Development Management - Delegated Officer Report

Application Number: AWDM/0280/21 Recommendation – Approve

Site: 132 - 134 Albion Street, Southwick

Proposal: Removal of condition 9 (BREEAM Requirements) of approved application AWDM/0768/20

Date of site visit: Visited previously

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a site on the south side of Brighton Road close to Southwick Railway Station. There is a terrace of 4 single storey pitched roof units immediately to the east and a 2 storey flat roofed building to the west. The site is on higher ground than that to the south which forms the Lady Bee Industrial Estate where new business units have been recently completed.

Planning permission was granted last year (AWDM/0768/20) for the construction of a single storey pitched roof building to the west end of the existing terrace to match in design and appearance the existing units. It is to be used for B1 business purposes (now Use Class E(g)). Condition 9 required it to be constructed to meet the BREEAM 'Very Good' standard. However, the applicant has advised that it would not be viable to achieve that standard of a small building such as this and this application therefore seeks to remove the condition.

Relevant Planning History

As above

Consultations

West Sussex County Council: The **Highways Authority** has no objection. The proposed plans do not indicate access or parking arrangements associated with the proposal. The Local Highway Authority (LHA) has reviewed data supplied to WSCC by Sussex Police over a period of the last five years. There has been several recorded injury accidents within the vicinity of the site. However, from an inspection of accident data it is clear that these were not due to any defect with the road layout.

The Local Highway Authority (LHA) appreciates that the proposal may generate an intensification of movements; however this is not anticipated to leave an unacceptable strain onto A259 or the wider road network.
It is not clear if some of the parking spaces to the rear will be allocated to the proposed unit; therefore this application is assessed based on nil car parking provision. The proposal will result in 4 full time employees. The current WSCC

Car Parking Guidance would expect 1-2 (1 space per 30sqm) parking spaces to be provided for this development.

Given that the site is located in sustainable location and there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detrimental to highway safety, the LHA would not consider that highway safety would be detrimentally affected through the proposed nil car parking provision. The Planning Authority may wish to consider the potential impacts of this development on on-street car parking.

Adur and Worthing Councils: Technical Services: Flood risk- The application is within flood zone 2 and 3, a flood risk assessment should be submitted. The site is not shown as being at risk from surface water flooding. Surface water drainage- the application does not include changes to impermeable area, we therefore have no conditions to request. Any proposed alterations to surface water drainage must be designed and constructed in accordance with building regulations, any opportunities to reduce runoff should be considered.

The **EHO** has no objection but recommends conditions relating to contamination, hours of work and construction management

Southern Water: Request usual informatives

Representations

Objection received from a flat occupier in Coates Court:

I object strongly to this new unit being built due to the noise and disturbance this will create. I worry how the noise of the building being built will impact on me, my family and neighbours. The design and appearance is unsightly. There is already a unit (unit A) I believe that has been vacant for sometime now and hasn't been used for years, so I do not understand why this vacant unit cannot be used instead of building another one that will probably become vacant and not used.

Relevant Planning Policies

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

Planning Assessment

Principle

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

accommodate a mix of new and improved employment uses (classes B1, B2 and B8).

The application is for a B1 unit and, as such, it complies with the requirements of Policy 8 and the JAAP. Furthermore, the development does not affect port operational areas, the dry dock or the future reconfiguration of the Lady Bee Marina which are all requirements of the JAAP.

Visual amenity

The proposed building will continue the existing terrace and utilise an unused space along the Brighton Road frontage. It is considered to have an acceptable appearance which will complement the existing development along this part of the road and in views from the south.

Residential amenity

There are flats on the opposite side of the road but this modest development will not result in a loss of residential amenity.

Parking and Access

The applicant has advised that "*The tenant that we allocate to this unit will be permitted the right to park in the Lady Bee Marina car park, owned by Shoreham Port*."

The site is in a sustainable location in any event with a bus stop directly in front of the site and a railway station close by. There are no highway safety or amenity concerns with this proposal. The limited area of the site makes it difficult to provide cycle parking as part of this proposal. Car parking is available within Lady Bee Marina.

Flood Risk

The site is raised above the level of the Lady Bee Marina at least 5.7m AOD. It will consequently be above existing flood levels and there are no flood risk concerns. The Council's Engineer has no objection.

Sustainability

A sustainability statement was originally submitted with a BREEAM preassessment score of 59.5%, which achieved a 'Very Good' rating with all mandatory requirements met.

However, the applicant has subsequently received advice from a BREEAM consultant which states:

"*The requirements of any BREEAM assessment would be cost prohibitive for such a small project and would make it unviable, both in terms of services required as part of a BREAM assessment and the BREEAM consultancy fees. The BREEAM uplift items required would also not offer any tangible benefit to the project as the building is not complex enough to warrant them. For example, items such as a Building User Guide, Travel Plan, Life Cycle*

Assessment Modeling and Pre-demolition audit (to name but a few) would be required within BREEAM at significant cost, but in reality would not be useful to a building of this scale. In practical terms, BREEAM cannot be effectively applied to buildings of such a small scale."

the sustainability measures are to be included, which the applicant has described as:

- The roof will be made up of a 120mm insulated composite sheet, a ceiling will be formed within building with further rolled insulation fitted. This will result in excellent levels of thermal insulation.
- The walls will be clad in 80mm insulated composite sheet with further insulation within timber walls
- Floors will be insulated with a minimum of 100mm Kingspan
- Both the south and north elevation will be glazed to make best use of natural light and solar heat, thermally efficient glazing will be installed
- We are using doors and windows with high thermal properties
- Energy efficient LED lighting will be used throughout
- Kitchen and basin taps will be heated using tankless water heaters to prevent any hot water storage
- All taps and WC to be fitted with flow limiters reducing water usage

Overall, given the small scale of the development, and the explanation above, it is considered that an exception can be made in this instance.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Construction Management Plan
4. Contaminated land
5. Samples of materials to be submitted and approved
6. Waste storage provision
7. Use for E(G)
8. Hours of working – 7am -11pm

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

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

Southern Water
Case Officer: Peter Barnett Date: 1 April 2021
Authorised by: Gary Peck Date: 6 April 2021