

<u>No:</u>	BH2017/01176	<u>Ward:</u>	Goldsmid Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land At Goldstone Street Hove BN3 3LT		
<u>Proposal:</u>	Erection of a 3 storey office building (B1) with 2no disabled parking spaces, bin storage and roof terrace.		
<u>Officer:</u>	Chris Swain, tel: 292178	<u>Valid Date:</u>	09.05.2017
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	08.08.2017
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	
<u>Agent:</u>	Gerald Eve 72 Welbeck Street London W1G OJB		
<u>Applicant:</u>	The Go-Ahead Group C/O Gerald Eve 72 Welbeck Street London W1G OJB		

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 and the following Conditions and Informatives:

1.2 S106 Heads of Terms

The applicant has agreed to provide the following, should the application be approved:

- Local Employment Scheme Contribution of £14,168,
- Training and Employment Strategy using minimum 20% local labour during demolition (where appropriate) and construction phase,
- Sustainable Transport Contribution of £48,887 towards; footway, cycle and public realm improvements on routes between the site and local facilities including, but not limited to, Hove Station.

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 and block plan	15016/000	01	20 April 2017
Floor Plans Proposed	15016/001	04	11 May 2017
Floor Plans Proposed	15016/002	02	11 May 2017
Roof Plan Proposed	15016/003	02	11 May 2017
Sections Proposed	15016/400	02	11 May 2017
Sections Proposed	15016/401	03	11 May 2017

Elevations Proposed	15016/300	03	11 May 2017
Elevations Proposed	15016/301	02	11 May 2017
Elevations Proposed	15016/302	02	11 May 2017

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 development above ground floor slab level of any part of the development hereby permitted shall take place until samples / 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 (where applicable):

- a) Samples of all brick,
- b) Details of all hard surfacing materials
- c) Details of the proposed window, door and balcony treatments (including colour and finish), cladding, external staircase and spandrels, roof treatments.

Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policy QD14 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.

4. 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 policy QD27 of the Brighton & Hove Local Plan.

5. Access to areas of flat roof marked as plant enclosure on drawing 15016/003 Rev 2 received on 11 May 2017 shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

6. The hard surface hereby approved shall be made of porous materials and retained thereafter 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 property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policies CP8 & CP11 of the Brighton & Hove City Plan Part One.

7. Notwithstanding the submitted details 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 and soft surfacing;
 - b) Details of all boundary treatments;
 - c) Details of all proposed planting to all areas fronting a street or public area, including numbers and species of plant, and details of size and planting method of any trees.

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.

8. 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.
9. Prior to first occupation of the development the disabled parking spaces shall be fully implemented 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 SPD14 guidance.
10. 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. Prior to the first occupation of the development hereby permitted, the applicant shall reinstate the redundant vehicle crossovers adjacent to the site on Fonthill Road and Ellen Street back to a footway by raising the existing kerb and footway.

Reason: In the interests of highway safety and to comply with policies TR7 of the Brighton and Hove Local Plan and CP9 of the Brighton & Hove City Plan Part One.

12. Unless otherwise agreed in writing by the Local Planning Authority, the non-residential development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM New Construction 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.

13. No development above ground floor slab level of any part of the development hereby permitted shall take place until the following information has been submitted to, and approved in writing by, the Local Planning Authority.

- a) A calculation of baseline energy demand and carbon dioxide emissions; proposals for the reduction of energy demand and carbon dioxide emissions from heating, cooling and electrical power to meet a BREEAM 'excellent' standard; proposals for meeting residual energy demands through sustainable energy measures; and calculation of the remaining energy demand and carbon dioxide emissions.
- b) If centralised heating system is proposed, this system should have capacity to connect to a future district heat network in the area. Evidence should demonstrate the following:

Energy centre size and location with facility for expansion for connection to a future district heat network: for example physical space to be allotted for installation of heat exchangers and any other equipment required to allow connection;

A route onto and through site: space on site for the pipework connecting the point at which primary piping comes onsite with the on-site heat exchanger/ plant room/ energy centre.

Proposals must demonstrate a plausible route for heat piping and demonstrate how suitable access could be gained to the piping and that the route is protected throughout all planned phases of development.

Metering shall be installed to record flow volumes and energy delivered on the primary circuit.

