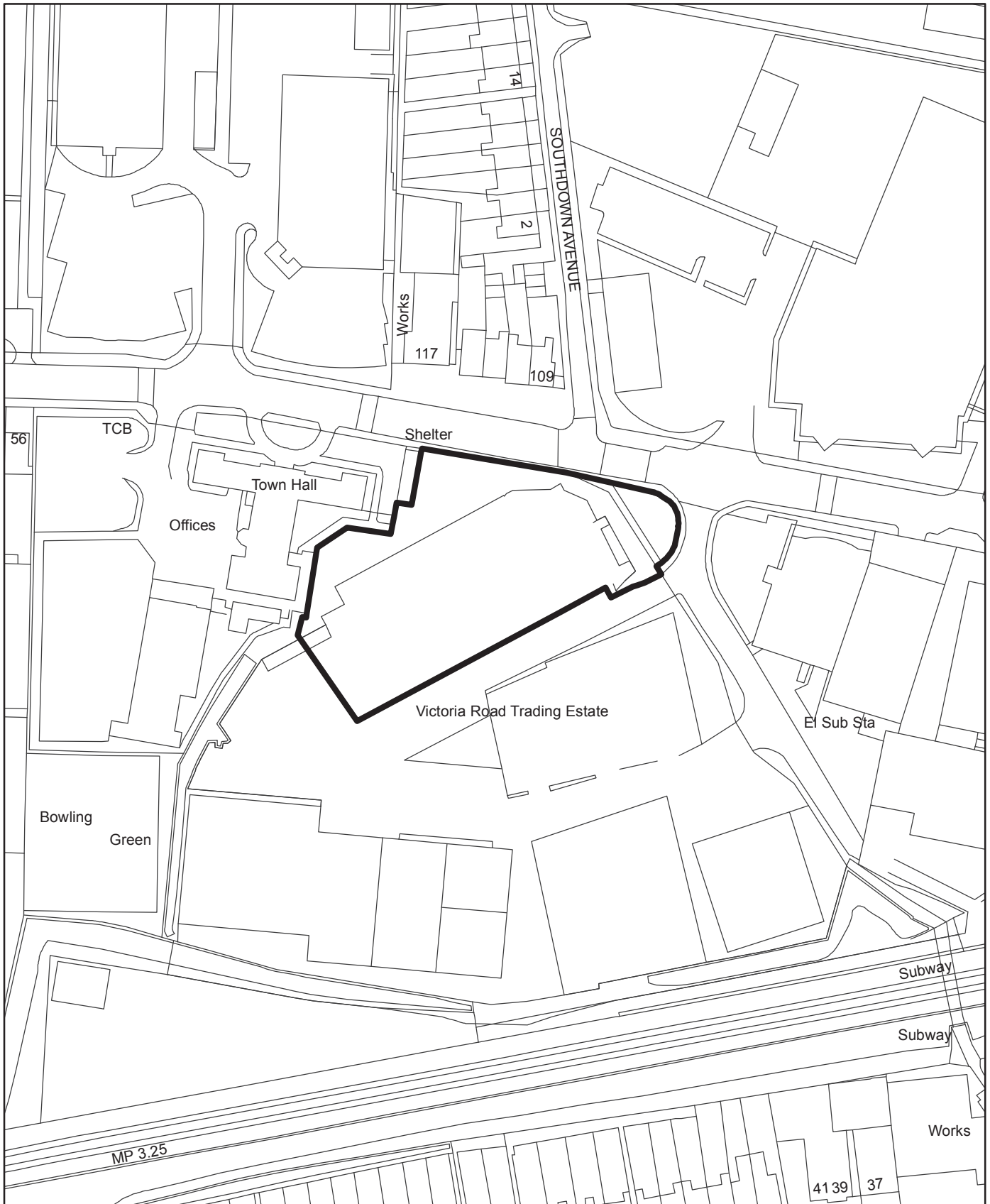


ITEM A

Land south side of Victoria Road, Portslade

**BH2015/00320
Full planning**

22 APRIL 2015



<u>No:</u>	BH2015/00320	<u>Ward:</u>	SOUTH PORTSLADE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land South side of Victoria Road Portslade		
<u>Proposal:</u>	Construction of part two part three storey car showroom building set over two levels including provision of offices and car servicing facilities, car parking spaces and associated works.		
<u>Officer:</u>	Kathryn Boggiano Tel 292138	<u>Valid Date:</u>	06 February 2015
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	08 May 2015
<u>Listed Building Grade:</u>			
<u>Agent:</u>	DMH Stallard, Gainsborough House, Pegler Way, Crawley, West Sussex, RH11 7FZ		
<u>Applicant:</u>	Endeavour Holdings Ltd, C/O DMH Stallard, Gainsborough House Pegler Way, Crawley, West Sussex, RH11 7FZ		

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 and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is within the Victoria Road Trading Estate in Portslade. The application site fronts onto Victoria Road to the east of Portslade Town Hall. The site is also accessed from the north via the internal access road for this part of the Industrial Estate. There are a number of car showrooms and vehicle repair garages in this part of Portslade. Other uses on the Industrial Estate include Boulder Brighton (climbing wall) and trade plumbing and hire businesses.
- 2.2 The previous building on the site was destroyed by a fire in 2000. Since then the site has been vacant. The majority of the site is covered in hard standing, although there is some vegetation on the embankment on the northern and western boundaries. The majority of the application site is set some two to three metres below the Victoria Road pavement level. Portslade Town Hall is also set at a higher ground level than the majority of the application site.
- 2.3 Green palisade fencing is present on the northern (Victoria Road) and eastern and western boundaries. This fencing is present on other areas of the industrial estate. Herras fencing is present on the southern boundary which fronts towards the internal Industrial Estate access road.
- 2.4 Although the surrounding area is mainly characterised by car show rooms and motor repair garages, there is also a parade of shops opposite the site with residential above (109 to 115 Victoria Road) with other residential properties

being present on Southdown Avenue and further to the east on the northern side of Victoria Road (3 to 49 Victoria Road and Victoria Court).

