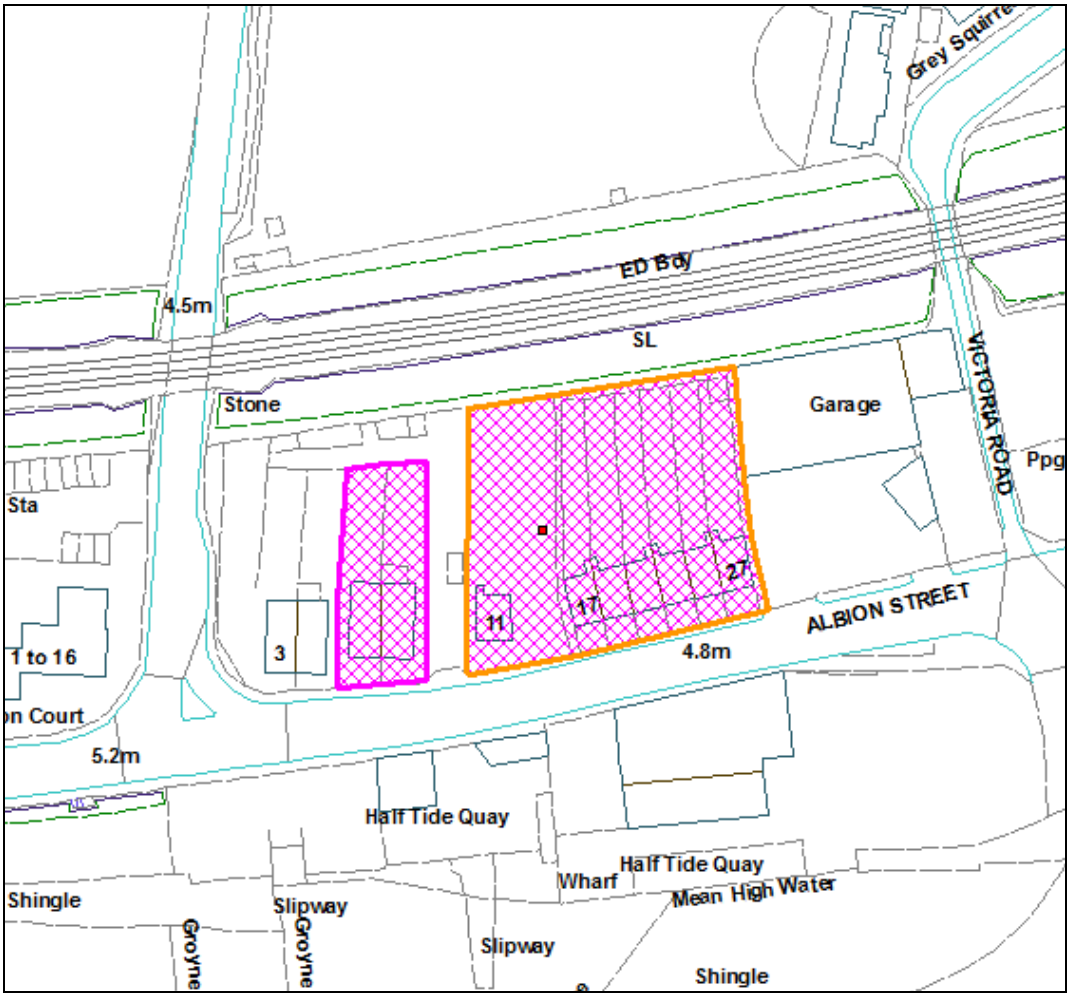
Application Number: AWDM/0954/18 **Recommendation – APPROVE**

Site: **Land At 7 To 27 Albion Street, Southwick**

Proposal: **Demolition of 11-27 Albion Street and redevelopment to provide a total of 55 affordable flats within two blocks of 4-6 storeys in height (plus undercroft car parking to the rear and landscaping) and the refurbishment of 7-9 Albion Street (to provide 6 flats within the existing building), including dormers to east and west roofslopes. AMENDED PLANS received and REVISED DESCRIPTION - increase in total number of flats to 55 (4no. on ground floor and 1no. on fifth floor) and reduction in car parking from 50 to 31 spaces.**

Applicant: Adur Homes Ward: Southwick Green
Case Officer: Peter Barnett



Not to Scale

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Background

At its meeting on the 5th November 2018 the Committee resolved to grant planning permission for the above development subject to a legal agreement seeking to secure affordable housing (30%) and development contributions towards cycle route improvements on the A259, education, libraries and fire and rescue. At the time, the development was proposing both market housing and 15 social rent apartments.

Subsequently, at its meeting on 5th August 2019, the Committee was advised that the Council intended to build out all 50 units as affordable housing. This has been possible following the Government's relaxation of the borrowing capital on Councils' Housing Revenue Account and the scope for funding from Homes England (HE). The previous development also involved a potential partnership with a private sector partner but this is not now being pursued. The applicant is now solely Adur District Council permission was resolved to be granted for the 50 affordable units, subject to completion of a s106 Agreement.

Since then, the Council has been looking at increasing the number of units in order to make the most efficient use of land. This has been largely achieved through better use of the undercroft area and a reduction in the amount of land taken up by car parking as a result of the change to 100% affordable units. The original report to Committee has been updated to reflect these changes and is set out below.

Proposal, Site and Surroundings

The application relates to a recently demolished former terrace of 6 houses (17-27), a detached house (11) (also demolished) and a semi-detached pair of dwellings (7-9) on the north side of Albion Street close to its junction with Kingston Lane. The site is in two parcels divided by a strip of land the ownership of which is unknown. The site of Nos 11-27 is Council owned.

The site fronts Brighton Road, the A259, which is a busy main arterial route into Shoreham from the east. Within the vicinity of the application site Brighton Road has a mixed character. There is a three storey block of flats to the west (Jevington Court), on the opposite side of Kingston Lane, with two storey dwellings beyond. To the immediate west is 3 and 5 Albion Street, a semi-detached pair of two storey dwellings with rooms in the roof. To the east characterised by industrial sheds, areas of open storage, large retail units to the east is Montgomery Motors, a car repair premises within single storey industrial buildings with an open forecourt. The lorry park and Grange Industrial Estate are further east.

The site fronts Shoreham Harbour with a Jetski/watersports hire business on the south side of the road. Dudmans Yard sits opposite 17-27 Albion Street. The site is bounded to the north by the railway embankment with Sussex Croquet Club on the other side of the railway line, within the Conservation Area.

