

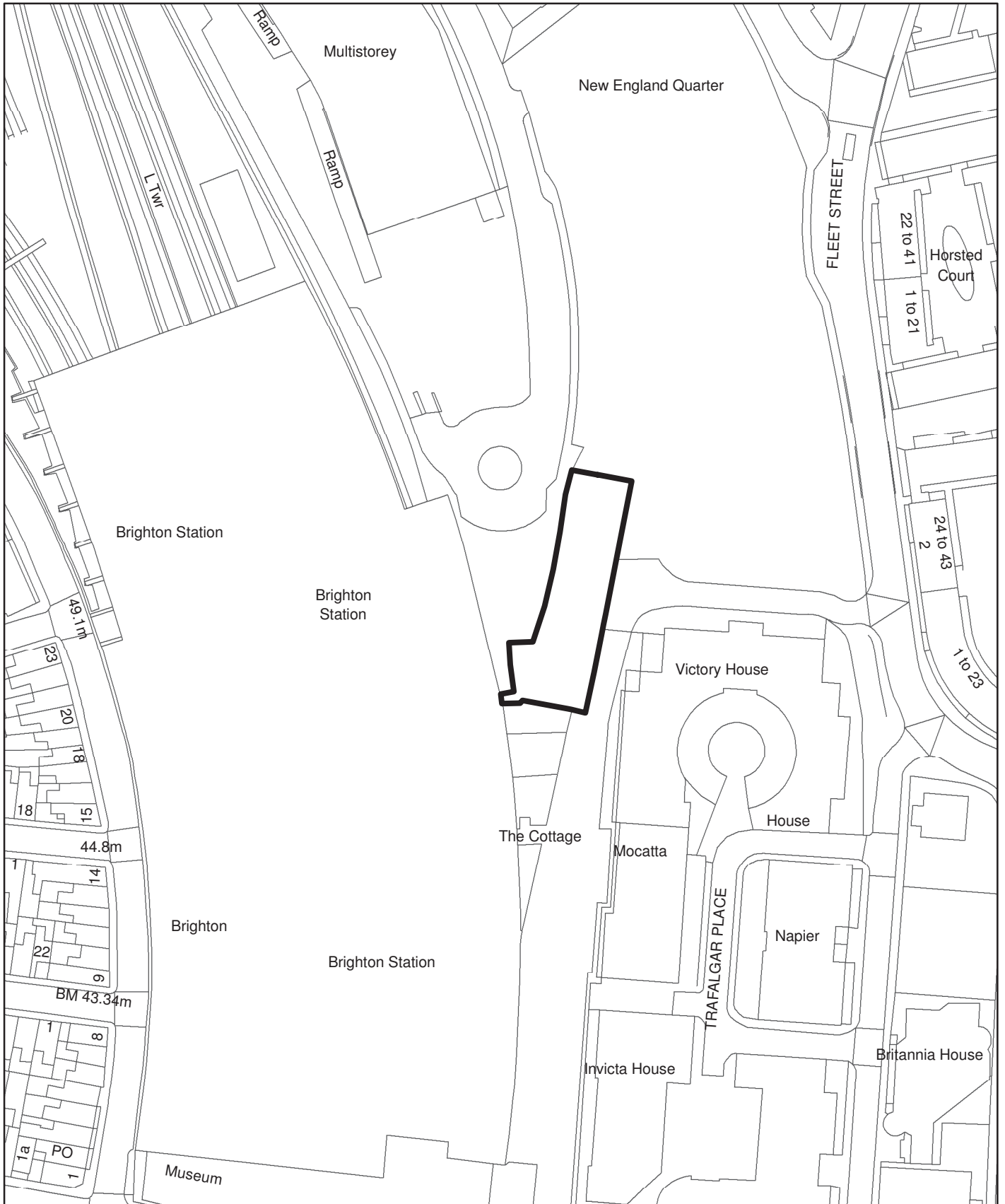
**PLANS LIST
ITEM A**

Brighton Station, Queens Road, Brighton

**BH2012/03872
Full Planning**

17 JULY 2013

BH2012/03872 Brighton Station, Queen's Road, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

PLANS LIST - 17 JULY 2013

<u>No:</u>	BH2012/03872	<u>Ward:</u>	ST. PETER'S & NORTH LAINE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Brighton Station Queens Road Brighton		
<u>Proposal:</u>	Erection of three storey building to provide cycle storage, ancillary shower/changing facilities, cycle shop, café, cycle repair outlet and cycle hire.		
<u>Officer:</u>	Maria Seale Tel 292232	<u>Valid Date:</u>	22/04/2013
<u>Con Area:</u>	Adj West Hill	<u>Expiry Date:</u>	22/07/2013
<u>Listed Building Grade:</u>	II*		
<u>Agent:</u>	Frankham Consultancy Group Ltd, 1st Floor, 21 Perrymount Road, Haywards Heath West Sussex RH16 3TP		
<u>Applicant:</u>	Southern Rail, Mr Paul Best, Go-Ahead House, Floor 2, Project Delivery, 26-28 Addiscombe Road, Croydon CR9 5GA		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the Conditions and Informatives, as set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site located to the rear (north) entrance of the station.
- 2.2 The site in part relates to a former ancillary railway building located to the east of Brighton Station (Grade II* listed), above the existing station retaining wall adjacent to Mangalore Way. Only a wall and pier remain and some low footings and modern railings. It is on the site where originally a low level railway came in. The rest of the site currently forms part of the paved station concourse where cycle stands are located, to the south-east of the drop-off roundabout.
- 2.3 The landscaped area of the site adjoins the boundary of Site J to the north (the public walkway with steps/lift) and the east (the 6 storey office block), both of which are yet to be constructed.
- 2.4 To the south of the site there are various commercial premises down on Mangalore Way in the railway arches and to the south-east beyond Mangalore Way are the large office blocks of Trafalgar House and Victory House.
- 2.5 The site is steeply sloping up to the west, with a difference of about 10 metres between the ground level at the station concourse to the road at Mangalore Way to the east. The existing station retaining wall on Mangalore Way is approx 4.5metres high.
- 2.6 The site of the building in question is not actually within the West Hill Conservation Area, but is adjacent to it (the main station building is located within the Conservation Area).

- 2.7 The site is located within the mixed use Brighton Station Masterplan area (Local Plan Policy EM13) and partly within the Brighton Station Site of Nature Conservation Importance (SNCI).

3 RELEVANT HISTORY

BH2013/01065 Erection of three storey building to provide cycle store, ancillary shower/changing facilities, cycle shop and cafe. Approved 12/6/13. This comprised Listed Building Consent for demolition of the remains of the former engineering building and erection of three storey cycle storage building (and associated landscaping) in its place, on top of/adjoining the existing retaining station wall adjacent to Mangalore Way. An existing ground floor opening off Mangalore Way was to be reinstated.

BH2012/02529 Adjoining site – Site J: Application for variation of condition 2 of application BH2010/03999 (Mixed use development comprising 2973sqm commercial office space (Class B1), 94 bedroom hotel (Class C1), 147 residential units (Class C3) and 255sqm retail floorspace/cafe/office (flexible use Class A1/A2/A3/B1)) to allow revised fenestration and overall appearance of the hotel (Block B) and offices (Block C), increase the internal hotel floorspace from 3029sqm to 4802sqm, decrease the internal office space from 2973sqm to 2460sqm and create new basement area to accommodate plant and other services. Minded to Grant subject to Deed of Variation to S106 Agreement 12/02/13.

