policies CP2 Planning for Sustainable Economic Growth and CP3 Employment Land).

- 5.31. Through the redevelopment of the site the proposal increases the footprint and amount of employment floorspace compared with existing car showroom. In principle whilst a more effective use of a brownfield site would accord with the NPPF and emerging policy DM11 New Business Floorspace in the draft City Plan Part 2 it will be for the case officer to determine whether the proposal meets the requirements of EM4 e) – f) and EM7 c) – e). Policy QD27 Amenity is also relevant.
- 5.32. It is welcome that the applicant has indicated that the proposal is expected to attain BREEAM excellent in accordance with CP8 Sustainable Buildings. It is noted that areas of landscaping and a brown roof is proposed which offer the opportunity for a net gain in biodiversity on the site. Consideration should be given to the choice of planting and tree species to support the city's Biodiversity Action Plan targets and opportunities to incorporate provision of roosting/nesting boxes for bats/birds and bricks to support pollinators. Policy CP10 Biodiversity and SPD11 Nature Conservation and Development apply.

Waste Management

- 5.33. Policy WMP3d of the Waste and Minerals Plan requires development proposals to minimise and manage waste produced during construction demolition and excavation and a Site Waste Management Plan is required. The National Planning Practice Guidance provides guidance on what could be covered in the SWMP in order to meet the requirements of the policy.
- 5.34. Policy WMP3e of the WMP requires proposals for new development to identify the location and provision of facilities intended to allow for the efficient management of waste, e.g. location of bin stores and recycling facilities.

Policy, Projects and Heritage: Comment

- 5.35. To make sure the requirements of local planning policy are met at implementation stage, it is recommended that an 'Artistic Component' schedule be included in the section 106 agreement.
- 5.36. It is suggested that the Artistic Component element for this application is to the value of £21,500. This is arrived at after the internal gross area of the development (in this instance approximately 3841 sq.m) is multiplied by a baseline value per square metre of construction arrived at from past records of Artistic Component contributions for this type of development in this area. This includes average construction values taking into account relative infrastructure costs.

5.37. Sustainable Transport: Comments on revised scheme:

Site Access

- 5.38. Pedestrian access on the site is directly off Old Shoreham Road for both the B1 and B8 use. Both accesses are slightly set back from the public highway, are step free and deemed acceptable.

Cyclist access

- 5.39. Cycle parking for the B1 use is located in the office car parking area to the rear of the building. Cyclist will access this off Old Shoreham Road and along a service road to the west side of the site. This access is step free and will offer a high quality access. For B8 use staff and visitors cycle parking is located in the existing forecourt at the front of the site with step free access. All cycle parking is to be provided in the form of Sheffield Stands, which is acceptable and meets design guidance as outlined in TR14 and SPD14. Details of quantum are provided below in the parking section. Cycle parking will need to be secured as a condition is planning permission is granted.

Delivery and service vehicle access

- 5.40. All deliveries will take place from an area located in the forecourt. A swept path assessment has been provided as part of the Transport Assessment (TA), which shows that adequate space is available for up to a Articulated Vehicle (full length of 16.4metres) to manoeuvre into and out of the site in a forward gear. This will mean that all servicing and refuse collection can be conducted from this location.
- 5.41. The mixture of onsite surveys, a TRICs trip generation assessment and an extrapolation of another existing storage site has been provided to show the impact of the development. Focusing only on the level of service vehicle and cars travelling to and from the site. The existing level of vehicles traveling to the site throughout the day is 236, the proposed site will generate 235. This is not an unreasonable estimate as the car shows room and associated servicing facilities will indubitably draw in a large number of vehicles.
- 5.42. One of the Local Highways Authority's (LHA) concerns was if sufficient space will remain once the forecourt has been reduced in size. The transport consultant has conducted a parking accumulation assessment based on the traffic survey data for updated New Cross store surveys. This shows that the maximum parking accumulation for any 15-minute period throughout the day would be 8 vehicles. The proposed storage development provides 9 parking spaces including three disabled spaces in the service yard and two additional loading bays. It is therefore considered that the proposed development provides an appropriate level of parking.
- 5.43. Car, van and motor cycle access. There are two vehicles access on to the site. For the office use there is a staff and visitors carpark to the rear of the building via a service road off Old Shoreham Road. The service road at 5.5 metres wide will provide sufficient space for two way traffic, allowing vehicles to safely pass as they enter and egress from the rear car park. There are currently vehicles that park along this road, but to ensure safety and ease of

