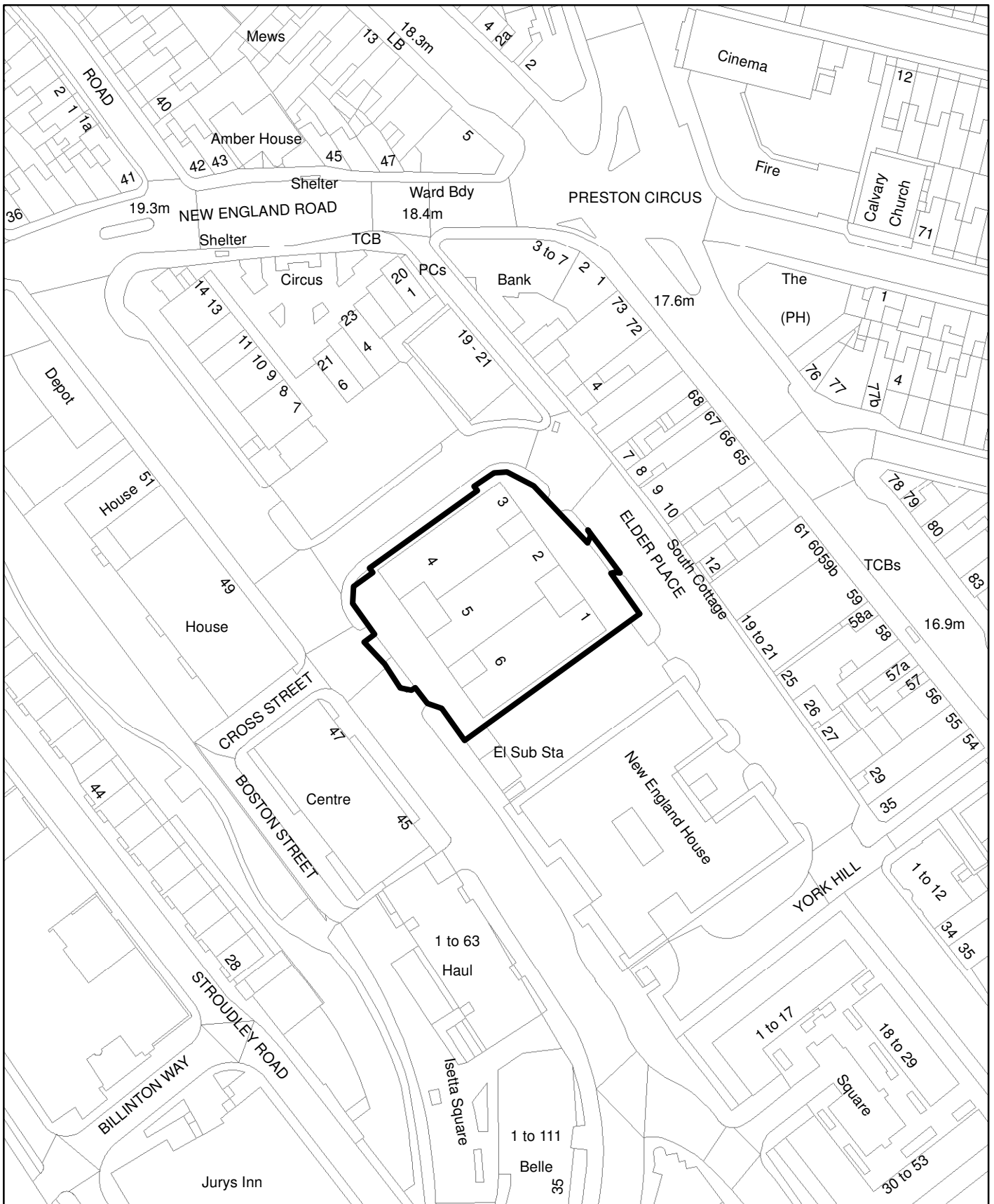


ITEM B

**Units 1-6 Longley Industrial Estate, New
England Street, Brighton
BH2015/04474
Full Planning**

08 June 2016

BH2015/04474 Units 1-6 Longley Industrial Estate, New England St



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2015/04474	<u>Ward:</u>	ST. PETER'S & NORTH LAINE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Units 1-6 Longley Industrial Estate New England Street Brighton		
<u>Proposal:</u>	Change of use of all units from light industrial (B1c) and warehousing (B8) to offices (B1a) together with external alterations and refurbishment including increase in height of building, installation of curtain walling system, metal faced cladding and glazed panelling, revised vehicular and pedestrian access, new cycle and motor cycle storage and disabled parking bays.		
<u>Officer:</u>	Maria Seale Tel 292175	<u>Valid Date:</u>	18/01/2016
<u>Con Area:</u>	N/A	<u>EOT Date:</u>	08/07/2016
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Lewis & Co Planning, 2 Port Hall Road Brighton BN1 5PD		
<u>Applicant:</u>	Maplebright LLP, Mr David Christian Bailey House 4-10 Barttelot Road Horsham RH12 1DQ		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to be **MINDED TO GRANT** planning permission subject to a S106 agreement and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site comprises a flat roofed brick and metal clad building on the east side of New England Street. It has a total floor area of approx. 3000sqm overall several floors. The building is the equivalent of about three domestic storeys high on New England Street (and appears as two-storeys due to being set down in site) and about four storeys high on Elder Place. The site is fully occupied for light industrial (B1c) and warehousing (B8) uses. There is vehicular access from the front (west) and rear (east).
- 2.2 The site is located within the DA4 Development Area as defined in the Brighton & Hove City Plan Part One.

3 RELEVANT HISTORY

BH2003/01211/FP New frontage to decorating contractor's trade unit. Approved 6/6/03

BN88/137 Installation of steel exhaust to external south east elevation of Unit 1. Approved 10/05/88.

BN85/904 Insertion of door to replace existing window in Unit 4. Approved 30/7/85.

BN85/779 Alterations to Unit 6 to provide inlet and outlet grills. Approved 2/7/85.

BN84/1329 Change of use of Unit 6 from light industrial to computer and printing centre. Approved 25/9/84.

BN80/2161 erection of building comprising 2 warehouses and 4 factory units on two floors with associated office accommodation. Approved 6/5/81.

Pre-Application Consultation: None.

4 THE APPLICATION

- 4.1 Planning permission is sought to change the use of all units in the building from light industrial (B1c) and warehousing (B8) to offices (B1a).
- 4.2 The plans include the creation of mezzanine floors providing 3059sqm of additional floor space, giving a total of approx. 6115 sqm. Whilst the mezzanine does not constitute 'development', it is intrinsic to the scheme and therefore the total floor area proposed has been taken into consideration when assessing the overall impact of the scheme.
- 4.3 External alterations and refurbishment are proposed including increasing the height of the main building by between 1-1.5 metres. A central roof lantern and plant on the roof rise up a further 1.5m. Installation of curtain walling system, metal faced cladding and glazed panelling is proposed. New extensions, taller than the main building on the west and east elevation are proposed for stairwells and lifts.
- 4.4 It is proposed to revise the vehicular and pedestrian access, by blocking up/reducing the size of some accesses.