BH2012/02454 Alterations throughout station concourse. LBC Approved 9/10/12.

BH2010/03999 Adjoining site – Site J: Mixed use development incl residential, hotel and office. Approved 9/12/11. Northern part (site A - residential and public realm areas) currently under construction.

BH2001/01811/OA Masterplan: In August 2001, an application for a Masterplan outline planning permission, with certain reserved matters approved, was submitted for the redevelopment of the 8.9ha Brighton Station Site. The mixed use scheme included retail, hotel, offices, food and drink, community facilities, housing, a training centre, public open space and associated highway works. The Masterplan consent divided the site into 15 blocks and was generally in accordance with the Brighton Station Development Brief (SPGBH3). Approved 9/9/03. There have been a number of subsequent detailed applications approved for various blocks, including Site J above.

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of a three storey cycle storage building to serve the station, with associated landscaping. A 'cycle hub' is proposed accommodating cycle storage and other uses.
- 4.2 The building would accommodate approximately 500 cycles (final number established at detailed design stage) in a two-tier rack system. Cycles would use a turnstile system at ground floor level accessed by a key card. At first floor level ancillary toilets, showers and changing rooms are proposed, as well as a bike hire/repair shop, with a bike shop display area, and a café with outside terrace. The terrace would be located to the north of the building. At lower ground floor level a plant room is proposed and further café space with direct access to the open space. The building would have stair and lift access to all floors.

- 4.3 The building would result in the loss of some the existing cycle stands at concourse level (approx. 80 spaces). Other existing informal cycle parking at the station would be retained including approx.100 spaces under the station canopy at the rear, approx. 30 spaces within the rear car park and 40 spaces to the front. The proposal would therefore result in a total of approximately 670 spaces to serve the whole station, an increase of about 420 over the existing situation.
- 4.4 The cycle store and cycle hire/repair/shop and ancillary changing rooms would be open 24 hours a day and would be free at point of entry. Opening hours for the retails units, including terrace, are not specifically proposed (as the user is unknown at this stage), although provisional opening hours of between 6am-10pm are suggested.
- 4.5 The building would appear two-storeys high from the concourse level and three storeys high (above the retaining wall) from Mangalore Way. The building would be rectangular in shape with a flat roof. A panelled cladding system is proposed to all elevations, in white at the ground and first floor level and in a colour to match the retaining wall below at lower ground floor level. Aluminium framed double glazed curtain walling system is proposed for the windows, with occasional opaque glazed panels. Aluminium and glass balustrading is proposed to the first floor terrace.
- 4.6 A new public landscaped area is proposed immediately to the north of the building. An indicative layout been submitted, showing mainly hard landscaping with wide terraced steps. This would be for the public and café users to sit and meet etc and for access to the lower ground floor of the new building.
- 4.7 Amended plans have been submitted showing re-paving of the station concourse, to match existing blockwork paving of main part of the concourse, to replace the existing paving.
- 4.8 It is proposed to reinstate an existing ground floor opening off Mangalore Way, currently bricked up.
- 4.9 A bin store is proposed to the south-west of the building at concourse level surrounded by a 1.8m high fence.
- 4.10 A Planning Statement, Design and Access Statement, Habitat Survey, Waste Acceptance Criteria report, Geotechnical Assessment, lift specification and cycle stand specification have been submitted in support of the proposal.
- 4.11 The proposal is essentially a non-profit scheme, funded by the Department for Transport, Network Rail, Southern Railway and the Council. The funding for the landscaped open area to the north is anticipated to be from the Brighton Gateway project.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: None

- 5.2 A letter has been received from the **Lower Goods Yards Traders Association c/o Unit 6 Lower Goods Yard, Trafalgar Street Arches**, signed by **13** people/traders objecting on the following grounds:
- Modern design and excessive scale not in keeping with listed station and Lower Goods Yard buildings
 - Building will be severe and overly dominant
 - Loss of light
 - Creation of wind tunnel
 - Insufficient explanation of alternative options such as opening up railway arches
 - Need for bike shop/hire/repair already served by existing bike shop in Goods Yard, which could be accessed more effectively by stairs/lift
 - No need for another café in the area, especially if isolated from Trafalgar Street
 - Negative impact on existing local businesses
- 5.3 **CAG:** Support. Welcome the application (and BH2012/03872) and recommend it be approved.
- 5.4 **East Sussex Fire and Rescue Service:** No response.
- 5.5 **EDf Energy:** No response.
- 5.6 **English Heritage:** Comment. Request the application be determined in accordance with national and local policy guidance, and on the basis of your expert conservation advice.
- 5.7 **Environment Agency:** Given the low risk of the development type and location of the proposal, no comment.
- 5.8 **Network Rail:** No response.
- 5.9 **Railway Heritage Trust:** No response.
- 5.10 **Scottish Gas Networks:** No response.
- 5.11 **Southern Water:** Comment. All existing infrastructure should be protected during construction. A formal application is required to SW for a connection to the public sewer to be made by the applicant or developer. Relevant Informatives are recommended attached to any consent. The applicant will need to arrange for long term maintenance of any Sustainable Urban Drainage Systems (SUDS).
- 5.12 **Sussex Police:** No response.
- 5.13 **UK Power Networks:** No objections.

Internal:

- 5.14 **Access Officer:** Comment. There is an accessible toilet but the lift is 1000mm and should ideally be 1100mm wide to be fully accessible.
- 5.15 **Planning Projects Manager:** Comment. Brighton Station Gateway is a corporate council project in association with Network Rail and Southern, to provide a much improved 'people-friendly' environment at the southern and northern entrances to the station. The northern entrance is currently regarded by the vast majority of users as 'the rear entrance' to the station. The concept of 'Northern Gateway' recognises the increasing popularity and potential of this area as an exit and arrival point and aims to remodel the area by creating new and appropriate buildings and uses around the edge of the existing public realm - and upgrading the public realm itself (along with the provision of new facilities and landscaping).
- 5.16 The concept of the cycle hub has the potential to act as an important component in achieving the proposed Northern Gateway, by virtue of the following elements:
- The presence of the facility has the potential to increase movement and activity at this entrance/exit point to the station, thereby contributing to overall 'Northern Gateway' objectives;
 - The fenestration running the length of the building 'at grade' along its western elevation will create an 'active frontage', as well as act as a visual reference to passers-by with regard to the building's purpose as secure cycle parking;
 - The café(s) will provide additional facilities to add to the place-making objectives of the Northern Gateway scheme.
- 5.17 Designing and securing a high quality and successful public realm around the building will be an important element in achieving the Northern Gateway objectives. Council officers are currently in discussion with Southern and Network to commission an overall public realm design. It will be important to ensure that public realm and cycle hub building are as integrated as possible.
- 5.18 Particular attention will need to be paid to achieving a design solution to the area abutting the retaining wall adjacent to Site J of the New England Quarter, between the Site J steps to the upper stations concourse and the northern end of the cycle facility. This area is at a lower level to the remainder of the upper concourse and presents both a design challenge and potential opportunity to create a unique open public area.
- 5.19 It is possible that any commercial operator(s) who take on the cycle parking building may - for business reasons - seek reconfigurations to the internal areas of the building. Any such decisions may also influence the design of the public realm (for example, if the café was to be relocated on a different level). The design team will work closely with the cycle hub developer to ensure an outcome that best meets the objectives of Northern Gateway.
- 5.20 **City Infrastructure:** No response.
- 5.21 **Ecology:** No Comment