3 RELEVANT HISTORY

BH2007/01721: Outline application for redevelopment of existing industrial estate with car showroom and 2 x B1 units and 2 x B1/B2/B8 units. Approved 20/03/2008.

BH2008/02341: Proposed access to industrial estate and road layout within estate (Reserved matters to approval BH2007/01721). Approved 17/09/2008.

Unit 7b and 7c

BH2012/02225: Temporary change of use from (B8) warehouse to (D2) climbing wall centre for a period of 10 years. Associated alterations including addition of extract fans, an access door and ramp to West elevation and an access ramp to the front elevation. Approved 03/01/2013.

4 THE APPLICATION

- 4.1 Planning permission is sought for a part single part three storey building which would accommodate a car show room for the display and maintenance/repair of cars with office and administration space. Parking for display cars along with customer and staff parking is also proposed.
- 4.2 The accommodation within the building would comprise the following:
- Ground floor: Workshop (four bays), MOT bay, dry valet bay, wet valet bay, parts department, staff changing facilities and canteen and service reception.
 - First floor: double height internal car showroom with administration and reception area, staff offices, W.Cs and kitchen facilities.
 - Second floor: void over showroom, offices, meeting rooms, W.Cs, canteen and plant room.
- 4.3 There is a difference in levels across the site with the land decreasing in height down from Victoria Road to the internal access road to the south of the application site. Therefore the access from the internal access road is at the lower ground level and access from Victoria Road is at the upper ground (first floor) level. A decked area is proposed at pavement height to the north of the proposed building, which would permit cars to be displayed adjacent to Victoria Road. A ramp would be present on the eastern side to provide access to the decked area. Below the decked area customer parking is proposed.
- 4.4 There is also a piece of land adjacent to the corner of Victoria Road with the industrial estate access road which is within the ownership of the applicant and does not form adopted highway. It is also proposed to display cars for sale in this location.
- 4.5 On the Victoria Road frontage the building would comprise mainly glazed curtain walling with smaller areas of metal cladding around the building edge. Therefore the character of the building would typically represent that of a car

showroom function and the large areas of glazing would permit views into the building where the display cars would be located. The eastern elevation would feature a smaller area of glazing, but would be mainly metal clad. The rear elevation (south) would feature eight vehicular access doors at the lower ground level and openings at the second floor level.

- 4.6 The building would be operated by Rivervale Vehicle Contracts which is the car contract hire and leasing division of Rivervale Cars Limited. Rivervale Cars Limited also occupy the adjacent car showroom to the east (Unit 11). Within this building the business operates as Rivervale Mazda, MG, Mercedes-Benz and Skoda, with the focus being car sales. The company have been operating on the Industrial Estate since 2004 with the contract hire and leasing element operating since 2009 and which currently operates from Unit 8.
- 4.7 Car leasing has become more popular in recent years, however there is no room within the existing buildings for this part of the business to expand. Therefore, the applicant plans to use the proposed building exclusively for the car leasing part of the business with the car sales element continuing to operate within the existing car showroom building (Unit 11). Unit 8 would be vacated by Rivervale Vehicle Contracts and this would be marketed for a new business tenant.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: One** letter of comment has been received from the resident of **49 Victoria Road**. Although the resident states that they are pleased to see the site redeveloped by Rivervale they have concerns that there is not adequate parking for the expected additional staff. Victoria Road is very difficult to find a parking space during working hours by residents due to commuter and staff parking. In addition garages also park cars on the street. The car park at the children's play area is full. A residents' parking scheme is therefore needed for part of the street.
- 5.2 **Brighton & Hove Archaeological Society: Comment.** The application site is close to the sites of an Anglo-Saxon cemetery, a Roman cemetery and other Roman finds. Neolithic flintwork has also been recovered in the past. Therefore suggest that the County Archaeologist is consulted.
- 5.3 **County Archaeologist: No objection.** Historic 19th century maps record this site as a large gravel extraction quarry. Therefore do not consider that any significant archaeological remains are likely to be affected by these proposals.
- 5.4 **County Ecologist: No objection.**
Designated sites and Protected Species:
Given the location, scale and nature of the proposed development, there are unlikely to be any impacts on any sites designated for their nature conservation value. The site currently comprises hard standing with small areas of amenity grassland within an urban context and is likely to be of relatively low biodiversity value. The site is unlikely to support any protected species and therefore no

specific mitigation is required. If protected species are encountered during demolition/construction, work should stop and advice should be sought from an ecologist on how to proceed.

5.5 *Mitigation Measures/Enhancement Opportunities:*

The site offers opportunities for enhancement which will help the Council address its duties and responsibilities under the Natural Environment and Rural Communities Act and the NPPF. Opportunities include the use of species of known value to wildlife within the landscaping scheme, and the provision of bird boxes, in particular those suitable for sparrows and swifts. Advice on plant species of value to wildlife can be found in the Council's SPD 11, Annex 7 *Notes on Habitat Creation and Enhancement*. Where possible, native species of local provenance should be used.

5.6 As the proposed development includes flat roofs, consideration should be given to green roofs which would enhance biodiversity and provide multiple other benefits including reducing storm water run off, increasing roof lifespan, lessening the urban heat island effect, climate change mitigation and adaptation, and reducing sounds transfer.

5.7 **East Sussex Fire & Rescue:** Access for fire appliances is satisfactory.

5.8 **Environment Agency:** No objection subject to conditions requiring details of a surface water scheme to be agreed and a contaminated land discovery condition.