- 4.5 New soft landscaping is proposed. New on site cycle and motor cycle storage and 2 disabled parking bays are proposed.
- 4.6 The scheme has been amended since first submitted to improve its external appearance. More soft landscaping and a more prominent entrance on Elder Place has been introduced plus reduced fencing. The materials have been revised to introduce more colour and the roof plant design has been amended.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Three (3)** letters of representation have been received from **Chatham Place (un-numbered); Mayflower Square, New England Street (un-numbered); and 52 Horstead Court, Kingscote Way)** objecting to the application for the following reasons:
 - The area does not need more offices, there are already empty and underused ones
 - B1 light industrial is appropriate to the area
 - Live/work units would be more appropriate
 - Residential uses (particularly affordable housing) would be more appropriate
 - Increased traffic and general congestion
 - The proposed 2m high security fence is ugly

- Debatable that proposal will lead to increase in employment
 - City Plan refers to 'mixed use' development of the site
 - There should be more consultation
- 5.2 **East Sussex Fire & Rescue Service:** No objection. Access for fire appliances is satisfactory.
- 5.3 **Southern Gas Networks:** Raise no objection and comment that there is a gas mains near the site that must be protected.
- 5.4 **Southern Water:** Comment. Conditions should be imposed to ensure the necessary sewerage infrastructure is provided as there is currently inadequate capacity.
- 5.5 **Sussex Police:** There has been pre-application discussion and the developer has submitted an Secured by Design (SBD) Commercial Development application form. Should all the specifications and requirements of the SBD be followed a safe and secure environment will be created. It is important to consider implementation of out of hours security measures.
- 5.6 **UK Power Networks:** No objection.
- Internal:**
- 5.7 **Arboriculturalist:** Approve. The site currently has no soft landscaping other than a small neglected shrub bed. There are two semi-mature street trees neither of which will be effected by the development. The proposal will bring a little much needed soft landscaping. Regrettably it is only a few very small areas and little detail is provided. Despite this on balance the changes do represent a slight improvement and they are supported. [Note: the amended scheme incorporates more soft landscaping].
- 5.8 **County Archaeologist:** No objection. The proposal is unlikely to lead to significant archaeological impacts.
- 5.9 **County Ecologist:** The development is unlikely to have a significant impact on biodiversity and can be supported. The site has low ecological interest. As the roof is being altered nesting birds will need to be considered. The site offers opportunities for enhancement that will help the Council address its duties and responsibilities under the NPPF and the Natural Environment and Rural Communities Act. This could include using species of known value to wildlife, provision of a green roof and provision of bird boxes.
- 5.10 **Economic Development:** Support. The estate currently facilitates light industrial / office / trade counter retail uses within a key commercial area of the city and the site at present under-performs given its location.
- 5.11 The site also has a key potential role in contributing towards the City Plan's strategic aspiration to secure 20,000 square metres of new employment floor-space in the New England Quarter and London Road area.

