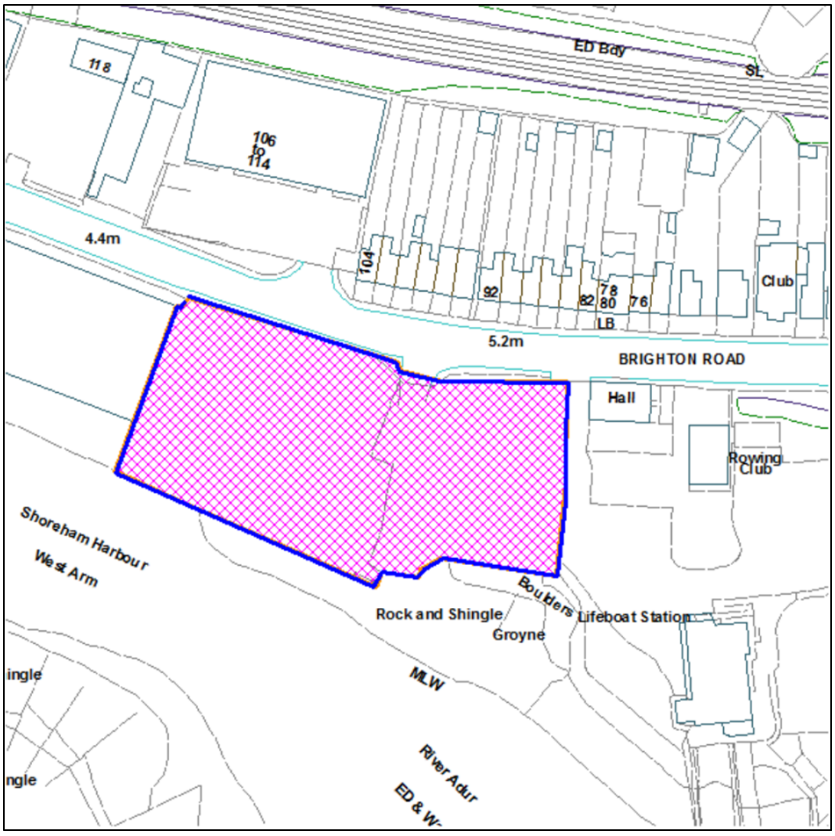
Application Number:	**AWDM/1193/25**	**Recommendations:** **1) S.73A Minor Amendments with variation of planning conditions - Approve** **2) S106 Obligation Amendments - Approve**
Site:	**Land At Former 5 Brighton Road, Shoreham-By-Sea**	
Proposal:	**Application to vary condition 2 (approved plans) Condition 21 (District Heat Network) of previously approved AWDM/1962/22 and Variation of S106 Agreement.: Amendment: Basement removal, reallocation of Floor Area between V4 and V1 Town Houses. Different sustainable and energy efficient solution has been produced.** **ORIGINAL DESCRIPTION: Proposed mixed-use re-development between 3 and 8 storeys comprising of 21 townhouses, mixed-use apartment block of 24 flats, commercial unit, riverside walk, play area, landscaping, and parking (with revised design and provision of on-site affordable housing).**	
Applicant:	Cayuga 011 LLP	Ward: Southwick Green
Agent:	ECE Planning Limited	
Case Officer:	Stephen Cantwell	



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Introduction

This application was deferred by Committee at the meeting of 19th March. It concerns the approved development of 45no.dwellings, comprising 24no.townhouses and an apartment block of 21no. Apartments (referred to as 'block v4') with a small riverside commercial unit, at the former Howard Kent site, 5 Brighton Road. Development has commenced in the form of substantial groundworks and a replacement riverwall.



Approved Development Aerial View

The two proposal are:

1) To vary the approved planning conditions under s.73A of the Town and Country Planning Act 1990 as amended ("the Act"). These are: changes to the approved drawings under condition 2 and to the energy strategy under condition 21.

2) A request to reduce three obligations contained in the associated s.106 Undertaking concerning contributions for affordable housing, highways & open space.

The application was deferred in order to seek

1) Revisions to the design of the penthouse layer and east elevation to the apartment block V4, also the provision of clearer elevations and visualisations to assist a future decision,

2) Further exploration of requested section 106 reductions, including discussions with highway authorities, consideration of open space reduction and affordable housing.

The following report considers firstly the design revisions and the visual images received in response to the Committee requests. The second section covers the further viability review undertaken since March and the amended proposals for the s106 contributions.

The original Committee report of March is appended (Appendix 1), which includes relevant policies and consultation responses. Public representations from AREA,

which were provided as an addendum in March are attached as Appendix 2.

This update report refers to a revised comment from the Highway Authority within the second section, concerning the Highway contribution in the s.106 Agreement. The following is a reminder of the legal basis for determining the two proposals

Approach to Decision Making

The Committee should consider the applications in accordance with:

Section 73A of the Act states:

(1) that on an application made, the planning permission which may be granted includes planning permission for development carried out before the date of the application.

(2) Subsection (1) applies to development carried out -
  (a) Without planning permission
  (b) In accordance with planning permission granted for a limited period; or
  (c) Without complying with some condition subject to which planning permission was granted

(3) Planning permission for such development may be granted so as to have effect from -
  (a) The date on which the development was carried out; or
  (b) If it was carried out in accordance with planning permission granted for a limited period, the end of that period

Section 38(6) Planning and Compulsory Purchase Act 2004, which requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 indicates that in considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 subsection (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a comparable requirement relating to Conservation areas and provides “In the exercise, with respect to any buildings or other land in a conservation area…..special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.” (The National Planning Policy Framework - NPPF para 212-215, attaches a similar test to development affecting their setting)

Section 106A of the Act states that where a planning obligation is less than five years old, it may not be modified or discharged except by agreement between the parties.

Planning Assessment Part One: S.73A - Variation of Conditions

Design Changes and Additional Visualisations:

Subsequent to the previous meeting of the Planning Committee the applicant has provided additional plans and visuals in response to member concerns and to assist members in their understanding of the proposals in design terms.

Two additional visualisations have been made available, as shown respectively inserted as Figures 1 and 2 below, and which should be noted to include minor design changes also made subsequent to the previous meeting of the Planning Committee.



Figure 1 - Visualisation from Brighton Road (looking West)



Figure 2 - Visualisation of Internal Courtyard (facing west)

The two visualisations depict the Eastern aspect of the proposed development with specific focus towards Block V4. These two visualisations are intended to better illustrate the effect of the (now) revised penthouse layer to V4 and the enclosed walkway featured to its Eastern elevation (which remains fundamentally unchanged since the preceding Committee meeting). Members will likely recall that these components of the proposal attracted the most debate during the previous Committee meeting in respect of matters of design.

