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| <u>No:</u> | BH2021/02054 | <u>Ward:</u> | Hove Park |
| <u>App Type:</u> | Full Planning | | |
| <u>Address:</u> | Goldstone Retail Park Newtown Road Hove BN3 7PN | | |
| <u>Proposal:</u> | Erection of new single storey coffee shop building (Class E) with associated works to site layout including external seating area, bicycle storage and alterations to parking. | | |
| <u>Officer:</u> | Russell Brown, tel: 293817 | <u>Valid Date:</u> | 11.06.2021 |
| <u>Con Area:</u> | N/A | <u>Expiry Date:</u> | 08.08.2021 |
| <u>Listed Building Grade:</u> | N/A | <u>EOT:</u> | |
| <u>Agent:</u> | Tim Price Savills (UK) Limited 33 Margaret Street London W1G 0JD | | |
| <u>Applicant:</u> | TOF Corporate Trustee Ltd As Trustee Of The Oxford Funds C/O Savills (UK) Limited | | |

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 GRANT planning permission subject to the following Conditions and Informatives:

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 |
|------------------|------------------|----------------|----------------------|
| Location plan | 208100 | P00 | 1 June 2021 |
| Block plan | 208150 | P01 | 12 August 2021 |
| Proposed Drawing | 208150 | P00 | 1 June 2021 |
| Proposed Drawing | 208151 | P01 | 12 August 2021 |
| Proposed Drawing | 208250 | P00 | 1 June 2021 |
| Proposed Drawing | 208350 | P00 | 1 June 2021 |

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 alcohol shall be sold or supplied in the coffee shop hereby permitted except to persons who are consuming products made on the premises and who are seated at tables.

Reason: To prevent noise, nuisance, disturbance and public disorder, to protect the amenities of the occupants of residential accommodation within the vicinity

and to comply with Policies QD27 and SR12 of the Brighton & Hove Local Plan and DM20 of the emerging Brighton & Hove City Plan Part Two.

4. No development above ground floor slab level of any part of the development hereby permitted shall take place until details 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:
 - a) photos and product specification documents of the brick, cladding and roof covering;
 - b) details of the timber louvres' treatment to protect against weathering (if proposed);
 - c) photos and product specification documents of the proposed glazing and doors; and
 - d) 1:20 elevations annotated with the materials for the gates and fencing enclosing the plant and bin store.

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 CP20 of the Brighton & Hove City Plan Part One and DM18 of the emerging Brighton & Hove City Plan Part Two.

5. Prior to any external lighting being installed, full details, including levels of luminance, hours of use / operation and details of maintenance, shall be submitted to and approved in writing by the Local Planning Authority. The predicted illuminance levels shall be tested by a competent person to ensure that the illuminance levels are achieved. Where these levels have not been met, a report shall demonstrate what measures have been taken to reduce the levels. 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 occupiers of residential accommodation within the vicinity, those accessing the site and to comply with Policies QD25 and QD27 of the Brighton & Hove Local Plan and DM40 of the emerging Brighton & Hove City Plan Part Two.

6. No development above ground floor slab level shall take place until details of the plant machinery, accompanied by a Noise Impact Assessment, including, where necessary, mitigation measures for sound/vibration, has been submitted to and approved in writing by the Local Planning Authority. Noise associated with plant 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 (or as subsequently amended).

The measures shall be implemented in strict accordance with the approved details prior to the first occupation of the development and shall thereafter be retained as such.

No plant machinery shall be used at the premises except between the hours of 06:00 to 22:00 Monday to Sundays, including Bank and Public Holidays.

Reason: To safeguard the amenities of the occupiers of residential accommodation within the vicinity and to comply with Policies SU10 and QD27 of the Brighton & Hove Local Plan and DM20 and DM40 of the emerging Brighton & Hove City Plan Part Two.

7. No servicing (i.e. deliveries to or from the premises) shall occur except between the hours of 06:00 and 21:00 Monday to Saturday and 08:00-18:00 on Sunday.

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 and DM20 and DM40 of the emerging Brighton & Hove City Plan Part Two.