- 5.12 There are sensitivities to consider in relation to development aspirations specifically for New England House which is supported by City Regeneration. New England House is the sub-region's creative tech hub and was a central feature of the Greater Brighton City Deal proposal. Expanding and renovating New England House in order to create new business and employment opportunities in the creative tech sector is a strategic priority for Greater Brighton, hence this particular application needs to be viewed with the wider development implications in mind.
- 5.13 On a stand-alone basis, we support the principal of this application which proposes the creation of 6115 square metres of new office space and a net internal increase in employment floor-space of 3056 square metres. The application also proposes an increase in full-time employment from 50 to 510 upon completion, which accurately follows the OffPAT Employer Densities Guidance and is also welcome by City Regeneration.
- 5.14 If approved, City Regeneration requests a contribution through a S106 agreement of £15,280 towards the Local Employment Scheme in accordance with the formula in the approved Developer Contributions Technical Guidance.
- 5.15 In addition, an Employment and Training Strategy is also required, to be submitted at least one month in advance of site commencement. The developer will be required to commit to using at least 20% local employment during the demolition phase (where applicable) and construction phase (mandatory).
- 5.16 **Environmental Health:** No objection. Provided mitigation measures indicated in the submitted acoustic report are implemented no adverse noise increase should result from this development.
- 5.17 **Flood Risk Management:** No objection.
- 5.18 **Planning Policy:** Comment It is recognised that the proposal would contribute positively towards the 20,000 sq. m of new office floorspace identified for the DA4 area in the City Plan Part 1 and thus accords with part of the strategic allocation, which requires delivering of an additional 3,000 sq. m of B1a floorspace for the site. However it is considered that the proposal does not optimise the potential of the site to accommodate mixed use development, and specifically address the residential requirement of the site to contribute to meeting the city's housing needs.
- 5.19 The City Plan Part 1 sets a housing target for a minimum of 13,200 new homes to 2030 to reflect the capacity and availability of land/sites in the city. This figure includes the housing contribution identified for the Strategic Allocations identified in DA4.C.1. Residential monitoring (SHLAA 2014) indicates that currently, housing delivery rates are less than the implied annual average rates associated with the City Plan Part 1 housing target in the early part of the Plan period (Annexe 3 Housing Implementation Strategy). In this situation, and given that mixed use proposals have not yet come forward on the other sites identified in DA4.C.1, the applicant needs to address the requirement to incorporate a

residential element to fully accord with the requirements of Strategic Allocation DA4C.1 and CP1 Housing Delivery in the City Plan Part 1.

- 5.20 DA4.C1.ii) seeks active uses to be incorporated at the ground floor and development to contribute to an improved public realm and connectivity to the wider development area for pedestrians and cyclists. Further consideration should be given by the applicant to address the requirements of DA4.C1.iii.
- 5.21 It would appear that the proposed business floor space is speculative. It would be beneficial for the applicant to provide further clarity of the potential end users. Supporting information should also be provided as to how existing occupiers would be relocated. DA4.C.1.v requires contributions towards training. Consideration should be given to whether this proposal triggers this requirement.
- 5.22 **Sustainability:** No objection. Policy CP8 requires that all development incorporate sustainable design features to avoid expansion of the city's ecological footprint, radical reductions in greenhouse gas emissions and mitigate against and adapt to climate change. Under CP8 standards major new built non-residential development is expected to achieve BREEAM 'excellent'. In instances when the standards recommended in CP8 cannot be met, applicants are expected to provide sufficient justification for a reduced level on the basis of site restrictions, financial viability, technical limitations and added benefits arising from the development.
- 5.23 The Sustainability Report submitted with the application concludes that the required BREEAM 'excellent' rating is achievable under the BREEAM UK Refurbishment and Fit-out 2014 scheme. A BREEAM pre-assessment report has been submitted demonstrating the pathway to achieving this score.
- 5.24 Aspects of the scheme that address sustainability standards particularly well include: energy efficiency measures indicating that compared to the existing building prior to refurbishment there are predicted to be significant reduction in the energy use and carbon emissions for the building post construction. Measures include heating via heat pump technology; mechanical ventilation with heat recovery; 'fabric first' approach improving thermal performance; LED lighting.
- 5.25 Water efficiency measures are targeting full credits under the BREEM water section, through specifying low water consuming sanitary ware such as dual and low flush WCs, low flow basin taps and low flow showers. The use of potable water will be further reduced with the inclusion of rainwater harvesting for toilet flushing.
- 5.26 The waste strategy will target a site waste management plan, which will target less than 1.2 tonnes of construction waste per 100sqm gross internal floor area. In addition to this at least 80% of non-demolition waste and 90% of demolition waste by weight will be diverted from landfill. Materials are planned to be selected to be A or A+ rated in the BRE Green Guide to Specification.