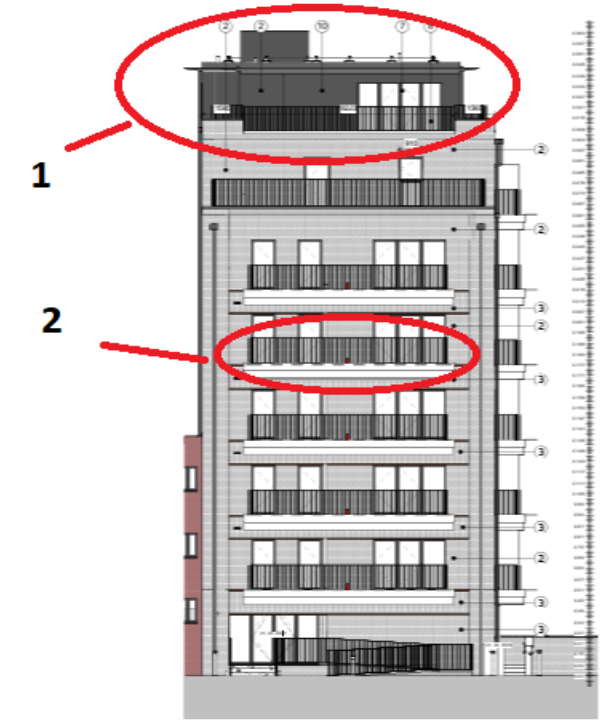
Revised Plans:

The revised plans describe minor design changes to the plans previously considered by the Planning Committee. The main changes should be noted to concern the use of materials to the penthouse layer featured to Block V4 and the use of metal balustrading to balcony spaces in-lieu of the previously proposed glass balustrading.

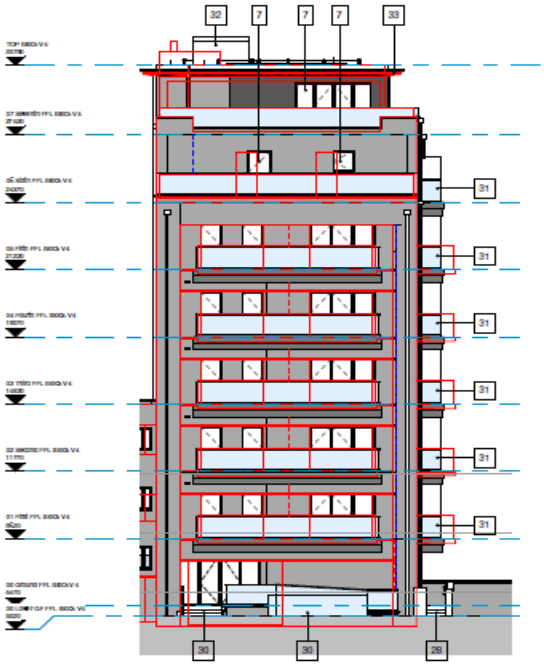
The proposed penthouse layer is now proposed to omit brickwork in its entirety, making greater use of cladding panels. This change is highlighted as change No. 1 at Figures 3 and 4 below, with the reduced quantity of brickwork particularly evident within the northern and eastern elevations to Block V4

Allied with this change, the revised plans show an increased number of windows featured to the eastern elevation of the penthouse, together with a number of reflective glazed panels where the introduction of windows is prohibited by the internal layout of the penthouse layer. These reflective panels are highlighted at Figure 4 below as change No.3.

The revised plans, finally, describe the use of metal balustrading to balcony and ramped-access spaces, as highlighted as change No.2 at Figure 3 below. This change, however, should be noted to apply to the entirety of Block V4 and its conjoined townhouse blocks (V1 and V3).



2 North Elevation
1 : 100



1 Block V4 North Elevation - Construction Drawing
1 : 100

Figure 3 - Northern elevation to Block V4. Previous plan included to right for purposes of comparison. (Not shown to scale).

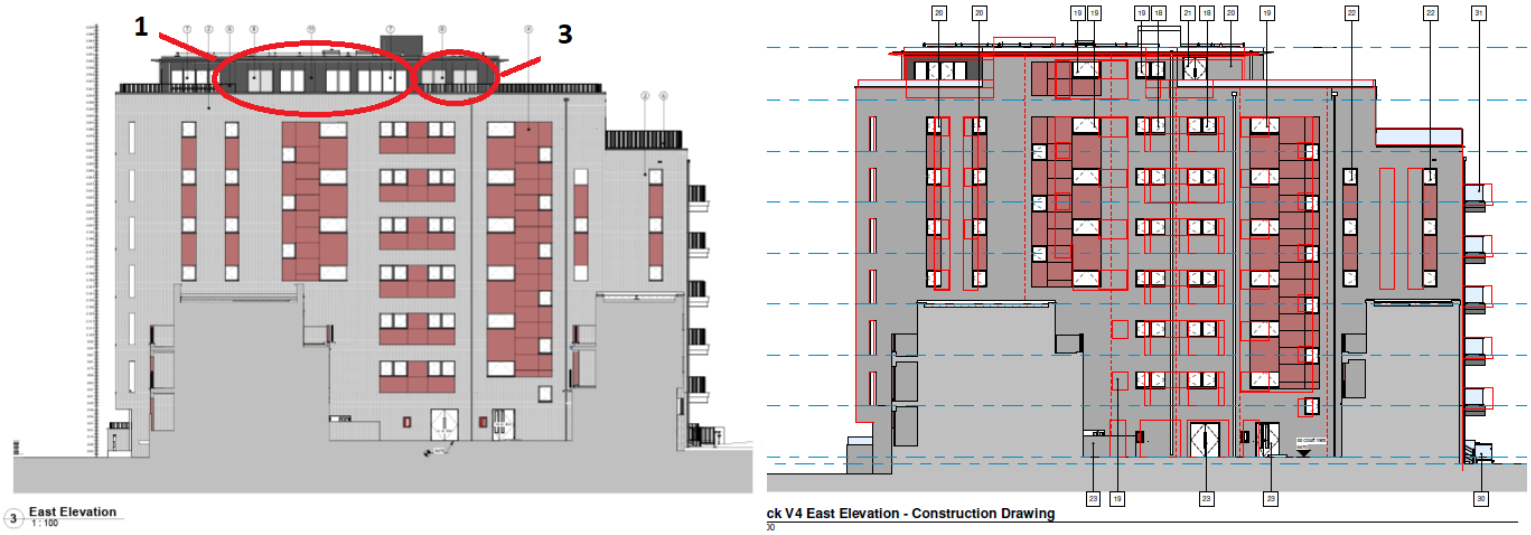


Figure 4 - Eastern elevation to Block V4. Previous plan included to right purposes of comparison. (Not shown to scale).



Figure 5 - Western elevation to Block V4. Previous plan included to right for purposes of comparison. (Not shown to scale).