- 5.22 **Economic Development:** Support. Proposal contributes the revitalisation and regeneration of Brighton Station providing much needed dedicated cycle storage facilities and associated other uses to compliment the provision of the storage facility as part of a wider Brighton Station Gateway scheme to improve the visual appearance and servicing of the front of the station to enhance the visitor experience.
- 5.23 If approved, a financial contribution of £1,826 is requested through S106 towards the Local Employment Scheme in accordance with the Developer Contributions Interim Guidance using the formula for warehouse development over 235m² of £5 per m² together with the provision of an Employment and Training Strategy with the developer committing to using 20% local employment during the construction phase.
- 5.24 **Environmental Health:** Comment: The site is part of a much wider historic station footprint and as such presents issues for potentially contaminated land. In particular, the site footprint appears to have been engineering sheds, engineers stores, and other built facilities. As such, there is for the potential for localised land contamination and a need for further works to be carried out. Notwithstanding the supporting information (reports) submitted, there are likely issues with the site and more work will need to be done in due course,
- 5.25 A café is proposed for the first floor, yet there is no information on where such a premises might extract air, what plant it may have or what measures may be in place to deal with noise and odour.
- 5.26 It is therefore necessary that conditions be applied to ensure such issues are adequately controlled.
- 5.27 **City Neighbourhood Co-ordinator:** No response.
- 5.28 **Heritage Team:** Comment: The Station is Listed Grade II* and is located in the West Hill Conservation Area.
- 5.29 It is an assemblage of buildings and structures of various dates encompassing several phases of development. The original front Mocatta building and the base of the station date from 1841 and has been extended on the ground floor onto the Concourse. The historic buildings on the east and west sides of concourse, the glazed canopy supported on ornate columns and forecourt canopy were added later in the 1880s. The station platforms were built out on its eastern side over a ramped cab road (now disused) and supported on cast iron columns.
- 5.30 Fronting onto Mangalore Way is a row of undercroft buildings sitting underneath the platforms. These were stables and goods handling areas with offices above, now in a variety of uses. At the northern end of this is an area above a high retaining wall where a low level railway line came in. There was originally a building on the upper level but this has gone apart from some footings, one section of wall and a brick pier. The line now forms a Greenway (green corridor) through the New England Quarter development to the station. The site forms part of the designated Greenway (green corridor). It is visible from the Station

platforms and along Mangalore Way from the South and from the east from Cheapside as well as from the north. To the east of the station is the very large Trafalgar House and Victory house modern office block. To the north-east of the site is Site J on former railway land where a substantial new office and hotel scheme has been approved.

5.31 Relevant Design and Conservation Policies and Documents

The Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on LPAs to “have special regard to the desirability of preserving the [listed] building or its setting or any features of special architectural or historic interest it possess” (section 16).

The National Planning Policy Framework; The Historic Environment Planning Practice Guide (DCLG & EH);

Local Plan policies QD1, QD2, QD4, QD5, QD10, HE1, HE3, HE4 & HE6.

5.32 The Proposal and Potential Impacts

The proposed new building would be a substantial structure sitting on top of the raised area above Mangalore Way. The development would partly obscure views of the platform shed and canopy in views from the east. In most views from the east it and much of the station will be obscured by the new development on Block J. The former dramatic long views of the Station many viewpoints in the lower central valley of Brighton and from the hillside to the east have largely been obstructed already by the New England Quarter development.

5.33 It would also be visible from Trafalgar Street and along Mangalore Way. It will, however read as a separate building with a space between it and the station from many viewpoints along Mangalore Way. It will also be significantly lower than the shed and canopy which will remain visible above the proposed building.

5.34 The modern design and materials of the building is intended to reflect the design and colours of the station without slavishly copying it. The scheme will present full width glazed windows at ground floor level onto the northern gateway on its western and northern sides, complementing that space. The scheme also shows the landscaping of the ground to its north between the end of the green corridor and the new steps and lift from the lower level that will be implemented as part of the Block J development. This landscaping to form an outdoor seating area is considered essential to the successful integration of the proposals with its surroundings and the Greenway and steps. It is intended that some of the Section 106 money from the New England Quarter development intended to secure improvements to the northern gateway will help secure this landscaping.

5.35 I consider that the proposed building would not significantly harm the setting of the station and that its design and the landscaping are acceptable, subject to details and samples of materials. However, the paving area to the west of the building needs to be improved once the existing cycle stands are removed. The mix of slab and concrete block pavers is somewhat chaotic and needs to be rationalised by a consistent treatment right up to the building. I would therefore recommend that the area of concrete block pavers is included in the landscaping scheme and that they are replaced with matching paving slabs. *[Note: Amended plans now received show this]*

- 5.36 It will be important to ensure that the landscaping scheme is secured through conditions and a Section 106 Agreement or other mechanisms.
- 5.37 Mitigations and Conditions
Recommend conditions requiring 1:50 scale plans, elevations and sections of the landscaped areas, including details of the plantings, tree grills, outside steps, walls, copings and railings and samples of the materials.
- 5.38 Recommend a condition requiring details of the proposed building's cladding system shopfront door and window frames and louvres and details and samples of the materials and colours.
- 5.39 **Planning Policy:** Comment. The application should be determined in accordance with the Local Plan and policies in the emerging City Plan.
- 5.40 Adopted Local Plan Policy QD6 states that the provision of public art will be sought from major development schemes including significant proposals that would have a major impact on important public spaces. The type of public art and level of contribution vary depending on the nature of the development proposal, the characteristics of the site and its surroundings. To safeguard the implementation of this policy, it is important that instances in which approval/sign off from the council is needed is clearly identified and secured. It is suggested a financial contribution of £7,200 would apply to this development, arrived at after the internal gross area of the development (in this instance approximately 929 sq m) is multiplied by a baseline value per square meter of construction arrived at from past records of public art contributions for this type of development in this area. This includes average construction values taking into account relative infrastructure costs. As ever, the final contribution will be a matter for the case officer to test against requirements for s106 contributions for the whole development in relation to other identified contributions which may be necessary.
- 5.41 **Sustainability:** Comment The information contained in the recent Planning Statement is helpful. It does not, however, really address the policy requirements of SU2 or SPD08, despite these being referenced.
- 5.42 Adopted Local Plan Policy SU2 (efficiency of development in the use of energy, water and materials) requires applicants to demonstrate the sustainability of the development and Supplementary Planning Document (SPD) 08 outlines recommended standards for major, non-residential developments (60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent'; and feasibility study on rainwater harvesting and grey water recycling systems).
- 5.43 In addition, adopted Local Plan Policy EM13 (Brighton Station) expects new development on this site to act as exemplars of sustainable development and, as it stands, this proposal does not meet this policy objective.
- 5.44 The commitment to undertake a feasibility study on rainwater harvesting is welcomed and should be conditioned. However, overall, it is disappointing no information is provided with regards to the standard the applicant actually aims to achieve. Commitment to achieve typical U-Values does not go far enough in

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addressing the energy, water, materials and other areas of sustainability assessed under BREEAM. Hence, the information provided is not sufficient to allow for a reasonable assessment of the sustainability of this development.