8. No customers shall be on the premises outside the hours of 06:00 to 22:00 Monday to Sundays, including Bank and Public Holidays.

Reason: To safeguard the amenities of the occupiers of residential accommodation within the vicinity, reduce traffic on the local highways and to comply with Policies TR7, SU10 and QD27 of the Brighton & Hove Local Plan and DM20, DM33 and DM40 of the emerging Brighton & Hove City Plan Part Two.

9. The development hereby permitted shall not be occupied until details of secure cycle parking facilities for coffee shop staff have been submitted to and approved in writing by the Local Planning Authority. The cycle parking for customers shown on drawing no. 208151 Rev P01 shall be installed and made available for use prior to the first occupation of the development, as shall the cycle parking facilities for staff. Both the approved facilities shall thereafter be retained for the duration of the development hereby approved.

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 Policies TR14 of the Brighton & Hove Local Plan and DM33 of the emerging Brighton & Hove City Plan Part Two, and SPD14.

10. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans 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 Policies QD27 of the Brighton & Hove Local Plan, CP8 of the Brighton & Hove City Plan Part One, WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan and DM20 of the emerging Brighton & Hove City Plan Part Two.

11. Three swift boxes shall be incorporated within the external walls of the development hereby approved and shall be retained thereafter.

Reason: To enhance the biodiversity of the site and to comply with Policy CP10 of the Brighton & Hove City Plan Part One, DM22 of the emerging Brighton & Hove City Plan Part Two and SPD11.

12. Prior to the first occupation of the development hereby permitted, a scheme for landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be implemented in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. The scheme shall include the following:

- a. details of all hard and soft surfacing to include type, position and materials and any sustainable drainage system used; and
- b. a schedule detailing location, species, sizes and numbers of all mitigatory tree planting proposed, to include food-bearing plants, and including details of tree pit design, use of guards or other protective measures.

The hard surfacing shall be made of porous and / or permeable materials or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site.

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 and QD16 of the Brighton & Hove Local Plan, CP12 and CP13 of the Brighton & Hove City Plan Part One, DM22 of the emerging Brighton & Hove City Plan Part Two and SPD06, SPD11 and SPD16.

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 is advised that the details of external lighting required by Condition 5 should comply with the recommendations of the Institution of Lighting Engineers (ILE) 'Guidance Notes for the Reduction of Light Pollution (2011)' for Zone E 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).
3. In order to be in line with Policy TR14 Cycle Access and Parking of the Brighton & Hove Local Plan 2005 cycle parking must be secure, convenient, accessible, well-lit, well-signed, near the main entrance, by a footpath/hardstanding/driveway and wherever practical, sheltered. It should also be noted that the Highway Authority would not usually support vertical hanging racks as they are difficult for many people to use and therefore not considered to be policy and Equality Act 2010 compliant. Also, the Highway Authority supports the use of covered, illuminated, secure 'Sheffield' type

stands spaced in line with the guidance contained within the Manual for Streets section 8.2.22, but will consider other proprietary forms of covered, illuminated, secure cycle storage including the Police approved Secure By Design cycle stores, "bunkers" and two-tier systems where appropriate.

4. Swift boxes can be placed on any elevation, but ideally under shade-casting eaves. They should be installed in groups of at least three, at a height above 5m height, and preferably with a 5m clearance between the host building and other buildings or obstructions. Where possible avoid siting them above windows or doors.

2. SITE LOCATION

- 2.1. The application relates to a site within Goldstone Retail Park on Newtown Road, to the east of Unit 1 (occupied by TK Maxx) and south of Unit 1A (occupied by Nandos). Lidl has recently occupied Unit 3, beyond DFS to the west, which was previously in use by Toys R Us.
- 2.2. There are five units over ground and mezzanine-floor levels within the retail park, and also two other buildings of single storey in height containing retail/café uses (Use Class E) on the western edge of the retail park, adjacent to Goldstone Lane. To the north of the large 284-space car park associated with the buildings is the Old Shoreham Road (A270) and beyond that, the locally listed Hove Park.
- 2.3. The application site is currently occupied by 10 parking spaces.
- 2.4. The site is not within a conservation area, nor is it a listed building or in the vicinity of one. The site is also outside a Controlled Parking Zone (CPZ), but CPZ T runs along Goldstone Lane to the west. However, it is within Source Protection Zone 1 and an Archaeological Notification Area.