The application, as amended, proposes to construct a total of 55 affordable flats. These are to be provided within two new buildings of contemporary design of between 4-6 storeys in height, which will accommodate 49 flats. A further 6 flats are to be provided

within the retained semi-detached buildings (7-9) which are to be extended and refurbished. The flats will have the following mix:

- 24 one bed flats
- 31 two bed flats

The buildings will front Brighton Road but are set back between 2.3m and 3.5m to enable the provision of a 'greening strip' of new landscape planting and to provide land for future road widening in order to accommodate a cycle lane on the south side of Albion Street. Each block has separate pedestrian access and there is a shared central vehicular access to the 31 space car park at the rear of the site. The access runs underneath an overhang at first floor and much of the parking is itself positioned at ground level below the overhanging building.

The amended plans have made better use of the undercroft by reducing the parking and extending the ground floor footprint further north, whilst reconfiguring the layout. In the eastern block the original plans showed just one flat with a large bike store at the rear and a refuse store on the frontage. This has been amended to provide 3no. flats across the frontage with the bin and bike store moved to the rear, alongside a large plant room, which are all separated from the flats by a corridor. Repositioned parking spaces are provided along the west side of the bin store.

The western block also had just one flat on the ground floor originally and this has been amended to provide 3no. flats. A previously proposed bin and bike store has been moved to the rear to enable 2no flats to be provided on the frontage with a third flat at the rear.

Finally, on the fifth floor, a previously proposed 3 bed flat has been split into 2no. flats (1 x 1bed and 1 x 2 bed).

Consultations

West Sussex County Council: No objection from a **transport/highways** aspect.

Comment that the proposals are supported by way of a Transport Statement (TS). The proposed development is for 50 residential apartments to be constructed in two apartment blocks with 7 and 9 Albion Street being maintained but redeveloped as apartments. In total there will be 27 one bedroom, 22 two bedroom and 1 three bedroom flats. Access will be directly on to Albion Street via crossovers. The proposals will be accessed from Albion Street which is classified as part of the A259 and subject to a 30 mph speed limit in this location. Comments on Access, Sustainability and Capacity have been considered in our response to the LHA on the 17th August 2018.

<u>Request for Further Information</u>
There is a policy and design standard for the cycle facility along the A259. West Sussex County Council (WSCC) has been part of the Shoreham Harbour Regeneration Partnership which has prepared the Shoreham Harbour Joint Area Action Plan (JAAP) which was submitted to the Secretary of State for public examination on 31 May.

In the LHA's response from the 17th August 2018 it was difficult to ascertain the annotations and dimensions of the proposed site layout. It was requested that the applicant must clearly demonstrate that their proposed scheme does not preclude the A259 cycle way proposals from being delivered. After some dialogue with case officers a formal meeting between parties was ascertained as the best way forward.

Summary of Meeting
The meeting between the LHA, AWC and their consultants was held on Wednesday 10th October 2018. At the meeting options for a way forward were discussed and it was agreed that a 'highways land hatch' with a 1.2 metre and 1.0 metre set back could be accepted by the LHA.

A strip of land, in front of the part of the site to be the private residential block development, with a depth off 1.2m from back of pavement shall be set aside, and a strip of land, in front of the affordable housing block of 1.0m shall be set aside. This land strip will be treated as shown on the existing planning drawings, with planting, however WSCC and/or ADC will have the right in the future to use that land without further consultation with a third party owner as part of their road widening proposals. Drawing number 1538_PA_010 has been provided to clearly set out the demise of the land set aside for the highway improvement scheme. This arrangement has no effect on the location, size or arrangement of the buildings. The LHA would advise this can be secured via a Section 106 Agreement with AWC.

Conclusion
Having considered the above the LHA would not raise an objection to the application. The proposals would not be considered to have a 'Severe' residual impact in line with Paragraph 109 of the National Planning Policy Framework (NPPF). Any approval of planning permission would be subject to the following conditions:

Car parking space (details approved)
No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
Reason: To provide car-parking space for the use

Travel Plan (to be approved)
No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.
Reason: To encourage and promote sustainable transport.

Section 106 Obligation required to secure £7,959 towards the reconfiguration of the library space to increase family use at Southwick Library, £76,465 to be spent on cycle route improvements on the A259 in accordance with the Shoreham Harbour Transport Strategy (2016-2031) and £650 towards the supply and installation of additional fire

safety equipment to vulnerable person's homes in West Sussex Fire Rescue Services Southern Area serving Southwick.

Comments on amended plans: *The proposals will result in a small increase in units from 50 units to 55. No highway concerns would be raised with this small increase in units. The comments and conditions from our previous consultation response can be applied as before.*

Section 106 contributions have been amended as there is no longer a requirement for contributions other than towards TAD for a 100% affordable development. Amended figure: £72, 520.

The ***County Archaeologist*** *has no objection subject to suitable heritage asset mitigation measures (written scheme of investigation).*

In terms of archaeological impact, the previous proposals would have involved ground excavations almost wholly within the footprints of existing nos. 11-27 Albion Street, considered to be disturbed ground. Therefore West Sussex County Council considered that the previous proposals would involve little new archaeological impact and did not merit archaeological mitigation measures (West Sussex County Council response to consultation, AWDM/0954/18, 9/8/2018).

However in the revised proposals, new ground reduction to the rear of the existing houses would also be carried out within large parts of the existing back gardens. Here, ancient archaeological features, if present, are much more likely to survive largely intact and to be vulnerable to new damage from new foundation and services excavations.
It will be important to ensure that within the now proposed larger footprint of development, the archaeological impact of new excavations for construction and landscaping will be mitigated in proportion to the severity of that impact.

For this purpose, it is recommended that any archaeological features present on the site will be adequately investigated and recorded, before their reduction or removal during new landscaping.

The ***Local Lead Flood Authority*** (WSCC) *has no objection. The site is at low risk from surface water and ground water flooding. The Sustainable Drainage Strategy included with this application state that permeable paving and below ground attenuation with a controlled discharge to the main sewer would be used to control the surface water runoff from the site.*

As indicated by the District Drainage Engineer, infiltration testing should be carried out to assess whether or not infiltration can be incorporated into the surface water drainage designs.

All works to be undertaken in accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles. The drainage designs should demonstrate that the surface water runoff generated up to and including the 1 in 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.

The maintenance and management of the SUDs system should be set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.

Please note that Schedule 3 of the Flood and Water Management Act 2010 has not yet been implemented and WSCC does not currently expect to act as the SuDS Approval Body (SAB) in this matter.

Adur & Worthing Councils: The ***Environmental Health*** officer (**Air Quality**) comments as follows:

I must first raise some concern about the close proximity of the proposed development to the A259. Good design for minimal air quality impacts suggests maximising the distance between the carriageway (the source of pollutants) and proposed receptors.