- 5.45 The Planning Statement does clarify that the development is not for profit and that costs have increased as a result of negotiation, however, these do not necessarily represent an exceptional case and further information will be required. The unusual nature of the proposal and its community benefit is recognised, but as it stands these circumstances are not considered to be sufficient to negate the need to submit a BREEAM assessment. SPD08 does recognise that where there are issues of viability a lower BREEAM standard may be applied ('very good' instead of 'excellent'), but does not put aside the requirement for a BREEAM assessment altogether. BREEAM is a robust mechanism to ensure a scheme is actually delivered to a certain sustainable standard and hence is identified as the Council's preferred approach in SPD08. As a not for profit scheme there may be some flexibility to require just a post-construction BREEAM certificate (as opposed to one also at design stage), to save resources.
- 5.46 Given this is a project in which the council is partner and, hence would want to lead by example, the request to exempt this application from submission of an independent assessment and a clear statement of what standard the building was designed to is disappointing.
- 5.47 If the applicant is concerned with the impact that the fit-out of the retail unit might have upon achieving a particular BREEAM assessment, in the past we have used a condition which allows for the BREEAM assessment to be carried out without the fit-out element at application stage (Phase 1 of this development) and a sustainable approach for the fit-out stage to be secured via the lease (Phase 3 of this development).
- 5.48 **Sustainable Transport:** Comment. Approval is recommended. The Highway Authority has the following comments to make:
- 5.49 Means of Access
The applicant states within the Design & Access Statement that the primary means of access to the cycle centre will be from the north via the proposed steps and lift from Site J of the New England Quarter or by the road along Stroudley Road to the rear of the railway station. Obviously, an alternative means of access is via Queens Road and through the railway station.
- 5.50 It would have been beneficial to provide an additional means of access from Mangalore Way. This would have greatly increased cycle permeability to the site and provided the main point of access from areas to the east and south of the site. Without direct access from Mangalore Way it is envisaged that users approaching from areas to the south east will probably use the proposed steps and lift within Site J of the New England Quarter.

- 5.51 Lift & Stairs The applicant appears to be intending to use a larger than standard lift which measures 2m wide by 1.4m deep. This should allow one person and their bike in at a time. This is therefore deemed acceptable. It would also be beneficial if the applicant provided wheeling ramps for the stairs located between the outside paved area, at lower ground floor level and ground level. If necessary this could be secured via condition.
- 5.52 Nature of Stands The majority of the stands now have an aisle width of 2.1m to the rear of them. This is deemed adequate by the Highway Authority to ensure that there is appropriate aisle width to conveniently manoeuvre a bike in and out of the stands and is therefore deemed to be in accordance with TR14 of the Brighton & Hove Local Plan.
- 5.53 However, the Highway Authority would recommend some minor changes to ensure improved access through the store. Some stands only have 1548mm to the rear of them. This would result in the top tier being extremely difficult to use. Therefore the Highway Authority would suggest that they are removed and a wider aisle width is provided. Also, a number of stands should be removed to ensure a decent aisle width is provided in this location. These amendments would result in the loss of some spaces (approximately 15) but the Highway Authority's view is that it is better to have more usable spaces and appropriate circulatory space than extra spaces which are difficult to use.
- 5.54 Complimentary Cycle Stands The applicant has confirmed that they intend to retain a large proportion of the existing cycle parking in other areas of the railway station. This is welcomed by the Highway Authority and will reduce the likelihood of informal cycle parking from occurring.
- 5.55 The Highway Authority would recommend the inclusion of conditions to secure a usable layout and secure retention of existing remaining cycle stands to serve station, and details of wheeling ramps on the stairs located between the outside paved area, at lower ground floor level and ground level.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.

- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR8	Pedestrian routes
TR13	Pedestrian network
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU3	Water resources and their quality
SU4	Surface water run-off and flood risk
SU5	Surface water and foul sewage disposal infrastructure
SU8	Unstable land
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD5	Design – active frontages
QD6	Public art
QD7	Crime prevention through environmental design
QD10	Shopfronts
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD19	Greenways
QD27	Protection of Amenity
QD28	Planning obligations
EM1	Identified employment sites

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EM2	Sites identified for high tech and office uses
EM9	Mixed uses and key mixed use sites
EM13	Brighton Station – mixed uses
HO1	Housing sites and mixed use sites with an element of housing
SR2	New retail development beyond the edge of existing established shopping centres
SR12	Large use Class A3 (restaurants and cafes) and use class A4 (pubs and bars)
NC4	Sites of Nature Conservation Importance
HE1	Listed buildings
HE3	Development affecting the setting of a listed building
HE6	development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

SPGBH1	Roof Alterations & Extensions
SPGBH2	External Paint Finishes & Colours
SPGBH4	Parking Standards

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD08	Sustainable Building Design
SPD10	London Road Central Masterplan
SPD11	Nature Conservation & Development

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in favour of sustainable development
DA4	New England Quarter and London Road

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the following:

- the principle of the development within the Brighton Station Masterplan area
- the principle of the development within the SNCI and Greenway
- the relationship and linkages to the New England Quarter including Site J
- the impact to the station concourse area in the context of the Brighton Station Gateway project
- design and the impact on the character and appearance of the locality, including the setting of the grade II* listed station and West Hill Conservation Area
- the impact to amenity, to neighbours and the environment
- sustainability
- promotion of sustainable transport

Planning Policy and the principle of the development

8.2 Local Plan Policy

The Local Plan policies that apply to this development are outlined in section 7, and are discussed in more detail under the topic headings below. The proposal is considered acceptable when judged against both national and local planning

policy. A strong theme throughout planning policy is promotion of sustainable development and sustainable modes of transport, which this proposal delivers.