passing double yellow lines and enforcement is planned by the developer to keep the area clear. This will however not lead to any displacement of this parking, as the vehicles parked along the service road are associated

- 5.44. Parking Overview of requirements (based on SPD 14 requirements).

Equality

- 5.45. No equality issues arise as part of this development.

Highway Works

- 5.46. No highways works are required as part of this development, the proposed plans take advantage of the existing road setup and would be developer to meet the existing level of the highway

Construction/Demolition management

- 5.47. The Construction works for this site will be logistically simple. The size of the existing forecourt, which will for the most part be maintained, will provide a large area in which construction workers and vehicles can operate from. It will also provide ample space for which deliveries and muck away can take place without impacting on the local highway network. However there are considerations that need to be taken into account. The site is located close to residential buildings who will undoubtedly feel an impact from the development, who will need to be consulted by the contractor. Also due to the size of the development and the level of excavation required to provide this site we feel that a Construction management plan will be required.
- 5.48. Travel Plan Due to the nature of the B1 (office) use of this development there is expected to be a significant level of person trips generated. In order to ensure that as many journeys as possible are made by sustainable modes, the Highway Authority requests that a Travel Plan to promote sustainable transport to and from the site is secured through a S106 obligation. The applicant has provided a draft TP as part of this application, while this is acceptable at this stage we will require additional information such a contact details for the Travel Plan co-coordinator. It is recommended that further details of these can be secured as part of the S106 agreement.
- 5.49. Section 106 Contributions (inc. Sustainable Transport Contribution) When considering the need for a sustainable transport contribution, the LHA considers the number of daily person trips together with the need for any off-site improvements to serve the proposed development.
- 5.50. On this basis, the following contribution is recommended, calculated in accordance with person trip rates contained within the council's Development Contributions Technical Guidance:
- Person trips x £200.00 x reduction factor
 - Total number of daily person trips for the existing car showroom = 312
 - Total number of daily person trips for the proposed development: = 338

- Total number of new trips = 26 26 x £200.00 x no reduction factor = £5,200
- The contribution will be allocated towards bus stop infrastructure improvements to stops on Old Shoreham Road.

Recommendation

- 5.51. The highway authority is satisfied that the application meets national and local policy and recommends approval subject to conditions and obligations.

Initial comments on original scheme: Comment

- 5.52. This application is currently unacceptable and should not be approved as it stands. We require additional assessment and details from the applicant on the following;

- Additional details of all on site cycle parking and facilities.
- Detail of mitigation measure relating to the displacement of parking on the west access road
- Alteration to the trip generation for the site, to give a better reflection of existing and proposed impact

- 5.53. **Sussex Police:** Comment

I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends should be considered. The application proposes in the main, self-storage facilities with flexi-office accommodation included on a number of floors. It will be very important to ensure that the two elements of the development are completely separated with access and egress removed from one another. The following is a list of security measure to be considered at the above location for both elements:

- Independent access control for each element
- CCTV
- Natural surveillance
- A monitored internal intruder alarm
- Certificated security ratings for products such as doors, windows and roller shutters
- All external fire doors are to be devoid of any external furniture and linked back to security or be alarmed that will indicate when the door is opened or left ajar

- 5.54. **UK Power Networks:** Detailed comments on location of access to substation.