The air quality assessment screens out an operational impact assessment as the number of associated traffic movements is stated to be below the IAQM threshold. The transport assessment states that the proposed development would be adding 9 additional trips in the AM peak and 11 additional trips in the PM peak. This is relatively low. The site incorporates 50 parking spaces.

Interestingly the report notes that a centralised energy facility is to be provided, but details are yet to be finalised. The report recommends that an air quality impact assessment will be required which I concur with. I note a commitment to low NOx boilers and CHP.

An emissions mitigation assessment has also been completed. This concludes that the damage cost associated with the development will be £15,889.20. However, no further mention of this figure is made, nor any related mitigation proposed. The development should incorporate mitigation to this value.

A number of mitigation measures for the construction phase are proposed in Chapter 9 . Whist a number of these are good practice, some are rather vague and need more detail.

As a result I recommend conditions are attached to any permission granted as follows.

1. 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. 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:-

- *the anticipated number, frequency and types of vehicles used during construction,*

- *the method of access and routing of vehicles during construction - HGV construction traffic routings shall be designed to minimise journey distance through the AQMA's.*
- *the parking of vehicles by site operatives and visitors,*
- *the loading and unloading of plant, materials and waste,*
- *the storage of plant and materials used in construction of the development,*
- *the control of dust emissions from the site (to include roads and stockpiles),*
- *a commitment to no burning on site,*
- *the erection and maintenance of security hoarding,*
- *demolition procedures,*
- *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),*
- *details of public engagement both prior to and during construction works.*

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction.

2. The use hereby permitted shall not be carried on unless and until details of all operational phase air quality mitigation measures have been submitted to and approved in writing by the Local Planning Authority. The mitigation shall be equal to a value of £15,889.20 as identified in the emissions mitigation assessment contained within Chapter 8 of the Air Quality Assessment dated August 2018 and provided as part of the application.

3. The use hereby permitted shall not be carried on unless and until an air quality impact assessment of the proposed centralised energy facility has been submitted to and approved in writing by the Local Planning Authority. All boilers and/or CHP plant installed on site shall have a NOx emission rate of less than 40 mg/kWh of dry NOx (at 0% O2).

*The **Environmental Health** Officer (**Public Health**) has made the following comments:*

Noise - the site is located between the railway, a busy main road and a garage, all of which have potential to negatively affect the residential amenity of the occupiers. I would recommend the following condition;

Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from noise and vibration from the road, railway and garage has been submitted to and approved by the local planning authority. The scheme should also include a strategy to prevent overheating. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall have regard to the principles contained within the World Health Organisation community noise guidelines and achieve the indoor ambient noise levels for dwellings specified in BS8233:2014. Following approval and completion of the scheme, tests shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential units from noise.

I also have concerns about noise transmission between some of the kitchen/lounges and bedrooms. A number of kitchen/lounges are positioned directly above, below and adjacent to bedrooms. These dissimilar rooms positioned in this way are likely to lead to loss of amenity and noise complaints.

I would advise the reconfiguration of the rooms so similar room types are positioned adjacent to each other in accordance with ProPG guidance. If this is not possible then sound insulation testing should be carried out between all dissimilar rooms to confirm compliance with Approved Document E specifications before occupation.

As this site is in close proximity to existing residential dwellings I have concerns about the resulting noise and dust associated with the demolition and construction works. I would recommend the following conditions.

All works of demolition and construction, including the use of plant and machinery and any deliveries or collections necessary for implementation of this consent shall be limited to the following times:-

> *Monday Friday*
> *08:00 18:00 Hours*
> *Saturday 09:00 13:00 Hours*
> *Sundays and Bank Holidays no work permitted.*

No development shall take place, including any works of demolition, until a Construction Management Plan 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:-

- *the anticipated number, frequency and types of vehicles used during construction,*
- *the method of access and routing of vehicles during construction,*
- *the parking of vehicles by site operatives and visitors,*
- *the loading and unloading of plant, materials and waste,*
- *the storage of plant and materials used in construction of the development,*
- *the erection and maintenance of security hoarding,*
- *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)*
- *details of public engagement both prior to and during construction works*
- *Methods to control dust from the site*

The developer may also wish to liaise with the aggregate company on the south side of the road, opposite the site in order to prevent the new occupiers being affected by dust from the site. Complaints have been received about this site in the past so it may be beneficial to work with the site owners with a view to raising the hoardings around the site and particularly around aggregate storage areas.

***Comments on amended plans**: I have no objections to the amended plans.*

The front of the property is South facing and contains a lot of glass; it is also exposed to high noise levels and therefore is at risk of overheating. I note from the committee report that the full acoustic assessment has yet to be done but I would recommend that ProPG be followed along with the ANC AVO guidance attached.

You refer to mechanical ventilation being provided in the report; I would recommend this with the air intake being at roof level so cleaner external air can be brought into the building. This will address some of the air quality concerns.

The **Environmental Health** Officer (**Contaminated Land**) *advises that the full contaminated land condition is required.*

The **Environmental Health** Officer (**Private Sector Housing**) *has no overall objection, but notes that many of the flats have a layout whereby bedrooms effectively open onto an open-plan corridor/living room/kitchen effectively making them inner rooms. This can be easily resolved by installing a door between the corridor and the living room/kitchen*.

Comments on amended plans: *I would refer you to my previous comments made in 2018 and restate that the Private Sector Housing team of Adur & Worthing Councils have identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include 'inner' rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms.*

Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.

The ***Waste Services*** *Officer comments that the issue seems to be one of access to the bin area. Although there is an access road it is not clear whether the height of the overhanging building will provide enough height room to allow one of our trucks to reverse into the access road. With an estimated 14 x 11000 bins its will mean our truck blocking the main road for long periods which will cause traffic issues also pulling large wheelie bins that length will be an issue.*

***Comments on Amended Plans**: We would like to just make sure that the refuse service vehicle bay indicated on the plan is wide enough to ensure that the refuse/recycling vehicle is not blocking/obstructing the road. Our vehicle dimensions are as follows: overall length 9.225m x width 2.55m.*

Due to the length of time it will take the crews to empty the number of bins required for the development, it would be prudent to have a space wide and long enough so as to minimize the possibilities of an incident while the crews are carrying out their duties.

Further Comments following receipt of amended plan increasing the length of the service vehicle bay*: We have reviewed the response from the developer and we are happy with the amendments made. I appreciate it cannot be made any wider for the reasons detailed and, whilst the developer is correct with regards to when we start collection, early in the morning, this block may not be serviced at this time of day, it's depending on routing and such.*

We will have to make the arrangements for this to be emptied at a quieter time to minimise the potential disruption.