3. RELEVANT HISTORY

- 3.1. There is no planning history for this specific site, but the following applications are relevant:
- 3.2. **BH2021/00282:** Variation of Condition 13 of application BH2020/00549 (External alterations to front and rear elevations including installation of new plant. Alterations to part of customer car park to provide trolley storage, covered cycle parking and car parking for disabled and parents. Use of Unit 3 for retail (A1)) to change the servicing hours to 07:00-21:00 Monday to Saturday and 08:00-18:00 on Sunday. Granted 9 April 2021
- 3.3. **BH2020/00549:** External alterations to front and rear elevations including installation of new plant. Alterations to part of customer car park to provide trolley storage, covered cycle parking and car parking for disabled and parents. Use of Unit 3 for retail (A1). Granted 8 September 2020

4. APPLICATION DESCRIPTION

- 4.1. Planning permission is sought for the erection of a new, single storey coffee shop building (Use Class E(b)) with associated works to the site layout including an external seating area, bicycle storage and alterations to parking.
- 4.2. Changes have been made during the course of the application to the proposed opening hours, servicing hours and cycle parking.

5. REPRESENTATIONS

- 5.1. **Nine (9) objections** were received, **five (5)** of which are from properties directly affected, raising the following concerns:
- No need for another coffee shop and effect on similar local businesses.
 - The retail park is overcrowded and overdeveloped.
 - Lack of parking, more traffic congestion and more different to manoeuvre.
 - Noise, odours and pollution
 - Location of bins
 - Generation of more litter
 - Opening and delivery hours are too early and too late; 24/7 is excessive.
 - The trees and bushes along the eastern wall need to stay maintain privacy and protect from noise.
- 5.2. **Councillors Allcock and O’Quinn** have objected to the application. Copies of the correspondence are attached to the report.

6. CONSULTATIONS

- 6.1. **County Archaeology:** No significant archaeological remains are likely to be affected by these proposals; no further recommendations
- 6.2. **Designing Out Crime Officer:** Support subject to their observations, recommendations and concerns being satisfactorily addressed
- 6.3. **Environmental Health:** No comment received
- 6.4. **Transport (verbal):** Seek updated parking survey and amendments to cycle parking

7. MATERIAL CONSIDERATIONS

- 7.1. 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.

- 7.2. 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, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
 - Shoreham Joint Area Action Plan (October 2019)
- 7.3. 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.

8. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

DA6 Hove Station Area
SS1 Presumption in Favour of Sustainable Development
CP2 Sustainable economic development
CP4 Retail provision
CP9 Sustainable transport
CP10 Biodiversity
CP12 Urban design

Brighton & Hove Local Plan (retained policies March 2016)

TR7 Safe Development
TR14 Cycle access and parking
SU9 Pollution and nuisance control
SU10 Noise nuisance
QD15 Landscape design
QD25 External lighting
QD27 Protection of amenity
SR12 Large Use Class A3 (food and drink) venues and Use Class A4 (pubs and clubs)
HE12 Scheduled ancient monuments and other important archaeological sites

Brighton & Hove City Plan Part 2:

Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications. The weight given to the relevant CPP2 policies considered in determining this application is set out in the Considerations and Assessment section below where applicable.

- DM18 High quality design and places
- DM20 Protection of Amenity
- DM22 Landscape Design and Trees
- DM31 Archaeological Interest
- DM33 Safe, Sustainable and Active Travel
- DM35 Travel Plans and Transport Assessments
- DM40 Protection of the Environment and Health – Pollution and Nuisance

Supplementary Planning Documents

- SPD11 Nature Conservation and Development
- SPD14 Parking Standards
- SPD16 Sustainable Drainage
- SPD17 Urban Design Framework

Other Documents

East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan - Policy WMP3d and WMP3e

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the principle of development, the design of the proposal, landscaping and biodiversity, its impact on neighbouring amenity and on highways as well as sustainability.

