

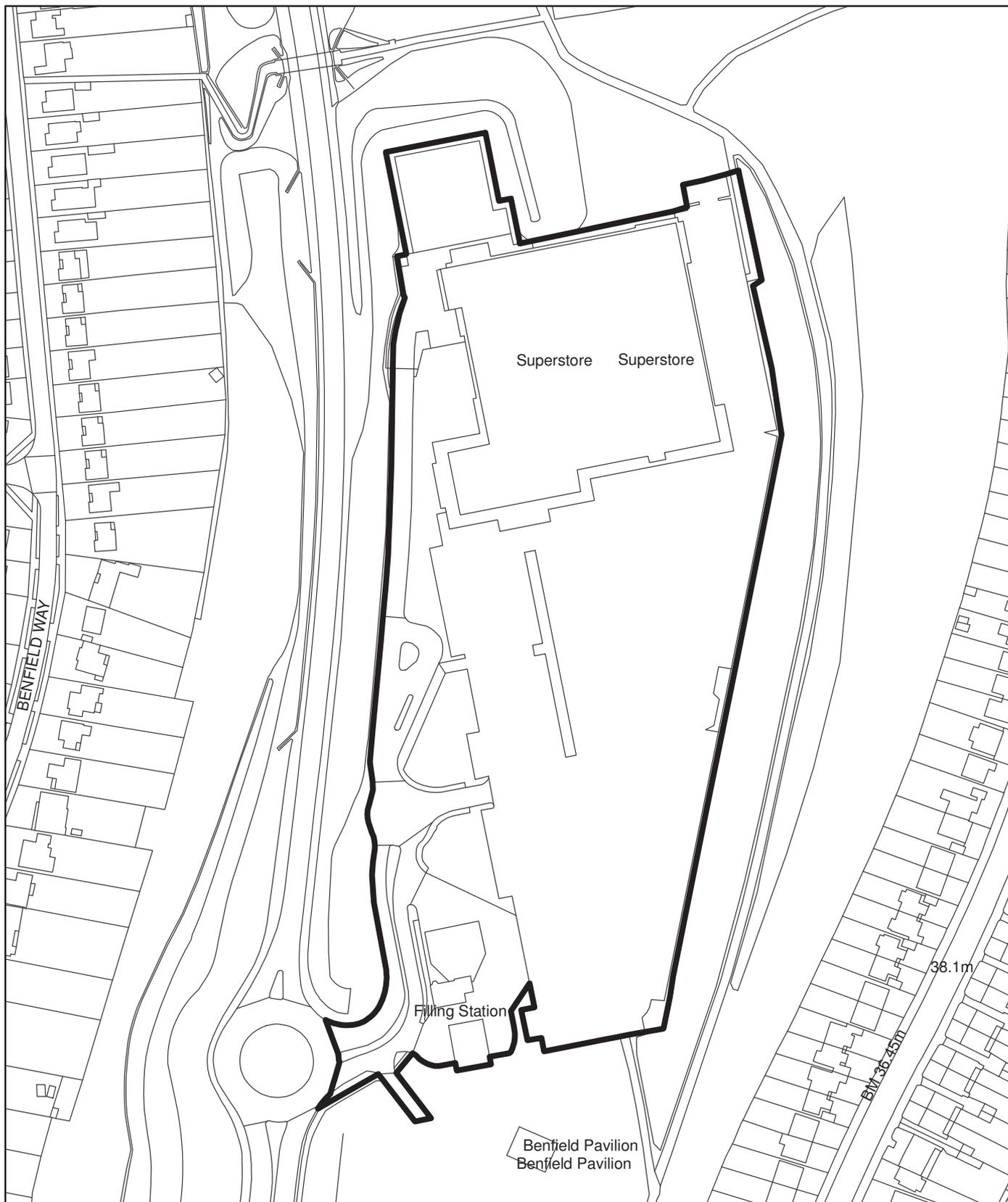
ITEM B

361-367 Old Shoreham Road, Hove

BH2014/03426
Full planning

28 JANUARY 2015

BH2014/03426 361-367 Old Shoreham Road, Hove



<u>No:</u>	BH2014/03426	<u>Ward:</u>	HANGLETON & KNOLL
<u>App Type:</u>	Full Planning		
<u>Address:</u>	361-367 Old Shoreham Road Hove		
<u>Proposal:</u>	Construction of a single storey front extension incorporating repositioned entrance lobby, demolition of the existing goods online building and replacement with an enlarged single storey side (west) extension, construction of a two storey (ground and mezzanine) rear/side (east) extension and installation of photovoltaic solar panels on the roof of the building. General alterations to the layout of customer car park including 16 extra new spaces and installation of new cycle stands. Demolition of the existing petrol station and construction of a new 18 pump facility with associated retail kiosk, car wash and improved access road layout.		
<u>Officer:</u>	Jason Hawkes Tel 292153	<u>Valid Date:</u>	03 November 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	02 February 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	WYG, 100 St John Street, London, EC1M 4EH		
<u>Applicant:</u>	Sainsbury's Supermarkets Ltd, 33 Holborn, London, EC1N 2HT		

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 **MINDED TO GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to Sainsbury's retail store located to the east of the Hangleton Link Road north of Old Shoreham Road. The existing store occupies a 5.19ha site and comprises a retail store, customer car park, access roads and a petrol filling station. The building is single-storey with a large pitched roof which includes a number of gable ends with a flat roof behind. The building is at the north end of the site with its main entrance facing south over a large car park. The car park currently has a total of 530 spaces and is accessed via a roundabout from the Hangleton Link Road. The car park includes a glazed covered walkway and includes landscaped areas and lampposts. There is a recycling area at the south side of the car park.
- 2.2 A petrol filling station for the supermarket lies to the south east of the site adjacent the car park which includes a covered petrol pump area, a single-storey kiosk building and a car wash. The petrol filling station is accessed via a mini roundabout. The roundabout allows access to the petrol filling station, the customer car park and an access road along the west side of the site. The

access road leads to a bus turning circle and bus stop and to the west side of the store.