The ***Engineer*** *advises that the site lies in flood zone 1 and is unaffected by predicted surface water flooding.*

The application form states that surface water will be disposed of using sustainable drainage but does not explain what this entails and soakaways, and that parking areas will be tarmacked. However the Design and Access statement refers to Terram Truckpaving porous Pavers.

There are no details of the proposed drainage provided but looking at the Proposed First Floor Site Plan DRG 1538 PA 011, there is ample space to site either soakaways or blanket drainage under the car park.

I note that no 17 is currently unoccupied, as there is inadequate and contradictory information provided can I ask that the applicants undertake an infiltration test in the garden of 17 as soon as possible and that the results from that be used to improve the information provided for me to consider.

Comments on amended plans: *Flood risk- The application is within flood zone 1, and is not shown as being at risk from surface water flooding. I therefore have no objections to the application on flood risk grounds.*

Surface water drainage- the submitted surface water drainage strategy supplied states that infiltration will not be used, yet no infiltration testing has been completed to support the assumption that the ground is not suitable for infiltration. Infiltration tests must be completed, and the hierarchy for sustainable drainage followed.

If you are minded to approve this application please apply the following conditions to ensure that the site is adequately drained and does not increase flood risk elsewhere:
"Development shall not commence, other than works of site survey and investigation, 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. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been

implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity."

and the accompanying informative:
"Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Further detail regarding our requirements are available on the following webpage https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions"

and the following conditions to ensure that the drainage is adequate throughout the design lifetime:
"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 and 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 completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual."

"Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent 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 maintained in perpetuity."

The **Tree and Landscape** *Officer advises that even if 3 car parking spaces were lost to preserve the trees, they would be very close to the building. I consider that instead the selected trees be removed and consideration be given to planting of at least 2 or 3 Extra Heavy Standards to infill the tree group to the northwest of the car park, possibly losing one parking space - between the retained T13 and the removed T10.*

The ***Shoreham Harbour Regeneration*** Team has made the following comments:

The site is located within the Shoreham Harbour regeneration area. It is contained within the Harbour Mouth Character Area. The site fronts a priority corridor and is within an area identified for re-use.

Visual Amenity
The drawing "Proposed South Facing Elevation" showed a fourth floor balcony which would overlook the residential dwellings to be refurbished. The drawings have since been amended; windows have been shown to be removed from the side of the refurbished dwellings which would prevent overlooking from the balcony. This demonstrates that there would be no amenity issues in line with the last bullet point of SH9 clause 5.

Sustainability
An Energy Statement has now been produced and complies with Policy SH1 clause 2. The statement confirms that the development would incorporate water conservation measures to limit water use to 110 litres per person per day through low water consumption fittings. This complies with SH1 clause 9.

The statement provides information for the following renewable energy measures:

Centralised communal heating and hot water systems:
The statement acknowledges that the proposed energy centre would be located 300m from Albion Street and could serve the Albion Street apartments, and due to this each block is designed for future connection. This complies with SH1 clause 6.

10% of energy requirements through PV panels:
Photo-voltaic panels will be mounted on the roof of each block and orientated to the south, which is demonstrated on Schematic roof layouts, and SAP calculations determine the quantity of photo-voltaic panels required to offset the predicted energy consumption by 10%. This complies with SH1 Clause 4.

Flood risk and Drainage
The subject site is identified in the Adur Strategic Flood Risk Assessment as being susceptible to surface water flooding.

A Sustainable Drainage Statement has now been submitted. This states that the surface water run-off from the development would be managed using cellular storage wrapped in an impermeable geomembrane, and pervious pavements were applicable. This complies with SH6 clause 13.

The statement confirms that the site is outside of flood zones 2 and 3. As such, there is no conflict with Policy SH6 clause 4.

Ecology and Air Quality
A green corridor would be located to the south elevation of the development fronting the A259, incorporating trees and landscape planting. After discussions with West Sussex County Council, a one meter strip of land would be reserved for the potential cycle

scheme. While this would affect the greening of the frontage, this would represent an improvement when compared to the small front gardens of the existing site. This would comply with SH7 clauses 2, 3, 6, and 8.

An Air Quality Assessment has now been submitted which has concluded that the air quality effects from the development would not be significant. This is in line with SH7 clauses 13 and 15, though may need to be further controlled with suitable conditions regarding mitigation measures.

Recommendation
Owing to the above considerations, the application is considered acceptable and the Shoreham Harbour Regeneration Team recommends approval, subject to the following conditions:

Conditions
Information regarding the potential coastal species must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The reason for this condition is to comply with policies SH6 clause 14, and SH7 clauses 5 and 6.
While the proposed extensive sedum green roofs are welcomed, it is advised that any green roof should meet minimum standards published by the Green Roof Organisation (GRO, 2014)2. The reason for this condition is to comply with policies SH7 clauses 3 and 8.

***Southern Water:** Southern Water can facilitate foul and surface water (a surface water flows no greater than 31 l/s can be accommodated at manhole reference TQ23048950) disposal to service the proposed development. Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:*
A formal application for connection to the public sewerage system is required in order to service this development.
Also request following condition: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

Following initial investigations, Southern Water can provide a water supply to the site. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent: A formal application for connection to the water supply is required in order to service this development.

The **Head of Housing** *supports the application and indicates that the proposed development would be a cost effective way of delivering new affordable rented accommodation to help meet Adur's significant housing need.*

Network Rail: Due to the close proximity of the proposed development to Network Rail land, Network Rail strongly recommends the developer contacts Network Rail's Asset

Protection team prior to any works commencing on site, with a view to entering into an Asset Protection Agreement to enable approval of detailed works.

