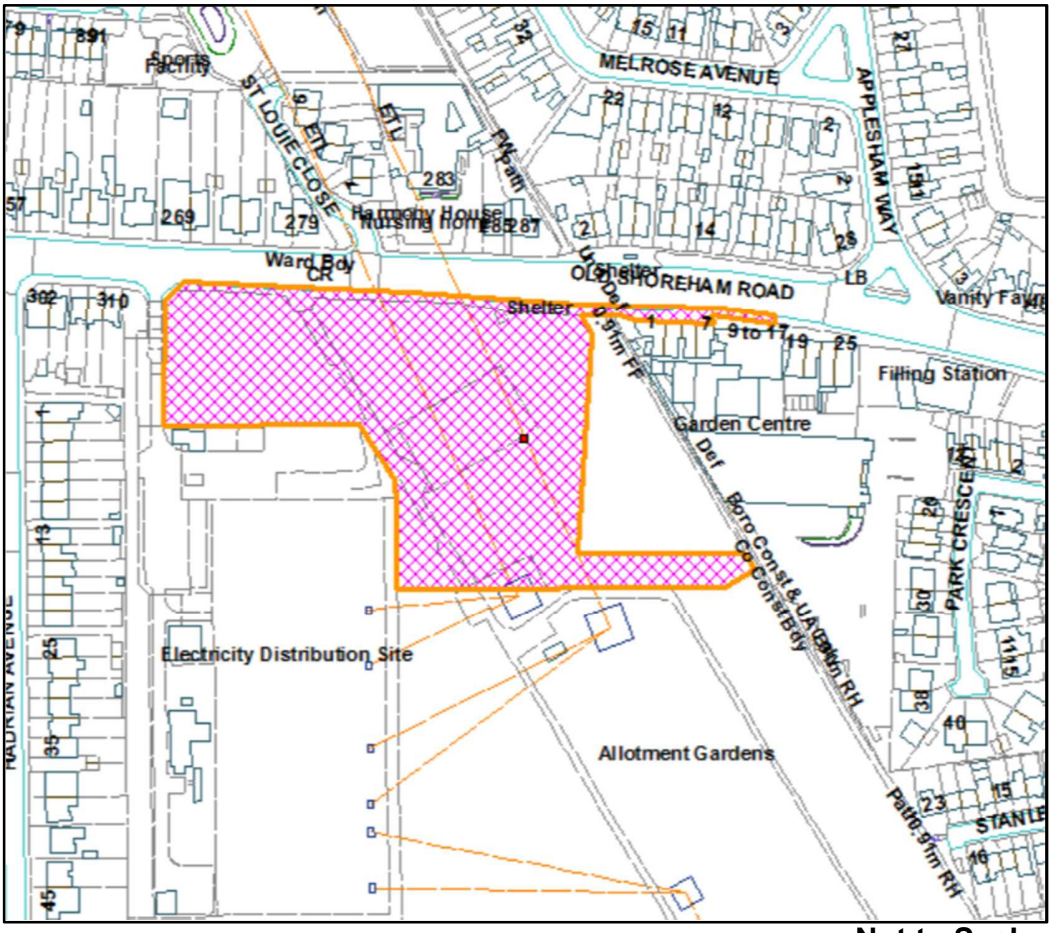
Application Number:	**AWDM/1032/21**	**Recommendation - Approve**
Site:	**Land Opposite 269 To 287 Old Shoreham Road, Southwick (Former Eastbrook Allotments site)**	
Proposal:	**Proposed redevelopment of the former allotment site to create a new purpose built Car Showroom and service centre, with associated sales display space and 103 staff and customer car parking spaces. Formation of new public footpath to connect to existing footpath on east boundary.**	
Applicant:	Tate Bros Limited	Ward: Eastbrook
Agent:	Rodway Planning Consultancy Limited	
Case Officer:	Peter Barnett	



Not to Scale

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Site and Surroundings

The application site measures approximately 1.28 hectares and is part of the former Eastbrook Allotments site which is now vacant and overgrown. It was previously owned by Brighton and Hove City Council but is now owned by the applicant.