Officers undertook a site visit in relation to the present application following the protocols put in place due to COVID and therefore it is considered that the context of the development and the planning considerations relating to this are well understood.

Principle of development:

- 9.2. In accordance with NPPF paragraph 87, City Plan Part One Policy CP4 requires that applications for new edge- and out-of-centre retail development includes a Retail Impact Assessment where more than 1,000 sqm (net) of new retail floorspace is to be provided. The proposed retail development would result in the creation of 617.2m² of gross internal floorspace. Therefore, local planning policies do not require an impact assessment to be carried out for this development.
- 9.3. The proposal would provide small- and medium-sized employment floorspace in a non-B Class (industrial/storage/distribution) use, which is important to the local economy, as recognised by Policy CP2. Specifically, the proposal would result in the creation of nine full time equivalent (FTE) employees.
- 9.4. Policy SR12 supports new cafés with a total resultant public floorspace in excess of 150m² provided they meet a number of criteria. In this case, the proposal would not meet the first criterion, being within 400m of another A3 establishment (now falling under Class E(b)); Nandos. However, exceptions can be allowed, provided that any customer floorspace in excess of 150m² is

for service to seated customers only, in the manner of a restaurant or café. It is considered that this would be the case as the 167.2m² includes staff areas.

- 9.5. It is also acknowledged that this policy is designed to restrict large pubs and bars focusing on serving alcohol, whereas this would be a coffee shop. It is recognised that the proposal is for a coffee shop and an E class use, not for a specific business, and therefore the proposal has to be assessed on that basis. Therefore, as suggested by Policy SR12, a condition would be added to ensure that no alcohol could be sold or supplied except to persons who are consuming products made on the premises and who are seated at tables. This would also somewhat allay Sussex Police's concerns about the potential for anti-social behaviour, crime and disorder in the immediate surrounds.
- 9.6. The proposed closing time of 22:00 Monday to Saturday would help to retain a healthy level of activity in the evening as well as the daytime, it being open from 06:00 Monday to Sunday. As such, the principle of development is considered acceptable.

Design:

- 9.7. The proposed building is single storey and approximately 5.3m in height. It would sit slightly to the west of the centre of the plot, some 2m away from Unit 1 at 11m wide. It would occupy much of the depth of the plot at 17.7m deep, with plot coverage of some 39% (approximately 187m² of the total of 500m²). It would be subordinate to the large 1.5-storey high warehouse units and would be a similar height to the Nandos building, which is considered acceptable in terms of scale and massing.
- 9.8. The building line would be slightly set back from the warehouse units, thereby further ensuring subordination, and it would be well set off the boundaries, allowing for the provision of a plant and bin store to the rear and customer seating plus cycle parking to the east side.
- 9.9. The proposed materials would mainly be dark grey aluminium cladding to the external walls with feature panels of red cladding adjacent to the aluminium framed glazing to the front and side (east-facing) elevations and a timber or metal framed canopy. The parapet capping at roof level would be light grey, there would be a few courses of blue / grey brick at damp proof coursing level and a dark grey service door to the rear. The boundary treatment to enclose the plant and bin store would be 2.6m high fencing. In principle these materials are considered acceptable and complementary to the existing modern material palette of the retail park, although the use of metal louvres to the canopy would be more durable and longer-lasting than timber. It is recommended that further details are secured by condition.
- 9.10. The Designing Out Crime Officer's concerns largely relate to opening hours, the impact of which will be discussed later on in this report. The provision of glazing has the potential to provide good surveillance from staff over the seating area and from customers to the cycle parking. Comments about vandal-resistant 'dusk 'til dawn' lighting and boundary treatment to the bin and plant store are noted and it is considered reasonable to recommend that

conditions are added for the safety of staff and users and to prevent an increase in the fear of crime.