Reason: To ensure that the development is sustainable and makes efficient use of energy to comply with policies DA6 and CP8 of the Brighton & Hove City Plan Part One.

14. 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: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with policy QD27 of the Brighton & Hove Local Plan.

15. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
- i) The phases of the Proposed Development including the forecasted completion date(s)
 - ii) A commitment to apply to the Council for prior consent under the Control of Pollution Act 1974 and not to Commence Development until such consent has been obtained
 - iii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)
 - iv) A scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management vibration site traffic and deliveries to and from the site
 - v) Details of hours of construction including all associated vehicular movements
 - vi) Details of the construction compound
 - vii) A plan showing construction traffic routes
 - viii) An audit of all waste generated during construction works

The construction shall be carried out in accordance with the approved CEMP.

Reason: As this matter is fundamental to the protection of amenity, highway safety and managing waste throughout development works and to comply with policies QD27, SU9, SU10 and TR7 of the Brighton & Hove Local Plan, policy CP8 of the Brighton & Hove City Plan Part One, and WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Supplementary Planning Document 03 Construction and Demolition Waste.

16. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme.

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

17. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: As this matter is fundamental to the acceptable delivery of the permission to prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policy SU3 of the Brighton & Hove Local Plan.

18. Prior to first occupation of the development hereby permitted, details of external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.

19. Noise associated with 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 a level 5dB below 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.

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.

20. The use hereby permitted shall not be operational except between the hours of 07:00 and 23:00 on Mondays to Sundays, including Bank 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.

21. 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.

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 advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.communities.gov.uk).
3. The applicant is advised that details of the BREEAM assessment tools and a list of approved assessors can be obtained from the BREEAM websites (www.breeam.org).
4. 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
5. The applicant should contact the Highway Authority Access Team for advice and information at their earliest convenience to avoid delay (travel.planning@brighton-hove.gov.uk or telephone 01273 290729). 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 of 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) Undertake dialogue and consultation with adjacent/neighbouring tenants/businesses;
 - 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.
6. The applicant is advised to contact the Council's Streetworks team (permit.admin@brighton-hove.gov.uk 01273 290729) for necessary highway

approval from the Highway Authority prior to any works commencing on the adopted highway.

7. 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)' 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).

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1 The application site relates to an existing car park used by the Brighton & Hove Bus Company located to the eastern side of Goldstone Street close to the junctions with Ellen Street and Conway Street. The adjoining site to the east is currently occupied by single storey brick and metal clad industrial sheds with associated car parking. The Brighton & Hove Bus Company is located in the buildings/land to the north of the site. Three and four storey office buildings exist to the west with mixed commercial buildings beyond. To the south of the site there are ten storey residential blocks which form part of the Clarendon Estate with low rise residential development at the base of the blocks along with garages and car parking.
- 2.2 The site is located within the Conway Street Industrial Area Strategic Allocation, which is located within the wider policy DA6 Hove Station Area of the Brighton & Hove City Plan Part One.
- 2.3 The proposal is for a three storey office building with roof terrace accessed from a set-back element at fourth storey level to the northern end of the building. There would be a feature external escape stair to the southern end of the building. Two disabled parking spaces are provided to the north of the site.
- 2.4 The building would provide 1417sqm of B1(a) office floorspace with a proposed occupancy of 80 FTE jobs.
- 2.5 Materials proposed include;
 - Grey brick with charcoal mortar to the main elevations,
 - Metal cladding to the roof top element,
 - Aluminium windows,
 - Black / charcoal perforated metal for escape stair,
 - Grey spandrel or back painted glass to within window openings at second floor level.

3. RELEVANT HISTORY

- 3.1 No relevant history on the application site.

1-3 Ellen Street

BH2016/05841 - Extension of existing building to create an additional unit and change of use from B2 to B1. Currently under consideration.