5.9 The Environment Agency have reviewed the Phase I Desk Study, Site Reconnaissance & Phase II Site Investigation Report as produced by Leap Environmental Ltd (Report Ref LP00837, dated December 2014) in respect of the proposed development. It is confirmed that there is sufficient information to demonstrate that based on the investigation findings, that there is limited risk to controlled waters from the proposed development. However, the Report did identify some potential on-site sources of contamination, although these were not found during the intrusive investigation. It is noted that the extent of the investigation is limited by the hardstanding (floor slab) that largely covers the site. It is therefore possible that areas of contaminated may be identified during the development.

5.10 The proposed site drainage is indicated to be by soakaway. The Environment Agency would not permit the infiltration of surface water into Made Ground. The Environment Agency would allow for the discharge to occur if infiltration to the Made Ground was prevented. Details of the drainage scheme must be provided for review. It is recommended that these details are secured by condition.

5.11 **Southern Water:** A public water distribution main pipe crosses the site. The exact location of this main pipe should be determined by the applicant. A formal application for connection to the foul sewer should be made by the applicant. The Council's technical staff should be asked to comment on the adequacy of the soakaways to dispose of surface water. The application contains a proposal for vehicle washing facilities. Areas used for vehicle washing should only be connected to the foul sewer after consultation with Southern Water. The

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applicant is advised to discuss this matter further with Southern Water's Trade Effluent Inspectors.

5.12 **Sussex Police:** No objection. The developer should have regard to the principles of 'Secure by Design'.

5.13 **UK Power Networks:** No objection.

Internal:

5.14 **Arboriculturist:** No objection. There are no trees and no substantial vegetation on this site

5.15 **Environmental Health:** Comment. Potential land contamination and the understanding and assessment of this is relevant due to the site's historic uses and site setting. As such, a land contamination report has been submitted by LEAP Environmental. Environmental Health raise a number of questions regarding the site investigation which would need to be addressed through an amended contaminated land report. This can be dealt with by condition. Also recommend conditions to control noise from plant and machinery and details of odour control equipment if paint spraying is to be carried out

5.16 **Planning Policy:** Recommend approval. Victoria Road Industrial Estate is identified for employment uses under policy EM1 of the adopted Brighton & Hove Local Plan. Policy EM1 restricts future uses in these employment sites to the main employment uses of B1 and B2. B8 uses are only acceptable in small starter units. The proposed car show room including provision of offices and car servicing facilities is Sui Generis and therefore does not fall within these main employment generating use classes and would be contrary to the Local Plan policy EM1. However the Submission Brighton & Hove City Plan also has weight in the decision making process.

5.17 Through the City Plan Part 1, the site is also safeguarded under policy CP3.3 as a primary industrial estate protected for business, manufacturing and warehousing (B1, B2 and B8 use classes). However, policy CP3.3 does allow a more flexible approach than policy EM1, when dealing with applications for Sui Generis uses. Policy CP3.3 states that Sui Generis uses will be acceptable, provided that they generate employment which is quantitatively and qualitatively comparable to B1 and B2 uses, would not harm the continuation of existing uses within those classes and comply with other City Plan policies.

5.18 The proposed floor area of the building would be 1,218 square metres and includes car servicing workspace on the ground floor, car sales on the first floor and office/administrative space on the upper floor and external car display area and parking.

5.19 Applying the HCA/Offpat Employment Densities Guide 2010 (which provides guidance on the average number of staff (FTE) different uses can be expected to generate) the applicants have demonstrated that the proposal for 32.5 jobs is a higher number of jobs than would be expected to be generated from a B8 use; slightly more jobs than a B1 (c) use and would generate slightly less than a B2

use. It is not considered appropriate to compare the proposal against more intensive B1(a) office uses as these should be directed toward Central Brighton (in accordance with City Plan policy CP3.2).

- 5.20 It is noted from the Planning Statement that only 15.5 of the 32.5 jobs are new and these include 4 technicians, 2 accountants as well as additional administration and sales staff. However the proposal would allow the existing business within the Industrial Estate to relocate and expand. Unit 8 Victoria Road Industrial Estate which is currently used by the business would become available to rent for an alternative employment use.
- 5.21 The site, despite marketing (2002-2007) and the grant of outline planning permission (BH2007/01721) for redevelopment of existing industrial estate with car showroom and 2 x B1 units and 2 x B1/B2/B8 units, has remained undeveloped for a considerable number of years. It is regretted that the outline application for the redevelopment of the existing industrial estate with car showroom and a mix of industrial units and the opportunity for the wider refurbishment and reconfiguration of this part of the estate was not implemented and the permission has now lapsed.
- 5.22 It is acknowledged that there is a cluster of car dealerships/ MOT/car parts in this part of Victoria Road. The proposed use creates a mix of employment including sales and associated B1 office/administration functions as well as a number of new jobs in car servicing/ valeting (B2/B1). It is considered that the proposed Sui Generis use could generate an element of employment which is qualitatively comparable to B1 and B2 uses.
- 5.23 Therefore, it is considered that the applicant has demonstrated the merits of allowing an exception to Policy EM1 of the adopted Brighton & Hove Local Plan given:
- the information provided on the quantity and qualitative nature of jobs associated with this proposed sui generis use which includes car maintenance and office/administrative space and which relates to the relocation and expansion of an existing business within the industrial estate;
 - the length of time this site has remained undeveloped;
 - the compliance with CP3.3 of the Submission City Plan Part 1; to which weight can be attached.

5.24 **Sustainability:**

Comments dated 24.03.15

Insufficient information. Note that the Planning Statement includes a statement for the intention for the development to achieve BREEAM 'excellent' and 60% in energy and water sections. Whilst this is welcomed there is no other reference within the submission to how the scheme is addressing sustainability issues as set out in Local Plan Policy SU2 and Submission City Plan Policy CP8 in respect of energy and water efficiency, use of sustainable renewable energy technologies, sustainable materials, passive design, sustainable drainage, climate mitigation and adaptation etc.