The land is relatively level as a whole, with a very gentle slope from north to south. The site adjoins the A270 Old Shoreham Road to the north where there are houses on the opposite side of the road. To the east there is a public footpath running SE to NW which forms the boundary with Brighton and Hove and East Sussex. On the other side of the footpath is Mayberry Garden Centre. There are allotments which are in use to the south. To the south of the western part of the site is a large electricity substation, with cables feeding into overhead pylons which run across the site and the allotments to the south. A brick structure for housing electrical equipment bounds the western part of the site immediately to the south. Further west there are residential properties along Hadrian Avenue.

Proposal

It is proposed to redevelop the site to create a new 1,765 sq m Car Showroom and service centre with associated sales display space and customer parking. The proposed car showroom will be positioned to the north west corner of the site and measures 8.6m high. It is two storeys high but with only a small amount of first floor accommodation, comprising a staff locker room, meeting room, tool store and comms room. It is flat roofed and the overall height and mass has been determined by the use of the building, which includes the need to service large vans and motorhomes and accommodate a vehicle lift.

A secure trade waste bin store, covered hand car wash bay and a mechanical gantry car wash are also proposed to the south of the building. Due to the restrictions created by the overhead pylons, the central part of the site has been designated for customer and staff parking with a large sales display area for 130 vehicles to the east of the showroom on the site frontage.

A new site access road is proposed from Old Shoreham Road which is also intended to serve a new goods/service yard associated with the adjacent garden centre, which is subject of a separate planning application (AWDM/1154/21).

The application also includes a proposal to divert the existing footpath through part of the site as a result of the proposed extension to the garden centre, the subject of AWDM/1154/21.

This application is supported by the following documents:

- Planning Statement
- Design and Access Statement
- Statement of Community Involvement
- Contamination Report
- Preliminary Ecological Appraisal
- Reptile Survey 2019

- In Situ Infiltration Test Report
- Sustainability Statement
- Noise Impact Assessment
- Air Quality Assessment
- Headline Socio-Economic Impact Report
- Flood Risk Assessment and Suds Assessment
- Transport Assessment

Consultations

West Sussex County Council: The proposal formed part of a Pre-Application Highways advice request back in March 2020. A site meeting took place prior to lockdown between the LHA and the Transport Consultants. The now submitted proposal has a very similar access design and related highway works package as discussed at pre application stage. The application is for a new car showroom and service centre (1,765 sqm), there will be external sales display areas, staff parking, customer parking and space for the storage of some vehicles awaiting parts for repair or valeting. It is also proposed that the delivery and servicing arrangements for the adjacent Mayberry Garden Centre will also access via the proposed new junction, instead of using the existing access to the garden centre.

Trip Generation

In terms of assessing trip generation the LHA established at the Pre Application stage that the likely levels of traffic during the peak hours 8-9am and 5-6pm would not exceed 30 two way movements in the hour, as such no further assessments of local junctions or the local highway network were required to be carried out for the full planning stage. The Transport Assessment (TA) has established some baseline traffic flow data from a nearby WSCC fixed ATC point. The data is from January 2020 (pre covid). This identifies the level of traffic carried on Old Shoreham Road in both directions during the peak hours and across the day (7am – 7pm) Monday to Friday. It also shows baseline data for the peak hour on Saturday 1-2pm and the daily flows. The TRICS database has been used to determine likely trip generation for the proposal. The LHA are satisfied that the site selection parameters are as comparable as they can be for the site. Any show room sites that did not also have a servicing element to them have been removed from the data, to give a better match to the proposal and more accurate traffic figures. Section 5 in the TA indicates under table 5.1 the likely trips in the Am and PM peak hours and also across the whole day. 24 two-way movements are expected in the AM peak hour and 19 in the PM peak hour. The LHA assessed the network when it's at its busiest to determine likely impact for a worst-case scenario. The TA mentions that there were no comparable data for sites on a Saturday, so the applicant has indicated that visits to showrooms at weekends are normal around 20-25% higher than weekday trips. However the LHA base a highway assessment on the peak AM and PM hours during the week when the network is at its busiest, so the LHA would expect lower traffic flows overall on a Saturday and would not expect the trips to materially affect the junction or the local highway network in such a way as to cause a severe capacity impact.