Representations

Original Plans: 1 letter received from the occupier of 5 Albion Street:

- Concerned that there may be inadequate parking provision
- Would like boundary wall constructed/reinstated to protect No.5 from noise
- Flat roofs at rear of 7-9 Albion Street should not be accessible/used as terrace
- Is 7-9 Albion Street structurally capable of accommodating additional load/accommodation?
- Preferable to redevelop numbers 3 and 5 Albion Street too

2 letters of objection received from the occupier of 8 Spinnals Grove and from an unspecified address:

- Spinnals Grove backs onto the croquet club which abuts this development
- Concerned about height of the building which will be well above the trees and will have a significant impact on outlook
- Loss of privacy from balconies
- High buildings in the Conservation Area are not appropriate
- Will detract from scale and character of existing area
- Out of proportion with rest of sea front

Amended Plans: Letter of objection received from the occupier of 5 Albion Street:

- Parking has been reduced from 1 space per unit to just 31 spaces in total, while increasing the number of flats
- Will lead to parking problems and a fight for spaces

Relevant Planning Policies and Guidance

Adur Local Plan 2017 policies 2, 3, 8, 11, 15, 18, 20, 21, 22, 28, 29, 30, 31, 34, 35, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats';
Planning Contributions for Infrastructure Provision (ADC 2013)
Design Bulletin No.1 'Trees and Landscaping' (ADC 1996)
Sustainable Energy SPD (August 2019)
Shoreham Harbour Joint Area Action Plan 2019 Policies CA6, SH1, SH4, SH5, SH6, SH7, SH8, SH9
West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003)
West Sussex 'Guidance on Parking at New Developments' and 'Parking Demand Calculator' (WSCC 2019)
National Planning Policy Framework (February 2019)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Relevant Legislation

The Committee should consider the planning application in accordance with:
Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and
Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The site is not allocated within the Adur Local Plan but it has come forward for redevelopment as a windfall site, being located within the built up area boundary where Policy 2 of the Local Plan states that development will be permitted subject to compliance with other policies in the development plan.

The Local Plan sets out a target of 3718 new homes for Adur until 2032 as a minimum requirement. The Government has also introduced the Housing Delivery Test (HDT) against which housing delivery is now measured. Adur has failed the HDT which means that we now have to apply a 20% buffer to our five year housing land supply calculation. The most recent land supply monitoring position is up to April 2018 which demonstrates a 4.9 year supply of deliverable sites and therefore cannot demonstrate an up to date housing land supply position in accordance with the NPPF.

The site is within the Shoreham Harbour Regeneration Area (Policy 8 of the Adur Local Plan) and Character Area 6 Harbour Mouth of the JAAP.

The principle of residential redevelopment of the site is acceptable and is in keeping with the development principles set out in the Adur Local Plan and the JAAP. By redeveloping the site at a higher density this accords with the advice contained in the revised NPPF. The development will also result in the provision of 55 affordable flats (100%).

Permission has already been resolved to be granted for 50 flats and there is no objection in principle therefore to the proposal subject to consideration of the impact of the additional 5 flats on the following:

- Design, Form and Appearance
- Parking, Access and Sustainable Transport
- Flood Risk & Drainage
- Air Quality
- Impact on Amenity

Design, Form, Appearance and Density

Adur Local Plan Policy 15, “Quality of the Built Environment and Public Realm”, sets out that the Council expects development to be of high architectural quality and respect and enhance the site and prevailing character of the area. It then goes on to set out more details in terms of expectations for achieving a high standard of design. Of note is the requirement to:

“Enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development. Include a layout and design which take account of the potential users of the site.”

In relation to height, the site lies outside of the Western Harbour Arm Character Area but paragraph 4.7.69 of the JAAP (which relates to the Western Harbour Arm) is considered to be of relevance in that it notes that buildings of up to 5 storeys are appropriate fronting onto Brighton Road and the River Adur, with the potential to step up away from the frontages. In this case the building would be 5 storeys in height with a 6th storey set back from the road frontage.

Materials and Appearance

The NPPF advises that:

“*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development*.” (para 130)

It goes on to state that:

“*In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings*.” (para 131).

The proposal utilises a bold design which is very different from the scale, form and layout of existing development in the area. The buildings are in two blocks, the westernmost being the affordable housing and the eastern block containing the private units. The design and palette of materials is consistent across both buildings however in order to create an integrated design across the site and to avoid a lowering of standards between the private and affordable units.

The buildings are generally five storeys high with a six storey element set back from the frontage before stepping down to five storeys at either end. The fifth storey is also set back from the edge of the building at the western end and more so at the eastern end.

The design of the building includes framing elements projecting from the building which surround windows, balconies and terraces and are a sculptural feature, framing views of the sea from within the building as well as giving it a strong character.

The proposed materials comprise grey brick with a contrasting lighter brick, particularly on sections of the side elevations to break up the mass of the building. The balconies are to have a copper patina and weathered copper finish. PV panels and a sedum roof are proposed for the flat roofed areas. The front elevation will contain large areas of glazing with the side elevations broken up with window openings. These openings are to be angled to prevent overlooking and will have coloured side screens to add further interest.

The materials are not especially characteristic of the immediate area, although Jevington Court is constructed of a light brown brick such as is proposed on parts of the building, while the grey brick reflects the tone of the commercial garage to the east. However, the architect is deliberately aiming for a contemporary landmark building which does not recreate the form and materials seen elsewhere and it is considered that such an approach can be supported here in view of the mixed character and generally poor design quality of surrounding residential development.

Bulk, Mass and Scale

As already mentioned, the buildings are generally five storeys high with a six storey element set back from the frontage before stepping down to five storeys at either end. The fifth storey is also set back from the edge of the building at the western end and more so at the eastern end. In height terms, the building will range from 11m (up to third floor level), 14m (fourth floor) to an overall height of 16.8m (fifth floor). This compares with 8.3m for 7-9 Albion Street (equivalent of second floor height) and 11.2m for Jevington Court.

It is recognised that the proposal is for buildings of a significantly greater height, mass and scale than is currently evident in the immediate vicinity. However, permission was granted in 2018 for development at Free Wharf which proposes buildings of 4-9 storeys in height. The redevelopment of other sites along the Western Harbour Arm to the west of this site is also likely to involve building heights greater than that proposed here. The redevelopment of 79-81 Brighton Road (former Parcelforce site) is almost complete at a height of 5-7 storeys.

While the bulk and mass of the buildings will be substantial the architecture introduces a number of elements to the design to break up the massing, such as a stepped appearance to the buildings as they rise towards the centre of the site, use of contrasting materials, the presence of balconies and glazing across the frontage and the use of the sculptural frames.

It is considered that while the bulk and massing of the building are significant, the design's detailing will lead to a successful and striking development that can be supported.

The amended scheme subject of this report will not result in any change to the height of the buildings. The main change will be on the ground floor with the introduction of more glazing on the frontage, due to the additional flats, which will have an acceptable visual impact. The changes at the rear will not be visible from the public realm and, in any case, are limited to the undercroft of the approved building.

Landscaping

Policy 15: Quality of the Built Environment and Public Realm sets out the Local Plan's expectations for landscape and public realm. It states:

"*Opportunities will be taken to improve the public realm through new development, transport schemes or regeneration schemes. These will aim to improve the quality, accessibility and legibility of public streets and spaces*."