- 5.25 The Local Planning Authority encourages applicants to consider these issues during early design processes in order to achieve the most cost effective and efficient solutions to mainstream sustainability throughout the development. In major developments it is important that at least some preliminary work is undertaken to ensure that the relevant BREEAM standard can be achieved, and that this is addressed early in order to secure the low cost measures and those credits that are available only when addressed at the outset. Undertaking a BREEAM pre-assessment and submitting some notes detailing how credits can be achieved would help demonstrate that the targeted score is achievable. At the moment there is insufficient information to demonstrate this.
- 5.26 **Sustainable Transport:** No objection. The amount of car parking proposed is within the SPG4 maximum and the provision of 2 disabled bays and 10 Sheffield cycle stands are above the required minimum. The dimensions and spacing of the proposed parking is acceptable. Although there is some scope for displaced parking this is limited and it would be disproportionate to require the funding of remedial measures such as funding for amendments to local parking regulations. The small number of vehicular trips which are likely to be generated will not have a material impact on the operation of the local highway network. No sustainable modes problems will arise from the trips generated by those modes. Information from the road safety team confirms that there is no pattern of accidents which could be worsened by the extra trips. The applicants have demonstrated that the swept paths which servicing vehicles will need to make within the site can be carried out in a forward gear. A travel plan is not required for the scale and nature of development proposed. Do not recommend any Section 106 requirements or conditions.

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) is a material consideration.
- 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
TR2	Public transport accessibility and parking
TR4	Travel Plans
TR7	Safe development
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
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
SU14	Waste management
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD5	Design – street frontages
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD25	External lighting
QD27	Protection of amenity
EM1	Identified employment sites (industry and business)
EM3	Retaining the best sites for industry

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD08	Sustainable Building Design

SPD11 Nature Conservation & Development

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development
CP3 Employment Land
CP8 Sustainable Buildings

8 CONSIDERATIONS & ASSESSMENT

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

- The principle of the use;
- Design and the impact on the character and appearance of the area;
- Impact on amenity;
- Transport impacts;
- Sustainability and ecology enhancements.
- Contaminated land and protection of ground water.

Principle of development:

8.2 As previously mentioned within section 4 of this report the building would be operated by Rivervale Vehicle Contracts which is the car contract hire and leasing division of Rivervale Cars Limited. Rivervale Cars Limited also occupies the adjacent car showroom to the east (Unit 11). The car leasing element of the business currently operates within Unit 8. Car leasing has become more popular in recent years, however there is no room within the existing buildings for this part of the business to expand. Therefore, the applicant plans to use the proposed building exclusively for the car leasing part of the business with the car sales element continuing to operate within the existing car showroom building (Unit 11). Unit 8 would be vacated by the applicant and this would then be marketed for a new business tenant.

8.3 Victoria Road Industrial Estate is an identified employment site as defined by policy EM1 of the Brighton & Hove Local Plan. Policy EM1 restricts future uses in these employment sites to the main employment uses of B1 and B2. B8 uses are only acceptable in small starter units. The proposed car show room use is Sui Generis and therefore does not fall within these main employment generating use classes.

8.4 The Submission Brighton & Hove City Plan also has weight in the decision making process. The site is also safeguarded under policy CP3.3 as a primary industrial estate protected for business, manufacturing and warehousing (B1, B2 and B8 use classes). However, policy CP3.3 does allow a more flexible approach than policy EM1, when dealing with applications for new Sui Generis uses. Policy CP3.3 states that Sui Generis uses will be acceptable, provided that they generate employment which is quantitatively and qualitatively comparable to B1 and B2 uses.

8.5 The proposed floor area of the building would be 1,218 square metres (GIA). Table 3 of the HCA/Offpat Employment Densities Guide 2010 provides guidance on the number of staff (FTE) different uses can be expected to

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generate. The Local Planning Authority uses this guidance when determining planning applications and estimating the likely employment generation of the use class proposed, compared to other business uses.

- 8.6 When this guidance is applied to the floor area of the proposed development, the following staff numbers (Full Time Equivalent FTE) would be expected to be generated.
- B1 (c) light industry: 1 FTE per 47 sqm (NIA);
 - B2 general: 1 FTE per 36 sqm (GIA);
 - B8 general: 1 FTE per 70 sqm (GEA);
 - B8 large scale and high bay warehousing 1 FTE per 80 sqm (GEA).
- 8.7 B1 (a) office uses generate higher employment than the above more industrial uses and the guidance states a range of between 1 FTE per 8 sqm to 1 FTE per 47 sqm (GIA), dependant on the particular type of office. The guidance does not give an employment figure for B1 (b) uses.
- 8.8 When the above ratios are applied to the floor area proposed as part of this development, it could be expected to provide in the region of 26 FTE for B1c, 34 for B2 and between 15 and 17 for B8. B1 (a) uses would be expected to generate in the range of between 26 and 152 FTE. The anticipated staff numbers vary significantly for B1(a) office use depending on the particular type of office, For example, a call centre would be expected to accommodate more staff within a given floor area than IT/data centre would.
- 8.9 Information has been provided by the applicant in relation to the current business arrangements and the existing and proposed staff numbers. Within the new building the developer has predicted that 32.5 FTE staff would be employed and the exact details are included below:

Staff type	FTE existing	FTE proposed
Management Team	6	6
Receptionist	0	1
Sales (Leasing)	4	8
Sales/Co-coordinator (Used)	1	2
Administration	3	5
Marketing/Social media	1	1
Accounts	0	2
Technicians	0	4
Collection & delivery driver	0	0.5
Valetors	2	3
Total	17	32.5

- 8.10 It is noted that although 32.5 jobs would be provided within the new building, only 15.5 of these are 'new' jobs for the Industrial Estate as 17 jobs are existing. However Unit 8 would be marketed for business use and therefore could

accommodate some 15 to 17 additional jobs. Therefore there could still be a net gain of 32.5 jobs provided on the Industrial Estate.