6. MATERIAL CONSIDERATIONS

- 6.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report

- 6.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016)
 - Brighton & Hove Local Plan 2005 (retained policies March 2016);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006)
- 6.3. Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

7. **POLICIES**

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP2	Sustainable economic development
CP3	Employment land
CP7	Infrastructure and developer contributions
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP11	Flood risk
CP12	Urban design
CP13	Public streets and spaces
CP15	Heritage
CP16	Open space
CP17	Sports provision
CP18	Healthy city
CP19	Housing mix
CP20	Affordable housing
CP21	Student housing and Housing in Multiple Occupation

Brighton and Hove Local Plan (retained policies March 2016):

TR4	Travel plans
TR7	Safe Development
TR14	Cycle access and parking
SU3	Water resources and their quality
SU9	Pollution and nuisance control
SU10	Noise Nuisance
QD5	Design - street frontages
QD15	Landscape design
QD16	Trees and hedgerows
QD18	Species protection
QD27	Protection of amenity
EM4	New business and industrial uses on unidentified sites
EM7	Warehouses

HE12 Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Guidance:

SPD14 Parking Standards

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste

SPD06 Trees & Development Sites

SPD11 Nature Conservation & Development

8. CONSIDERATION & ASSESSMENT

8.1. The main considerations in the determination of this application relate to the principle of the development, impact of the development on the character and appearance of the area, neighbouring amenity, sustainable transport impacts including cycle parking demand, highway safety, and contribution to other objectives of the development plan.

Planning Policy Context and Principle of Development

8.2. The site is currently in sui generis use for MoT testing, repairs and car sales. The site has not been identified as a designated employment location, nor has it been allocated for office use.

8.3. The NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (paragraph 80). Making effective and efficient use of a brownfield site is also supported by national planning policy (NPPF paragraph 117).

8.4. It is acknowledged in the City Plan Part 1 that there is a shortfall of identified sites to meet the forecast need for employment sites over the plan period. The proposed development would provide 688 sq.m of office floor space and 3153m² of storage floor space.

8.5. Policy CP3 (Employment Land) of the City Plan Part 1 seeks to protect and safeguard employment sites and premises in order to meet the needs of the city. Furthermore, unallocated sites or premises in employment use (B1-B8) will only be permitted where it has been proven that it would be incapable of providing employment uses. When a loss is permitted, the priority will be for employment generating uses or housing.

8.6. The site is not a protected or a safeguarded employment site. However the extant use is an employment generating sui-generis use, which would be re-provided and the amount of employment generating floor space would be increased from 1316 sq.m to 3841 sq.m.

- 8.7. Policy CP2 (Planning for Sustainable Economic Development) seeks to bring forward a mix of employment floorspace including the provision of small and medium sized, flexible floorspace and start up business space to support the city's key employment sectors. The proposed flexible office accommodation (Use Class B1a) would provide rented accommodation for small businesses and start-ups in the city, the users of which would not have to commit to a long term lease (leases are a minimum of 4 weeks), especially where the space is sufficiently flexible so that independent and small enterprises could expand as required, which would assist the economy in the long term. The employment density would be 1 job per 10-13 sq.m, resulting in approximately 35-45 staff on site.
- 8.8. Policy EM7 (Warehouses (B8)) of the Local Plan states that planning permission for new primary warehousing development will not be permitted unless it can be demonstrated that such proposals are essential to the economy of Brighton & Hove on the following grounds:
- The number of jobs created would not be significantly less than those generated by class B1 or B2
 - There are no vacant warehouse buildings existing
 - There are no adverse environmental impact due to an increase in traffic and noise
 - The development will not be significantly detrimental to the amenities of adjoining occupiers or the character of the area
 - There is adequate provision for access, parking and servicing
- 8.9. The storage element (B8) would provide 3-4 people site, however a large number of jobs are created by the business occupiers including business with no fixed place of work that visit customers each day and use the storage for their equipment eg. a landscape gardener; or retail businesses that wish to maximise their sales floor area which may in turn result in employing more staff. Therefore such a storage facility alone can provide for circa 300 jobs as shown in the data collected equating to circa 1 job per 28 sq.m compared to the average B8 density of 1 job per 70-98 sq.m.
- 8.10. The purpose of Policy EM7 is to ensure that employment sites are maximised, as historically warehousing facilities provide a relatively low employment density. The proposed development is unusual in terms of its relatively medium employment density on and off site. Moreover, additional office (B1a) floor space is also provided on site within a relatively high employment density. Nevertheless, the requirements of Policy EM7 is discussed below.
- 8.11. The applicant has demonstrated that there is a need for such a facility in the local area. Given the previous use of the site, it is considered that both the environmental impact in relation to noise would not be worsened and sustainable measures have been proposed to ensure it would not result in an increase in traffic generation. Again, given the previous use of the site adjacent to existing residential properties, it is considered that the 'nature' of