- 9.11. As such, the proposal would be of a good standard of design and would comply with City Plan Part One Policy CP12, emerging Policy DM18 of City Plan Part Two and paragraph 130 of the NPPF that requires developments to add to the overall quality of the area through being visually attractive as a result of good architecture and layout, to be sympathetic to local character and the surrounding built environment, to optimise the potential of the site to accommodate an appropriate amount of development and to create places that are safe where crime and disorder do not undermine the quality of life or community cohesion and resilience.

Impact on Neighbouring Amenity:

- 9.12. Paragraph 130 of the NPPF outlines that planning decisions should ensure that developments create places that promote health and well-being, with a high standard of amenity for existing and future users.
- 9.13. The closest existing residential properties are 35-47 Goldstone Lane, which are to the east and south east of the site. The main impact would be noise pollution. Given that a coffee shop operation predominantly involves the warming up of food rather than cooking, it is considered that there would be limited odours emanating from the proposed building as a result of the activities occurring inside. To that end, it is also noted that no flues or similar have been proposed, and that odours would be experienced against the background of the Nando's restaurant immediately adjacent.
- 9.14. A Noise Report has not been submitted to address the impact on residential amenity. No details of the plant have been provided and therefore it is considered appropriate to recommend a condition securing details, including a noise report, prior to commencement of the development. The other main source of noise and general disturbance would be the deliveries. Following negotiations, these would be 06:00-21:00 Monday to Saturday and 08:00-18:00 on Sunday. They are one hour earlier on Monday to Saturday than those recently approved at Lidl (ref. BH2021/00282), but it is noted that these would be undertaken by a 18 tonne rigid vehicle usually once every fortnight for non-perishable goods and 3.5 tonne van on every day but Sunday. These vehicles are much smaller than the articulated lorries used by Lidl and are similar to those which serve Nandos and Burger King. These hours are therefore considered acceptable. The servicing and delivery hours are recommended to be conditioned.
- 9.15. In terms of refuse collections, these would be undertaken by a waste truck typically once each week plus the collection of recycling twice per week. It is considered that this would not cause any more disruption than that already experienced by residential occupiers from refuse collections in the retail park.
- 9.16. The opening hours were initially proposed to be 24 hours, seven days a week. Following negotiations, these were considered to be excessive given the applicant's own admission that the proposed coffee shop is not a destination

in its own right, the proximity of residential properties and those of the other premises in the retail park. The earliest any of the businesses open is 08:00 and the latest any of them close is 23:00. As such, the opening hours of 06:00-22:00 Monday-Sunday, including Bank and Public Holidays, now proposed are not considered anti-social and are considered appropriate for the proposed use, thereby addressing a number of concerns mentioned in the objections. The opening hours are recommended to be conditioned.

- 9.17. As such, the overall impact on neighbouring amenity would, on balance, be considered acceptable, subject to the conditions outlined above, and compliant with Local Plan Policies SU9, SU10 and QD27 and emerging CPP2 Policy DM20 which can be given significant weight.

Transport:

- 9.18. The site is considered to be in a sustainable location given it is a 10 minute walk or four minutes' cycle from Hove train station and 4-6 minutes' walk to bus stops on Old Shoreham Road served by five routes. As such, it is suitable for further development in transport terms. This public transport capacity is therefore sufficient to handle the anticipated increase in trip generation, which is not considered to be significant in any case.
- 9.19. This application proposes the loss of 10 car parking spaces through the development of this part of the car park. The provision of six car parking spaces through the relocation of clothes and shoe recycling bins as well as some communal bins is also included in this application, but has already taken place and is not considered to be intrinsically linked to the proposed development. This therefore takes the car park capacity down to 274. Although a maximum of eight car parking spaces could be proposed, none are proposed, which is in line with SPD14.
- 9.20. It is therefore important to assess the car parking capacity post-development, particularly given a number of the objections refer to the difficulty in finding a space and the resulting traffic congestion on Newtown Road in particular.
- 9.21. The applicant has provided evidence submitted in support of an appeal (subsequently allowed) for the erection of a Class A1/A3 pod unit and works to a car park, including additional car parking at a retail park in Bromley. This includes previously conducted 'Peak Exit Surveys' at Crown Point Shopping Park in Denton and Teeside Shopping Park in Middlesborough, which were also in relation to two similar existing pod units operated by Costa. These demonstrated that 100% of the 177 visitors to the former visited other retail units within the park and 98% of the 55 visitors to the latter did the same. This is considered to support the applicant's argument that the vast majority of trips to the proposed coffee shop would be cross-visitation and therefore it would not be a destination in its own right. Any independent or dedicated trip is most likely to occur at 'off peak' times, such as early in the morning.
- 9.22. As such, there would be limited demand for additional car parking spaces to be provided as part of the proposed development and the submitted Transport Statement (TS) shows that there would be spare capacity of 23 spaces even