Policy SH8: Recreation and Leisure and Policy SH9: Place making and design quality of the JAAP, provides more detailed guidance for development. Policy SH8 states:
"*Development proposals will be required to provide high quality multifunctional public open space / green infrastructure on site. The type and quantity of open space will be determined by the scale and type of development, the identified needs of the area local standards and the Shoreham Harbour Green Infrastructure Strategy*."

The proposal aims to provide planting along the frontage in order to develop the green corridor concept for the A259 and to soften the appearance of the buildings from street level. This would represent a significant enhancement of the streetscape from the current situation.

There are a large number of mature trees at the rear of the site and some of these will need to be felled in order to accommodate the buildings and car park. However, new planting is proposed along the northern boundary and significant tree cover will remain towards the eastern part of the site to help provide a 'green' backdrop to the development.

The parking area is shown as being block paving for the parking spaces and resin bonded gravel for the circulation areas. While parking is reduced, this is beneath the building and does not result in changes to the external area at the rear.

Setting of Conservation Area

The Kingston Buci Conservation Area lies immediately to the north of the site, beyond the railway line but also includes a small area of land south of the railway bridge at the southern end of Kingston Lane, to the west of the site. The development is entirely outside of the Conservation Area but, because of its height, it will be visible from within the Conservation Area. The NPPF requires proposals affecting heritage assets and their setting to take account of:

"*a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness."

Paragraph 196 states that:

"*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*."

In public views the upper four floors will be visible from Kingston Lane, albeit partly obscured by the railway embankment and existing trees within the site and along the Lane itself. More limited views will also be possible from Victoria Road to the north east, although that road is outside of the Conservation Area. The clearest views will be from the Sussex County Croquet and Tennis Club directly to the north. This is not a public open space and views will again be partly softened by existing vegetation.

The development will introduce a substantially taller building into the area than currently exists but the rear of the building has as much architectural interest as the front and views of it from within the Conservation Area will largely be distant and oblique. The development will not affect views into the Conservation Area. On balance, taking into account the public benefits of the proposal, including the provision of 55 affordable dwellings, it is considered that any harm to the Conservation Area will not be so significant as to warrant refusal.

<u>Parking, Access and Sustainable Transport</u>

Paragraph 108 of the NPPF states that planning decisions should ensure that

"a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree"

Paragraph 109 advises that

"*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*."

Paragraph 110 then goes on to advise that:

"Within this context, applications for development should:

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use"

Adur Local Plan Policy 8 on Shoreham Harbour identifies that "A Transport Strategy for Shoreham Harbour has been produced to mitigate impacts on the highway network and to promote sustainable travel behaviours. Development in this location should contribute to the delivery of measures identified in the Transport Strategy." All developments in this area are therefore required to contribute to the improvements identified in this strategy to mitigate development along Brighton Road as a whole.

This approach is also set out within the JAAP. Policy SH5 clause 1 states that new development in the regeneration area must demonstrate how it intends to reduce the need to travel by car and should help to deliver sustainable transport improvements as identified in the Shoreham Harbour Transport Strategy.

Policy SH5 clause 4 states that developments will be required to contribute towards the delivery of transport infrastructure which reduces congestion and increases the use of sustainable transport modes. Specific measures are identified in the Shoreham Harbour Transport Strategy including junction capacity improvements, improvements to bus and rail infrastructure and better cycling and pedestrian routes and facilities.

Within the JAAP, Policy CA7 states that "*Developments should be set back sufficiently from the A259 corridor in agreement with the highways and planning authorities, to provide space for a high-quality segregated cycle route which provides stepped separation from road vehicles and pedestrian facilities, to deliver green infrastructure improvements, and to prevent a canyoning effect to ensure that residents are protected from noise and air quality impacts*."

WSCC has commissioned a consultant to undertake the Shoreham Area Sustainable Transport Package Study, which is currently producing feasibility level designs for a high quality cycle facility which it is envisaged will eventually link Shoreham Adur Ferry Bridge with Hove Lagoon along the A259. It is envisaged that once complete, this will be designated part of National Cycle Network route 2 that is a long distance cycle route linking Dover to St Austell.

WSCC consider that there is the potential to provide land within this development and the applicants have subsequently agreed to reserve a strip of land across the site frontage to enable road widening and the provision of a cycle route on the south side of the A259 at some future date. This strip will be 1m wide measured from the back edge of the pavement in front of the affordable block and 1.2m wide in front of the private block. It will be planted to provide a green strip, but WSCC and/or ADC will have the right in the future to use that land without further consultation with a third party owner as part of their road widening proposals.

This arrangement has no effect on the location, size or arrangement of the buildings but does impact on the setting of the building and the amenities of future occupiers. The strip will leave a gap of just 1.4m to the ground floor living room window of the closest

flat in the affordable block and 1.68m to the ground floor terrace and 3.5m to the living room window in the closest ground floor private flat, which is undesirable from an acoustic protection, privacy and air quality point of view and is likely to lead to inadequate living conditions. The provision of land for road widening will also remove land available for new tree planting. This would therefore conflict with the JAAP modification outlined above. On the plus side, the land would be available for acquisition to enable the provision of the segregated cycle route. This accords with the greater emphasis given to cycling and walking in the revised NPPF. In time, it may be that an alternative to the provision of this strip of land across the site will be found, such as acquiring additional land on the south side of the A259. Agreement has been reached with WSCC to include this "Highway Dedication Land" within the s106.

An updated Transport Statement has been submitted which advises that 31 parking spaces are to be provided, a reduction of 19 from that previously proposed. In order to justify this reduction the transport consultants have analysed census data from 2011 to determine mean car ownership in Southwick Green. They have found that:

"*2011 census data for all flats (regardless of size and tenure) is 0.71 cars per flat. The data can be interrogated further into the category of 'shared ownership, rented and living rent-free' to represent affordable dwellings. The 2011 census data has also been analysed in terms of number of rooms in the flats with 1-3 rooms representing a 1-bedroomed flat and, 4 rooms representing a 2-bedroomed flat. This would give the following level of cars for the proposed 55 units based on the 2011 census data:*
 *1-3 Rooms (1-bedroom): 24 units * 0.49 cars/unit = 12 cars*
 *4 rooms (2-bedrooms): 31 units * 0.65 cars/unit = 20 cars*

This means that the proposed 55 units will likely have 32 vehicles requiring parking. As the proposed development provides 31 parking spaces this should be sufficient for the demand created by the new development.

It is also worth noting that 6 of the units are being created by refurbishing 2 existing residential houses which prior to renovation did not have any off-street parking provided. This suggests that the parking provision provided should be sufficient for the proposed development."