- 8.3 LP policy EM13 relating to the Brighton Station Masterplan (New England Quarter NEQ) area seeks to secure fully integrated mixed use development incorporating housing, employment, retail, community uses including public open space and a hotel in accordance with the development brief. Development within the Masterplan area is now largely complete as Site J now under construction, with the exception of Block K, and achieves the vision for the site which is 'to develop a vibrant mixed use urban quarter that meets both its strategic and local role whilst acting as an exemplar of 21st Century sustainable urban development'. The site of the cycle hub and its associated landscaping completes the southern link to the station within the Masterplan area and is considered to comply with the vision of Policy EM13. It would be a sustainable building (subject to compliance with condition) and promote sustainable transport and add vibrancy to the station approach and give more presence to the northern gateway, enhancing the strategic role of the station.
- 8.4 The concerns of the objectors regarding the uses proposed are noted, however, the cycle 'hub' idea is encouraged and is considered exciting and innovative. The provision of the café, cycle hire, repair, shop and changing facilities will encourage users and could help secure the long term viability of the facility, which is welcomed and accords with planning policy. Whilst the retail element doesn't strictly comply with all the relevant criteria of LP policies SR1 and SR2, as it is beyond an established shopping area, it is very much an ancillary use and adds vibrancy and adds to the sense of place. Mixed uses are encouraged by policy EM13 and the Station Gateway project (see below). As the café is over 150sqm, LP policy SR12 (large café/restaurant) applies and this is discussed further under 'Amenity' below. The new facility would not necessarily duplicate what is provided by 'Amsterdammers' in the Lower Goods Yard, which is specialist, as it would cater for a different type of need for general cycle repair and retail – specifically commuters - and the key is that it is easily accessible being at concourse level. Cycle hire is encouraged in principle as that would benefit the tourist economy and again add vibrancy. Competition between businesses is not a material planning consideration.
- 8.5 Brighton and Hove Submission City Plan Part One
The proposal is considered to comply with relevant policies in the emerging City Plan, which is a material consideration of some weight. Policy DA4 identifies the site as forming part of the England Quarter/London Road Development Area, and is of particular relevance. DA4 seeks to revitalise the area and create a new business quarter and sets out 11 local priorities to achieve the strategy.

The cycle hub proposal is particularly relevant to meeting priority no.5 'working with Southern Rail, Network Rail and partners to enhance the environment and maximise use of the space around Brighton Railway Station (Brighton Station Gateway) recognising its important role as a gateway to the city, a public space, a major transport interchange and the need to improve links to and from the station'. The proposal helps achieve priority no.6 which seeks improvements to air quality by encouraging a modal shift to sustainable transport and no. 7 which

seeks to strengthen links between the NEQ, London Road and North Laine with high quality streetscapes and public spaces and a greater choice of routes and ease of movement. It also contributes towards no.10 which seeks to extend and strengthen the greenway network and secure enhancements to open space and biodiversity.

8.6 The Brighton Station Gateway

Brighton Station Gateway is a corporate council project in association with Network Rail and Southern Rail, and was formally recognised as such at Cabinet on 11/11/10. It is therefore a material consideration of some weight.

8.7 The aim of the project is to provide an attractive and welcoming gateway to both southern and northern entrances to the station through enhancement of public realm and creation of a much improved 'people-friendly' environment. The northern entrance is currently regarded by the vast majority of users as 'the rear entrance' to the station, and the concept of 'Northern Gateway' recognises the increasing popularity and potential of this area as an exit and arrival point. The project aims to remodel the area by creating new and appropriate buildings and uses around the edge of the existing public realm - and upgrading the public realm itself (along with the provision of new facilities and landscaping). When the Gateway project was conceived it was known that a cycle hub was likely to come forward, and was taken into account.

8.8 As can be seen from the comments of the Planning Projects Manager in section 5 above, the concept of the cycle hub is considered to have the potential to act as an important component in achieving the proposed Northern Gateway. It will increase movement and activity at this entrance/exit point to the station, thereby contributing to overall 'Northern Gateway' objectives and the fenestration running the length of the building 'at grade' along its western elevation will create an 'active frontage', as well as act as a visual reference to passers-by with regard to the building's purpose as secure cycle parking. The café(s) are considered to provide additional facilities to add to the place-making objectives of the Northern Gateway scheme.

8.9 In the context of the Gateway project, it is considered important that a high quality and successful public realm around the building is secured to deliver an important element of the Northern Gateway objectives, and thus the proposal involves new areas of enhanced landscaping, including a new public open space to the north up to the boundary with Site J.

8.10 The Brighton Station Site of Nature Conservation Importance and Greenway

The site is largely located within the Brighton Station Site of Nature Conservation Importance (SNCI) and LP policy NC4 is relevant. LP policy QD17 relating to Nature Conservation is also relevant. These policies seek to ensure development prevents damage to nature conservation features and seeks to enhance biodiversity. The site also lies within a defined Greenway and LP Policy QD19 is relevant which seeks to enhance the Greenway network. Greenways are defined as 'largely car-free off-road routes connecting people to facilities and open spaces' which can contribute to habitat connectivity.

- 8.11 At the time of considering the site J application (BH2010/03999), this last remaining part of the SNCI/Greenway within the NEQ was not included within the public open space forming part of the New England Quarter. The Council's Ecologist acknowledged at that time that this remaining piece was effectively a dead end and had limited ecological value, and when weighed up against the benefits delivered by Site J and the whole NEQ, it was agreed in principle for it to be excluded.
- 8.12 The site's ecological value is considered to be limited as stated in the submitted Habitat report, and supports habitats that are common and widespread. The majority of the land has been previously developed or recently cleared and disturbed and contains vertical drops, limiting its value.
- 8.13 In this context is it considered acceptable in principle to develop part of the site. The LP policies do however remain relevant, and through conditions requiring bird boxes and sympathetic landscaping, the scheme should make a positive contribution towards biodiversity and public open space. Unfortunately a green roof was discounted by the applicant due to cost.

Design and the impact to the character and appearance of the locality, including the grade II* listed station and the West Hill Conservation Area

- 8.14 The site is located within the grade II* listed station and adjoining the West Hill Conservation Area and LP policies HE1, HE3 and HE6 are relevant, which seek to preserve their special character and appearance. General QD design policies in the Local Plan are also relevant and seek to ensure the development is a quality design and fits in well with the surrounding area.
- 8.15 There is no objection in principle to removal of the remains of the previous engineering sheds located within the curtilage of the listed station and replacement with a 3 storey building of modern design. Listed Building Consent has recently been granted for this (see history section 3).
- 8.16 A significant amount of work was carried out at the pre-application stage by the applicant and the council's Heritage Officer to reach the final design now proposed. As can be seen from the comments of the Heritage Officer, a building of scale and of modern design proposed is considered to have an acceptable impact to the setting of the listed station and West Hill Conservation Area. It should be noted that CAG also support the scheme
- 8.17 There is no doubt the proposed new building would be a substantial structure sitting on top of the raised area above Mangalore Way but it would appear as only two storeys high from concourse level and would not look out of place in the high density central location. The building makes good use of the difficult sloping site and makes effective and efficient use of it, which is encouraged. The Heritage Officer confirms the development would partly obscure views of the platform shed and station canopy in views from the east but in most views from the east it and much of the station will be obscured by the new development on Site J. The former dramatic long views of the Station from many viewpoints in the lower central valley of Brighton and from the hillside to the east have largely been obstructed already by the New England Quarter and Trafalgar Place developments. It would be visible from Trafalgar Street and along Mangalore

Way. It will, however, read as a separate building with a space between it and the station from many viewpoints along Mangalore Way. It will also be significantly lower than the shed and canopy which will remain visible above the proposed building. The modern design and materials of the building is intended to reflect the design and colours of the station without slavishly copying it.

8.18 It was felt important that the building was 'active' fronting the station concourse and this has been achieved through fenestration, in compliance with policy QD5. The building does not benefit from public access down on Mangalore Way, which was discounted by the applicant due to cost but also primarily as the main access to the station is to be through the adjacent Site J new steps and lift. Another access would have helped open up the development but it is appreciated the difference in levels is significant and there are financial constraints and the Site J access is considered appropriate. An additional access to 'activate' Mangalore Way might be something to potentially explore in the future but for now the fenestration and terrace proposed should help give the building interest on that elevation.