As the proposed new access from Old Shoreham Road will also serve the existing adjacent garden centre for servicing and delivery vehicles going forward, details of the expected trips for these vehicles have been provided under section 5.9 of the TA. As

there was no existing data and no data surveys were being accepted due to the covid pandemic, with reduced levels of trips to and from the site, the garden centre owner has provided a breakdown of existing and future deliveries per week based on experience of running the garden centre. Due to limited storage at the garden centre stock was kept at another site in Hassocks and transported on smaller vehicles to the garden centre when required; however there is another application in for the extension of the garden centre and storage areas which will mean these existing trips between the two sites will significantly reduce. Table 5.3 gives an overview of the expected deliveries in the low and high seasons and a breakdown of the expected vehicles carrying these out. There is no breakdown of how these movements will be spread across the day, the TA indicates that delivery trips are expected to be lower as they will not be shifting stock between the two sites and deliveries will be managed to take place outside of the peak hours.

In terms of vehicle trips on the highway network as a result of this proposal the LHA are satisfied that the proposal will not result in 'severe' cumulative impacts on the operation of the highway network that would be contrary to the National Planning Policy Framework (paragraph 109).

Personal Injury Accident (PIA) data

The TA has identified a number of PIA incidents in the local vicinity of the proposed site access along Old Shoreham Road. 30 incidents over a 5-year period are detailed in the TA. The TA has reviewed the type of incidents and causes. The LHA are satisfied that there are no road design or road safety issues related to the cause of these incidents. It is also not expected that the addition of the proposed new junction would have a detrimental effect on the safe operation of the highway network.

Access/ Visibility & Tracking Diagrams

Access will be off Old Shoreham road in the form of a new simple priority junction, with footways on both sides leading into the site and a pedestrian refuge. The principles of access were agreed with the LHA under the Pre-Application advice request. The access has been designed to accommodate the largest vehicles expected to enter the site, such as car transporters and articulated lorries delivering to the garden centre storage area. The access has been designed in such a way to prevent the over running of footways and opposing traffic lanes on Old Shoreham Road.

In order to provide the site access the bus stop/lay-by needs to be shifted back. This will mean it moving out of the West Sussex County boundary to just within the Brighton & Hove boundary. Internal discussions have been held at WSCC with regards to this shift and no overriding concerns have been raised; however, all works related to this will need to be completed and paid for by the developer and done in consultation with the bus operator and Brighton & Hove Council. Given that the bus stop/lay-by will be located in Brighton & Hove any design should be run past the Transport Team at Brighton & Hove Council.

Visibility splays from a 2.4m setback by 120m in each direction have been shown, this is in-line with the expected visibility sightline standards as set out in DMRB for a road with a 40mph speed limit. As noted on the site visit and within the TA the bus stop will at times obscure visibility slightly, given the context of the urban area this is not expected to raise

a safety concern and has not been highlighted in the Stage 1 Road Safety Audit.

In terms of the tracking diagrams the LHA are generally happy with the access arrangements; however, drawing no:1907047-TK13 Rev C shows the car transporter crossing the line to the 2nd lane of the westbound carriageway. Given the frequency of car transporter trips leaving the site and that these are likely not to be in the peak hour it's not considered that an excessive radi/access width would be required for everyday use, this was also not highlighted as an issue on the RSA.

Parking

Section 4.20 and 4.21 details the proposed parking provision set out for the site. Whilst there are no parking standards for this type of development the LHA will consider parking allocation put forward by the Developer on the basis of the developments needs. Removing the display area parking from the overall parking allocation the LHA would raise no concerns to the level of parking being proposed, there appears adequate space for customers and staff, there is not expected to be any over spill parking onto the highway (Old Shoreham Road). Measures should be put in place to prevent parking taking place on the access road to aid in the free flow of vehicles, especially larger delivery vehicles to the showroom or garden centre storage area.

Electrical vehicle charging is also being provided at an acceptable level for active spaces (30%), with all remaining customer/staff spaces being ducted to provide passive spaces.

8 secure cycle parking spaces and staff changing facilities/lockers are being provided, this seems a reasonable allocation based on the detailed census data contained within the TA.