2no. wheelchair accessible parking bays are included plus a bay for a car club to encourage car sharing in the interests of sustainability.

The site is well connected in terms of public transport with frequent bus and train services available with bus stops being located within metres of the development (directly in front of the site) and the nearest train station being located 10 minutes' walk away. Well-maintained footways are available on both sides of Albion Street. Within the TS swept path analysis has been used to demonstrate that the car park accesses are easily accessible by cars.

Cycle parking will also be provided in line with WSCC standards. West Sussex Highways have no objection to the revised parking provision on site. A sustainable transport contribution of £72, 520 is required as a result of this development, to be spent

on cycle route improvements on the A259 in accordance with the Shoreham Harbour Transport Strategy (2016-2031).

A refuse service vehicle bay is shown as being included on Albion Street to enable the refuse vehicles to pull in and not obstruct the road during waste collections.

Flood Risk and Drainage

The subject site is identified in the Adur Strategic Flood Risk Assessment as being susceptible to surface water flooding. The application is supported by a Sustainable Drainage Statement which states that the surface water run-off from the development would be managed using cellular storage wrapped in an impermeable geomembrane, and pervious pavements were applicable. This complies with SH6 clause 13. The Statement also confirms that the site is outside of flood zones 2 and 3. As such, there is no conflict with Policy SH6 clause 4 or Local Plan policy 36 and the Council's Engineer is satisfied subject to an appropriate drainage condition.

Air Quality

Policy 35: Pollution and Contamination of the Adur Local sets out the need for air quality assessments to support development proposals where necessary. In addition, paragraphs 2.4.11 to 2.4.12 and 3.7.21 to 3.7.24 of the JAAP confirm that there is an Air Quality Management Area (AQMA) in Southwick on the A270 between Kingston Lane and Southview Close and Shoreham High Street.

The Air Quality Assessment submitted with the application concludes that the air quality effects from the development would not be significant.

The Council's Environmental Health Officer has expressed concern at the proximity of the development to the highway. This distance would be further reduced should the road widening come forward, as discussed earlier in this report. However, it is not considered to be viable or feasible to push the buildings further into the site as it would impact more greatly on trees and neighbouring amenity and is likely to result in the loss of several units which would make the scheme unviable.

An emissions mitigation assessment has also been completed which concludes that the damage cost associated with the development will be £15,889.20. As part of any mitigation, the EHO is seeking at least 10% of the parking spaces to contain electric vehicle chargers, as per the forthcoming WSCC parking standard, although he would like to see 20% ideally (this could be in the form of 10% provision+ 10% electric vehicle ready, i.e. spaces are provided with an electricity connection rated at least 32A and capable of taking 7kW charge points). This can be dealt with by condition.

Impact on Residential Amenity

Residential Amenity for Neighbouring Homes

The site has residential properties to the west only. Numbers 3-5 Albion Street are not considered to be adversely affected by the proposals. The new buildings will be

separated from the refurbished houses at 7-9 Albion Street by approximately 11m, a gap being left due to a strip of land between the buildings, the ownership of which is unknown. A large number of windows are shown on the west elevation of the new affordable block, many of which will serve bedrooms and living areas and which have the potential to overlook the refurbished flats and their amenity space to the west. A large balcony is proposed to run around the South West corner of the building at fourth floor level which also has the potential to be unneighbourly. However, the scheme has been amended with the introduction of angled windows to reduce direct overlooking. The refurbished block to the west has also been amended to remove the proposed dormer windows so that there are only ground floor windows on the east side of the refurbished block. No direct window-to-window overlooking will occur other than a side living room window in the refurbished block facing the bedroom window of a ground floor flat in the affordable block. The flat in the refurbished block also has rear facing windows and the side window can therefore be required to be obscure glazed.

The westernmost new build block will project deep into the site at the rear, some 34m from the road and approximately 15m beyond the rear of 7-9 Albion Street at a height of 11m, rising to just under 14m but stepped in from the edge of the building. The building has the potential to be rather overbearing and could adversely affect light to 7-9. It fails to meet the '45 degree rule' used for assessing the impact on light of development on neighbouring buildings.

A series of daylight/sunlight assessments showing the impact of the development during each of the four seasons were submitted with the original application submission. Being directly to the east of the affected dwellings the greatest impact is early morning, with significant light loss at 8am during most months other than summer equinox. However, as the sun moves round to the south and west during the day there is clearly no impact on sunlight to the neighbouring properties. The main openings to the flats are at the front and rear, with no openings at first floor on the east side, although a side bedroom window at ground floor will be affected to some extent.

On balance, it is considered that, while there will be an impact on light to 7-9 Albion Street, the impact is mitigated by the separation distance between the buildings, the orientation of the new building to the east of 7-9 and the affected building being converted to flats within the ownership of the developer. 3-9 Albion Street also have the potential to be redeveloped in the future as part of a comprehensive scheme.

Residential Amenity for Proposed Occupiers

The proposed flats generally have floor areas as follows:

1 bed flats 50-59m2
2 bed flats 64-72m2 (with a few at 87m2)

The National Housing Standards recommend 50m2 for a 1 bed 2 person flat and 70m2 for a 2 bed 4 person flat. The 2 bed flats would therefore fall just short of this standard for 2 bed flats but would exceed the requirements for a 2 bed 3 person flat (61m2). On balance, the flats are considered to be of adequate size and will provide a good standard of living area.

There was initial concern at the potential for overlooking between the two new blocks as there will be a separation distance of just 2.75m and 5.5m at their narrowest points. This has been overcome by the introduction of angled windows which face north or south to reduce direct overlooking. The angle will also help to increase light into the affected rooms, which are bedrooms.

The introduction of additional flats on the ground floor has resulted in close overlooking between bedrooms at a distance of just 9.5m, separated by the access road. In order to overcome any loss of privacy, high level windows with defensible planting is proposed to be used.

No external amenity space will be available for the flats with the rear of the building taken up with car parking while the front of the building comprises only a narrow strip of land which is to be used for landscaping and/or future road widening. However, the flats do enjoy small balcony areas to ensure some private amenity space for each occupier. The site is also located very close to Kingston Beach and is a short walk from Southwick Green. The refurbished flats at 7-9 Albion Street will enjoy a shared rear garden area. On balance, the amount of external amenity space is considered to be adequate.