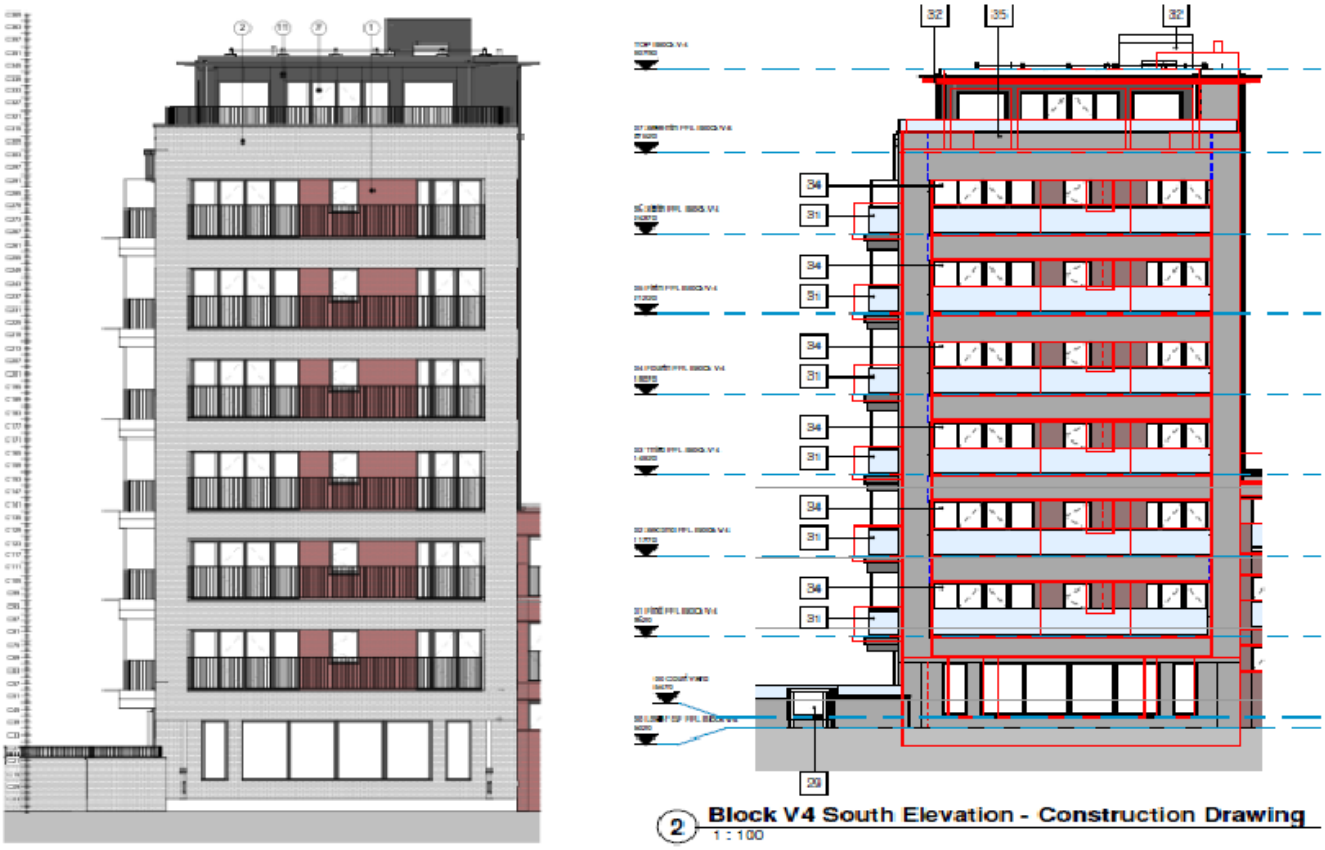


Figure 6 - Southern elevation to Block V4. Previous plan included to right for purposes of comparison. (Not shown to scale).

In response to the revised plans now received, the view of officers is that these show a positive change to the proposed penthouse layer and design quality of the scheme overall. The increased quantity of glazing within the penthouse layer allied with the reduced quantity of brickwork better distinguishes the penthouse layer from its respective storeys below. Subject to detailed consideration of the precise quality, colouring and type of cladding and reflective panel material, to be reserved for approval pursuant to a condition requiring the submission and approval of material details, it is considered that the revised plans describe a penthouse layer appropriately subservient to the main 7x storey tower and which is of lightweight design as originally envisaged within the original appeal approval.

The proposed change from glazed to metal balustrading is neither considered detrimental nor beneficial to the design quality of the proposed development such that the effect of this change is neutral.

Members will note that the revised plans do not describe any significant change to the treatment of the previously enclosed walkway featured to the eastern elevation of Block V4, other than the introduction of an additional cladding panel, as was a matter of concern within the previous debate and the previous officer recommendation to

planning committee. Given the absence of any significant change in this regard officer concerns remain as previously expressed within the preceding officer report and are not restated.

The revised plans, similarly, only relate to matters of design and do not influence the assessment or recommendation of officers in any other material regard. The previous officer report and recommendation, therefore, should be relied upon in respect of matters of accessibility, housing mix and effects in relation to neighbouring/future occupiers.

Conclusion in Respect of Design Changes:

The revised plans describe minor changes to the design of the proposed development, though, which overcome original officer concerns regarding a degradation in design resulting from changes to the design of the penthouse layer relative to the initial appeal approval. The revised plans are not considered to result in any conflict with the requirements of Policy 15 to the Adur Local Plan (2017) or Policy SH9 of the Shoreham Harbour Joint Area Action Plan (2019) in terms of design requirements for development.

A number of detrimental changes relative to the original appeal approval, however, still remain, as originally assessed within the original officer recommendation to Planning Committee. The overall degree of conflict with ALP Policy 15, Policy SH9 and Paragraph 140 of the NPPF, however, is reduced as a consequence of the positive changes addressed above. The Officer recommendation, therefore, remains that planning permission should be granted.

Members should note that any planning permission to be granted by way of S.73A of the Town and Country Planning Act 1990 must be underpinned by way of legal agreement pursuant to S.106 of the Act. This is because the S.106 agreement originally underpinning the appeal approval does not include a clause which would ensure that the previous agreement was binding upon a future planning permission issued by way of S.73A. The officer consideration of S.106 matters is outlined below and would be captured within a varied S.106 agreement additionally binding upon the S.73A approval.

S.73A - Variation of Condition 21: Energy Strategy

The proposed change to the energy strategy was not contentious at the Committee meeting of March. This is covered in the original report at Appendix 1.

In summary, the predicted outcome of the revised Energy Statement are 70% CO2 reductions against the Building Regulations baseline, 11% of this attributable to efficient building fabric and 59% due to air and water heating. Also a water usage design target of 110 litres/person/day. Condition 21 will continue to require that independent professional verification of these energy and water efficiencies will be submitted to and approved in writing by the Local Planning Authority, within 3 months of the first occupation of the development.

Planning Assessment - Part Two: s.106 Obligations and Viability

The following section updates the matter of the s.106 obligations, which was considered by the Committee in March. It draws upon the further independent viability review undertaken by the Council's independent consultant since March. The section begins with a recap of the previous position, starting with the appeal approval of 2023.

Appeal Decision, 2023

The development as approved at appeal in December 2023 includes a package of financial contributions amounting to a total of £993,540, which the applicant is obliged to pay via the s.106 Undertaking, which forms part of the appeal approval.

These obligations provide for education, health, highway works, open space, library and fire services, public art, with the largest part, £427,000, being for the provision of affordable housing off-site, but with the option of providing five shared ownership homes on-site instead. In addition to the £993,540 contributions, other obligations include resurfacing of the adjoining Right of Way at Kingston Beach and a car club scheme for new residents, although these are not expressed as financial costs.

In her 2023 decision in respect of Appeal B, the Inspector concluded that each obligation was fairly and reasonably related to the development.

In her overall conclusion, she considered whether the public benefits of the development outweighed the (less than substantial) degree of harm to the listed lighthouse. The benefits she regarded as:

- The package of s.106 obligations
- provision of 45 new homes,
- new riverside walk
- roadside space for widened foot & cyclepath
- landscaping
- new river-wall and flood defences with resilience to climate change

In respect of the affordable housing provisions, she concluded that the contribution of £427,500 or on-site provision of five affordable homes, alongside the other public benefits of the development, carried significant weight in the balance of her decision making. This outweighed the heritage harm and the appeal was allowed.

By contrast, the Inspector that an alternative appeal (Appeal A) proposal of £181,598 towards affordable housing and with no on-site alternative provision, was only of modest benefit in the overall balance. That appeal was dismissed.

Viability Since 2023

However, since 2023, the applicant states that the underpinning financial viability of the development has been negatively impacted by increased construction costs and simultaneously by reduced sales values. For this reason they can no longer afford to pay the full package of financial contributions. They have also sought funding from Homes England for works including the new riverwall and ground works.

Hence the applicant has requested that the obligations to pay the affordable housing contribution of £427,000, or to provide five shared-ownership homes on site, be removed; also that the contributions towards open space (£130,939) and highway

works (£145,074), be removed or reduced.