- 8.11 The proposal, when expected to generate 32.5 FTE jobs, would be likely to generate a significantly higher number of jobs than would be expected from a B8 use (15 to 17 FTE jobs). It would be likely to generate slightly more jobs than a B1 (c) use (26 FTE jobs) would and generate slightly less than a B2 use (34 FTE jobs). It is not considered to be appropriate to compare the proposal against more intensive B1 (a) office uses such as call centres etc., as these should be directed toward Central Brighton (in accordance with Submission City Plan policy CP3.2). Therefore it is considered that the proposal would generate jobs which are quantitatively comparable to uses within the B1 and B2 Use Classes which are appropriate to an Industrial estate setting.
- 8.12 It is acknowledged that this part of Victoria Road has become a cluster for car dealerships/ MOT/car parts. The proposed use creates a mix of employment including sales and associated B1 office/administration/accounting functions as well as a number of new jobs in car servicing/ valeting (B2/B1). It is therefore considered that the proposal could generate jobs which are qualitatively comparable to B1 and B2 Use Classes. A condition is recommended to require that the use of the lower ground floor plan remains in vehicle repair use, as this allows a variety of different jobs to be created.
- 8.13 Therefore, it is considered the proposal could generate employment which is qualitatively and quantitatively comparable to those jobs which could be generated by general business B1 and B2 Use Classes. Therefore the principle of the use is considered to be acceptable and would comply with the aims of policy CP3.3 of the City Plan.
- 8.14 The site has been vacant since 2000. It is noted that there was an earlier outline permission for the wider Industrial Estate which was for a new car showroom plus 2 x B1 units and 2 x B1/B2/B8 units (BH2007/01721) with new infrastructure including access road. This permission has since expired and was believed not to have been implemented as it was not viable. The site was actively marketed from 2000 to 2007, although it has not been actively marketed since the applicant (Endeavour Holdings) purchased the site in 2007. Policy CP3.3 of the Submission City Plan does not require evidence of either marketing or viability in order for Sui Generis Use Classes to be considered to be acceptable in principle. As previously stated the test is whether or not the proposal could generate employment which is comparable qualitatively and quantitatively comparable to B1 and B2 Use Classes. This proposal is considered to adequately demonstrate that the jobs created would be similar in nature and scale to those generated by a B1 or B2 Use Class and therefore marketing or viability information is not necessary.
- 8.15 Whilst policy EM1 does not permit Sui Generis uses within protected industrial sites, it is considered that policy CP3 of the Submission City Plan has significant weight in the decision making process. Given then long length of time the site has been vacant and as the proposal would create sufficient jobs and allow an

existing business on the Industrial Estate to expand, it is considered that an exception to policy EM1 can be justified.

Design

- 8.16 Policy QD3 of the Local Plan seeks the more efficient and effective use of sites and policies QD1 and QD2 require new developments to take account of their local characteristics with regard to their proposed design. In particular, policy QD2 requires new developments to be designed in such a way that they emphasise and enhance the positive qualities of the local neighbourhood, by taking into account local characteristics such as height, scale, bulk and design of existing buildings, impact on skyline, natural and built landmarks and layout of streets and spaces.
- 8.17 The character of the surrounding area is a mixture of industrial and residential with a cluster of car show rooms present on Victoria Road itself. Portslade Town Hall is of traditional design built with brick with a pitched roof over. Residential properties to the east on the north side of Victoria Road consist of two storey semi-detached properties, two storey terraced properties and a three storey block of flats. The car showrooms on Victoria Road are of varying design, with elevations which consist of areas of glazing and metal cladding in silver and light grey colours. The exception to these colours is the 'Mini' car showroom opposite the site which has glazing to the ground floor and a darker cladding material to the first floor.
- 8.18 The proposed car showroom would have double height curtain wall glazing to the front elevation facing Victoria Road with a small amount of metal cladding (metallic silver colour) framing this glazing. This would allow for an active street frontage and would permit views into the car showroom which would add interest. There would be a significant gap of nearly 15 metres between the front building line of the proposed building and the adjacent Portslade Town Hall. The height of the proposed building would be approximately 1.5 metres above the eaves of the Town Hall and 1.2 metres below the ridge height. Therefore, the siting and scale of the proposed building is considered to be acceptable. Given the number of car showrooms in the street, it is considered that the design and materials of the front elevation is also appropriate.
- 8.19 A smaller area of glazing would also be present to the side (eastern) elevation which would also be visible in views from Victoria Road. The rear workshop and valet building would be stepped in height and would be constructed of profiled metal cladding (colour dark grey) with individual metal 'up and over' doors serving the workshop and valet bays. The other areas of external wall on the side elevations would be constructed with Microrib horizontal cladding. The western facing side elevation would not contain any openings and would be a relatively blank façade, however, this elevation would not face towards any street scene or the internal Industrial Estate access road and therefore would not be particularly visible.
- 8.20 There is a difference in levels across the site with the land decreasing in height down from Victoria Road to the internal access road to the south of the application site. Therefore the access from the internal access road is at the

lower ground level and access from Victoria Road is at the upper ground (first floor) level. A decked area is proposed at pavement height to the north of the proposed building, which would permit cars to be displayed adjacent to Victoria Road. Below the decked area customer parking is proposed. There is also a piece of land adjacent to the corner of Victoria Road with the Industrial Estate access road which is within the ownership of the applicant and does not form adopted highway. It is also proposed to display cars for sale in this location.