the development would not be dissimilar' to the proposed development, and measures have been taken to ensure the amenities of the adjacent residential occupiers are not unduly compromised. The existing vehicular access would be utilised and the proposed development provides adequate provision for parking and servicing. As such it is considered that the proposed development accords with Policy EM7 of the Local Plan.

8.12. Policy EM4 of the Local Plan states that planning permission will be granted for new business use on unidentified sites on the basis that they meet the following requirements:

- There is a need;
- The site is readily accessible by sustainable means;
- It would not result in the net loss of residential;
- It would not result in the loss of a greenway/ or nature consideration site;
- It would not have adverse environmental impact due to traffic and noise;
- It would not unduly impact on the amenities of adjoining occupiers; and
- Adequate amenity space is provided

8.13. The applicant has demonstrated that the nearest BYSS is located 3.5 miles away in Coombe Road, Brighton and it has been identified that a further unit would be required in this locality. The site is also located within a sustainable location on Old Shoreham Road and is readily accessible via public transport. As such a need has been identified and the site is readily accessible by sustainable means.

8.14. The existing use does not provide any residential units, and as such there would be no loss in residential units. The site would not result in any loss of a greenway/or nature conservation. The existing trees/shrubs around the site will be retained and protected during the construction process and during the life of the development.

8.15. More new soft landscaping will be incorporated into the site. The proposal also includes the provision of a green roof and would result in a net increase in the biodiversity within the site. Further within this report the impact on the environment due to traffic and noise; and the potential impact on the adjoining occupiers will be discussed and it is demonstrated that the proposed development would not have any undue adverse impact. Adequate outdoor amenity space is provided for the staff. It is therefore considered that the provisions of Policy EM4 have been met.

8.16. It is observed that the site has been allocated in the emerging City Plan Part 2, Policy H1 Table 6 for 10 indicative residential units and a minimum requirement of 1000 sq.m of employment space. It should be noted that this plan is within an early stage of the development plan making process, and although it does show the Council's direction of travel, it holds little weight. Nevertheless, although residential units are not being provided as part of the development 3841 sq.m of employment floorspace is proposed.

Design and Appearance:

- 8.17. National and local policies seek to secure good quality design which respects general townscape and the setting of heritage assets and is a key aspect of sustainable development.
- 8.18. Policy CP12 on urban design states that development should comply with certain criteria. The keys points are set out below:
- High quality design
 - Create a sense of place
 - Conserve and enhance the city's built archaeological heritage and settings
 - Achieve excellence in sustainable building design and construction
- 8.19. Policy CP15 specifically relates to protection and enhancement of heritage assets. To the west of the site is Hove Cemetery, a locally listed building. Although our heritage team have questioned the height of the development based on the original scheme, since the bulk of the scheme has been reduced to a two –storey element overall providing a two/three storey building. The scheme is now considered acceptable in terms of heritage.
- 8.20. There is no objection to the demolition of the existing single storey building which does not contribute to or enhance the appearance of the area; and a move towards a contemporary' development is acceptable on this main street frontage.
- 8.21. The frontage is broken up and together with the glazing and material palette provides articulation and visual interest in the streetscene. The roof profile reduces the overall bulk of the building allowing it to assimilate with the existing ridge heights.
- 8.22. The proposed material palette would respect the traditional character of the locality by way of providing dark grey bricks the whilst providing a contemporary element comprising steel frames and metal panelling, ensuring the development responds to the surrounding locality coherently.
- 8.23. The development pattern and layout and siting would respect the varied urban grain within the immediate and wider locality, and would positively contribute to the visual amenity of the streetscene.