BH2016/02663 - Demolition of existing commercial units (B8) and erection of buildings ranging from four storeys to seventeen storeys in height comprising a mixed use development of no.186 residential apartments (C3), 1,988 sqm of offices (B1) and 226sqm of retail (A1) with car parking at basement level. Refused on 7 July 2017 for the following reason;

- *The applicant has failed to provide sufficient affordable housing. The applicant has offered 18.8% affordable housing provision which is significantly below the 25% affordable housing provision that has been independently assessed as being viable by the District Valuer Service. The proposal is therefore contrary to policy CP20 of the Brighton & Hove City Plan Part One.*

- 3.2 Pre-Application Consultation:

Officer pre-application advice was given on a similar scheme for a three storey office building on the existing car park site and two further options for six storeys on the site, one solely office, one a mixed use with office and residential. Whilst the redevelopment of the site was welcomed in principle it was questioned whether the three storey option under-utilised the site considering the aims of policy DA6 and the Conway Street Strategic Allocation and that the taller options were a more effective use of the site. Whilst the three storey proposal was supported in principle the preferred approach would be for a comprehensive outline scheme to be submitted for the wider strategic allocation area.

4. REPRESENTATIONS

- 4.1 No representations have been received.

5. CONSULTATIONS

- 5.1 **Economic Development:** Support

This application responds to the key areas of the City Plan Part 1, specifically in respect of much needed quality commercial employment floor space to encourage inward investment to the city and compensate for the loss of office employment space. The proposed application will create 1,416.80sqm of B1 Office floorspace.

- 5.2 The indicated 80 FTE opportunities created by this scheme are also welcomed and will contribute to the economic wellbeing of the city (i.e. the creation of an additional 20 new FTE jobs).

- 5.3 Should the application be approved, an Employment and Training Strategy will be required, with the developer committing to using an agreed percentage of local labour. It is proposed for this development that the minimum percentage of

20% local employment is expected for the demolition (where appropriate) and construction phases of the development.

5.4 In respect of the training commitment, industry guidelines (CITB) for KPIs based on the value of the development should be referenced. Early contact with the council's Local Employment Scheme Co-ordinator is recommended in order to gain guidance regarding the content of the Employment and Training Strategy and to avoid any delays in the planned commencement of the development.

5.5 Also, if approved, in accordance with the Developer Contributions Technical Guidance, City Regeneration requests a contribution through a S106 agreement for the payment of £14,168 towards the council's Local Employment Scheme.

5.6 **Sustainable Transport: No objection**

Pedestrian Access

Pedestrian access for the office building including public / reception area is proposed at the Conway Street side of the building with links provided from the footways on Conway Street and Fonthill Road.

5.7 Beyond the site, pedestrian facilities are in need of improvement in places, for example providing dropped kerbs and reducing junction radii at crossing points. The introduction of an office employment use would increase trips to this site and in order to provide better connections to nearby public transport services it is recommended that the applicant be required to fund improvements to provide for the needs of those accessing the proposed development on foot.

5.8 In order to comply with the requirements of Brighton & Hove City Plan Part One policies CP9 and DA6, public realm improvements including to Conway Street, Ellen Street and routes towards Hove Station are also requested.

5.9 **Vehicle Access**

The applicant has stated that existing dropped kerbs serving the car park will be retained off Conway Street to serve two disabled parking bays. The Transport Statement indicates that the second vehicular access point via Ellen Street would be closed with a small section of dropped kerb retained for servicing. This does not appear to be shown on the submitted plans; however, a dropped kerb would not necessarily be provided for this purpose. There are not currently dropped kerbs at the junction of Fonthill Road and Ellen Street and it is intended that the recommended contribution will include an allocation to improvements at this junction.

5.10 It is also noted that there is an existing redundant vehicle crossover on Fonthill Road which the applicant has committed to reinstating to footway. It is recommended that these works be secured by condition.

5.11 **Car Parking**

SPD14 maximum parking standards allow 1 space per 100m² for B1 uses, equivalent to a total of 15 spaces in this instance. However, it should be noted that these are maximums and lower levels of parking are permitted. The proposed development does not include any on-site parking other than disabled

parking bays and the Highway Authority therefore has no objection in this location.