Viability at March 2023 and Committee Deferral

In March the Committee considered the applicant's request to remove the following contributions from the development obligations:

i) £427,500 affordable housing provisions or five on-site shared-ownership units
ii) £145,074 highway contribution for local sustainable & A27 improvements
iii) £130,939 open space contribution.

This was based upon viability costings submitted in September 2025, which indicated an increase of approximately £7.041m in development costs, due to a 28% increase in construction costs and 174% increase in finance costs, loans and interest, although predicted sales expectations had improved. The overall effect of these changes was to reduce profit levels to 2.9% by comparison with 17.04% in 2023. This was well below the viable profit range advocated in Government advice of between 15 - 20%

The Council's independent consultant had reviewed these figures in January 2026 and based on a sample of build costs (river-wall, piling and flood defence) had agreed that profit had reduced significantly since 2023. It also took into account predicted sales values. However, the consultant applied a less pessimistic interest rate to finance costs such that the overall profit was predicted to be 8.5%, by comparison with the applicant's 2.9%, but both of these were below the Government's recommended range of 15-20%.

The Committee debated these changes and a mixture of views were expressed by Members, including: that developers might be expected to cope with changes on profitability and questioning the degree of difference which the proposed removal of contributions would make. In parallel it was acknowledged that the lower density of development achievable on this site had led to a proportionately greater cost burden than higher density developments elsewhere in the Western Harbour Arm regeneration area. Further exploration of the proposed s106 reductions should therefore be undertaken.

Viability Review Following Committee Deferral

Following the deferral, the viability position has been reviewed and updated, the Council's consultant produced its further advice in May and with final advice in June after further input from the applicant.

The May advice assessed viability in light of £3.1m funding which had been secured from Homes England since the previous (January 2026) review. This fund becomes repayable to Homes England if development achieves a profit above 17.5%. It also took into account a reduced highway works contribution agreed by the Highway Authority (£145,074 reduced to £35,680). It also assumed an open space contribution of £20,000 by contrast with the previous offer of £14,233 in March (reductions from the original £130,939 in 2023).

This produced a profit of 18.2% and the possibility of £209,979 available for affordable housing.

In reply to this conclusion the applicant responded that this did not account for further increases in costs since figures were compiled in September 2025 nor reduced sales values in that time. These produce a total reduction of over £1m.

The Council's consultant has reviewed and included these changes using Land Registry data for sales and:

> ' *a variety of measures including BCIS* [Build Costs Information Service] *Tender Price Index, BCIS rates, and other sites that DSP have reviewed in West Sussex, to give a general indication. It was noted that since the 2025 viability submission, the sale prices in Adur for this development type had decreased by approximately 4.7% but over the same period build costs had increased by approximately 3.4%. DSP also carried out some further appraisal testing to provide AWC with some further context – testing the impact of these changes on viability outcomes. The appraisal results indicated that applying these changes to our appraisal moved the scheme from a small surplus of c. £200k to a deficit position of -£1.74 million, and reducing the profit outcome from 17.5% GDV to 11.25% GDV.'* (DSP Consultants 24th June 2026)

It is noted that the 11.25% outcome assumes the £209,979 sum identified in May as possible affordable housing funding but this becomes 12.0% if removed. In either case the outcome is well below the 15-20% advised by Government.

There are some qualifications to this outcome. Firstly, that an in-depth review of build costs could potentially produce a lower cost figure and improve the viability position. However, based on the consultant's assessment, this would need to improve by around £1.5m in order to generate the £209,979 sum identified in May. Secondly, the land value upon which the assessments have been carried out has not been agreed. A cost of £1.178m has been used by the Council's consultant but in the applicant's view, this could be more than £2m, within the viability assessment parameters set out by the Government; this would worsen the viability position.

On this point the consultant advises that further review is unlikely to be fruitful. They comment*:*

> *…as is often the case, there is not full agreement between the parties on the viability outcomes. DSP acknowledges that the scheme is marginal (even with the inclusion of Homes England grant). In my view, any further review of viability is unlikely to result in a more clear position and at this point it is for AWC* [the Council] *take a view on what would be suitable in the circumstances.* (DSP ibid).

On the matter of profit and risk, and mindful of the target profit range of 15-20% in Government advice, the consultant adds:

> *…DSP acknowledged that given there are risks, the profit allowance/target of 17.5% put forward by the applicant and agreed by DSP in previous reviews was considered to be a reasonable aspiration. As the assumed return for risk this aims to mitigate the net effects of future changes in costs/values. Given the relatively high risk nature of this scheme in the current environment we considered that it would be unsuitable to assume that a lower level of profit should be relied upon. Homes England appears to take the same view, with their funding agreement only requiring any repayment of the grant if a 17.5% GDV profit is exceeded once the scheme is built out. A 17.5% GDV profit also meets the level stated by the applicant to be required by their lender at this stage.*

Affordable Housing

As such where the estimate of 12% profit falls well below the 17.5% aspiration and outside the Government range, neither the original affordable housing contribution of £427,939 nor the lesser figure of £209,979 could be sustained. This position also assumes the reduced highway contribution agreed by the Highway Authority and a reduced figure of £20,000 for open space.

The applicant has also found no interest from registered providers in respect of the on-site provision of five shared ownership homes, which is one of the alternatives in the 2023 Undertaking. As reported previously, the local supply is much greater than anticipated in the Western Harbour area. The recently completed development by Hyde Housing of 255 apartments at the neighbouring Kingston Wharf, has produced 92x Social Rented units and 163x Shared Ownership, giving a total of 100% affordable homes by comparison with the 30% required under Local Plan Policy 21. At Free Wharf the development of 587 homes by Southern Housing, also a Registered Provider, was increased to 54.6%.

Highway & Open Space Contributions

Regarding the highway contributions, since the March Committee meeting the Highway Authority has confirmed that it agrees with the reduction of the highway contribution to £35,680. It has accepted that the land value of the site frontage which is to be dedicated as highway land for the wider pavement and future cycle path, is sufficient to justify this reduction.

The remaining contribution of £35,680 is required under Policy 28 to address A27 congestion and related air quality and noise. The Highway Authority states that this would be used for improvement of the A27 Steyning and Hangleton junctions.

The open space contribution proposed by the applicant has been increased since March, from £14,233 to £20,000. It forms part of the viability assessment which concludes a profit of 12%. The applicant asserts that this contribution, when combined with the amenity value of approximately 500sqm area of public riverside boardwalk and associated landscaping, makes a reasonable provision.

In addition to this officers note that the obligation in the 2023 Undertaking, to improve the Right of Way from Brighton Road, forms a crucial access between the road, the riverside path and Kingston Beach and serves as a gateway to the wider riverside walk. As such there is distinct overall value produced by the combination of these works and the proposed contribution, such that it is considered to comply with the relevant policy 29 of the Local Plan.

Other Contributions

The table below summarises the contributions which would remain. These cover education, health, A27 junction highway works, open space, library and fire services and public art. The other non-cash obligations include resurfacing of the adjoining Right of Way at Kingston Beach and a car club scheme for new residents also remain.

S.106 Obligation	Value (£)
Education - Secondary	160,934
Education - Sixth form	37,000
Fire Service	1,580
Libraries	21,848
Open space	20,000
Public art	5,294
Health	60,271
Highway - A27 junction improvements	35,680
106 and Travel Plan monitoring fees	3,600
Total	**346,207**

Summary

In summary, following the deferral by the Committee in March the Council's consultant has considered the scheme viability and its ability to meet the obligations of the 2023 decision. This takes into account the recent positive effect of the £3.1m Homes England funding now secured by the applicant. In itself, this would generate around £209k, which might have been available to meet part of the original affordable housing contribution.