Quality of Accommodation

- 8.24. The accommodation provides adequate ventilation and natural light and amenity for staff and future users. Amenity space is also provided for staff.

Landscaping:

- 8.25. A landscaping scheme has been submitted, which proposes boundary planting on the periphery of the site and boundary treatment. A scheme of hard and soft landscaping is proposed. The yard area and rear car park will

comprise of block paving. Along the Old Shoreham Road site boundary soft landscaping and trees will be provided. Along the eastern site boundary low level planting, hedging and pleached trees will be provided. No loss of trees is proposed on and around the site. Stainless steel wires mounted on a structure positioned along the eastern edge of the pedestrian pathway stretching from the rear car park to the staff amenity area. This would be planted with vertical climbing plants to provide vertical greening. This would provide a visual screen between the building and residential properties to the east.

Impact on Amenity:

- 8.26. Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.27. It is noted that the proposed uses have the potential to be detrimental to the amenities of the neighbouring occupier however measures have been taken in the design, layout, landscaping and boundary treatment and mitigation measures are also proposed. The main impacts will be to the properties on the eastern boundary of the site 266-268 Old Shoreham Road and 82, 80, 78, and 76 Amherst Crescent.

Overlooking & Loss of privacy

- 8.28. The separation distances between the rear wall of the adjoining residential properties to the east and the proposed development vary from 16 to 25 metres.
- 8.29. It is considered that these distances are sufficient enough to prevent any overlooking. At ground floor level boundary treatment and landscaping would create a permanent screen. There is an existing boundary fence which prevents overlooking into neighbours gardens. In addition, the landscaping scheme introduces hedges, a vertical screen and pleached trees to further ensure that there is no overlooking to neighbouring properties from the yard or rear car park.

Outlook/daylight & sunlight

- 8.30. It is acknowledged that the existing property is a single storey complex and the adjoining residential properties are mainly two storeys high. It is also apparent that the land levels rise slightly from east to west resulting in the ground level of the site being elevated above the residential properties. Nevertheless, given the separation distances noted above, and the amended drawings which reduce the height of the building nearest to the residential properties to a maximum of two-storeys high; it is considered that no undue loss of outlook would occur. It should also be noted that the eaves height of the two storey element closest to the site boundary is 5.8 metres, which is only 1.1 metres above the existing single storey building, which totals 4.7 m

in height. In addition, a daylight and sunlight report has been submitted which demonstrates that any loss of daylight and sunlight to adjoining occupier habitable room windows and garden areas would be negligible.

Noise & Disturbance

- 8.31. The current use of the site, results in lots of early morning arrivals when the site first opens and customers drop off their cars for servicing/ repairs. Generally, it is anticipated that the intensity of vehicles coming to and from the site daily is likely to decrease. In addition, the proposed layout of the site could also potentially reduce the noise impact to 76 - 82 Amherst Crescent. Currently, cars drive down to the rear of the site for MOT and repairs whereas the proposed site plan would now provide amenity area and landscaping.
- 8.32. The existing vehicular access is used to access the site. The parking for the offices located on the southern extent is accessed via the access road, away from the residential properties. The main entrances are located 13-26 metres away from the boundary with the residential occupiers. The amenity area is located on the eastern part of the site adjacent to the rear of the residential properties. The proposed design, separation distances and proposed boundary screening treatment would therefore prevent any undue noise and disturbance.
- 8.33. The existing hours of operation and proposed are detailed below:

Hours of operation

Existing site opening hours

- Mon - Fri 07:30 - 18:00
- Sat 08:00 - 18:00
- Sun 10:00 - 16:00

Proposed site opening hours

- Monday to Friday: 07:00 – 21:00
- Saturday: 08:00 – 21:00
- Sunday: 10:00 – 17:00