- 5.27 Considerate Constructors Scheme is proposed to achieve a 'Beyond Best Practice' score. Users will have operated solar control blinds.
- 5.28 The original scheme did not include sufficient greening, either green roof or walls, or other green infrastructure. This would have been particularly welcomed in this area which is relatively devoid of ecological habitats. However, the single existing tree on site will be protected during the construction works. [Note the amended scheme introduces more soft landscaping and green walls]
- 5.29 **Sustainable Transport:** The Highway Authority would not wish to restrict grant of consent of the above application subject to a S106 contribution for sustainable transport measures and inclusion of the necessary conditions and informative.
- 5.30 Although no objection is made to the proposed alterations to the existing accesses, amendments should be sought and be secured by condition. No general car parking is proposed which is appropriate in this location which has good access to sustainable modes and is subject to on-street parking controls. Provision of 2 on site disabled spaces whilst lower than SPG4 standard is considered acceptable given the site constraints. A condition to secure their precise design is appropriate. 80 Cycle spaces are proposed, well in excess of the 31 spaces required by SP4 but this is welcomed in this location. [note this total is now slightly reduced to 74 from the 80 originally proposed in order to incorporate more soft landscaping]. The provision of shower facilities is also welcomed. With regards to servicing, overall the proposal is likely to represent an improvement on the existing situation by removing a number of trips by larger vehicles. Surrounding on street loading facilities are satisfactory. A Travel Plan is recommended by condition.
- 5.31 A S106 contribution of £123,700 is requested in order to mitigate the impact of additional trips arising from the development and provide for the needs of those accessing it on bicycle, by foot or by public transport in accordance with Brighton & Hove City Plan Part One policies CP7 and CP9, Brighton & Hove Local Plan policies TR7 and TR15 and London Road Masterplan SPD10. The contribution will be allocated as follows:
- Public realm improvements on New England Street, Elder Place and/or York Hill; and/or
 - Cycle route and facility improvements on New England Street, Elder Place and New England Road and Preston Road/ A23 via Campbell Road; and/or
 - Pedestrian route improvements on New England Street, Elder Place and New England Road; and/or
 - Real time information at York Hill northbound bus stop on London Road.
- 5.32 The above is directly related to the development and necessary in order to ensure that the site is connected to wider walking and cycling networks and to provide access to surrounding services, including bus stops and London Road Station.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 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); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) is a material consideration.
- 6.4 Due weight should be given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.
- 6.5 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
DA4	New England Quarter and London Road
CP1	Housing delivery
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
CP14	Housing density

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

TR4	Travel plans
TR7	Safe Development
TR14	Cycle access and parking
TR18	Parking for people with a mobility related disability
QD5	Design - street frontages
QD14	Extensions and alterations
QD15	Landscape design

- QD16 Trees and hedgerows
- QD27 Protection of amenity
- EM4 New business and industrial uses on unidentified sites

Supplementary Planning Guidance:

- SPGBH4 Parking Standards
- Interim Guidance on Developer Contributions

Supplementary Planning Documents:

- SPD03 Construction & Demolition Waste
- SPD06 Trees & Development Sites
- SPD10 London Road Central Masterplan
- SPD11 Nature Conservation & Development

Background studies to City Plan Part One:

- Brighton City Plan Capacity Assessments – Capacity testing 8/1/13
- Strategic Housing Land Availability Assessment (2015 Update)

8 CONSIDERATIONS & ASSESSMENT

The main considerations in the determination of this application relate to:

- The principle of the development
- Design and impact on character and appearance of the locality
- Impact on amenity
- Sustainable transport
- Sustainability

Planning Policy Context:

- 8.1 The site is located within the New England Quarter and London Road Development Area identified in Policy DA4 of the Brighton & Hove City Plan Part One. The strategy for this Area is to revitalise the London Road shopping area, create a major new business quarter connecting London Road to the New England Quarter, and to maintain and enhance a green gateway to the city to the west of Preston Road.
- 8.2 Part A.1. of Policy DA4 states that the provision of 20,000sqm of additional new office floorspace post 2016 is a priority.
- 8.3 Part B of the Policy allocates the Development Area for the following minimum amounts: 1185 residential units; 20,000sqm B1a and B1 b floorspace; and 300 student housing beds.
- 8.4 Part C.1. of the Policy strategically allocates the trade warehousing at the Longley Industrial Estate for a mixed use development. Provision is made for 3000sqm net additional B1a and B1b floorspace and it allocates the site for 165 residential units, to be shared across this and 4 other sites.
- 8.5 City Plan policy CP3 states that employment sites and premises will be safeguarded in order to meet the needs of the city.

- 8.6 The most up to date Strategic Housing Land Availability Assessment (SHLAA) is a background document to the City Plan and is thus a material consideration. It identifies the site together with the Vantage Point site as having potential for 90 residential units. The Urban Capacity Site Assessments (2012) is also a background document to the City Plan and is a material consideration, and this recommends the residential allocation is spread across the two sites to reduce the massing on Vantage Point and enliven Elder Place. This latter Assessment identifies Longley Industrial Estate as having capacity to accommodate 10 residential units, with the remaining 80 at Vantage Point. It identifies the site as having potential for 6000sqm of B1 floorspace and underground car parking within a development of between 3-6 storeys high.
- 8.7 The site lies within the area covered by Supplementary Planning Document 10: London Road Central Masterplan, which was adopted in December 2009. It is a material consideration and seeks the provision of an economically and environmentally healthy town centre and proposes a series of enhancements for the area. The Longley site is identified as being within a development zone and as having potential as part of a wider comprehensive redevelopment with Vantage Point/Elder Place or redevelopment with business units. It identifies the site as having potential for a tall building of about 11 storeys high. The adjacent site, New England House, is identified for refurbishment, or replacement within a wider comprehensive development with Longley Industrial Estate and Vantage Point. SPD10 identifies Elder Place and York Hill as having poor streetscape and maintenance, and active frontages, greenery and enhanced public realm are encouraged, together with improved pedestrian and cycling linkages.
- 8.8 With regard to design and amenity, CP12 of the City Plan Part One and retained policies QD5, QD14 and QD27 of the Brighton & Hove Local Plan are relevant.
- 8.9 City Plan policy CP12 expects all new development to be built to a high quality standard.
- 8.10 Retained Local Plan policy QD5 states that all new development should present an interesting and attractive frontage at street level for pedestrians. Policy QD14 states that extensions to buildings must be well designed, sited and detailed in relation to the main property, adjoining properties and the surrounding area and should not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties. Proposals should take into account the existing space around buildings and the character of the area and use materials sympathetic to the parent building.
- 8.11 Retained Local Plan Policy QD27 states that planning permission for any development 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.
- 8.12 With regard to transport, City Plan Policy CP9 (Sustainable Transport) and retained Local Plan Policies TR4 (Travel Plans), TR7 (Safe Development),

TR14 (Cycle access and parking), TR15 (Cycle network), TR18 (Parking for people with a mobility related disability) are relevant. These seek to ensure development is safe, meets the demand for travel it creates and maximises use of sustainable modes. SPG4 sets out maximum parking standards for development and minimum standards for disabled parking. It recommends 1 disabled space per 100sqm B1 office floorspace and 1 secure cycle space per 200sqm floor area.

- 8.13 With regard to sustainability, City Plan Policy CP8 is relevant. It requires all development to incorporate sustainable design features and major commercial developments are required to achieve a minimum standard of BREEAM 'Excellent'. City Plan Policy CP10 relating to biodiversity is relevant and this states all schemes should conserve existing biodiversity and provide net gains wherever possible.

Principle of Development:

- 8.14 Whilst the mezzanine does not constitute 'development', it is intrinsic to the scheme and therefore the total floor area proposed (6115sqm) has been taken into consideration when assessing the overall impact of the scheme.
- 8.15 The site is located within a key central commercial area of the city and in this context the current trade/warehousing uses mean the site is 'under-performing'. The site also potentially has a key role in contributing towards the City Plan's strategic aspiration to secure 20,000 square metres of new employment floorspace in the New England Quarter and London Road area. In this context, the provision of 6115sqm of modern B1a office floorspace and the increase in jobs to potentially 500 (from 50) is therefore welcomed. Whilst the wider development aspirations for the area including New England House are recognised and shared, the application has the benefit of making effective use of the existing building, as well as enhancing its appearance, and the DA4 policy cannot itself insist landowners choose a more comprehensive redevelopment option. Whilst there are clearly benefits from a wider comprehensive scheme, on balance, it is considered that this issue is insufficient ground to refuse the application given the benefits delivered.
- 8.16 Whilst Policy DA4 allocates the site for a mixed use scheme including residential, the policy is clear that one of its main overarching aims is the creation of a new business quarter. The provision of over 6000sqm of new office floorspace is therefore given significant weight and on balance the single use proposed for the site is considered acceptable. Whilst it is recognised there is an acute need for new residential development, given that the site is identified as having potential for a low number (10 units) in the City Plan Capacity Assessment and the SHLAA, and that other sites are yet to come forward in the DA4 area which could accommodate residential uses, this exclusion is not considered significant. SPD10 does identify the site as potentially being able to accommodate more (about 11 storeys) than the 6 storeys suggested in the Capacity Assessment, which does indicate there may be capacity for more than 10 residential units or more office floorspace, however, further detailed assessment work is needed to establish this. The current scheme is for refurbishment and modest extension to the existing building rather than total

redevelopment, therefore opportunities to provide a residential element are limited.

- 8.17 It is understood the current tenants are on short term leases and it is hoped they would relocate within the city.
- 8.18 The applicant is agreeable to financially contribute towards the Local Employment Scheme, which is welcomed and is in accordance with the Developer Contributions Technical Guidance.
- 8.19 Overall therefore, the proposal is considered acceptable in principle as it would make a significant contribution towards the need for modern commercial premises and employment in this key location within the city.

Design and impact on the character and appearance of the locality:

- 8.20 The existing building is of rather stark utilitarian industrial design and has a rear servicing yard to Elder Place and does not positively contribute towards the appearance of the locality. The proposal to introduce new cladding and other changes are therefore considered a significant improvement.
- 8.21 The amendments to the scheme are considered to have improved the overall appearance of the scheme. The introduction of colour provides interest. The provision of more greenery helps soften the appearance of the scheme and enhances the appearance of the wider area. Whilst the roof plant and enclosure still remains quite prominent, given the mixed character and appearance of this location it is not considered to cause significant harm. The new cladding would provide a vertical emphasis to the building which takes references from nearby buildings and is considered appropriate. The contemporary materials proposed are considered appropriate and would be subject to condition.
- 8.22 The proposal as amended would help enliven Elder Place by introducing a more active frontage, through reduction of the amount of fencing, introduction of soft landscaping, removing unnecessary vehicular accesses and providing a prominent entrance with a canopy. The proposed front and rear extensions will be quite prominent but are considered to relate well to the building and the locality. Green walls will soften their appearance.
- 8.23 The proposal is therefore comply with relevant City Plan and retained Local Plan Policy and SPD10 aspirations with regards to visual amenity.

Impact on Amenity:

- 8.24 The site is centrally located in a busy mainly commercial area. There are only a small number of residential properties close to the site opposite in Elder Place. This road is wide and the proposal would not cause any undue overlooking. The extensions proposed are relatively modest in the context of this large building and would have minimal impact in terms of amenity. Whilst the use of the site would intensify and attract more people, this should not lead to more congestion. There would be no on-site parking except for 2 disabled spaces and the use would generate demand for less vehicles than existing. Reduction in large vehicles would be an improvement. The employees would be encouraged

to arrive on foot or by cycle. This is quite a busy and noisy location with significant traffic noise and in this context noise from plant is unlikely to be a concern but in any event conditions can adequately ensure no nuisance is caused. Appropriate mitigation measures are outlined in the submitted Acoustic report and on this basis the Council's Environmental Health Team raise no objection. The impact in terms of amenity is therefore considered acceptable.

- 8.25 Some concern was originally expressed that the introduction of a significant number of windows in the southern elevation could prejudice the adjacent car park site coming forward for redevelopment. This is an important site that will contribute towards wide regeneration of the area as identified under City Plan Policy DA4. The number of southern windows has now been reduced. They can be obscured glazed to prevent outlook. They are not the only source of light for the office and impact to commercial users is not considered as sensitive as that to residential users. On balance therefore this is considered acceptable and should not prevent the adjacent site coming forward for redevelopment in the future.

