# Development Management - Delegated Officer Report

**Application Number: AWDM/1371/20 Recommendation – Approve**

**Site:** **Land and Workshop Building North of Dry Dock, Locks Approach, Albion Street, Southwick**

**Proposal:** **Removal of the existing workshop structure associated with the Dry Dock and replacement with a new building to accommodate a reconfigured workshop on ground floor; a new cafe use on ground and first floors and a new office unit at first floor an outdoor seating area, landscaping and car parking provision at the Dry Dock, Albion Street, Southwick.**

**Date of site visit: 1 October 2020**

**Neighbours checked: Y**

**Additional neighbour notifications: N**

**The Site and Surroundings**

The site lies within Shoreham Port to the south of the A259 (Albion Street) adjacent to the Port canal lock gates. It is bounded by industrial / commercial units, including the recently completed units at the Lady Bee Enterprise Centre to the north.

The site comprises a workshop building associated with the adjacent Dry Dock and land to the east, west and south of this building. The workshop building itself is a single storey industrial building, 6m high, with a pitched roof. It is constructed of corrugated metal, painted blue. It is 30m long and 8m wide. It currently provides a mess room, kitchen and toilet facilities, an area to work / store tools, electric and water supply and provision of machinery, jib cranes etc. However the applicants have advised that the building is underutilised with much of the space unused for its intended purpose. Large parts are currently used for storage with the first-floor area not used for commercial purpose.

To the east of the building is a ramped footway that was provided as part of the Lady Bee Enterprise Centre development with an area of vacant land further east. To the west of the workshop is an area of underused land associated with the workshop and adjacent to the dry dock, with the pedestrian link to the beach beyond this.

The site is located within Flood Zone 3.

**Proposal**

The proposed development is to demolish the workshop building and replace with a new building with a workshop at the ground floor (at the eastern extent of the building); an office unit above the workshop at first floor level on the

eastern side and a café on the western side of the building at ground and first floors.

The cafe would be accessed from the western side of the building. The dry dock workshop would be accessed from the southern side of the building and the office unit would be accessed from the north (eastern) side of the building. The café features a kitchen counter at ground floor and a kiosk serving passing trade on the northern façade of the building. At the first-floor café seating is proposed. On the western façade, a first floor terrace extension is proposed to provide for a covered external seating area. Externally, a seating area is proposed to the west of the building to serve café users (north of a pedestrian access to the workshop and dockside).

A double height space is provided to ensure sufficient headroom for occasions when forklift trucks or other larger equipment is need in connection with the workshop use.

In terms of floor areas,
• Cafe – 178.9m2
• Workshop - 92.00m2
• Office - 87.87m2

Eight parking spaces are to be provided on the unused land to the east. There are also a further four spaces to the north of the workshop building which were retained by the Shoreham Port Authority following the completion of the Lady Bee Enterprise Centre and are surplus to Port Authority requirements. A cycle store is also proposed on land to the east.

The new building will have a monopitched roof and will measure 7m high at its northern end and 5m high at its southern end, 34m long and 8m wide. Solar panels are proposed on the south facing roofslope.

The building is intended to complement the external treatment of the Lady Bee Enterprise Centre, with a brick lower portion and cladding to the upper element on the south, east and west elevations, with full metal cladding on the north elevation.

**Relevant site history**

None

**Consultations**

**West Sussex County Council:** The **Highway**s Officer has no objection. Comments that visibility from the existing point of access is considered sufficient for the needs of the proposals. There have been 5 Road Traffic Collisions recorded along Albion Street in the past 5 years although upon inspection of our records these do not appear to be as a result of the existing access's operation. A footway is provided on the western side of the site access road providing safe and convenient pedestrian access to the site. Pedestrian access will also be possible from Riverside with sets of stairs providing access across the Lady Bee Marina site directly to the dry dock site.

An assessment of trips to and from the site has been undertaken for the proposed B1 office use and A3 café use, the B1 light industry use has been excluded from the calculations as it is an existing use that will be reduced in size as part of the development. The Assessment has been undertaken via the Trip Rate Information Computer System (TRICS)
This indicates that there will be an additional 2 two-way journeys in the AM peak and an additional 5 two-way journeys in the PM peak on weekdays, and 3 additional two-way journeys in the AM peak and an additional 9 two-way journeys in the PM peak on weekends. It is agreed that the proposals are unlikely to result in a 'Severe' material impact on the adjoining highway network.
The LHA would be satisfied that parking provision for the site is sufficient on the basis of the parking accumulation figures derived from the detailed TRICS forecasting analysis which demonstrated the peak demand for the proposed B1 office and A3 café uses is around 7 car parking spaces on weekdays, and 10 spaces on weekends when only the café is in use. A total of 12 vehicle spaces will be provided, and a provision of 22 cycle spaces is also proposed.