at the two peak hours on Saturday and Sunday. The maximum occupancy in the weekday is 174 vehicles which means capacity of 100 spaces, if not more. TS's use of the baseline data submitted to support the Lidl application (ref. BH2020/00549) is supported.

- 9.23. A cycle store with an unspecified number of spaces for staff and 10 spaces in the form of 5 Sheffield stands for customers have been provided, which is more than the three spaces (rounded up) required by SPD14. The 'long stay' spaces for staff appear to be secure and covered, but further details are recommended to be secured via a pre-occupation condition and the number of spaces that should be provided within the store is one per five members of staff. The Sheffield stands are convenient and easy to use given that the existing retaining wall to the north of the stands would be removed.
- 9.24. As previously stated, refuse collections would typically be once a week with the collection of recycling twice per week. Prior to collection, these can be store in the store to the rear of the building, which is considered acceptable. This arrangement is recommended to be secured in perpetuity by condition.
- 9.25. As with the refuse and recycling collections, the deliveries and servicing of the proposed building would also be undertaken from the front. Delivery vehicles would use the Newtown Road customer access junction and navigating through the car park, which is acceptable.
- 9.26. The provision of a Framework Travel Plan is not considered necessary given the scale of the proposed development.
- 9.27. As such, the transport impact of the proposed development would be acceptable, subject to the imposition of appropriate conditions.

Biodiversity and Landscaping:

- 9.28. The Council has adopted the practice of securing minor design alterations to schemes with the aim of encouraging the biodiversity of a site, particularly with regards to protected species such as bees. A condition requiring three swift boxes is recommended to be added given that bee bricks would not be suitable for a metal clad building with bricks below the damp-proof course as they need to be at least 1 metre above ground level. This would improve ecology outcomes on the site in accordance with the Policy CP10 of the Brighton & Hove City Plan Part One and SPD11 Nature Conservation and Development.
- 9.29. The proposed paving leading from the sides of the building around to the rear would encroach closer to the trees than the existing car parking spaces. None of the trees on site are the subject of a Tree Preservation Order (TPO) and these two do not have roots visible above ground that would compromise the laying of paving nearby. However, if these end up needing to be removed to facilitate the proposed development, then the recommended condition for a landscaping scheme must give details of mitigatory tree planting, including for the tree proposed to be removed and the three saplings not marked on the plan in the area of soft planting if removed (although it may be possible to

replant these). Details of the soft planting and paving to ensure the latter is permeable and / or porous can also be provided in the landscaping scheme.

Archaeology:

- 9.30. Whilst this site is situated within an Archaeological Notification Area, as noted by the County Archaeologist, it is not considered that any significant archaeological remains are likely to be affected by this proposal.

10. CONCLUSIONS

- 10.1. The proposals would provide 617.2m² of employment floorspace employing nine FTE jobs, a biodiversity net gain, and it would generate some economic activity during construction work and from the spending in the local economy from the future customers; which are relatively significant benefits of the proposal. The LPA supports the well-designed building and the proposed use, which would not have a significantly adverse impact on neighbouring amenity and would be acceptable on transport grounds, subject to appropriate conditions. The proposal is therefore recommended for approval.

11. EQUALITIES

- 11.1. Access to the proposed building would appear to be level, subject to the thresholds being flat. The customer entrance would be 1.1m wide, facilitating access by wheelchair users. A button allowing the door to open automatically should be installed to facilitate this if the door is not movement sensitive.