Accessibility

In terms of site accessibility, the site is well situated to provide alternative forms of travel other than the private motor vehicle for staff and customers. The site has good access via footway provision in the local area, good access to bus stops with frequent services and access to Fishergate station to the north and Portslade station to the south east.

Travel Plan

In terms of a Travel Plan a simpler Travel Plan Statement would be required for this application, this is required for sites between 1,500 – 2,500 sqm. This can be secured by way of a condition. As from 1st April 2021 there is now a charge for the Monitoring of Travel Plans and this will need to be secured in a s106 agreement, the fee for this site would be £1,500.

The Local Highway Authority does not consider that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

Recommend conditions to secure a Construction Management Plan, car and cycle parking and a Travel Plan

West Sussex Public Rights of Way: Looking at the proposed plans it appears that the existing line of public footpath (14So) runs through the centre of the site in question. The development does not accommodate the existing line of the footpath and refers to it needing to be diverted. In principle WSCC's PROW team do not object to that but the applicant would need to apply for a diversion under s.257 of the Town and Country Planning Act as part of the planning process to achieve this. Details on this will be available from the local planning authority. As part of this process WSCC will be a consultee and will set out the necessary requirements from the highway authority perspective as part of any consultation process.

It is important to note that during any construction works the footpath may have to be closed for the purpose of protecting the safety of lawful path users whilst works are taking place. Details on this can be sought from WSCC's PROW team and there is a cost but it is also important to note that the existing legal line will need to be closed and re-opened on its same line before any s.257 diversion is ready to be confirmed prior to the legal line being changed. Advice on this process can be acquired through discussions with both the local planning authority and WSCC's PROW team.

As part of these works WSCC's PROW team would look for the surface of the footpath to be improved due to the potential additional use this development may bring to it. Discussions would need to take place with the PROW team at WSCC to agree widths, surface specification and timescales prior to any works taking place. If any damage is done to the footpath as part of these works then it is important to note that any reinstatement must be done by the landowner to the same or better standard than existed before and specifications must be agreed with WSCC's PROW team prior to any works taking place.

As part of the works there should be no drainage outfall onto the surface of the footpath and any drainage works related to the development that may impact the footpath in the short or long term must be approved by WSCC's PROW team prior to works taking place.

Local Lead Flood Authority: Current surface water mapping shows that the proposed site is at low risk from surface water flooding.
The area of the proposed development is shown to be at moderate risk from groundwater flooding based on current mapping.
The FRA included with this application proposes that permeable paving and soakaways would be used to control the surface water runoff from the site. As per the District Drainage Engineer comments, further groundwater monitoring information should be provided. 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 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 has made the following comments.
The hours of operation have not been provided on the Application form, are these known?

Noise: A Noise Impact Assessment (Car Showroom and Garage Complex) (Date: 15/10/2020 Project: J2993) has been submitted in support of this application. This assessment has considered noise from the proposed uses of the garage and the car wash/valet area.

The assessment demonstrates that the rating noise level of these uses is below the existing background level so there should be no significant negative impact on amenity. However, I do have a couple of queries for which I would like clarification.

The location of the background noise monitoring is relatively close to the road, the open garage bays extend approximately 20m further from the road where the background noise level is likely to be lower and I believe would provide a more representative receptor background noise level, particularly for the rear of the properties. As the background noise level is the basis for the BS4142 assessment it is important that it is accurate and truly reflects the current levels at the receptor.

The assessment does not seem to have considered the noise from increased vehicle movements or noise from deliveries.

Air Quality: An Air Quality Assessment (10224.S dated May 2021) has been submitted in support of this development. This assessment found that the proposed development is not expected to introduce new receptors into an area of existing poor air quality, nor is it anticipated to significantly impact local air quality. An emission mitigation calculation has been undertaken however a detailed emissions mitigation statement which includes a schedule of costs for each mitigation type as detailed in Table 3 of *Air quality and emissions mitigation guidance for Sussex (2020)* has not been included.

Please could this detailed Emission Mitigation Statement be provided.