Sustainable Transport:

- 8.26 The Highway Authority raise no objection to the application. The proposal is considered to satisfactorily meet the demand for travel it creates. No general car parking is proposed however this is considered appropriate in this location which has good access to sustainable modes and is subject to on-street parking controls. Provision of two on-site disabled spaces, whilst lower than SPG4 standard, is considered acceptable given the site constraints. Sustainable modes of transport will be encouraged in the scheme through provision of on-site cycle parking and shower facilities and a Travel Plan, and S106 financial contributions towards walking and cycling improvements in the local area.
- 8.27 The proposal is not considered to prejudice highway safety. Required amendments to the existing accesses can be made via planning condition. On street servicing is considered acceptable and overall the proposal is likely to represent an improvement on the existing situation by removing a number of trips by larger vehicles.
- 8.28 The proposal is therefore considered to comply with relevant policy.

Sustainability:

- 8.29 In accordance with the requirements of Policy CP8 of the City Plan, a target of BREEAM 'excellent' under the BREEAM UK Refurbishment and Fit-out 2014 scheme is being aimed for by the applicant, which is welcomed. The Sustainability Report and BREEAM pre-assessment report submitted with the application satisfactorily demonstrate the pathway to achieving this score. The Council's Sustainability Team are supportive of the application. The scheme as amended has included more greenery including green walls and bird/bat boxes will be incorporated, which contribute towards the overall sustainability and biodiversity of the scheme.

9 CONCLUSION

9.1 The proposal would make effective use of the site and make a significant contribution towards the need for modern commercial premises and employment in this key location within the city. The proposal would significantly enhance the appearance of the building and locality. The proposal would help enliven Elder Place. The proposal meets the demand for travel and other infrastructure it creates. The proposal has an acceptable impact on amenity. The scheme would incorporate sustainable design.

10 EQUALITIES

10.1 Lift access, wheelchair accessible WCs, flush thresholds and disabled parking spaces are proposed.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Heads of Terms

- Submission of an Employment and Training Strategy which commits to using at least 20% local employment during the construction phase
- A financial contribution of £15,280 towards the Local Employment Scheme
- A financial contribution of £123,700 towards public realm, pedestrian & cycle route and facility improvements and provision of real time bus information in the vicinity of the site

11.2 Regulatory Conditions:

1) 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.

2) 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
Level 01 Plan	P0297 012	02	19/5/16
Level 02 Plan	P0297 013	02	19/5/16
Level 03 Plan	P0297 014	02	19/5/16
Level 04 Plan	P0297 015	02	19/5/16
Proposed site plan	P0297 010	01	27/4/16
Roof Plan	P0297 016	01	27/4/16
Proposed elevations	P0297 020	01	27/4/16
Proposed elevations	P0297 021	01	27/4/16
Proposed elevations (above road level)	P0297 022	01	27/4/16
Proposed sections	P0297 030	01	27/4/16
Existing Site Plan	P0297 001	00	10/12/15
Existing ground level floor plan	P0297 002	00	10/12/15
Existing Upper ground floor Plan	P0297 003	00	10/12/15
Existing first floor plan	P0297 004	00	10/12/15
Existing upper first floor	P0297 005	00	10/12/15
Existing elevations	P0297 006	00	10/12/15
Existing elevations	P0297 007	00	10/12/15

PLANNING COMMITTEE LIST – 08 JUNE 2016

Existing sections	P0297 009	00	10/12/15
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- 3) The premises shall be used as an office (Use Class B1(a)) only 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: To ensure the identified demand for office development in this locality is satisfactorily met, to comply with policies CP3 and DA4 of Brighton & Hove City Plan Part One.
- 4) All windows in the southern elevation shall be obscure glazed and non-opening.
Reason: To prevent outlook to the adjacent site which is identified for redevelopment in the wider interests of the regeneration of the area, to comply with Policy DA4 of the Brighton & Hove City Plan Part One.
- 5) The mitigation measures in the Anderson Acoustics Plant Noise Assessment December 2015 received on 10/12/15 shall be implemented before first occupation of the development hereby permitted and shall thereafter be retained as such.
Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with retained policies SU10 and QD27 of the Brighton & Hove Local Plan.

Pre-Commencement Conditions:

- 6) No development above ground floor slab level of any part of the development hereby permitted shall take place until details and 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. 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 of the Brighton & Hove City Plan Part One.
- 7) Notwithstanding what is shown on the submitted plans, no development shall take place until detailed drawings of the proposed access treatments, including dropped kerbs and tactile paving (as appropriate) and reinstatement of footway in place of redundant vehicle crossovers have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the details approved prior to the first occupation of the development.
Reason: In the interests of highway safety, for the benefit of the public and to comply with policies TR7 of the Brighton & Hove Local Plan and CP9 of the Brighton & Hove City Plan Part One.
- 8) No development above ground floor slab level shall take place until details of disabled car parking provision for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved scheme 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 the development provides for the needs of disabled staff and visitors to the site and to comply with policy TR18 of the Brighton & Hove Local Plan and SPG4 guidance.