- 8.34. The proposed core hours of use are not dissimilar to the existing operating hours. In accordance with the Management Plan (recommended to be conditioned), in the event of a justified complaint about noise nuisance occurring as a result of site use during any of the time periods, BYSS will investigate the cause and remedy, as appropriate. Complainants will be kept advised of progress and actions taken. Remedial actions may involve changing the location in which a particular activity is permitted; the time at which it is permitted; or the method used to load or unload goods.
- 8.35. Limited access will be provided outside of core operating hours which are Monday to Friday: 07:00 – 08:00 and 18:00 – 21:00; and Saturday: 18:00 – 21:00. All customers are offered extended hours at an additional fee. From

BYSS' experience the take up is typically circa 25%, typically the vast majority are domestic customers.

- 8.36. During extended hours there will be no movement of pallets or other heavy goods. Access will be reviewed and may be withdrawn, where necessary. Customers to be required to formally agree to minimise noise at these times by avoiding certain activities and exercising care. Overall, if carefully managed as proposed, the opening hours would be acceptable, and would not unduly detract from the amenities of the adjoining occupiers. This again is detailed in the conditioned Management Plan.
- 8.37. Noise and dust during the construction of the scheme will be controlled by a Demolition and Environmental Management Plan (DEMP) and Construction and Environmental Management Plan.

Lighting

- 8.38. External lighting will be provided to serve the yard and rear car park outside of daylight hours. The external lighting will be on a timer to ensure that it only comes on when it is dark, turns off when it gets light and is only on at specified hours when the site is in use (between core and extended opening hours). Outside of these hours the lighting will not operate. The lighting will be orientated away from the residential properties, face into the site and be fitted with baffle plates to prevent light back spill.
- 8.39. It is considered that the proposed separation distances afforded, siting of fenestration, height and massing of the development would be adequate to avoid any loss of amenity, in terms of a loss of outlook, visual intrusion, overlooking, loss of daylight or loss of sunlight. In addition, a management plan will be conditioned. Overall, the development is considered to be in accordance with the relevant policies and would not result in unacceptable harm to the residential amenities of the surrounding occupiers.

Sustainable Transport:

- 8.40. City Plan policy CP9 seeks to promote sustainable modes of transport and cycling and walking in particular, to reduce reliance on the private car. Local plan policy TR4 promotes the use of Travel Plans. Policy TR7 seeks to ensure highway safety. Development is expected to meet vehicular and cycle parking standards set out in SPD14.
- 8.41. The storage element would provide 8 car parking spaces (including 1 disabled space) at the front and 8 cycle parking spaces. The proposed flexible office space would provide 10 parking spaces to the rear of the site (and 1 additional disabled parking space at the front) accessed via the side access road on entry. Pedestrians would then walk along the ramp at the side of the property to the front entrance. 10 cycle spaces are also proposed.
- 8.42. An updated transport assessment has been submitted that demonstrates that the proposed parking provision would be adequate to serve the proposed

uses. It is considered that the site would not result in overspill parking on the surrounding roads and the site is well served by public transport.

- 8.43. The Highway Authority is satisfied that the full impact of this development has been assessed and is acceptable subject to outlined conditions and obligations including a sustainable transport contribution of £5,200 towards bus stop infrastructure improvements to stops on Old Shoreham Road. A travel plan and construction environment management plan are also sought.

Sustainability:

- 8.44. City Plan Policy CP8 requires that all new development achieves minimum standards for energy and water performance as well as demonstrating how the proposal satisfies a range of criteria around sustainable design features. 'Major' non-residential developments are expected to achieve BREEAM 'Excellent', which the proposed development will commit to. The proposed development incorporates a sedum roof and photo-voltaic panels on the main roof. A condition is recommended to provide final details of this provision.

Other Considerations:

Archaeology

- 8.45. Policy HE12 (Scheduled ancient monuments and other important archaeological sites) seeks to ensure development proposals preserve and enhance sites of known and potential archaeological interest and their settings. The site is set within an archaeological notification area and hence a desk top assessment has been submitted. The County Archaeologist is satisfied that no further assessment is required.