Contaminated Land: A Preliminary Ground Contamination Risk Assessment Report (R14367 Sep 2020) and A Combined Geotechnical and Quantitative Ground Contamination Risk Assessment (R14559 Jan 2021) have been submitted in support of this application. The ground investigation did not identify any concentrations of the identified potential contaminants that would be considered to pose an unacceptable risk to end users of the site or to controlled waters beneath the site. I recommend the Discovery Strategy recommended in Section 6.8 of the Quantitative Ground Contamination Risk Assessment is conditioned.

Further comments following receipt of details of emissions mitigation:
I can confirm that the Emission Mitigation Statement is acceptable. Please could compliance with the AQ Assessment and Emission Mitigation Assessment (incl. the above Emission Mitigation Statement) be conditioned? Also condition hours of construction, external lighting, construction management plan

The **Drainage *Engineer*** has made the following comments:
Flood risk- The application is within flood zone 1, and is not shown to be at risk from surface water flooding. We therefore have no objections on flood risk grounds.
Surface water drainage- the application includes a substantial increase in impermeable area. The SuDS strategy submitted states that infiltration will be used, this is acceptable in principle. However, the infiltration tests were all completed in the summer and were not compliant with BRE DG 365. Furthermore no winter groundwater monitoring has been completed and testing was not completed at depths of proposed soakaways. Latest FEH rainfall data, and factors of safety must be applied to design.
Recommend conditions

Southern Water: In order to protect public sewers, Southern Water requests that if consent is granted, the following condition is attached to the planning permission:
"The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers."

Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

Requests that the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

Highways England: No objection

Brighton & Hove City Council: To be reported.

Representations

4 letters of support received:

- The new access for the garden centre deliveries will be a big improvement for neighbouring properties and the new facilities will enhance this area of Portslade where we live.
- The garden centre is very local for me and has good facilities. Support the application as it gives employment opportunities in Portslade.
- Improvement to footpath

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 1, 2, 4, 12, 15, 18, 19, 27, 28, 29, 30, 31, 34, 36
Eastbrook Allotments Development Brief (ADC 2015)
Sustainable Energy SPD (August 2019)
Planning and Climate Change Checklist (ADC June 2021)
Planning Contributions for Infrastructure Provision (ADC 2013)
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (July 2021)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that 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 subject to Policy 12 of the Adur Local Plan which states:

"The "Former Eastbrook Allotments Development Brief" identifies potential alternative uses/development opportunities for land at Eastbrook Allotments, Manor Hall Road Former Market Garden and the former Manor Hall Nursery in Southwick and any proposed development should be in accordance with this document."

The Development Brief explains that the site was released in 2005 by the Secretary of State for the purpose of "business development" and the remaining functional allotments to the south of the site were retained and consolidated as part of the release of land for business development.

The Brief states that:

"*The site must be developed for purposes of 'Business Development' in line with the conditions imposed by the Secretary of State in 2005 when releasing the land for development. This could include*

<u>Employment / Business Use</u>
The site has good access to the main road network and there is a continued demand for a range of business premises to accommodate growth in the sub-region, particularly from small and medium business enterprises (SMEs) owing to a lack of quality business space which is a constraint to business growth. Such development would help meet wider strategic objectives and provide increased job opportunities for local people. Any business activity would need to be compatible with neighbouring residential uses.

B1/B8 (offices, research & development and light industry/warehousing) uses would be appropriate in this location taking into consideration the constraints of the site. This site provides an opportunity for such business uses in Shoreham Harbour considering relocation to help facilitate the regeneration of the Harbour. However, B2 (general

industry) uses are deemed too invasive in this residential area in this instance and are not considered appropriate.

There may also be some scope for small-scale office floorspace, subject to overcoming the constraints identified earlier in the Development Brief. Certain D1 uses, such as the provision of training and education opportunities would be welcome in conjunction with business use, to help improve levels of deprivation in the area. Another opportunity for the site is in relation to strengthening the eco-tech sector in the area, as part of the Greater Brighton City Region City Deal (which includes Adur District). To keep in line with the City Deal objectives, this sector would also be supported here.

Retail
New businesses and the existing residential area could benefit from the extension of the local parade along the Old Shoreham Road frontage. Appropriate development could include small-scale non-residential uses at ground floor level, such as A1/A2/A3 or B1 to provide day to day needs. Larger forms of retail or leisure uses would not be appropriate in this out of town location.