- 9) Unless otherwise agreed in writing by the Local Planning Authority, no development shall take place until a BREEAM Building Research Establishment issued Design Stage Certificate confirming that the development is designed to achieve a minimum BREEAM UK Refurbishment and Fit-out 2014 scheme rating of 'Excellent' 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.

Pre-Occupation Conditions:

- 10) Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall not be first occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the development as built has achieved a minimum BREEAM UK Refurbishment and Fit-out 2014 scheme rating of 'Excellent' 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.

- 11) Prior to first occupation of the development hereby permitted details of 6 no. compensatory bird and bat boxes including their type, location and timescale for installation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be carried out in strict accordance with the approved details prior to first occupation and retained thereafter.

Reason: To ensure appropriate integration of new nature conservation and enhancement features in accordance with policies QD18 of the Brighton & Hove Local Plan and CP10 of the Brighton & Hove City Plan Part One.

- 12) Prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- a) Details of all hard surfacing;
- b) Details of all boundary treatments, screens/fencing and gates;
- c) Details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees, and details of any raised planters.

All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and 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, unless the Local Planning Authority gives written consent to any variation.

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 of the Brighton & Hove City Plan Part One.

- 13) No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the proposed green walling including method of attachment and maintenance and irrigation programme have been submitted to and approved in writing by the Local Planning Authority, and shall be implemented prior to the first occupation of the development. The green walls shall thereafter be maintained and irrigated in accordance with the approved details.

Reason: To ensure that the development contributes to ecological and visual enhancement on the site and in accordance with policy CP10 and CP12 of the Brighton & Hove City Plan Part One.

- 14) Prior to the first occupation of the development hereby permitted a Developers Award Certificate or equivalent alternative shall be submitted to the Local Planning Authority to demonstrate that the development meets 'Secured by Design' standards.

Reason: In the interests of crime prevention and visual amenity, to comply with Policy CP21 of the Brighton & Hove City Plan Part One.

- 15) Prior to first occupation of the development hereby permitted a scheme for the storage of refuse and recycling shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan.

- 16) Prior to first occupation of the development hereby permitted, details of secure cycle and motorcycle parking facilities including cycle and motorcycle shelters 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 and motorcycles 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.

- 17) Within three months of the date of first occupation, a Travel Plan for the development shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be fully implemented in accordance with the approved details.

Reason: To ensure the promotion of safe, active and sustainable forms of travel and comply with policies TR4 of the Brighton & Hove Local Plan and CP9 of the Brighton & Hove City Plan Part One.

11.3 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

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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. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-

The proposal would make effective use of the site and make a significant contribution towards the need for modern commercial premises and employment in this key location within the city. The proposal would significantly enhance the appearance of the building and locality. The proposal would help enliven Elder Place. The proposal meets the demand for travel and other infrastructure it creates. The proposal has an acceptable impact on amenity. The scheme would incorporate sustainable design.
3. The planning permission granted includes vehicle accesses that require alterations and amendments to areas of the public highway. All necessary costs including any necessary amendments to a Traffic Regulation Order (TRO), the appropriate license and application fees for the crossing and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. The works are required to be completed under licence from the Head of Asset and Network Management. The applicant must contact the Streetworks Team (01273 293 366) prior to any works commencing on the public highway.
4. The Travel Plan shall include such measures and commitments as are considered necessary to mitigate the expected travel impacts of the development and should include as a minimum the following initiatives and commitments:
 - (i) Promote and enable increased use walking, cycling, public transport use, car sharing, and car clubs as alternatives to sole car use;
 - (ii) A commitment to reduce carbon emissions associated with business and commuter travel;
 - (iii) Increase awareness of and improve road safety and personal security;
 - (iv) Details of how tenant businesses will be engaged in the Travel Plan process;
 - (v) Identify targets focussed on reductions in the level of business and commuter car use;
 - (vi) Identify a monitoring framework, which shall include a commitment to undertake an annual staff travel survey utilising iTrace Travel Plan monitoring

software, for at least five years, or until such time as the targets identified in section (v) above are met, to enable the Travel Plan to be reviewed and updated as appropriate:

(vii) Following the annual staff survey, an annual review will be submitted to the Local Planning Authority to update on progress towards meeting targets:

(viii) Identify a nominated member of staff to act as Travel Plan Co-ordinator, and to become the individual contact for the Local Planning Authority relating to the Travel Plan.

5. The applicant is advised that a formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel 0330 303 0119), or www.southernwater.co.uk

6. The applicant is advised that an agreement with Southern Water, prior to commencement of the development, the measures to be undertaken to divert/protect the public water supply main. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel 0330 303 0119), or www.southernwater.co.uk