Sustainable Urban Drainage / Flood Risk:

- 8.46. Policy CP11 in the City Plan Part One sets out that the council will seek to manage and reduce flood risk and any potential adverse effects on people or property in Brighton & Hove, in accordance with the findings of the Strategic Flood Risk Assessment (SFRA). Policies SU3, SU5 and SU11 in the Local Plan relate to water resources and their quality, surface water and foul sewage disposal infrastructure and polluted land and buildings. A flood risk assessment has been provided and a sustainable urban drainage scheme has also been submitted. The Environment Agency raised no objection subject to conditions.

Security:

- 8.47. Policy CP12 seeks all development to incorporate design features which deter crime or disorder and the fear of crime. At present the site is unmanned and open at night. The applicant seeks to provide security gates and operational staff. A limited number of customers will have access to the site via a secure access code. Outside of the extended hours, no access to the site will be permitted. The gate will be closed overnight to ensure that non authorised persons cannot access or park on the Site. The yard area will also

be surrounded by a 2.4 metre high black welded mesh security fence. In addition, thorny planting and hedging is proposed along site boundary.

- 8.48. Sussex Police have commented on the proposed application and have no objection to the scheme but have recommended a number of measures. As such it is considered appropriate to condition further security details to be submitted.

Waste:

- 8.49. This Waste Management Plan (WMP) outlines the arrangements for waste management including waste storage and collection.
- 8.50. There will be a refuse storage area at the front of the site in the yard, this will serve both the self storage and office use. The waste collection at the site will be overseen by BYSS who will operate and manage the building and an appointed licensed private waste carrier to remove all waste. The applicant has also demonstrated that a large amount of waste during the construction process will be recycled on site and minimised.

Contamination:

- 8.51. A contamination report has been undertaken and due to the existing and previous uses of the site it is recommended that further site investigations are carried out. This will be duly conditioned.

Public Art:

- 8.52. To make sure that the requirements of Policies CP5, CP7 and CP13 are met at implementation stage, it is recommended that an Artistic Component schedule be included in the section 106 agreement for the sum of £21,500.

9. CONCLUSION

- 9.1. The proposed development considered acceptable in principle. Improvements have been made to this scheme to lessen the potential impact on the amenities of the adjoining occupiers and to improve the aesthetic quality and design of the scheme.
- 9.2. The proposal represents a sustainable development, being located within the defined built-up-area of the City.
- 9.3. The scheme is in general accordance with the relevant local and national planning policies and guidance and is in accordance with the presumption in favour of sustainable development, as set out in the NPPF.
- 9.4. The proposal would result in the redevelopment of an existing site to re-provide employment generating use on the site, including very much needed office accommodation and would likely bring further employment opportunities in the City. The development would be in keeping with the

character of the area and would not have a significant impact on the amenities of adjoining occupiers.

10. EQUALITIES

- 10.1. Level access will be provided.

11. DEVELOPER CONTRIBUTION

- 11.1. In the event that the S106 agreement has not been signed by all parties, the application shall be refused for the following reasons:
1. The proposed development fails to provide appropriate mitigation of the transport impacts of the development contrary to policies TR7 of the Brighton & Hove Local Plan and CP7 and CP9 of the Brighton and Hove City Plan Part One.
 2. The proposed development fails to provide adequate travel plan measures to encourage use of sustainable transport modes and therefore fails to address the requirements of Policies CP7 and CP9 of the Brighton and Hove City Plan Part One.
 3. The proposed development fails to provide a financial contribution towards the provision of an artistic element required contrary to Policies CP5, CP7 and CP13 of the Brighton and Hove City Plan Part One and the City Council's Developer Contributions Technical Guidance.
 4. The proposed development fails to deliver a Construction Environmental Management Plan (CEMP) contrary to Policies CP7 and CP9 of the Brighton and Hove City Plan Part One and the City Council's Developer Contributions Technical Guidance.