Public Footpath
There is an opportunity through the existing public footpath to create an improved green infrastructure link from the coast to the South Downs National Park (SDNP) on the eastern boundary of Site 1 and Site 3. This existing footpath could be enhanced to establish an improved Green Infrastructure corridor and there is also the potential to extend the width to allow for both pedestrian access and a cycle lane and to be upgraded to a bridleway.

This will help to provide sustainable transport links from the coast to the South Downs and will help provide links with the existing network, including the Sussex Border Path, a bridleway to the north, which then leads to both the South Downs Way and the Monarch's Way, both national trails. Improved lighting would also be beneficial to the area, to improve perceptions of safety. Again this could be achieved through either a Section 106 agreement or through a Community Infrastructure Levy arising from any business development on Site 1 or housing on Site 2."

The proposal does not strictly accord with the aims of the Development Brief in that it does not propose a B1/B8 Class business use (car showrooms are generally classified as a sui generis use). However, the site constraints are prohibitive and prevent much of the site from being occupied by buildings which lends it to more of an open storage use such as that proposed.

The Socio-Economic Statement submitted with the application suggests that the proposal represents a substantial investment in Adur with 1,765sqm of new business floorspace, 35 FTE local jobs and 8 FTE construction jobs, as well as generating salary spend in the local economy.

On balance, taking into account the constraints caused by the pylons, it is considered that the proposal represents a reasonable use of the site which will have other benefits as set out later in the report. It is therefore considered to be acceptable in principle.

Visual amenity

The nature of a car showroom and sales display area is that much of the site will be taken up with car parking, with two thirds of the frontage used for open display. This will not present a particularly interesting or dynamic frontage. A 1.8m wide landscape strip is shown along the frontage which the Design and Access Statement describes as containing:

"*a low level brickwork wall with low level planting and hedgerow to soften the impact on the street scene as well as providing an attractive demarcation of the site*." Final details will need to be secured by condition. The applicant has additionally been asked to consider planting trees to provide a more substantial screen which will more effectively soften the appearance of the site from the street and help provide biodiversity and overall sustainability of the proposed development. Members will be updated at the meeting.

The site has a frontage of approximately 150m with the proposed building at the western end, with a width of about 40m facing the road. The D&A Statement explains the design concept:

"The design of the proposed scheme has been influenced by the site constraints in the north western corner of the allotment site, namely the deep Southern Water drainage run and a subterranean electrical cable running along the existing access track. The plan form influence by the site constraints created a splayed eastern glazed wall which forms the principal elevation of the car showroom and forming a strong 'frontage' to the building, and therefore a sense of entrance for customers.

The large open plan car sales area is surrounded with glazing all three sides, with the fourth side being formed by the sales offices and administration offices. A centrally located service desk provides access into the workshop and parts store to the rear of the building. The service centre to the western side of the building is accessed via dedicated roller shutter doors along the western elevation, with a larger, hanger type doorway located on the southern elevation to provide access for larger vans and motorhomes.

The proposals have been designed in consideration of their immediate context, specifically in relation to the plan position and heights of the adjacent buildings. The building has been designed with a flat roof in order to reduce the overall height and massing of the showroom, with the proposed parapet height set 450mm lower than the adjacent ridge height of no.310 Old Shoreham Road. The overall proposals do not greatly alter the street scene as the majority of the proposal is open carpark and landscaping, with the proposed built form located to the western end of the street scene. The overall height and massing of the showroom were derived from the intended use of the building, and in particular the activities within the service workshop. As the intention is to be able to service large vans and motorhomes, the height of the workshop was dictated by the heights of a motorhome and a vehicle lift. The space required for the offices and the showroom were determined via discussions with the car manufacturers franchise designers, whilst being driven by the plan form derived from the site constraints. The external cladding, curtain walling, and roller shutter doors have also influenced the scale of the development by utilising standard products and sizes to rationalise the construction

processes."