- 5.12 The proposal will result in the loss of the existing car park. This will have the benefit of helping to encourage sustainable travel by employees; however, there is a possibility that displaced parking will occur beyond the site. Streets immediately surrounding the site are within a Controlled Parking Zone (CPZ) meaning that any additional demand for on-street parking will be managed. However, roads approximately 180m to the northwest of the site are not within a CPZ. For commercial developments, the widely applied Lambeth parking survey methodology recommends that surveys cover streets within 500m. The applicant has submitted surveys repeated at various intervals on Friday 31st March 2017. This indicates that overall there is capacity within the surrounding area to accommodate between 55 and 48 vehicles, although capacity on Newtown Road (partially uncontrolled) was between 0 and 2 vehicles between 07:00 and 18:00. It is also noted that parking surveys would preferably be undertaken on Tuesday, Wednesday or Thursday which are typically considered more neutral.
- 5.13 It is however considered that the impact of overspill parking beyond the site would be limited were the applicant to implement appropriate mitigation as they are proposing to do so in the form of a Travel Plan. This would be expected to contain a range of measures which encourage employees to switch to travel by sustainable modes which may include public transport taster tickets and cycle equipment vouchers. It is recommended that this be secured by condition or as part of the S106 agreement. This is considered necessary in order to mitigate the impacts of the development and encourage travel by sustainable modes in accordance with Brighton & Hove City Plan Part One policy CP9 and Brighton & Hove Local Plan policy TR4.
- 5.14 It is noted that an on-site parking area to be used by buses at night was proposed at the pre-application stage; however, this has been removed following concerns raised.
- 5.15 Disabled Parking
SPD14 states that disabled parking bays should be provided for each disabled employee (where known) plus 2 bays or 5% of total capacity, whichever is greater. For this development, 2 bays have been proposed which meets minimum standards. The proposed layout includes a 1.2m access zone on both sides of each bay which is therefore considered acceptable. It is recommended that the implementation and retention of the disabled parking be secured by condition.
- 5.16 Cycle Parking
A development of this nature would require 1 space per 100m² for staff, and additional 1 space per 500m² for visitors. The proposed office will therefore require 16 bays for staff and 4 spaces for visitors, a total of 20 spaces. 20 cycle parking spaces together with shower and changing facilities have been proposed as part of the application which are welcomed and comply with SPD14 minimum requirements.

- 5.17 The applicant is proposing to use covered Sheffield stands which is an acceptable means of providing secure storage as required by Brighton & Hove Local Plan policy TR14. However, the spacing is constrained with approximately 2.4m between the building and car parking bays meaning cycle parking is likely to be difficult to access. It is recommended that a minimum aisle width of 1.1m be provided with 1.8m allowed for an occupied stand. In order to improve access, the stands shown could be relocated closer to the building and angled to allow more convenient access. It is recommended that further details be agreed by condition.
- 5.18 Trip Generation
The proposal comprises 1,417 sqm of additional B1(a) office floorspace. Although it is noted that in this instance the Bus Company will be moving staff from their existing offices, the overall office space is increased and the development therefore has the potential to generate additional trips. The applicant has undertaken a trip generation exercise using the TRICS national trip rate database, estimating that up to 11 vehicle trips could be expected in the morning peak and 7 in the PM peak. Given that parking will be reduced at the site and has not been included in the applicant's analysis, this is considered reasonable and the Highway Authority would agree with the applicant's assessment that the impact from additional vehicle trips is not expected to be significant.
- 5.19 Whilst the site is in close proximity to Hove railway station and frequent bus routes, pedestrian routes in the vicinity of the site would benefit from improvements in order to serve the needs of those travelling between these facilities and the development site on foot.
- 5.20 A sustainable transport contribution is therefore requested that would be allocated towards footway, cycle and public realm improvements on the route between the site and local facilities including, but not limited to, Hove Station. This is to provide for the needs of those accessing the development on foot, bicycle and by public transport in accordance with Brighton & Hove City Plan policies CP7, CP9 and DA6.
- 5.21 In addition, a Travel Plan is requested in order to facilitate and promote sustainable modes of travel in accordance with Brighton & Hove City Plan Part One policy CP9 and Local Plan policy TR4. It is recommended that this be secured either by condition or as part of the S106 agreement.
- 5.22 Construction Management
Given the nature of the proposals and location in close proximity to residential areas, it is recommended that a Construction Environment Management Plan be secured by condition.
- 5.23 Planning Policy Comment
The site lies within the Hove Station Development Area (DA6) and the Conway Street Industrial Area Strategic Allocation as set out in policy DA6.