**Adur and Worthing Councils:** The **Environmental Health** Officer has no objections in principle, however, if all seating inside and out is in use then there will be insufficient toilet provision.

**Comments on amended plans showing reduced seating and increased toilet provision**: I have discussed the toilet provision with colleagues in our commercial team. They had no issues with the urinals provision being replaced with a suitable number of unisex toilets. Obviously the outside seating will be seasonal and any local workers are using the facility at lunch time will have their own toilet provision nearby.

The **Engineer** comments: Flood risk- The application is within flood zone 3. The flood risk assessment submitted evidences that current day flood levels exceed the finished floor level of the existing building, and that future flood levels will be circa 4.8mAOD, far in excess of the FFL of 4.16mAOD. The proposed change of use would be classified as less vulnerable, therefore acceptable within flood zone 3. We would recommend that the FRA recommendations for resilience measures are implemented at this site to reduce the impact of potential flooding.

Surface water drainage- The FRA states that the parking area will be formed from permeable paving to provide water treatment and reduce runoff. We agree that permeable paving should be used here, please can a construction detail drawing of the permeable paving be supplied along with a layout drawing indicating where this permeable paving will discharge to.

**Southern Water:** Require condition seeking details of foul and surface water drainage

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

**Representations**

None received

**Relevant Planning Policies**

Adur Local Plan 2017 Policies 1,2 ,4, 8, 15, 18, 25, 28, 29, 30, 34, 35, 36
Shoreham Harbour Joint Area Action Plan 2017 Policies CA5, SH1, SH3, SH5, SH6, SH7, SH8, SH9
National Planning Policy Framework (2019)

**Planning Assessment**

**Principle**

The site lies within the Shoreham Harbour Regeneration Area, specifically Character Area 5 (Southwick Waterfront and Fishersgate) as set out in the Joint Area Action Plan (JAAP) and Policy 8 of the Adur Local Plan. The area priorities include the designation of Southwick Waterfront as a strategic employment area and the comprehensive redevelopment of the area to accommodate a mix of new and improved employment uses (classes B1, B2 and B8).

The application is for a mix of B1 cafe uses within a modern building and, as such, it partly complies with the requirements of Policy 8 and the JAAP. The café use is not in strict accordance with the JAAP but Policy CA5 does refer to the reconfiguration of the Lady Bee Marina including the provision of complementary waterside facilities. A café use could be considered as such and would undoubtedly provide a welcome facility for pedestrians and cyclists using the access route across the lock gates, as well as for the businesses in the area. Furthermore, the development does not affect port operational areas, the dry dock or the future reconfiguration of the Lady Bee Marina which are all requirements of the JAAP.

With regard to the potential impact on existing cafes and restaurants in Southwick, the applicants have argued that the proposed café use is limited in terms of its size and in relation to what will be sold on site with a limited menu proposed. The proposed kitchen facility is small and is proposed to cater for passing trade (given the location on the pedestrian route) and existing local businesses. They do not consider that there will be any impact on existing cafes and restaurants in the area, including Carats Café which is close by on the beachfront, and businesses in Southwick Square.

In terms of opening hours, the Port have advised that they would like the option of very occasionally offering the space up for events to local community groups as and when required in the evenings. However, it is currently the intention that the café will not be routinely open in the evenings.

It is considered that the proposal is acceptable in policy terms and can be supported in principle.

**Visual amenity**

The proposed building will be 1m higher than existing at its northern end, but lower at its southern end. However, it will be lower than the new buildings to

the north, which are a maximum of 9.5m high to the ridge, and Nautilus House the Port office building to the north west which is 8.9m high to parapet. The site is also on lower ground than those buildings and is set back from the A259 by more than 60m.

The proposal will result in the replacement of a non-descript industrial building with a modern building, with a good standard of external materials. It will complement the recent Lady Bee Enterprise Centre development and is considered to further enhance this part of the Port.