- 8.21 The adjacent Rivervale car showroom to the east, located on the opposite side of the junction of Victoria Road with the Industrial Estate (Unit 11), also contains an area on the corner which is used for the display of cars. The corner within the application site is also currently used for the display of cars in connection with the Rivervale business.
- 8.22 There is a grassed embankment adjacent to the eastern most car showroom on Victoria Road (Lookers Garage), which is present at a higher ground level than the pavement. There are no soft landscaped areas in front of the Mercedes-Benz/Smart garage, but there is a small grassed area outside part of the existing Rivervale garage. On the opposite side of the road there is a grassed area outside the Chandlers garage however this is regularly used to display cars for sale. The Mini garage has a landscaped strip which includes a various shrub planting with a 'rockery' to prevent it being accessed by vehicles. A small hedge and small grassed verge is present on the frontage of the Ford and Volkswagen garages.
- 8.23 Due to the proposed building's siting and the proposal to include a decked area to be utilised for the parking of display cars, there are limited opportunities for soft landscaping. Two small soft landscaped strips are proposed on the street frontage which would measure 0.4 metres by 6 and 7 metres. It is recognised that there are limited opportunities for soft planting on the street frontage, and that the existing landscaping areas within the street have varying levels of success. Therefore it is considered that the opportunity should be taken to improve the materials of the hard surfacing present on the corner of the Industrial Estate access road and Victoria Road and on the pavement of Victoria Road itself. Negotiations with the applicant regarding this are on-going and an indicative landscaping plan has been requested. Further details regarding this will be reported via the List of Supplementary Information.
- 8.24 The green palisade fencing would be removed from the street frontages. Railings are proposed adjacent to the decked area and ramped access. It is unclear what fencing is proposed to the rear of the car parking area. All fencing/railings would be controlled though the recommended landscaping condition.
- 8.25 It is considered that there could be some soft planting incorporated into the lower rear car parking area. The applicant has also been asked to investigate this as part of an indicative landscape scheme and again these details will be reported to members via the List of Supplementary Information.

8.26 Subject to these additional soft and hard landscaping requirements, it is considered that the proposal would be appropriate in terms of its impact within the street scene and wider area and would not harm the character or appearance of the area.

Impact on Amenity:

8.27 Policy QD27 requires the Local Planning Authority to endeavour to protect the amenity of an area and to also ensure the future residents and occupiers of a development have adequate levels of amenity.

8.28 There nearest residential properties (first floor of 109 to 115 Victoria Road) would be approximately 24 metres away from the proposed built form of the building. Therefore there would be no harmful impact by reason of loss of light or outlook or from overlooking.

8.29 Portslade Town Hall has a 'T' shaped footprint. The nearest section of the Town Hall is part of the eastern facing elevation and this would be sited 15 metres from the tallest element of the proposed building. There is only one window in this section of the Town Hall and it is considered that this interface distance is acceptable. The rest of the eastern facing elevation would be 30 metres from the tallest element of the building.

8.30 The workshop element of the proposed building is nearer to the boundary, however this element is single storey and is set below the ground level of the Town Hall. The interface distances between the workshop element and the main elevation of the Town Hall is 6 metres and 24 metres. There are no windows at ground floor level on this section of the Town Hall and the windows present at first floor would be set above the roof level of the workshop element. There is a small rear single storey element of the Town Hall which would only be 4 metres from the proposed workshop element, however this would only be for a length of 1 metre. Therefore it is considered that the proposal would have an acceptable interface relationship with the Town Hall.

8.31 Policy SU9 and SU10 will not permit development which would cause pollution and or nuisance and policy SU10 requires new development to minimise the impact on noise on the occupiers of neighbouring properties. The site is within an Industrial Estate which is characterised by car showrooms and vehicle repair shops. As previously mentioned the nearest residential properties are located opposite the site at the first floor of 109 to 115 Victoria Road (approximately 24 metres away). The workshops are accessed and located at the rear of the building which would face towards the Industrial Estate rather than towards Victoria Road. An Acoustic Report has been submitted with the application. This shows that the dominant noise source is road traffic noise, and that the proposed development would not significantly impact on the noise levels at the residential units above. In addition, the main vehicle movements would be at the rear or at the lower level below the decked area. Given the mixed character of the area, and the site's location within an established Industrial Estate, it is not considered that the use of the site for a car showroom and vehicle repair workshop would be detrimental to the living conditions of nearby residents. The use is considered to be appropriate for its location.

- 8.32 The application did not include details of the proposed opening hours . This has been requested from the applicant and will be reported to members via the list of Supplementary Information. If necessary, additional conditions to control the hours of use and delivery hours will also be recommended at this stage.

Transport

- 8.33 Policy TR1 of the Local Plan requires development proposals to provide for the demand for travel which they create and maximise the use of public transport, walking and cycling. Policy TR7 will permit developments that would not increase the danger to users of adjacent pavement, cycle routes and roads. Policy TR8 would permit development proposals which provide for the needs of pedestrians by creating short, safe attractive and direct routes for walking. TR18 and TR19 relate to the provision of parking spaces for people with disabilities and parking standards in general which are set out in detail in SPG4 ‘ Parking Standards’.
- 8.34 There are 20 parking spaces proposed for car display, plus parking within the area on the corner of Victoria Road and the Industrial Estate access, 13 parking spaces for vehicle repairs, 16 parking spaces including two disabled spaces for customers, and 9 spaces for staff.
- 8.35 SPG4 requires a maximum of one space per 50 square metres of indoor and outdoor sales, plus one space per two employees for car sales. For vehicle repair one space per two employees plus three extra car parking spaces per workshop bay are required. 850 square metres are proposed for the indoor and outdoor sales and there would be five workshop bays (not including the valet bays). For the development as a whole this would equate to a maximum of 49 staff and customer parking spaces. 25 spaces are proposed for staff and customers along with 13 for service parking. This is below the maximum standard of 49.
- 8.36 The Council’s Sustainable Transport Team have commented that although there is some scope for displaced parking this is anticipated to be limited and would not be significant enough to warrant the funding of remedial measures such as amendments to local parking regulations. It is therefore considered that the level of parking provision is appropriate and complies with SPG4.
- 8.37 Two disabled parking spaces are proposed. SPG4 requires that a minimum of 1 space is provided. Therefore the disabled provision is above the minimum standard.
- 8.38 Parking for 20 cycles is proposed and this is in-excess of the standards within SPG4 which would require a minimum of 3 spaces.
- 8.39 The access arrangements are considered to be acceptable and the applicant has demonstrated the swept paths which servicing vehicles would need to make within the site can be carried out in a forward gear.