- 5.24 The proposal for B1 office development is supported by policy DA6 in principle. DA6 makes clear “The strategy for the development area is to secure the long term regeneration opportunities around the Hove Station area and enable its development as an attractive and sustainable mixed-use area focussed on employment. The aim is to secure the creation of a high quality employment environment that will attract investment and new employment opportunities for the city and promote the efficient use of land through, predominantly employment and residential, mixed use developments.” It also seeks:
- Public realm, Green Infrastructure, biodiversity, permeability and public safety improvements particularly in the Conway Street area;
 - To ensure proposals take account of the areas infrastructure needs and other related matters (open space, water, sewage, groundwater source protection, surface water flooding risks etc)
 - Regard to maintaining and strengthening the creative industries business cluster;
 - More efficient use of under-used sites whilst retaining employment floorspace; and,
 - To encourage the use of low and zero carbon decentralised energy or compatibility with future connection to a network.
- 5.25 The aim for the Conway Street Strategic Allocation, as set out in Policy DA6, is for a “comprehensive mixed use redevelopment to deliver more effective use of the underused land and buildings, requiring the retention/replacement of 12,000sqm employment floorspace with a shift into high quality flexible office/business (B1) floorspace, the provision of 200 residential units and enhancements to the streetscape.” Proposals are to meet a number of criteria which seek: to ensure minimal loss of employment floorspace alongside the delivery of the allocated employment and residential targets; provision of a range of office and flexible workspaces including larger floor plate offices and affordable business floorspace suitable for small business and digital media/creative industries; measures to improve pedestrian and cyclist access within the area; regard to facilitating social inclusion/integration and crime reduction measures; and, a training place agreement to secure training for local people.
- 5.26 The proposed development would provide 3 storeys of B1 office space for the local bus company which could make a significant contribution towards the requirement for the Allocation as a whole and increase staff numbers from 60 to 80 full-time equivalents. The proposal seeks to form a new main office, replacing the out of date office accommodation at 43 Conway Street, and increase the efficiency of the local public transport bus provider. It is not clear what will become of the office floorspace 43 Conway Street and this should be clarified. The development of new office floorspace is supported by City Plan policy DA6 and also policies CP2 and CP3. The proposed introduction of planting and native species is also welcomed (policies DA6, CP10, CP12, CP13) regard to the provision of rain gardens (SuD) should be given. It is assumed the operational car and bus parking requirements can continue to be satisfied albeit with the proposed loss of 18 ‘car’ parking spaces (although the aerial photograph in the Design and Access Statement indicates over 30 cars can

currently be parked instead of the stated 20). However, the site lies in an area where a number of buildings on nearby sites are taller than this proposal. Whilst the site lies adjacent to a single storey industrial/warehouse building these premises are subject to an application (BH2016/02663) for mixed use redevelopment ranging between 4 to 17 storeys.

- 5.27 Due to the site's location within the wider strategic allocation for Conway Street Industrial Area, a comprehensive planned approach to the areas redevelopment would normally be sought. Whilst DA6 does not explicitly preclude redevelopment of an individual site it does make clear it must not prejudice comprehensive redevelopment or the delivery of the priorities of the policy. There are concerns that the proposed stand-alone scheme could lead to a failure to deliver a number of important priorities and improvements sought by policy DA6 and other citywide policies in City Plan Part One and the Local Plan. These include making efficient use of land (taking into account development heights in the area and the site's potential); an improved public realm, public open space and essential community services; and environmental, biodiversity, pedestrian and public safety improvements. Given the proposal relates to the bus depot which also has potential to deliver additional development on adjacent sites it is important the future aspirations for the bus depot are considered all together, preferably with the submission of a bus depot masterplan.
- 5.28 In view of the current adjacent 'Hove Gardens' proposal, the applicants should be encouraged to consider the production of a combined masterplan which would enable an agreed joint approach to the effective delivery of the policy objectives.
- 5.29 This would enable consideration of an effective mechanism for sharing the integrated delivery of appropriate public realm enhancements, accessible green space, low/zero carbon decentralised energy and heat network and measures to address health impacts; which may not be effectively delivered piecemeal. Should this proposal proceed contributions towards the Brighton & Hove Local Employment Scheme should be sought (Policies CP2, CP7, SA6 and DA6)
- 5.30 **Sustainability Team: Comment**
As a major non-residential development this scheme is expected under City Plan Part One policy CP8 to achieve a BREEAM 'excellent standard, and to submit an assessment of energy demand, with levels of energy efficiency and low and zero carbon technologies proposed, detailing how CO2 has been reduced.
- 5.31 A Short Sustainability chapter is included in the Design & access Statement, and an online sustainability checklist has been submitted with the application. The Sustainability Checklist states the proposed standard for the scheme is BREEAM 'very good'; and no low or zero carbon technologies are proposed. No energy assessment has been submitted with application documents