In terms of materials, the D&A Statement explains:

"t*he materials choices are more industrial with insulated Kingspan panelling on the walls, finished with polyester powder coated aluminium in either Mirco-ribbed 'silver' (RAL9006) panels or smooth finished in anodised black. These colours have been specified in line with the car manufacturers marketing requirements. The eastern third of the building has been designed as glazed curtain walling which will provide a transparent façade and reduce the visual massing of the proposals. The flat roof, which is to comprise a living green roof and photovoltaic panelling, has been designed to overhang the northern, eastern and southern elevations to create a shadow line on the buildings façade and break up the massing of the proposals*."

The building will have an industrial appearance at odds with the residential form to the north, east and west. However, the site currently has an open, undeveloped appearance, dominated by large pylons, overhead power lines and the electricity substation. The development of the site in the manner proposed will partially screen the substation and provide more visual interest in this stretch of the road. It is relevant to note that the site is allocated for business development and a line of business units could have also provided a fairly stark frontage compared with the present open appearance. It is considered that, with the more robust planting referred to above, this will be an acceptable development in visual terms.

Residential amenity and Noise

A Noise Assessment has been submitted which takes into account possible noise from the service centre and car wash. It found that existing background noise levels from vehicular traffic on the Old Shoreham Road are likely to be higher than noise levels associated with the proposed use. it concludes that:

"*the noise rating level, for a busy hour, will be 8dB below the background noise level. This demonstrates that the noise impact would be low. In this case due to the high residual and background sound levels achieving a rating level at least 5dB below background would be recommended*."

Mitigation is recommended in the form of a 1.8m noise barrier along the western boundary. A barrier around the jetwash station is also recommended. Such measures can be conditioned as part of any approval.

Accessibility and parking

Vehicular access to the development is proposed from a new access off Old Shoreham Road. It is in the form of a simple priority junction with pedestrian refuge and will also provide access for service vehicles to the adjacent garden centre, which is subject of a separate planning application (AWDM/1154/21).

The Transport Statement (TS) advises:

"*In order to accommodate the new site access, the existing layby which currently accommodates a bus stop, several parking spaces and a marked disabled parking bay, will be shortened and re-aligned so that it will only accommodate the bus stop (with bus cage) and disabled parking bay. The re-aligned lay-by is located outside the existing Mayberry Garden Centre frontage on Old Shoreham Road, with the bus stop and shelter repositioned to the west of the existing buildings and into Brighton and Hove City Council*."

A total of 103 car parking bays are proposed, consisting of 64 spaces for customers, 5 spaces for blue badge holders and 34 spaces for staff. An additional 7 spaces are provided within the service area and 4 spaces are identified for parking motor-homes. It is intended that 33% of bays will benefit from active electric vehicle charging provision, with all remaining spaces provided with passive provision.

The TS advises that:

"The Applicant estimates around 50-60 parking spaces will be required to be associated with the workshop, for example allowing 30-40 customer bookings per day, with 20-30 vehicles waiting for parts. The remainder of spaces (circa 14) will be for customers to the car showroom, including customers making enquiries, collecting new vehicles, trading cars in and taking test drives for example. Given the status of Old Shoreham Road and existing restrictions in place on the public highway locally, it is important that sufficient parking is provided within the site. The proposed parking area is intended only for use by staff and visitors associated with the car showroom and service centre only. The site access will be gated to prevent unauthorised access outside operational hours."

8 cycle spaces are proposed with staff changing/locker facilities available within the building.

In terms of vehicular activity, the TS estimates that the proposals will result in "*approximately 24 vehicle movements during the weekday morning peak hour and 19 in the afternoon peak hour. There will be approximately 242 vehicle movements across a typical weekday. It is also evident that movements by HGVs will occur outside peak periods, with 4 daily movements by such vehicles typically anticipated*."

It goes on to state:

"*the increase in traffic on Old Shoreham Road equates to circa 1% in each direction. On this basis, it is considered the proposals will not result in a material increase in traffic on the adjoining local highway network, namely Old Shoreham Road*."

The site is in a sustainable location with good access to footway provision in the local area, bus stops with frequent services and access to Fishergate station to the north and Portslade station to the south east. A simple Travel Plan statement is required and this can be secured by condition.