- 8.40 The Council's Sustainable Transport Team have commented that the proposal would not have a material impact on the local highway network and the small number of trips associated with the development would not warrant a contribution towards sustainable transport infrastructure.
- 8.41 There are two adopted footways adjacent to the proposed parking area on the corner of Victoria Road with the Industrial Estate access road. These would remain.
- 8.42 Therefore it is considered that the proposal provides for the transport demand which it would generate and would not jeopardise highway safety in the area.

Ground Conditions and Contamination & Surface Water Drainage:

- 8.43 Policy SU11 of the Local Plan states that proposals for the development of known or suspected polluted land or premises will help to ensure effective and productive use is made of brownfield sites. However, such proposals must ensure that an increase in contamination does not occur and remediation must be effective to ensure there is no harm to the environment and human health.
- 8.44 A desk top study has been carried out and along with initial site investigations. There is a risk of contaminants within the made ground. Conditions are therefore proposed to cover further site investigations and if necessary contaminated land remediation work.
- 8.45 The site sits above the principle aquifer for Brighton & Hove. Therefore a condition is also proposed to require the details of the surface water drainage to be agreed in order to prevent any pollution of ground water sources.

Sustainability & Ecology Considerations

- 8.46 The policy basis for sustainable design is policy SU2 of the adopted Local Plan. SPD 08 Sustainable Building Design offers guidance on achieving this. The policy permits developments which achieve high standards in the reduction in the use of energy, water and materials. Proposals are required to demonstrate measures to reduce fuel use and greenhouse emissions, the incorporation of renewable energy resources, reduction of water consumption, reuse of grey or rain water, and minimising energy use from use of raw materials. SPD 08 requires major non-residential developments to achieve 60% reduction in energy and water sections of the relevant BREEAM and to achieve overall BREEAM 'excellent'.
- 8.47 The scheme as originally submitted included a commitment to achieve a BREEAM excellent rating with a minimum of 60% in the energy and water considerations. However the application did not include any evidence as to how this could be achieved. The applicant has since submitted a BREEAM report which contains information on how the BREEAM credits may be achieved for this development. The applicant has re-iterated their commitment to achieve an excellent rating, although this would be dependent upon incorporating renewables within the scheme, for which a feasibility study needs to be carried out. Further comments from the Council's Sustainability Officer regarding this new information will be reported via the List of Supplementary Information.

- 8.48 Policy QD17 of the Local Plan requires development to minimise the impact on existing nature conservation features on site and also that new nature conservation features be provided as part of the design of the scheme. SPD 06, Nature Conservation & Development provides further guidance regarding this. NPPF paragraph 109 “the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and providing net gains in biodiversity where possible”.
- 8.49 The site currently has a very low ecological value. Conditions are recommended to require that the scheme incorporates ecological enhancements in the form of bird boxes and additional planting in the rear car park.
- 8.50 Although the County Ecologist did not object to the proposal, they recommended that a green roof was incorporated into the development. This has been discounted by the applicant due to the additional loading capacity needed with associated costs and as a feasibility study is to be carried out the siting of renewables on the roof.

9 CONCLUSION

- 9.1 It is considered the proposal could generate employment which is qualitatively and quantitatively comparable to those jobs which could be generated by general business B1 and B2 Use Classes. Therefore the principle of the use is considered to be acceptable and would comply with the aims of policy CP3.3 of the City Plan. An exception to policy EM1 of the Local Plan has been justified. The design, scale and siting of the building is appropriate in its setting and would not be harmful to the character and appearance of the area. Subject to landscaping conditions to improve the surfacing materials, the landscaping is considered to be appropriate. The scheme would not be harmful to the amenity of nearby residents and occupiers and would make adequate provision for car and cycle parking. Therefore approval is recommended.

10 EQUALITIES

- 10.1 Two disabled parking spaces would be provided as part of the scheme.

11 PLANNING 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.

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Plan Type	Reference	Version	Date Received
Location plan	A(PL)00 000	A	6 February 2015
Site survey plan	A(10)00-100	A	6 February 2015
Proposed site plans	A(PL)00-100	A	6 February 2015
Proposed ground floor plan	A(PL)01-100	A	6 February 2015
Proposed first floor plan	A(PL)01-101	A	6 February 2015
Proposed second floor plan	A(PL)01-102	A	6 February 2015
Proposed elevations	A(PL)01-200	B	6 February 2015
Proposed sections	A(PL)01-300	B	6 February 2015

- 3) Unless otherwise agreed in writing the ground floor of the building hereby approved shall remain in vehicle workshop and valet use in accordance with the details shown on plan referenced Proposed Ground Floor Plan A(PL)01-100 A received on 6 February 2015.
Reason: In order to ensure that the vehicle workshop and valet use remains which increases the range of different jobs to be created on site and to comply with policy CP3 of the Brighton & Hove Submission City Plan Part One.
- 4) If, during demolition of the buildings, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a method statement to identify, risk assess and address the unidentified contaminants. The development shall be carried out in accordance with the approved details.
Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.
- 5) 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. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:1997.
Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

- 6) The development shall be carried out in accordance with the details contained within the Site Waste Management Statement received on the 6 February 2015.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policies WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

11.2 Pre-Commencement Conditions:

- 7) No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:

(a) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk

And if notified in writing by the local planning authority that the results of the site investigation are such that site remediation is required then,

(b) 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 a scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: This pre-commencement condition is imposed because it is necessary to safeguard the health of future occupiers of the site and to comply with policies SU3 and SU11 of the Brighton & Hove Local Plan.

- 8) The development hereby permitted shall not be occupied or brought into use until there has been submitted to, and approved in writing by, the local planning authority a written verification report by a competent person approved under the provisions of condition (7)b that any remediation scheme required and approved under the provisions of condition (7)b 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 the verification report shall comprise:

a) 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 condition (7) b.”