- 5.32 This makes reference to the intention to achieve credits through reduction of CO2 emissions; sub-metering; low and zero carbon technologies; and energy efficiency.
- 5.33 There appears to be no justification made for a lower BREEAM standard on this site, therefore it is recommended that in order to make the proposals acceptable in policy terms, the scheme is conditioned to achieve an 'excellent' BREEAM standard.
- 5.34 The site is within City Plan Development Area 6 Hove Station. In this area, a Local priority 10, development within this area will be encouraged to consider low and zero carbon decentralised energy and in particular heat networks and to either connect where a suitable system is in place (or would be at the time of construction) or design systems so that they are compatible with future connection to a network.
- 5.35 Since no energy assessment has been submitted; and conflicting information has been provided about whether low and zero carbon technologies will be provided; and the energy strategy is not clear at this stage, it is recommended that an Energy Assessment and Statement be submitted prior to commencement of development. This should address those aspects referred to in paragraph 4.85 of City Plan Policy CP8, and should give details on whether energy plant will be provided, and if a centralised heating system is proposed, that this should have capacity to connect to any future heat network in this area.
- 5.36 **Environmental Health: Comment**
This proposal involves the conversion of a car park to a 3-storey office block with roof terrace.
- 5.37 Due to noise from building works a construction environment management plan (including a s61 permit to cause construction noise) will be needed as there are residential and business occupiers nearby. A BS4142 assessment will be required to take account noise from lift and air handling plant, etc. A provisional report has been provided showing background levels and considering the internal noise environment. Once the plant planned is known, a full assessment must be provided. Before the condition can be discharged verification that the standards are met is needed.
- 5.38 It is requested that a restriction to hours of use, particularly in relation to roof terrace and the night parking of buses. Time restrictions will; also be needed on rubbish collections and deliveries.
- 5.39 To avoid light nuisance external lighting must be carefully designed so that glare is not a problem for neighbours. A discovery strategy should be employed for any potential land contamination issues, due to the use as a car park.
- 5.40 **Sussex Police: No Objection**
- 5.41 **UK Power Networks: No Objection**

5.42 **Southern Water: No Objection**
No objection subject to measures to protect the existing infrastructure.

5.43 **Arboriculture: No Objection**

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, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);*

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
DA6 Hove Station Area
SA6 Sustainable Neighbourhoods
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
CP16 Open space
CP17 Sports provision
CP18 Healthy city

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

TR4 Travel plans
TR7 Safe Development
TR14 Cycle access and parking

TR15 Cycle network
TR18 Parking for people with a mobility related disability
SU3 Water resources and their quality
SU5 Surface water and foul sewage disposal infrastructure
SU9 Pollution and nuisance control
SU11 Polluted land and buildings
SU10 Noise Nuisance
QD5 Design - street frontages
QD15 Landscape design
QD27 Protection of amenity

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste
SPD11 Nature Conservation & Development
SPD14 Parking Standards

Developer Contributions Technical Guidance (March 2017)

8. CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the principle of development, policy compliance, design and appearance, impacts on amenity, sustainable transport and sustainability.

8.2 Principle of development

Policy compliance:

The 0.4 hectare site falls within the Conway Street Industrial Area Strategic Allocation (DA6 C.1), which covers an area of 3.44 hectares, in policy DA6 Hove Station Area of the City Plan Part One. The Strategic Allocation is then set within the wider DA6 Hove Station Area allocation which extends in each direction around the strategic allocation/site and north of the railway line where it is centred on Newtown Road and includes Sackville Trading Estate and the existing Coal Yard. DA6 is one of eight development areas allocated in City Plan Part One adopted in March 2016. The regeneration and redevelopment of this area of the City is strongly supported by policy and represents a prime location to increase the density of development supported by the sustainable transport hub of Hove Station.

8.3 Policy DA6 seeks to secure the long term regeneration opportunities around the station and promotes the area's development as an attractive and sustainable mixed-use area focussed on employment (employment with residential mix sought). Due to the nature of the area and the findings of the Employment Land Study 2012 the main focus of redevelopment is the provision of 'B' use class employment space.