However, this is eroded by changes in construction costs and reduced sales values, the effect of which is agreed by the consultant, reducing the profit to 12% by comparison with the 17.5 % which the consultant considers to be a reasonable aspiration, in light of the market risks against which the development is taking place.

The highway contribution reduction is accepted by the Highway Authority, given the value of the land to be dedicated for the foot and cycle path. The reduction of the open space contribution is now slightly smaller than in March and remains of value alongside the unique effect of the development to link the riverside Walk, Kingston Green together and improve the existing public access to Brighton Road.

Against the backdrop of viability, the 106 Undertakings are considered to strike a reasonable balance between the financial constraints within which the development is taking place, and the provision of contributions towards infrastructure, including those in the table above. Alongside this the weight which the Inspector attached to the delivery of 45 homes in the context of an overall undersupply of new homes, remains as an important consideration. The new river wall, flood defences and riverside walk which she also regarded as public benefits also remain in place.

Setting these benefits and the updated viability position alongside the Inspector's original consideration of the balance between the (less than substantial) harm to the setting of the listed lighthouse and the public benefits of development, it is considered that the balance would continue to fall in favour of approval

The applicant has proposed that a review mechanism can be included within the variation of the 2023 Undertaking. This would allow for part of the affordable housing contribution and the reduced open space contribution to be recovered if profits were to rise above 17.5%. It is noted that half of the £3.1m Homes England funds would also fall to be repaid if this trigger were to be reached and as such the likelihood of recovery is remote, however, it is recommended that such a review mechanism is included.

Accordingly, it is recommended that the applicant' proposal be as set out at 2) a-d, below

Recommendations

1) **Approve the s.73A proposals under condition 2, and to approve the revised energy strategy under condition 21 subject to a Deed of Variation, which would capture the revised obligations sought under recommendation 2.) below, and amended wording of conditions 2, 18, 21 and 30, with added conditions 42 - 46 as set out below, and deleted condition 1 (Time limit for Implementation);**

2) **Approve variations to the s.106 Undertaking, as follows:**
    a) **Remove the affordable housing provision and in-lieu financial contribution**
    b) **Reduce the open space contribution to £20,000**
    c) **Reduce the Highway contribution to £35,680.**
    d) **Addition of a review mechanism for recovery of contributions (in the event of a profit 17.5% or greater, allowing for repayment of Homes England funds)**

Conditions

(repeated from appeal decision December 2023, with deletion of condition 1 (time limit for implementation) and amendments to conditions 2, 18, 21 & 30 and addition of conditions 42 - 46)

1. ~~**Time limit:** The development hereby permitted shall begin not later than three years from the date of this decision.~~

2. **Approved plans:** The development hereby permitted shall be carried out only in accordance with the following approved plans.

Plan Type	Plan Name	Plan Reference	Date Received
Location / Site Plan	Location Plan and Proposed Site Plan	1545 PA 010 Rev D	19.09.2025
Floor Plan	Block V1 Floor Plan Variations from Approved Planning Drawings	7485 ECE V1 XX GA A PL101	19.09.2025
Floor Plan	Block V2 Floor Plan	7485 ECE V2 XX GA A	19.09.2025

	Variations from Approved Planning Drawings	PL201	
Floor Plan	Block V3 Floor Plan Variations from Approved Planning Drawings	7485 ECE V3 XX GA A PL301	19.09.2025
Floor Plan	Block V3 Floor Plan Variations from Approved Planning Drawings	7485 ECE V3 XX GA A PL302	19.09.2025
Floor Plan	Block V4 Floor Plan Variations from Approved Planning Drawings	7485 ECE V4 XX GA A PL402	19.09.2025
Roof Plan	Block V1 Roof Plan	7485 ECE V1 03 GA A 01101 P6	12.06.2026
Roof Plan	Block V2 Roof Plan	7485 ECE V2 04 GA A 01202 C1	12.06.2026
Roof Plan	Block V3 Roof Plan	7485 ECE V3 04 GA A 01302 P6	12.06.2026
Roof Plan	Block V4 Roof Plan	7485 ECE V4 08 GA A 01402 P9	12.06.2026
Elevation Plan	Block V1 Elevation Variations from Approved Planning Drawings	7485 ECE V1 XX GA A PL100 C1	12.06.2026
Elevation Plan	Block V2 Elevation Variations from Approved Planning Drawings	7485 ECE V2 XX GA A PL200	19.09.2025
Elevation Plan	Block V3 Elevation Variations from Approved Planning Drawings	7485 ECE V3 XX GA A PL300 C1	12.06.2026
Elevation Plan	Block V4 East and South Elevation	7485 ECE V4 XX GA A 04400 C3	12.06.2026
Elevation Plan	Block V4 West and North Elevations	7485 ECE V4 XX GA A 04401 P11	12.06.2026

Section Plan	Block V1 Sections A-A, B-B and C-C	7485 ECE V1 XX GA A 05100 P6	12.06.2026
Section Plan	Block V2 Sections A-A, B-B and C-C	7485 ECE V2 XX GA A 05200 C1	12.06.2026
Section Plan	Block V3 Sections A-A, B-B and C-C	7485 ECE V3 XX GA A 05300 P6	12.06.2026
Section Plan	Block V4 Sections A-A, B-B and C-C	7485 ECE V4 XX GA A 05400 P8	25.02.2026
Section Plan	Block V4 Sections D-D and E-E	7485 ECE V4 XX GA A 05401 P8	25.02.2026
Landscaping Plan	Site Plan - Hard and Soft Landscaping	7485 ECE 00 00 GAA 001 00 P14	11.03.2026
Detail Plan	Typical Bay Brickwork details	2088 PA 024	09.12.2022
Detail Plan	Flood Defence Wall Alignment and Access	2088 PA 040	09.12.2022
Detail Plan	Perimeter Sections and River Levels Information	2088 PA 042	09.12.2022
Detail Plan	Indicative Flood Wall Details	2088 PA 043	09.12.2022
Detail Plan	Strategic Landscape Plan	2088 PA 044	09.12.2022
Detail Plan	Parking and Keep Clear Plan	2088 PA 046 A	07.03.2023
Drainage Plan	Drainage Layout	DR C 0500 Rev C	01.03.2023
Drainage Plan	Drainage Details (1 of 2)	DR C 0520 Rev P1	09.12.2022
Drainage Plan	Drainage Details (2 of 2)	DR C 0521 Rev P2	09.12.2022

3. Levels: The development hereby approved shall be carried out in accordance with the proposed site levels shown in drawing number 2088-PA-011 (Ground Floor Plan). No other raising of levels shall be carried without the prior written approval of the Local Planning Authority.

4. Construction Environment Management Plan and Hours of Work: Prior to commencement of enabling works no development shall take place, until a

Construction Management Plan in respect of these works has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

a) the anticipated number, frequency and types of vehicles used during construction;
b) the method of access and routing of vehicles during construction;
c) the parking of vehicles by site operatives and visitors;
d) the loading and unloading of plant, materials and waste;
e) the location of any site compound and site office;
f) the storage of plant and materials used in construction of the development;
g) arrangements for efficient construction waste management;
h) measures to minimise risk of and respond to any accidental spillages including containment and clear-up;
i) a Dust Management Plan incorporating the dust control measures;
j) a commitment to no burning on site;

k) the erection and maintenance of security hoarding, including provision of public information about the development and viewing ports;

l) the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);

m) Arrangements for regular and responsive traffic management liaison with other imminent or active development sites in the Western Harbour Arm and A259 Brighton Road;

n) details of any external lighting during the construction period, including provisions to avoid any hazards to shipping and activities at Shoreham Harbour Port, in liaison with the Shoreham Port Authority;

o) details of public engagement both prior to and during construction works including neighbouring and nearby residents (including those at Shoreham Beach), businesses and other occupiers.

Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

Monday - Friday 08:00 - 18:00 Hours
Saturday 08:30 - 13:00 Hours
Sundays and Bank/Public Holidays no work is permitted.

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

5. Phasing (and Enabling Works): Prior to commencement of any works on site a phasing programme, (which shall include any phase or phases of Enabling Works) shall be submitted to and agreed by the Local Planning Authority. Development shall

be implemented in accordance with that phasing programme and details required under conditions of this planning permission, shall be submitted and approved in accordance with that phasing programme. For the purposes of the conditions of this planning permission, 'Enabling Works' shall comprise the following:

a) Demolition of any structures above ground level;
b) Removal of building foundations & slab and associated above ground cables, pipes or ducts;
c) Breaking-up and crushing of existing hard-standings;
d) Removal of below ground cables, pipes or ducts;
e) Re-routing of existing sewer main;
f) River-wall survey works, including excavation to assess existing condition;
g) survey works (other than river-wall survey) to inform the design of remediation works;
h) Creation of a piling mat using clean rubble or similar clean material.

6. Remediation and Groundwater: No development hereby permitted shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

a) A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site;

b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;

c) The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be fully implemented as approved, any changes to these

components shall require the prior written consent of the Local Planning Authority.

7. River Wall Works: Prior to commencement of works to replace or improve the river wall and/or sheet piling, full details shall be submitted to and approved in writing by the Local Planning Authority, which includes the following:

a) riverside retaining walls and associated cappings and railings, engineering details and cross-sections and details of external appearance and finishes;

b) the inter-relationship between the riverside retaining wall, new riverside path and site drainage, and

c) measures to be taken to minimise and manage risk of contamination, (including risks to human health and the water environment), noise and dust.

The details thereby approved shall be fully adhered to in the undertaking of the respective Enabling Works.

8. Enabling Works: The following Enabling Works at condition 5 shall only be undertaken after the following details have been submitted to and approved in writing by the Local Planning Authority: (c) Breaking-up and crushing of existing hard-standings. Details of measures to manage and minimise noise, vibration and dust. (d) Removal of below ground cables, pipes or ducts (e) Re-routing of existing sewer main (f) River-wall survey works, including excavation to assess existing condition. Details of measures to be taken to minimise and manage risk of contamination, (including risks to human health and the water environment), noise and dust. The details thereby approved shall be fully adhered to in the undertaking of the respective Enabling Works

9. Drainage - Details of Foul and Surface Drainage: With the exception of any Enabling Works, development shall not commence until details of the proposed means of foul and surface water sewerage disposal including a timetable for its provision and assessment of pollution risks with any measures necessary for its control or mitigation, have been submitted to, and approved in writing, by the Local Planning Authority. The development will then be carried out to comply with the agreed details and timetable.

10. Drainage - Maintenance and Management: With the exception of any Enabling Works, development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual has been submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon the completed construction of any phase of the surface water drainage system, the owner or management company shall permanently strictly adhere to and implement the recommendations contained within the manual.

11. Piling Works and Contamination: With the exception of any Enabling Works, development shall not commence until details of any foundation design and method using piling or penetrative methods have been submitted and approved in writing by the Local Planning Authority including information to show that there is no resultant unacceptable risk to the water environment, including groundwater and the River Adur. The development shall be carried out in accordance with the approved details.

12. Air Quality Mitigation: With the exception of any Enabling Works, development shall not commence until full details of all proposed operational phase air quality mitigation measures for that respective phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the details thereby approved. If required, a verification report shall be submitted to and approved in writing by the Local Planning Authority on completion of the respective phase of development to demonstrate and confirm that the operational phase air quality mitigation measures thereby approved have been implemented and have achieved mitigation equal to the value identified.

13. Access and Frontage Specifications: With the exception of any Enabling Works,

development shall not commence until construction details of the vehicular access and manoeuvring and parking areas within the site and their surface water drainage, including engineering cross sections and specifications, and details of the design and surfacing of the public footpath, vehicular crossovers and kerb alignments at the Brighton Road frontage have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the details thereby approved and permanently maintained and retained.

14.Sustainable Surface Water Drainage: With the exception of any Enabling Works and site survey and investigation, no development shall commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage. Details shall include measures to manage any pollution risks, including risks to controlled waters with measures for control and mitigation of these risks. No building shall be occupied until the complete surface water drainage system serving it has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

15. Materials and Details: No works above ground level shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority and all development of that phase pursuant to this permission shall be carried out and permanently maintained in full accordance with details thereby approved:

a) Details (including samples, where requested by the local planning authority) of the materials to be used on all external faces of the building(s) and ground surfaces, including colours and finishes;

b) Details, including 1:20 drawings and profiles of external columns doors; windows and frames; roof intersections, soffits, parapets & cappings, balconies, balcony screens and external rails;

c) Any external plant and utility cabinets, their location, size, design, materials, colours and finish and any associated ducting;

d) Details of solar panels and height relative to adjoining parapets / roof edges;

e) Details of any external lighting, including measures to minimise light pollution and impact on river navigation, and arrangements for verification of these measures, which shall be implemented;

f) Details of pedestrian and vehicular access ramps and steps and ground floor plinths, including detailing and/or materials to add visual interest;

g) Details of the location and design of any externally visible ventilation louvres, gaps or ducts.

Development shall only be carried out in accordance with the details thereby approved and this condition shall apply notwithstanding any information contained in the documentation submitted with the appeal.

16. Road Noise Mitigation and Ventilation — Provision: Prior to the commencement of development above ground level, details of road noise and vibration mitigation, including acoustic glazing and mechanical and heat recovery systems, shall be submitted to and approved in writing by the Local Planning Authority. Mitigation measures should reflect the recommendations of the submitted Acoustic Report by 7th Wave Acoustics (Reference 1149.001R.1.0.RF).

17. Commercial space - Noise insulation: Construction work (with the exception of any demolition or stripping out), shall not commence until an insulation scheme for protecting the first-floor flats from noise from the commercial space has been submitted to and approved by the Local Planning Authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB) for all floors.

Before the residential units are occupied a test shall be undertaken to demonstrate compliance with this level and submitted to and approved in writing by the Local Planning authority.

18. Landscaping, Play and Biodiversity:

~~Hard and soft landscaping ('soft landscaping' means new planting, associated ground preparation and biodiversity enhancement measures) for each phase of development shall completed in accordance with the phasing plan under approved condition 5 of this permission, with all planting to be completed no later than the first planting season following the occupation of each phase.~~

~~Before the commencement of development above ground level, (other than Enabling Works), and unless otherwise agreed in writing, the following details shall be submitted to and approved by the Local Planning Authority:~~

~~a) Details of hard landscaping materials and surfacing;~~
~~b) Details of provisions for informal play & recreation;~~
~~c) Any external seating;~~
~~d) Planters and tree pits including irrigation and drainage;~~
~~e) Ground preparation to create a planting medium;~~
~~f) Biodiversity enhancement measures;~~
~~g) Details where appropriate, of any temporary landscaping at the public footpath along the Brighton Road frontage;~~
~~h) A maintenance plan to ensure full establishment of new planting.~~

~~Development shall thereafter be carried out in accordance with the approved hard and soft landscaping plans, phasing plan and the details at (h) above, and the planting maintained, in accordance with the approved details and the phasing plan. Any trees or shrubs 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.~~

Replace with

Hard and soft landscaping ('soft landscaping' means new planting, associated ground preparation and biodiversity enhancement measures) for each phase of development shall completed in accordance with the phasing plan under by way of condition attached to this permission, with all planting to be completed no later than the first planting season following the occupation of each phase.