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policies SU3 and SU11 of the Brighton & Hove Local Plan.

- 9) No development shall take place until a scheme for the provision of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for

implementation and a maintenance programme for the surface water drainage infrastructure and shall include also include details regarding the water drainage of the vehicle washing facility. The scheme shall be implemented fully in accordance with the approved details and unless otherwise agreed in writing with the Local Planning Authority shall be retained as such thereafter.

Reason: This pre-commencement condition is imposed because it is necessary to ensure the existing infrastructure can facilitate the development and to reduce the risk of flooding and to ensure that no contamination of ground water sources shall occur and to comply with policies SU3 and SU15 of the Brighton & Hove Local Plan.

- 10) Unless otherwise agreed in writing, no development shall take place until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 60% in energy and water sections of BREEAM assessment within overall 'Excellent' for the development has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

Reason: This pre-commencement condition is imposed because it is necessary to ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and policy CP8 of the Brighton & Hove Submission City Plan Part One.

- 11) No development above first floor slab level of the building hereby approved until there has been submitted to and approved in writing by the Local Planning Authority a scheme for hard and soft landscaping for the site and adjacent footways, which shall also include all parking areas including the ramp and decked parking area, rear parking area and parking area on the eastern corner along with adjacent footways. The landscape scheme shall include details of the materials of hard surfacing, fencing, railings and all other boundary treatments, gates, steps, walls and soft landscaping/planting proposals for the development.

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.

- 12) No development above first floor slab level of the building hereby approved shall take place until a scheme for nature conservation enhancement, which details the location and specification of bird boxes has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details prior to the building first being brought into use and shall be retained as such thereafter.

Reason: To ensure that the scheme makes appropriate provision for ecological enhancements in the form of bat and bird boxes and to comply with policy QD18 of the Brighton & Hove Local Plan.

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- 13) No development shall take place on the external envelope of the building hereby approved until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.
- 14) No development of the decked car parking area and ramped access shall take until all elevations of the structure have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained as such thereafter.
Reason: As insufficient information has been submitted regarding the proposal and to ensure the satisfactory appearance of the structure in accordance with policy QD2 of the Brighton & Hove Local Plan.
- 15) No development shall commence until full details of existing and proposed ground levels (referenced as Ordnance Datum) within the site and on land adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures including the decked car park and ramp, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.
Reason: This pre-commencement condition is imposed because it is necessary to safeguard the character and appearance of the area and to comply with policy QD2 of the Brighton and Hove Local Plan.
- 16) Prior to any spray painting of vehicles taking place within the application site, a scheme for the fitting of odour control equipment to the building along with a scheme for the sound insulation of such equipment shall be 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 any spray painting of vehicles occurring on site, and such measures shall thereafter be retained as such.
Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

11.3 Pre-Occupation Conditions:

- 17) Unless otherwise agreed in writing with the Local Planning Authority, the building shall not be occupied until a BREEAM Education Building Research Establishment issued Post Construction Review Certificate confirming that the development as built has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

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Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

- 18) The building, hereby approved shall not be first brought into use until a scheme for the storage of refuse and recycling including the elevations of the structures needed to accommodate such stores, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to the building being first brought into use and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling following the expansion of the school facilities and to comply with policy QD27 of the Brighton & Hove Local Plan.

- 19) The building hereby approved shall not be first brought into use until the new car and cycle parking areas as shown on plan referenced Proposed Site Plans A(PL)00-100 A received on 6 February, have been laid out and made available for the parking of vehicular cars (including the two disabled vehicle spaces) and for cycle parking. The new car parking and cycle parking areas shall not be used otherwise than for the parking of private motor vehicles and cycles belonging to the occupants of and visitors to the development hereby approved along with vehicles being repaired or sold in connection with the development hereby approved.

Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.

- 20) The landscaping scheme required by condition 11 shall be fully implemented prior to the building hereby approved being first brought into use. Any new trees or plants which within a period of 5 years from the completion of the development die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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.

11.4 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:

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- (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:-

It is considered the proposal could generate employment which is qualitatively and quantitatively comparable to those jobs which could be generated by general business B1 and B2 Use Classes. Therefore the principle of the use is considered to be acceptable and would comply with the aims of policy CP3.3 of the City Plan. An exception to policy EM1 of the Local Plan has been justified. The design, scale and siting of the building is appropriate in its setting and would not be harmful to the character and appearance of the area. Subject to landscaping conditions to improve the surfacing materials, the landscaping is considered to be appropriate. The scheme would not be harmful to the amenity of nearby residents and occupiers and would make adequate provision for car and cycle parking.
3. The applicant is advised that formal applications for connection to the public sewerage system and to the water supply are required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel 0330 303 0119), or www.southernwater.co.uk
4. The applicant is advised that details of the BREEAM assessment tools and a list of approved assessors can be obtained from the BREEAM websites (www.breeam.org). Details about BREEAM can also be found in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
5. The applicant is advised that the above conditions on land contamination have been imposed because 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. To satisfy the conditions a site investigation shall be the very minimum standard accepted. Pending the results of the further site investigation, the applicant may have to satisfy the requirements condition 7b and condition 8. It is strongly recommended that in submitting details in accordance with these conditions the applicant has reference to Contaminated Land Report 11, Model Procedures for the Management of Land Contamination. This is available on both the DEFRA website (www.defra.gov.uk) and the Environment Agency website (www.environment-agency.gov.uk).
6. The applicant is advised when developing a scheme for surface water drainage required by condition 9, that as the proposed site drainage was indicated to be by soakaway, the Environment Agency would not permit the infiltration of surface water into 'Made Ground'. The Environment Agency would allow for the discharge to occur if infiltration to the Made

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Ground was prevented. Details of the drainage scheme must be provided for review.