8.4 Policy DA6 A. sets out a list of 10 local priorities for the wider allocation which includes;

- Preparation of design guidance to support positive redevelopment of the allocation,

- Improvements to public realm - particularly along Conway Street,
 - Provision of open space and essential community services along with improving pedestrian and cyclist safety which is linked to enhancing the sustainable transport interchange at Hove Station,
 - New green infrastructure and consideration of low and zero carbon decentralised energy and in particular heat networks which are compatible with future connection to a network.
- 8.5 In addition to the above, policy DA6 C.1 relates specifically to the Conway Street Industrial Area Strategic Allocation and seeks to secure the long term regeneration opportunities around the station and promotes the area's development as an attractive and sustainable mixed-use area which is employment led/focused.
- 8.6 DA6 C.1 Strategic Allocation is seeking -
- Retention replacement of 12,000sqm employment floorspace - shift to high quality flexible office/business (B1),
 - 200 residential units,
 - Along with setting out the need to meet 5 criterion including:
 - Demonstrate development on smaller sites will not prejudice the objectives of the allocation,
 - Improve pedestrian and cycle access to Hove Station and across the railway.
- 8.7 The proposed development would provide 3 storeys of B1(a) office space for the local bus company which would make a contribution towards the requirement for the Allocation as a whole and increase staff numbers from 60 to 80 full-time equivalents. The proposal seeks to form a new main office which would consolidate the bus company's support operations currently in Hove and also in Horsham. The proposal would replace the existing office which the application submission sets out is not fit for purpose as a modern commercial building.
- 8.8 The general principle of an office development is supported by policy DA6 with the high quality employment floorspace proposed a significant improvement on the existing bus company offices opposite the site. The Economic Development Team supports the proposal.
- 8.9 Whilst the new employment floorspace is welcomed, as noted by the Planning Policy Team, key to the regeneration sought by policy DA6 is securing comprehensive redevelopment that not only delivers employment / residential development but also a number of other specified requirements including public realm enhancements, public open space, essential community services and the most effective way to achieve the positive redevelopment of the area is through holistic redevelopment.
- 8.10 Piecemeal development within the allocation is acceptable in principle where it meets the policy objectives set out above. However, where this is not the case and a piecemeal scheme does not fully meet these policy aims (as with the

current application) it is necessary for the applicant to demonstrate that the development will not undermine the overall policy objectives for the Strategic Allocation.

- 8.11 In this instance the proposal would bring significant benefits, creating 1417sqm of office floor space on a site which is currently underutilised as a car park. Whilst it is acknowledged that there is scope for a taller and more comprehensive development on the site, considering the existing use of the site the proposal would still make a welcome contribution to the strategic allocation objectives. Furthermore, the site is relatively modest in scale and located on a corner plot and this in conjunction with the quantum and design of the development proposed is not considered to prejudice more comprehensive redevelopment plans within the DA6 area in the future. It is noted that a recent application for a mixed use scheme on the adjoining site, 1-3 Ellen Street (BH2016/02663) was considered to be acceptable in principle despite being refused on affordable housing grounds. This scheme did take into consideration that the application site was likely to be developed and similarly the current proposal would not preclude a similar development at the adjoining site coming forward in the future. As such the piecemeal nature of the scheme and the lack of worked up master plan is considered acceptable and the scheme is supported in this regard.
- 8.12 In addition the proposal would improve the streetscape and public realm with the addition of a well-designed building with landscaping on the street frontages replacing the existing car park.
- 8.13 Overall, whilst it is disappointing that the proposal is not part of a more comprehensive redevelopment plan for the strategic allocation area there are clear benefits to the scheme in providing purpose built office floorspace and streetscene and public realm improvements and as such the proposal is considered to be in accordance with the general strategy set out in City Plan policy DA6 and is supported.
- 8.14 **Design and Appearance:**
The three storey proposal extends out to the site boundary on the western boundary at first and second floor level with the ground floor level set back from the footway. The northern and southern elevations are set back from the footway to allow space for some planting and two disabled parking spaces to the north. A roof terrace would be provided, accessed via a protruding element on the north eastern corner of the flat roof.
- 8.15 In the context of the overall quantum of development required within the strategic allocation area and the heights and scale of the residential buildings to the south it is questioned whether the design approach at three storeys in height under-utilises the site. The relatively modest scale and height of the proposal is likely to appear somewhat at odds in comparison to potential future development on adjoining sites which is expected to be significantly taller. As set above, it is noted that whilst application BH2016/02663 for a mixed use scheme extending to 17 stories on the adjoining site to the east was recently

refused it may be that a scheme of a similar height and scale could come forward in the future.