Before the commencement of development above ground level, (other than Enabling Works), and notwithstanding details shown on the approved "Site Plan - Soft and Hard Landscaping" (Ref: 7485 ECE 00 00 GAA 001 00 P14), unless otherwise agreed in writing, the following details shall be submitted t o and approved by the Local Planning Authority:

a) Details of hard landscaping materials and surfacing;
b) Details of boundary treatments;
b) Details of provisions for informal play & recreation;
c) Any external seating;
d) Planters and tree pits including irrigation and drainage;
e) Ground preparation to create a planting medium;
f) Biodiversity enhancement measures;
g) Details where appropriate, of any temporary landscaping at the public footpath along the Brighton Road frontage;
h) A maintenance plan to ensure full establishment of new planting;
i) Details of combined refuse/air source heat pump enclosures/stores, including positions, scale, extent and design, shown within the internal courtyard to service approved townhouses.

Development shall thereafter be carried out in accordance with the approved hard and soft landscaping plans, phasing plan and the details at (h) above, and the planting maintained, in accordance with the approved details and the phasing plan. Any trees or shrubs 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.

19. Means of Enclosure, Gates and Barriers: Before the commencement of development above ground level (other than Enabling Works), details of all means of enclosure, gates or barriers for that phase shall be submitted to and approved in writing by the Local Planning Authority. These shall be provided for each phase of development prior to the occupation of each such phase.

Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 as amended, or any Order revoking or re-enacting that Order, no additional or other means of enclosure, or increase in height of any means of enclosure, balcony or terrace shall be carried out.

20. Flood Risk and Riverside Management: The development shall be carried out in accordance with the submitted Flood Risk Assessment ("FRA") (dated December 2022, produced by HOP Consulting Ltd, Ref: 16050/03/HOP/RPT/01) and the additional information provided by HOP Consulting Ltd in their letter and associated documents to the Environment Agency dated 10 February 2022 ("the Letter") (ref: TJB/SMW/16050-4), and in particular the following mitigation measures detailed

therein:

a) Finished floor levels of habitable rooms shall be set no lower than 6.14 metres above Ordnance Datum (AOD) as stated in section 3.4 of the FRA;

b) Finished floor levels for the commercial space shall be set no lower than 4.95 metres above Ordnance Datum (AOD) as stated in section 3.4 of the FRA;

c) Finished floor levels of the courtyard shall be set no lower than 5.40 metres above Ordnance Datum (AOD) in accordance with drawing no: 2088-PA-040 (Flood Defence Proposals Ground Floor/ Site Plan');

d) Provision of vertical rising flood control barriers up to 5.47m AOD as indicated in drawing number 2088-PA-040 ('Flood Defence Proposals Ground Floor/ Site Plan'), with details of a maintenance plan and operation of the barriers to be submitted to the Local Planning Authority prior to installation of the barriers.

e) Provision of a waterfront access route of no less than 4 metres, which shall be permanently maintained in accordance with drawing number 2088-PA-040 ('Flood Defence Wall Alignment, Access To Wall & Navigation Light Position')

f) The existing river wall defences shall be improved as outlined in `the Letter' referred to above comprising a new vertically Steel Sheet Piled (SSP) river wall structure set back slightly from the existing alignment and set to 4.4m AOD and a set-back reinforced concrete flood wall with structural connection to the river wall set to 5.47m AOD as shown in the following submitted drawings:

2088-PA-040 - Flood Defence Wall Alignment, Access to Wall and Navigation Light Position

2088-PA-041 - Ground Floor Plan with Flood Gate Positions, River Walk Width & Section Lines for Perimeter Sections

2088-PA-042 - Perimeter Sections & River Levels Information 2088-PA-043 - Indicative Flood Wall Details

All the measures and mitigations shall be fully implemented prior to occupation of the development and subsequently fully maintained in accordance with the scheme's timing/phasing arrangements and shall be fully retained and maintained throughout the lifetime of the development.

21. Sustainability and Energy: i) The development hereby approved shall incorporate the following sustainable energy and heat management measures *in accordance with the Energy Statement by PJR Building Services, dated March 2025*:

a) Energy efficient building fabric,
b) LED internal & external lighting,
c) Provision of Solar panels and Air Source Heat Pumps (ASHP),
d) ~~Mechanical Ventilation with Heat Recovery System (MVHR), with summer bypass~~
e) Building Energy Management Systems,
f) Efficient water goods and fixtures to achieve<110L/Person/day

The development shall be implemented and retained in accordance with the details

thereby approved.

ii) *Prior to construction above ground level a heating risk assessment shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of proposed measures for ventilation and its relationship to acoustic insulation and glazing, including any additional measures to ensure that both ventilation and acoustic mitigation requirements are met. The development shall be carried out in accordance with the details thereby approved.*

iii) Written confirmation, including independent professional verification, shall be submitted to and approved in writing by the Local Planning Authority, within 3 months of the first occupation of the development, to confirm that the~~se~~ measures *in i) & ii) of this condition have been implemented and that these* have achieved the target CO2 reduction below the baseline model including renewable energy, as identified in the *above-mentioned* submitted Energy Statement *by PJR Building Services,* and confirming the installation of water goods and fixtures to achieve a target of <110L/Person usage/day. The verification document shall include any proposed and timetabled remedial measures if these targets have not been met, in which event the remedial measures thereby approved shall then be implemented in accordance with that timetable.

22. Previously Unidentified Contamination: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall then be implemented as approved.

23. Car Park Barrier: Any gate to any parking area in the site shall be sited at least 6m back from the edge of the public highway. Details of any gate and of any entry control system (if used), shall first be submitted to and approved in writing by the Local Planning Authority, and this condition shall apply notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and County Planning (General Permitted Development) Order 2015 as amended, or any Order revoking or re-enacting that Order.

24. Drainage - As-built Record: Following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the Local Planning Authority shall be provided with as-built drawings of the implemented scheme together with a completion report prepared by a qualified engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be permanently maintained as approved.

25. Highways and Access: No part of the development shall be first occupied until such time as the vehicular and pedestrian accesses serving that part of the development have been constructed in accordance with the details shown on the drawing titled Ground Floor Plan 2088-PA-11.

26. Vehicle Parking: No part of the development shall be first occupied until the vehicle parking and manoeuvring spaces serving that part (including associated visitor/unallocated parking and car club space) has been constructed and provided in accordance with the approved details. Once provided the spaces shall thereafter be

permanently retained at all times for their designated purpose.

27. Electric Vehicle Charing: No part of the development shall be first occupied until Electric Vehicle Charging spaces and ducting/cabling have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority and shall be permanently retained thereafter.

28. Recycling and Refuse Stores: No part of the development shall be first occupied until the refuse storage space(s) serving it have been provided in accordance with the approved plans and shall be permanently retained and maintained thereafter.