Noise

The site is situated between a busy road (A259) and the railway line. To the east is an operational car repair garage. A Noise Report has been submitted which identifies noise levels at the front of the site as being 'High Risk' for both daytime and night-time periods, from road traffic noise in particular, with 'Medium Risk at the rear from railway noise. There is also industrial noise from Montgomery Motors and Dudmans. The building design will therefore need to incorporate appropriate building constructions and ventilation strategies to provide noise and thermal comfort. Windows at the front will need to be closed to meet recommended internal noise levels with mechanical cooling and ventilation incorporated (MVHR).

Full details of noise and ventilation proposals will be reserved by condition, as requested by the Environmental Health Officer.

Affordable Housing

The development now provides for 55 affordable units with 49 units in the new build blocks to be a mixture of social rented and affordable rented. The larger block to the east will be for social rent (32 units) with the smaller block to the west for affordable rent (17 units). The refurbished houses will be converted into 6 units of temporary accommodation.

The Council's Housing Manager is happy with this mix.

Contaminated land

The application is accompanied by an initial contaminated land investigation which identified low levels of contaminants and which recommends various measures for dealing with them. Final details, including the requirement for verification of works carried out, can be reserved by condition.

Sustainability and Renewable Energy

An Energy Statement has been submitted which confirms that the development would incorporate water conservation measures to limit water use to 110 litres per person per day through low water consumption fittings, in accordance with Development Plan policies.

The statement confirms that the development will incorporate a centralised communal heating and hot water system and will be designed in order to connect to any future district heating system, as per the requirements of the Energy SPD.

Photo-voltaic panels will be mounted on the roof of each block and orientated to the south to offset the predicted energy consumption by 10%.

A sedum roof is proposed on the flat roof sections of the buildings.

Refurbishment of 7-9

This aspect of the development is relatively minor, involving the refurbishment and conversion of the pair of semi-detached dwellings to form 6 units of temporary accommodation, rather than private flats as originally proposed. The original plans showed the provision of new dormer windows on the east and west roofslopes which was not considered to be visually successful. Amended plans were subsequently received which removed the dormers, with the additional accommodation now provided within the roof by extending across to infill the gap between the existing pitched roofs, which is considered to be more successful in visual terms.

Parking for the flats will be provided within the car park for the new buildings.

Floor areas for the refurbished building meet the national minimum standards.

Sustainable Development and the NPPF

The NPPF was adopted in 2012, and revised in February 2019. At its heart is the presumption in favour of sustainable development for both plan-making and decision-taking. For decision taking this means approving development proposals that accord with the up-to-date development plan without delay, and where the development plan is absent, or relevant policies are out of date, granting permission unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.

As is set out above, it is considered that the application scheme accords with the relevant policies of the up to date development plan when read as a whole. As such, having regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004, and paragraph 11 of the Framework, planning permission should be granted without delay.

It is considered that the proposed development would generate significant economic, social and environmental benefits and that there are no adverse impacts that would significantly and demonstrably outweigh the benefit, in accordance with Paragraph 8 of the NPPF.

Economic Benefits
- The creation of construction jobs in Adur District for the duration of the development

- The creation of other jobs in supply chain and wider construction related activities;
- It will lead to additional household expenditure in the local area as a result of the increased living and working populations

Social Benefits
- The delivery of 55 new homes in a District with an identified need for over 5,600.
- The delivery of 100 affordable housing units in a District with a strong demand for such housing.

Environmental Benefits
-Protecting and enhancing the natural, built and historic environment by developing on a site with no specific environmental or heritage designations, and in a way that will cause no unacceptable harm to the wider landscape and significance of heritage assets or their setting.
- sustainability measures/green roof

<u>Conclusion</u>

In coming to a recommendation it is necessary to assess the application in light of the whole plan policy framework both locally and nationally, and come to a view as to whether the proposals contribute to the proper planning and sustainable development of the area.

The regeneration of Shoreham Harbour has been a long held ambition for Adur District Council. A concerted effort has been led through the Shoreham Harbour Regeneration Project to develop a planning framework for the area. The redevelopment of this site accords with the aims of the Joint Area Action Plan.

The studies and assessment carried out on the site confirm that there are no physical or environmental constraints that would prevent residential development or lead to an unacceptable effect in economic, social or environmental terms (the three dimensions to sustainability set out in the National Planning Policy Framework).

The application site is in a sustainable location, located within suitable walking distance of the services and facilities located within Southwick. The site is well connected with a bus service immediately in front of the site, and Southwick Railway Station a short walk

away. The need to address the current housing crisis has prompted the Government to support higher densities and taller buildings in highly sustainable locations such as this.

It is considered that the proposed scheme provides significant economic, social and environmental benefits which demonstrably outweigh any negative effects of the proposed development. There are no policies within the Framework which indicate that development should be restricted.

It is considered that the proposal accords with the relevant policies of the Development Plan when read as a whole. The proposed development would make a useful contribution to the Council's housing delivery and will secure 15 affordable flats to be constructed by the applicant and

Having regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 14 of the National Planning Policy Framework, it is recommended that planning permission should be granted.

Recommendation

Subject to completion of a satisfactory section 106 Obligation undertaking to pay the contribution of £72,250 to be spent on cycle route improvements on the A259 in accordance with the Shoreham Harbour Transport Strategy (2016-2031) and the dedication of highway land for future cycle route provision,

APPROVE:-

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Noise protection, including MVHR and means to reduce overheating
4. Sound testing between floors
5. Working hours
6. Construction Method Statement
7. Contaminated land
8. Fencing and walls
9. Landscaping and tree protection
10. Development should not commence until finalised detailed foul and surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 1 in 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.
11. Development shall not commence until full details of the maintenance and management of the SUDs system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.

12. The use hereby permitted shall not be carried on unless and until details of all operational phase air quality mitigation measures have been submitted to and approved in writing by the Local Planning Authority. The mitigation shall be equal to a value of £15,889.20 as identified in the emissions mitigation assessment contained within Chapter 8 of the Air Quality Assessment dated August 2018 and provided as part of the application.
13. The use hereby permitted shall not be carried on unless and until an air quality impact assessment of the proposed centralised energy facility has been submitted to and approved in writing by the Local Planning Authority. All boilers and/or CHP plant installed on site shall have a NOx emission rate of less than 40 mg/kWh of dry NOx (at 0% O2).
14. Samples and schedule of materials.
15. Strip of land to be reserved as highway for provision of future cycleway
16. Side living room window to House 9-02 to be obscure glazed and non-opening below 1.7m
17. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
18. Cycle parking
19. Vehicular access
20. No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.
21. Water consumption
22. Refuse storage
23. All dwellings hereby approved shall be occupied at all times as affordable rented homes as defined by the NPPF.
24. Archaeological written scheme of investigation

9th March 2020