- 8.16 Notwithstanding the above, it is noted that the development site is located on a corner plot which would allow future developments to integrate more easily than if the site shared boundaries with a number of potential development sites.
- 8.17 The overall contemporary design approach is considered appropriate and the proposal would have an acceptable relationship with the existing built form in the locality. The curved north western corner, the double height glazing and the overhanging western elevation all provide visual interest whilst the proposed materials are considered to be of high quality. It is acknowledged that whilst the eastern elevation appears as a blank façade without fenestration this would ensure the adjoining site is not blighted in the future.
- 8.18 Landscaping is proposed on the street frontages and it is considered that the proposal would bring about significant improvements to what is currently an unsightly car parking area.
- 8.19 Overall, the proposal is considered acceptable in regards to design and appearance in accordance with policy CP12.
- 8.20 **Impact on Amenity:**
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.
- 8.21 Commercial properties are sited to the north, west and east whilst there are residential blocks to the south. There is sufficient separation between these residential properties to the south and the proposal and there is not considered to be any significant detrimental impact to amenity by way of loss of light, privacy or outlook or an overbearing impact to these occupiers.
- 8.22 It is acknowledged that whilst residential development may come forward in the future on the adjoining site to the east the relatively minor scale and height of the proposal is such that occupiers of any future development would not likely be significantly prejudiced. The proposed roof top terraced area would be screened from views to the east by the protruding lift structure and thus preventing any significant overlooking to the east.
- 8.23 Whilst the proposal would result in the intensification of the use of the site, it is not considered that any increased noise and disturbance would be of a magnitude that would justify the refusal of the planning application. Carefully worded conditions are proposed to control the hours of operation and deliveries and noise from the associated plant.

- 8.24 It is noted that there is the potential for light pollution from the proposed office and as such it is recommended that details of an acceptable lighting scheme are also secured by condition.
- 8.25 Overall the proposal is not considered to result in any significant detrimental impact to the amenity of surrounding occupiers in accordance with policy QD27.
- 8.26 **Sustainability:**
Limited information has been submitted relating to sustainability and no energy assessment has been submitted with the application. The Sustainability Checklist states that the proposal will meet BREEAM 'very good'. To accord with the policy CP8 major commercial developments are expected to meet BREEAM 'excellent'.
- 8.27 No justification for a lower BREEAM rating has been submitted. Furthermore, there does not appear to be any site specific or design constraints which would preclude the development from meeting BREEAM 'excellent'. As such conditions are recommended to ensure the scheme achieves BREEAM 'excellent' and also that an Energy Assessment and Statement are submitted to ensure compliance with policy CP8.
- 8.28 **Sustainable Transport**
The development aims to meet travel demand via promotion of sustainable modes. The proposal is sited close to Hove station, is well served by local bus routes and would provide comprehensive cycle parking, on site showers and travel plan measures. The existing car park would be replaced by a development with two parking spaces which would be allocated for disabled users. This level of parking provision is considered to be acceptable in accordance with SPD14. Whilst the surrounding streets are within Controlled Parking Zones (CPZ) it is noted that the northwest boundary of the CPZ is located only approximately 180m away. The applicant has submitted a parking survey which indicates that there would not be any significant overspill parking to the north outside the CPZ. Whilst the Sustainable Transport Team have highlighted some deficiencies within the survey, subject to the conditioning of sufficient Travel Plan measures it is not considered that any overspill parking would be so significant as to warrant the refusal of the application.
- 8.29 A sustainable transport contribution is requested that would be allocated towards footway, cycle and public realm improvements on the route between the site and local facilities including, but not limited to, Hove Station. This is to provide for the needs of those accessing the development on foot, bicycle and by public transport in accordance with Brighton & Hove City Plan policies CP7, CP9 and DA6.
- 8.30 Further conditions are proposed relating to cycle parking, disabled parking and the reinstatement of redundant vehicular crossings.
- 8.31 Overall the proposal is considered to have an acceptable highways impact and is supported by the Sustainable Transport Team.

- 9. EQUALITIES**
9.1 None identified.