8.19 Public realm

To ensure the new building is successful in its setting and properly integrated, it is considered essential to deal with the differences in levels and provide associated landscaping and public realm and finish the link to the boundary of the Site J Development, particularly given the context of the SNCI/Greenway/Station Gateway. Internal connection from the upper floors to the lower ground floor is considered important for these reasons also. The proposal includes these necessary elements and it is recommended they be conditioned to ensure they are delivered. An indicative design shows how the building could address the levels and provides open space with wide terraced steps with potential access for a cafe, which is welcomed. A final design can be secured by condition, and particular attention will need to be paid to achieving a design solution to the area abutting the retaining wall adjacent to Site J of the New England Quarter, between the Site J steps to the upper stations concourse and the northern end of the cycle facility. This area is at a lower level to the remainder of the upper concourse and presents both a design challenge and potential opportunity to create a unique open public area and is welcomed by the Brighton Station Gateway project.

8.20 It is felt important to replace the existing paving where some cycle stands are located (which is currently different to the main concourse) with matching block paving to ensure the development ties in and enhances the public realm, and amended plans have been received showing this.

8.21 It is anticipated that the public open space will afterwards become part of the overall station concourse area, maintained by Network Rail/Southern Rail.

8.22 Public art

As a major development in a prominent location, and one which contributes to public realm, LP policy QD6 relating to public art applies. This normally requires payment of a financial contribution or direct provision of public art. However, given the marginal viability and particular circumstances of the scheme, a

financial contribution is not pursued in this case. An artistic element or 'influence' could be provided within the open space to the north of the building and this is recommended by condition.

8.23 Crime prevention

Policy QD7 seeks crime prevention through environmental design. The applicant confirms that this will be achieved through a ticketed access, CCTV cameras and security lighting. Access to the first floor will be restricted during night time hours to prevent antisocial behaviour. Brighton Railway stations security and support staff will assist when necessary. The exterior cladding will be resistant to impact damage and glazing will have anti-fragment film. It is considered that these measures satisfactorily demonstrate compliance with policy QD7.

Impact to amenity of neighbours and the environment

8.24 Policy QD27 states that planning permission for development will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health. Policies SU9 and SU10 seek to ensure development does not cause pollution or nuisance.

8.25 It should be recognised that any assessment of amenity needs to be made in the context of the location, which is a mixed use, high density, central area. The proposed building would be detached and located within the curtilage of the station, limiting any potential impact would have. It is not considered that the proposal would cause undue loss of light, wind tunnel etc and it would not cause a noise nuisance.

8.26 The nearest properties are in commercial use, which are considered to be less sensitive than residential. There is a large office block offices opposite on Mangalore Way and commercial uses in the Lower Goods Yard to the south. The building is considered to be located sufficient distance above and to the north of the Lower Goods Yard properties so as not to cause undue loss of amenity. Whilst Mangalore Way is quite narrow at one point opposite the office block, the lower windows of that block are already overshadowed by the large retaining wall and the site is due north of the block, lessening the impact in terms of loss of light. No objections have been received from the office block. The building is set some distance from the nearest residential properties, which will be on the northern part of Site J, so as not to have an impact. The building and outside terrace would be set south of the office block at Site J (not yet constructed), lessening its impact. The landscaped space should enhance the outlook for the Site J office block.

8.27 There may be potential for the proposal to lead to a noise nuisance if particularly noisy plant is proposed or if the café/terrace is open late at night and appropriate restrictive conditions are therefore recommended, in accordance with advice by the Environmental Health Officer. Policy SR12 relating to large café uses is relevant as the café would be over 150sqm and it appears that there are other large A3/A4 uses within 400 metres (Prince Albert pub and Green Door Store etc). However, given the proposed café is very much ancillary

to cycle hub and will be closed relatively early (10pm), it is not considered that any conflict or loss of amenity will occur.

8.28 Land Contamination

Given the previous use of the site for railway engineering, there is potential for contamination. LP Policy SU11 states that permission will not be granted for the development of polluted land unless satisfactory remediation can be achieved, to reduce threats posed by contamination to health safety or the environment. Where suspected contamination is not felt to be significant or not of high risk, permission may be granted subject to conditions requiring site investigation and any necessary remedial measures.

8.29 An initial waste report has been submitted with the application which outlines initial findings of site investigation and classifies the contents of three samples from the site. It highlights that all three samples are classified as 'hazardous waste'. The Council's Environmental Health Officer confirms that there is a likelihood of contamination and recommends that appropriate conditions are imposed to secure further investigation and any necessary remediation.

8.30 Protection of water resources

Policies SU3, SU4 and SU5 seek to protect water resources and their quality.

8.31 Both the Environment Agency and Southern Water raise no objection. Sustainable Urban Drainage Systems (SUDS) are proposed and appropriate conditions and informatives are recommended to ensure the development complies with these policies.

Sustainability and promotion of sustainable transport

8.32 Local Plan Policy SU2 (efficiency of development in the use of energy, water and materials) requires applicants to demonstrate the sustainability of the development and Supplementary Planning Document (SPD) 08 outlines recommended standards for major, non-residential developments (60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent'; and feasibility study on rainwater harvesting and grey water recycling systems). Policy EM13 (Brighton Station) expects new development on this site to act as exemplars of sustainable development.

8.33 The proposal itself promotes use of sustainable transport - both cycling and the train and is very much welcomed, in accordance with the above policies. The commitment to undertake a feasibility study on rainwater harvesting is welcomed as are a number of other measures, including SUDs, outlined in the submitted Planning Statement.

8.34 There is some concern, however, that the building itself could fall significantly short of the sustainability standards normally required for development in the city, as outlined by the council's Sustainability Officer. This is particularly disappointing given the Council is a partner in the project and that the site is located within the Brighton Station Masterplan area where exemplars of sustainable development are sought. Whilst significant weight is given to the fact that the proposal promotes use of sustainable transport, is delivering a piece of

community infrastructure and is a not for profit scheme, this does not mean that the requirement to incorporate sustainable building practices in the construction of the building is set aside.