29. Surfacing of the Public Right of Way (PROW): No part of the development shall be first occupied until such time as surfacing works and signage for Right of Way no. FP3556 have been implemented in accordance with plans, details and construction specifications that have previously been submitted to and approved in writing by the Local Planning Authority.

30. Road Noise Mitigation and Ventilation - Verification: No part of the development shall be first occupied until all approved road noise mitigation and ventilation measures have been completed (*including any ventilation and acoustic insulation and glazing measures arising from the heating risk assessment in condition 21 (ii) of this permission),* and details of the post implementation independent verification to demonstrate that the road mitigation and ventilation measures undertaken are effective and protect noise sensitive development from noise and vibration have been submitted to and approved in writing by the Local Planning Authority.

31. Flood Risk and Safe Access: Prior to first occupation of any phase or part of the development, a Flood Risk Management Plan for each phase or part shall be submitted to and approved in writing by the Local Planning Authority. It shall include the ongoing arrangements for the provision, dissemination and updating of flood risk information and means of safe access and escape for occupiers of the site. The Plan thereby approved shall be implemented upon the first occupation of each respective phase or part and permanently adhered to unless the Local Planning Authority gives prior written approval for any variation.

32. Remediation Verification: Prior to first occupation of any part of the development, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

33. **Secure Cycle Parking:** No dwelling shall be first occupied until covered and secure cycle parking spaces serving the respective dwelling have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. The covered and secure cycle parking shall be retained thereafter for its designated purpose.

34. Travel Plan: No dwelling shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be implemented as approved including any monitoring, reporting and

subsequent updating measures in accordance with any subsequent Travel Plan thereby approved.

35. Obscure Glazing: The development hereby approved shall not be occupied until details showing the opacity of the glazing at ground floor level adjacent to the riverside path have been submitted to, and approved in writing, by the local planning authority. The development shall be implemented and retained thereafter in accordance with the approved details.

36. Temporary Flood Risk Management: If any building is to be occupied before the full completion of all flood risk defence and management measures for the site, details of any temporary flood defence and management provisions shall be first submitted to and approved in writing by the Local Planning Authority and shall be fully implemented during such interim period.

37. Commercial Space - Use and Hours: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that order with or without modification), the ground floor commercial space and associated external terrace shall be used only for purposes within Use Class E(a),(b),(c),(d),(e) and (f), and shall not be used for any purpose falling within Use Class E(g) as defined in the Town and Country Planning (Use Classes) Order 1987 or in any equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

The commercial space and associated external terrace shall only be used and open to customers and visiting members of the public between the following hours:

Monday - Saturday 07:30 - 21:00
Sunday & Bank/Public Holidays: 08:30 - 20:00
No use of the commercial terrace shall be permitted before 08:30 on any day.

38. Commercial Space - Odour, Air Moving Equipment and Amplified Sounds:

a) If required, no kitchen for the preparation of hot food shall be installed in the commercial space unless details of means, plant or equipment for the extraction and disposal of cooking odours have been submitted to and approved in writing by the Local Planning Authority.

b) If required, no external fixed plant serving the commercial space shall be installed until details have first been submitted to and approved in writing by the Local Planning Authority. The design shall have regard to the principles of BS4142:2014 and aim to achieve a rating level which is no greater -5dB above existing background noise level, shall include any necessary anti-vibration mountings and any necessary odour control.

c) No amplified sound equipment in the commercial space or associated terrace shall be used unless details have been submitted to and approved in writing by the Local Planning Authority, including proposed hours of its use and to ensure that any sound level measured 1m from any speaker or equipment shall not exceed 75dB(A) LAeq 1 min. The use of the commercial space shall only take place in full on-going conformity with the approved details.

39. Lighting Limitations and Navigation: With the exception of any external lighting approved under condition 15 (e) above, no external lighting or externally illuminated

signage shall be installed on the site until details, including any measures necessary to avoid any negative impact on river & harbour navigation (in consultation with Shoreham Port Authority in cases where lighting may be seen from seen from the river and harbour), have been submitted to and approved in writing by the Local Planning Authority. The additional lighting shall be implemented in accordance with the approved details and retained as such thereafter.

40. Permitted Development Limitation: Windows and Openings: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015, or any order revoking or re-enacting that Order, no additional windows or other openings, shall be formed in any part of the development hereby approved, facing towards or visible from the river or harbour.

41. Aerials/Antennae: No Aerial/Antennae/Satellite Dish or Microwave Antenna shall be installed on the exterior of the apartment block hereby approved without the prior written approval of the Local Planning Authority. Any such dish or antenna must be sited in accordance with the approved details.

Additional Conditions 2026

42 Access and Ramp Details (Pre-Commencement, relevant works): Prior to the commencement of operations related to the stepped and ramped access to Brighton Road serving Block V4 full details of the balustrade to be introduced to the stepped/ramped access (as detailed on the approved construction plans ref: 7485 ECE V4 XX GA A PL402 (floor) and 7485 ECE V4 XX GA A PL401 (elevation)), shall be submitted to and approved by the Local Planning Authority. The details to be submitted shall include details of the height, position and extent of balustrading, together with details of material composition, colouring and finish. Balustrading shall, thereafter, be implemented in full accordance with the approved details.

Reason: To ensure that prominent balustrading on the Brighton Road frontage is of a sufficient quality and in the interests of the visual amenity in accordance with Policy 15 to the Adur Local Plan (2017).

43. Access Ramp - Details: The external face of the stepped and ramped access to Brighton Road serving Block V4 (as detailed on the approved construction plans ref: 7485 ECE V4 XX GA A PL402 (floor) and 7485 ECE V4 XX GA A PL401 (elevation)) shall be constructed of a brickwork of matching colour and finish to that utilised within the external construction of Block V4.

Reason: To ensure that the projecting stepped/ramped matches the appearance of the building which it would serve and in the interests of the visual amenity in accordance with Policy 15 to the Adur Local Plan (2017).

44. Lift Overrun (Pre-Commencement, relevant works): Prior to the commencement of works related to the construction of the eighth storey lift-overrun (as detailed on the approved construction plans ref: 7485 ECE V4 XX GA A PL402 (floor) and 7485 ECE V4 XX GA A PL401 (elevation)) full details of the external appearance of the overrun structure shall be provided to and approved by the Local Planning Authority in writing. The submitted details shall include details of the material composition of the overrun structure together with associated finishes and colours. The overrun structure shall, thereafter, be constructed strictly in accordance with the

approved details.

Reason: To ensure that the overrun structure is of a sufficient quality of design and in the interests of the visual amenity in accordance with Policy 15 to the Adur Local Plan (2017).

45. Substation (Pre-Commencement, relevant works): Prior to the commencement of works related to the construction of the substation building (as detailed on the approved site plan - hard and soft landscaping (ref: 7485 ECE 00 00 GAA 001 00 P14) full details of the substation shall be submitted to and approved by Local Planning Authority in writing. The details to be submitted shall include elevational drawings detailing the design, height and form of the substation building together with a schedule of external materials and finishes. The substation building shall, thereafter, be constructed strictly in accordance with the approved details.

Reason: To ensure that the substation building is of a sufficient quality of design and in the interests of the visual amenity in accordance with Policy 15 to the Adur Local Plan (2017).

46 Air Source Heat Pumps (Pre-Commencement, relevant works)
i) Before the commencement of development above first floor level, details of Air Source Heat Pumps, their location, size and specifications, including acoustic performance, shall be submitted to and approved by the Local Planning Authority.

ii) Before the residential units are occupied a test shall be undertaken to demonstrate compliance with the acoustic performance and shall be submitted to and approved in writing by the Local Planning Authority.