Overall, West Sussex Highways are satisfied that the proposal will not result in 'severe' cumulative impacts on the operation of the highway network that would be contrary to the

National Planning Policy Framework (paragraph 109).

Footpath diversion

The application shows the diversion of the existing public right of way to the east of the site which is proposed as a result of the extension to the garden centre (see AWDM/1154/21) and this aspect is considered in more detail in that report. Part of the diverted footpath will run through the southern end of the site.

The Rights of Way team at West Sussex have advised that they do not object subject to a diversion order being made.

Flood risk

The site is at low risk of flooding, being within flood zone 1. The proposal includes a substantial increase in impermeable area and the submitted SuDS strategy states that infiltration will be used which is acceptable in principle. However, the Council's Drainage Engineer points out that the infiltration tests were completed in the summer and no winter groundwater monitoring has been undertaken. She has recommended this be secured by condition to ensure that the final surface water drainage proposals are acceptable.

Sustainable development

An Energy Statement has been submitted which advises that the development will achieve a 27% reduction in carbon emissions through the use of an air source heat pump and PV array on the showroom building. The Sustainability Statement also identifies a number of other sustainable construction measures and the development overall is considered to generally accord with Local Plan policies and the Council's Planning and Climate Change Checklist which seeks to mitigate the impact that new development has on climate change.

The Local Plan does, however, require that non-domestic floorspace must achieve a minimum standard of BREEAM 'Very Good' with a specific focus on water efficiency. The Agent has been asked to confirm whether the development would meet this particular element of the Plan.

Contaminated land

The submitted contaminated report advises that a ground survey did not identify any potential contaminants that would be considered to pose an unacceptable risk to end users of the site or to controlled waters beneath the site. A precautionary condition is recommended.

Air Quality

An Air Quality Assessment has been submitted in support of this development. It found that the proposed development is not expected to introduce new receptors into an area of existing poor air quality, nor is it anticipated to significantly impact local air quality. It

will implement a suitable level of mitigation measures to comply with the requirements of the Sussex Air Quality guidance. The Council's Environmental Health Officer is satisfied with the measures.

Ecology and biodiversity

A Preliminary Ecological Appraisal has been submitted. It found that the site was dominated by cut grassland and weeds with some scattered immature trees and shrubs. None of the trees on site were considered to have roosting bat potential and the site offers little in the way of foraging and commuting habitat for bats. A Badger Survey was carried out which confirms that there is a Badger Sett on site, which is likely a 'main sett'. It states that:

"*it is highly recommended that the on-site sett is retained within the proposals, with a minimum 20m buffer zone around it where development cannot take place. If this is not possible, a mitigation licence from Natural England will be required to close the sett. In addition, a new artificial sett will need to be created elsewhere on site before the closure can take place. If the new sett is being made, it is recommended that it be made within the smallest field in the southwest corner of the site. It is considered that a buffer along the southern boundary would be the most suitable area for retention of badger foraging habitat. The retained habitat can be enhanced to provide additional foraging opportunities such as fruit tree planting, and grassland management to increase the abundance of earthworms and pond creatio*n".

The application is also accompanied by a detailed Reptile Survey, which confirms that "*reptile surveys undertaken in September 2019 identified an 'exceptional' population of both slow worms and common lizards on site. No evidence of other reptile species was found but the possibility cannot be ruled out*."

A suitable off-site receptor area will need to be identified and agreed with the LPA as part of the pre-commencement conditions so that the reptiles can be translocated. An ecological management plan will be required.

Recommendation

Approve, subject to receipt and consideration of comments from Brighton and Hove City Council, and to the following conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Construction Management Plan
4. Car parking
5. Cycle parking
6. Travel Plan
7. Precautionary contaminated land
8. Compliance with the AQ Assessment and Emission Mitigation Assessment

9. Hours of construction
10. External lighting
11. The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers
12. Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water
13. 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
14. 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.
15. 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
16. External materials
17. Hard and soft landscaping
18. Boundary treatment
19. Sustainability
20. Noise mitigation in the form of a 1.8m noise barrier along the western boundary. and a barrier around the jetwash station to be provided
21. No development until Ecological Management Plan submitted to include details of reptile translocation and mitigation of impact on badgers
22. Hours of opening
23. Waste provision