- 8.35 On the basis of the information submitted to date, there is some concern that the applicant is not targeting any BREEAM standard. BREEAM is a robust mechanism to ensure sustainable development is delivered, and is consistently required for all relevant development. SPD08 does recognise that where there are issues of viability a lower BREEAM standard may be applied ('very good' instead of 'excellent'), although it does not put aside the requirement for a BREEAM assessment altogether. In the absence of an exceptional case therefore, a condition requiring compliance with a 'very good' BREEAM standard is recommended. Some flexibility is recommended, and just a post-construction BREEAM certificate (as opposed to one also at design stage) is recommended, to save time and money.
- 8.36 Waste Management:
A dedicated refuse storage area is proposed to the south of the building, which is considered to be sufficient to provide for the refuse and recycling needs of the development in accordance with LP policy SU2. City Clean have not responded to the application, however, they do not deal with commercial waste. There may be space to potentially incorporate food waste/composting. The storage area would be well screened, ventilated and accessible and would be in accordance with PAN05.
- 8.37 Sustainable transport
Policy TR1 seeks to ensure the demand for travel created by development is met and seeks to promote sustainable modes of travel. TR14 seeks to secure well designed and accessible cycle parking facilities.
- 8.38 There is no doubt that that the proposal will promote cycle and train use, and is welcomed in accordance with the above policies. The facility is considered to deliver a significant piece of community infrastructure, which will make a positive contribution to the Brighton Station area. The idea of a cycle 'hub' is considered innovative and exciting.
- 8.39 The council's Highways Team consider the facility to be well designed and recommend approval, although there is some concern regarding some of the aisle widths in the layout of the ground floor cycle storage. This can be resolved with some minor alteration and the applicant has confirmed they are willing to do this. They do not, however, wish to be tied to a specific layout at this stage so the final layout will be secured by condition. It is still considered that approximately 485-500 bicycles will be able to be adequately stored and accessed. Details of wheeling ramps on the stairs located between the outside paved area, at lower ground floor level and ground level can be conditioned.
- 8.40 There is no information with the application or evidence to suggest that currently there is a shortfall of cycle spaces at the station. The proposal, therefore, is anticipated to meet increased demand and will help promote increased use of sustainable modes, and is welcomed. A number of existing cycle stands at the

northern entrance of the station would need to give way to the new building, however, these are limited (80) and further stands will remain. The Highways team welcome the fact that a large proportion of the existing cycle parking in other areas of the railway station is to be retained as it will reduce the likelihood of informal cycle parking from occurring. It will also meet a need from different users, as opposed to mainly commuters, which the cycle hub is aimed at. The Highways Team wish to condition that the existing cycle parking is retained, however, it is not considered that this is strictly necessary to make the current cycle hub proposal acceptable. The applicant has confirmed the existing spaces will remain and there is no intention to reduce numbers. Listed Building Consent was recently granted (ref BH2012/02454) for relocation of existing cycle stands at the front of the station. Retention of a suitable number of cycle parking spaces will be taken into account in any future Gateway project work.

Other Considerations

8.41 Economic Development

As can be seen in this considerations section, the scheme is partly publicly funded and is a not for profit scheme with marginal viability meaning funds for S106 do not exist. Therefore it is not recommended that a contribution towards the Local Employment Scheme is pursued. The applicant has stated they may be able to offer on-site training and local labour but do not offer a firm commitment. Therefore, on balance, it is not considered necessary to impose that 20% of the construction force be local employees given the modest scale of the scheme (internal floor area less than 1000sqm) and the specialist nature of development and the fact that it is part of railway infrastructure delivered by a rail company. An informative is recommended giving details of the Local Employment Scheme Co-ordinator and partnership working will be encouraged.

8.42 The applicant states that the proposal will employ 12 employees and the scheme itself will make commuting more attractive, both of which will have a positive economic benefit, which is welcomed.

9 CONCLUSION

9.1 The principle of developing one of the last pieces of the New England Quarter development area is considered acceptable. The proposal would form the final part of the southern link to the station and is welcomed.

9.2 Although the site is located within a designated SNCI and Greenway, there is no objection to the proposals. The site has limited ecological value, is effectively a dead end and the proposal will incorporate new public open space and enhance ecology.

9.3 The proposal would enhance the northern entrance of the station and compliment the aims of the Brighton Station Gateway, a corporate project.

9.4 The proposal would promote sustainable modes of travel - cycle and train use - and is welcomed in accordance with national and local planning policy. The facility is considered to deliver a significant piece of community infrastructure, which would make a positive contribution to the Brighton Station area. It is considered to be an innovative and exciting project and is supported.

- 9.5 The modern design of the building is considered acceptable and makes good use of difficult sloping site. The proposal would compliment the listed station and surrounding area. The proposal would deliver important enhanced public realm and complete the link to both Site J and the station within the NEQ.
- 9.6 The proposal would not have an adverse impact on amenity.
- 9.7 The proposal promotes sustainability but the building itself is not targeted towards a BREEAM standard, however, this will be conditioned.
- 9.8 The development is not for profit and as such has been unable to meet the full range of policy requirements and S106 obligations, but given the benefits of the scheme, this is considered acceptable.

10 EQUALITIES

- 10.1 The development would be accessible and have a lift. The Access Officer considers that the 1000mm wide platform lift is not ideal as it has some shortcomings for some disabled people and the BS standard recommends 1100mm. The applicant states they have researched alternative lifts but these were discounted due to cost or due to increasing the stair core area and reducing the space for cycle parking. As the BS standard is not mandatory and the lift will still be able to accommodate a single wheelchair, on balance, it is considered acceptable.

11 CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
2. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.
Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Proposed site block plan	521464-A-006	Rev 04	22/4/13
Existing site plan	521464-A-002	Rev 05	16/4/13
Exiting north, south, west elevations	521464-A-302	Rev 02	17/4/13
Site Sections	521464-A-253	Rev 01	4/12/12
Section 01	521464-A-250	Rev 02	4/12/12
Section 02	521464-A-251	Rev 05	16/4/13
Section 03	521464-A-	Rev 06	16/4/13

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Section 04	521464-A-254	Rev 02	16/4/13
Proposed west, north and south elevations	521464-A-300	Rev 05	16/4/13
Existing and proposed east elevation	521464-A-301	Rev 05	16/4/13
Lower ground floor plan	521464-A-119	Rev 05	16/4/13
Lower ground floor & ground floor construction phases	521464-A-101	Rev 02	16/4/13
First floor construction phases	521464-A-102	Rev 02	16/4/13
First floor plan	521464-A-121	Rev 07	16/4/13
Roof plan	521464-A-122	Rev 05	16/4/13
Ground floor plan furniture layout	521464-A-161	Rev 02	17/6/13
Proposed site plan	521464-A-005	Rev 08	3/6/13
Existing and proposed site location plan	521464-A-001	Rev 04	22/4/13
Existing to be demolished	521464-A-100	Rev 02	16/4/13

3. The café(s) and outside terrace shall only be open between the hours of 06.00 and 22.00 each day.
Reason: To prevent undue noise nuisance and protect amenity, to comply with policies SU10, QD27 and SR12 of the Brighton and Hove Local Plan.
- 4) No development or site clearance shall take place until there has been submitted to and approved in writing by the Local Planning Authority:
- a) A desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice;
 - b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;
 - c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.
- Reason:** To protect amenity and undue pollution, to comply with policies QD27 and SU11 of the Brighton and Hove Local Plan.
- 5) The development shall not be completed or occupied until there has been submitted to the Local Planning Authority verification by a competent person approved under the provisions of part c) of the condition above that any

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remediation scheme required and approved under the provisions of the condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress;
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under part c) of the condition above.

Reason: To protect amenity and undue pollution, to comply with policies QD27 and SU11 of the Brighton and Hove Local Plan.

- 6) The internal layout of the building including the internal staircase and lift link to all three floors, as shown on the approved drawings (except for the ground floor cycle storage area), shall be implemented before the development hereby permitted is first brought into use. Details of the ground floor cycle storage layout shall be submitted to and approved in writing by the Local Planning Authority and the approved layout shall be implemented before the building is first brought into use and the cycle parking facilities shall thereafter be retained for use by visitors to the development at all times.