The area is well used, with many pedestrians and cyclists using the path through to the lock gates to access the beach and Brighton and Hove. The proposal also involves the removal of the palisade fencing which currently runs around the western side of the site which will help to open up the area and improve the environment for pedestrians and users of the cafe.

**Residential amenity**

The site lies within an industrial port location but there are blocks of residential flats (3-6 storeys) on the north side of the A259. However, these are almost 100m from the site and, while views of the building will be possible the distance is such that it will not have any adverse impact on amenity

**Accessibility, parking and air quality**

The site is in a sustainable location, being 350m from Southwick railway station and with bus stops on the A259 to the immediate north of the site. The site is also adjacent to the National Cycle Route 2. The development proposes to provide 12 car parking spaces and 22 cycle parking spaces.

The site is likely to be visited predominantly by pedestrians and cyclists, plus occupiers of the existing businesses. An assessment of trips to and from the site has been undertaken as part of the Transport Statement submitted with the application which indicated that there will be a relatively low additional number of trips which is not considered significant. This finding is supported by WSCC Highways who have not objected to the proposal.

It is considered that, in line with WSCC guidance, a percentage of the parking spaces should be fitted with electric vehicle charging points. The applicants have confirmed that they propose one point which would serve two spaces and this is considered to be sufficient.

**Flood Risk and Drainage**

The submitted FRA confirms that the site is located within Flood Zone 3 with parts in Flood Zone 1 and 2 and the site is therefore at high risk of flooding from rivers and the sea. No other forms of flooding are of concern with very low risks associated with surface water and ground water flooding. The applicants advise that the café and office uses are ‘less vulnerable’ uses as defined by the NPPG and the EA has no objection.

With regard to drainage, the proposal involves replacing the existing building with a virtually replica building. The shape of the roof as existing is dual

pitched which is to become mono pitched and this is the main change from a surface water runoff point of view. The hardstanding remains as existing with the exception that the car park area will feature permeable paving to link to the Lady Bee system to the east. The Council's Engineer advises that details of the paving should be submitted and a suitable condition is suggested.

**Sustainable Buildings**

Policy 18 of the Local Plan requires all non-domestic floorspace to achieve a minimum BREEAM 'Very Good' with a specific focus on water efficiency. Policy SH1 of the JAAP requires all new commercial buildings to meet the BREEAM 'Excellent' standard.

The application is accompanied by a Sustainability Report which advises that the building can meet the Excellent standard and a BREEAM pre-assessment scores the scheme as 77.0%.

The scheme proposes solar PV on the roof space and air source heat pumps. However, the applicants have advised that solar PV provision cannot be delivered in the short term as they do not currently have the funds in place to deliver the panels at this time and they are looking to install them within 2 years of completion of the development. This is considered to be acceptable and can be secured by condition.

**Contaminated land**

The site is potentially contaminated as result of previous use of the land. A Preliminary Ground Contamination Risk Assessment Report was submitted with the application which concludes that:

"*Complete pollutant linkages are considered to be present…. It is therefore considered that a ground investigation should be undertaken at the site*."

This will be required by planning condition.

**Recommendation**

**APPROVE**

**Subject to Conditions:-**

1. Approved Plans
2. Standard 3 year time limit
3. Construction Management Plan
4. Contaminated land
5. Landscaping details
6. Development of the car park area shall not commence, other than works of site survey and investigation, until full details of the proposed permeable paving have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the permeable paving has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity

7. To be carried out in accordance with FRA
8. Car parking
9. Cycle parking
10. Electric vehicle charging point to be provided in accordance with submitted plan
11. Samples of materials to be submitted and approved
12. Details of boundary treatment
13. Waste storage provision
14. Use for workshop, office and café use within Class E only
15. No outside storage
16. No external lighting unless agreed
17. No external plant or flue without consent
18. Hours of working – 6am -10pm
19. The development shall not be occupied unless and until a 'letter of comfort' has been submitted by a licensed assessor confirming that the development is expected to meet the BREEAM Excellent standard once PV panels have been installed. The PV panels shall be installed within 2 years of first occupation. Once installed, a full BREEAM assessment shall be completed by a licensed assessor and confirmation shall be submitted to the local planning authority that the development has achieved the BREEAM Excellent standard.

**Is recommendation contrary to letter(s) of representation? N**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 5 November 2020

Authorised by: Gary Peck Date: 5 November 2020