Reason: The provision of the internal staircase and lift links all three floors will help ensure the building relates successfully to its surroundings and the public open space to the north and for accessibility reasons, and to ensure the cycle storage layout incorporates sufficient aisle width to ensure the stands are usable, to encourage travel by means other than private motor vehicles and to comply with policies QD1, QD2, QD3, QD15, EM13, TR1 and TR14 of the Brighton and Hove Local Plan and to meet the objectives of the Brighton Station Gateway project.

- 7) The development hereby permitted shall not be first brought into use until details of a minimum of 4 bird boxes to be located on the building and/or within the public open landscaped area have been submitted to and approved in writing by the Local Planning Authority. The approved bird boxes shall be implemented before the building and/or open landscaped area are first respectively brought into use.

Reason: To enhance biodiversity of the site, to comply with policies QD17, NC4, QD19 and EM13 of the Brighton and Hove Local Plan.

- 8) The building hereby approved shall not be first brought into use until all the paved area immediately to the west of the building where the existing cycle stands are located which currently has different style of paving to that of the rest of the station concourse, has been re-paved with blockwork to match the rest of the station concourse south of the roundabout as shown on drawing no. 521464-A-005 Rev 08 received on 3/6/13. The new paving shall be maintained in perpetuity.

Reason: To ensure a high standard of design and ensure the development relates well to its surroundings and enhances the public realm and respects the setting of the listed station and West Hill Conservation Area, to comply with policies QD1, QD2, QD4, QD15, EM13,

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HE1, HE3 and HE6 of the Brighton and Hove Local Plan and to meet the objectives of the Brighton Station Gateway project.

- 9) Details shall be submitted to and approved in writing by the Local Planning Authority for the landscaped open space immediately to north of building as shown within the red line (up to the boundary of Block J site) as shown indicatively on drawing no. 521464-A-005 Rev 08 received on 3/6/13. These details shall include the following:
- a. Hard and soft landscaping including details of tree grills, outside steps, walls, copings, railings and public seating
 - b. Material details and/or samples
 - c. Planting details
 - d. 1:50 scaled elevation and section drawings
 - e. Measures to enhance biodiversity
 - f. A Public Art influence
 - g. Measures to ensure it will be accessed from the new building at lower ground floor level
 - h. Measures to ensure it will be directly accessed by people from the main station concourse level including a bicycle channel wheeling ramp
 - i. Measures to ensure it satisfactorily adjoins the stairs and lift at Site J with no gap

The approved landscaped area shall be implemented within 18 months of the building first being brought into use and shall be fully accessible to the public at all times and shall be maintained as such thereafter.

Reason: To ensure a high standard of design and ensure the development relates well to its surroundings and enhances the public realm, respects the setting of the listed station and West Hill Conservation Area and enhances biodiversity and contains public art, to comply with policies QD1, QD2, QD4, QD15, QD16, QD19, EM13, TR8, TR13, QD6, HE1, HE3 and HE6 of the Brighton and Hove Local Plan and to meet the objectives of the Brighton Station Gateway project.

- 10) All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

- 11) No development, other than site clearance and remediation, shall take place until details and samples have been submitted to and approved in writing by the Local Planning Authority of the materials to be used in the external surfaces of the building hereby approved. This shall include details of the cladding system, shopfront, door and window frames and louvers. The development shall be carried out in accordance with the approved details.

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- Reason:** To ensure a satisfactory appearance to the development which respects the setting of the listed station and the surrounding area including the West Hill Conservation Area, to comply with policies QD1, QD2, QD4, HE1, HE3 and HE6 of the Brighton and Hove Local Plan
- 12) The development hereby approved shall not be first brought into use until a scheme for the fitting of odour control equipment to the building has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.
- Reason:** In the interests of amenity, to comply with policies QD27 and SU9 of the Brighton and Hove Local Plan.
- 13) The development hereby approved shall not be first brought into use until a scheme for the sound insulation of the odour control equipment referred to in the condition set out above has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.
- Reason:** In the interests of amenity, to comply with policies QD27, SU10 and SU9 of the Brighton and Hove Local Plan.
- 14) Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:1997. In addition, there should be no significant low frequency tones present.
- Reason:** In the interests of amenity, to comply with policies QD27, SU9 and SU10 of the Brighton and Hove Local Plan.
- 15) The development hereby permitted shall not be first brought into use until a Building Research Establishment issued Post Construction Review Certificate confirming that the development has achieved a BREEAM rating of 50% in energy and water sections of a relevant BREEAM assessment within overall 'Very Good' has been submitted to and approved in writing by the Local Planning Authority.
- Reason:** To ensure the development is sustainable and makes efficient use of water, energy and materials to comply with policy SU2 of the Brighton and Hove Local Plan and SPD08.
- 16) No development shall take place except site clearance and remediation until a feasibility study for the use of using rainwater harvesting and greywater recycling in the development has been submitted to and approved in writing by the Local Planning Authority. Should the rainwater harvesting and/or greywater recycling prove to be feasible and reasonable in all other respects, it shall be implemented within the development.
- Reason:** To ensure the development is sustainable and makes efficient use of water, energy and materials to comply with policy SU2 of the Brighton and Hove Local Plan and SPD08.
- 17) The refuse area located to the south-west of the building shall be implemented before the building is first brought into use and shall make provision for recycling and food waste/compositing.

Reason: To ensure the demand for waste is met by the development and ensure the development is sustainable, to comply with policy SU2 of the Brighton and Hove Local Plan.

- 18) No development shall take place except site clearance and remediation until details of the Sustainable Urban Drainage System has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the development and shall thereafter be retained as such.

Reason: To protect water resources and their quality and sustainability, to comply with policies SU2, SU3, SU4 and SU5 of the Brighton and Hove Local Plan.

11.2 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-

The development represents one of the last pieces of the New England Quarter development area and is acceptable in principle. The proposal would not adversely affect the SNCI and would enhance ecology and the Greenway. The proposal would deliver public open space and public realm enhancement. The proposal would compliment the Station Gateway project. The proposal would promote sustainable modes of travel. The proposal would preserve the setting of the listed station and West Hill Conservation Area. The proposal would not adversely affect amenity. Water resources and their quality would be protected. The proposal would incorporate public art. The proposal incorporates crime prevention measures. The proposal would meet the demand it creates for waste. The development would be sustainable. Any contaminated land would be remediated. The proposal would generate up to 12 jobs.
3. With regard to conditions 4 and 5 above, the site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer. The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy formed under the Environmental Protection Act 1990. It is strongly recommended that in submitting details in accordance with the conditions that the applicant has reference to CLR 11, Model Procedures for the management of land

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contamination. This is available online as a pdf document on both the DEFRA website (www.defra.gov.uk) and the Environment Agency (www.environment-agency.gov.uk) website.

4. The applicant is advised to contact Southern Water at Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688) for advice regarding formal connection to the public sewer, Sustainable Urban Drainage Systems, measures required to protect water mains, measures to take into account the possibility of surcharging the public sewer and measures to control trade effluent.
5. The applicant is advised to contact the Council's Local Employment Scheme Co-ordinator, Linda Shaw, on 01273 291107 email: linda.shaw@brighton-hove.gov.uk to investigate the potential for on-site construction training and employment for local people.