- 2.3 The site is surrounded by green areas which include mature trees to the north, south and west of the site. These areas separate the site from the residential properties to the west on Hangleton Road and from Hove Park Lower School to the north of the site. The site also bounds Benfield Valley Golf Course to the north and Portslade Cricket Club to the south.

3 RELEVANT HISTORY

This site has been the subject of a number of applications since 1991. The most recent planning history is listed below:

BH2013/03313: Erection of single storey standalone retail unit. Approved 21/11/2013.

BH2013/03312: Display of 3 no illuminated fascia signs and 3 no non-illuminated fascia signs to single storey standalone retail unit. Approved 21/11/2013.

BH2007/00788: Replace existing totem sign with a 7M high totem sign. Refused 19/04/2007.

BH2007/00764: Alterations to car park including 2 new covered trolley bays, relocating recycling area, alterations to kerb line to front entrance & landscaping. (Retrospective application). Approved 18/05/2007.

BH2007/00380: Relocation of existing entrance doors forming new enclosed lobby under existing canopy and new enclosed trolley storage under gable. Approved 23/03/2007.

BH2007/00378: Replacement & additional pole mounted, wall mounted & lamppost signs to car park area. Approved 26/03/2007.

BH2007/00374: Installation of 2 new covered trolley bays. Approved 21/03/2007.

BH2007/00360: Replacement internally illuminated Totem sign adjacent entrance. Approved 26/03/2007.

BH2007/00345: Replacement fascia signs with internally illuminated letters 'welcome wall' panel & ATM signage. Approved 02/04/2007.

BH2006/04304: Replacement internally illuminated canopy signs, externally illuminated fascia sign & various non-illuminated signs. Approved 13/03/2007.

Permission was granted for the construction of a retail store along with a petrol station and ancillary facilities including access roads, service yards, car parking and landscaping in June 1991 under applications refs: **3/90/0077** and **3/90/0078**.

4 THE APPLICATION

- 4.1 Planning permission is sought for extensions and alterations to the existing retail store which comprise the following:
- A front extension single-storey extension for a replacement checkout and sales area.

- The demolition of the existing goods on-line extension to the side (west) of the building and the construction of a replacement single-storey extension to form a replacement goods on-line building and restaurant.
- Construction of a two-storey extension to the north east elevation of the building to form a staff area, warehouse and sales area.
- Construction of a replacement entrance lobby to the front elevation.
- Demolition of existing external Timpsons concession pod.
- Alterations to car park layout, access and circulation.
- Construction of a replacement petrol filling station and car wash facilities.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: One (1)** representation has been received from **Portslade Cricket Club** with the following objection:

- The ground is used every day from the middle of April to early September and access to the club is required at all times. The major impact of the development will be the repositioned car wash. The car wash could be in danger of being hit by cricket balls resulting in damage or injury. The cricket club request a 15m high fence to be erected to alleviate any potential damage.
- The proposal results in the loss of established trees and bushes. This will increase noise from the car wash which will be detrimental to the enjoyment of playing the game of cricket. The existing planting also acts as boundary for security purposes. The club request replacement planting to be introduced to act as a noise buffer.
- The red line on the plans does not appear accurate.
- A query is raised over possible funding of community activity for the improvement of the cricket club.

5.2 **East Sussex County Council Archaeologist:** No objection.

5.3 **East Sussex Fire and Rescue Service:** No objection. The service would recommend the installation of sprinkler systems.

5.4 **East Sussex Police:** No objection.

5.5 **Environment Agency:** No objection subject to the following:

- No development shall commence until a scheme to manage the pollution risks associated with the operations of the proposed petrol filling station have been submitted to and approved, in writing, by the local planning authority.

5.6 **Southern Water:** No objection subject to the following the following:

- The applicant is required to enter into a formal agreement with Southern Water for the connection to the public sewerage system.
- The application makes reference to Sustainable Urban Drainage Systems. It is critical that these systems are maintained in perpetuity.

- Areas used for vehicle washing should only be connected to the foul sewer after consultation with Southern Water. The applicant is advised to discuss the matter further with Southern Water's Trade Effluent Inspectors.

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

Internal:

5.8 **Arboricultural Section:** No objection subject to a landscaping scheme.

5.9 **Economic Development:** No objection subject to a S106 agreement for the payment of £16,780 towards the Local Employment Scheme in accordance with the Developer Contributions Interim Guidance and the provision of an Employment and Training Strategy with the developer committing to using 20% local employment during the construction phase.

5.10 **Ecologist:** No objection subject to recommended mitigation measures being implemented.

5.11 **Environmental Health:** No objection. The applicant shall be aware that if there are any changes to the fuel infrastructure, then the Environmental Health Section would need to be notified in terms of petrol vapour recovery and the petroleum officer at East Sussex Fire and Rescue.

5.12 **Planning Policy:** No objection. The proposal seeks to increase the sales area of the store by a modest amount as well as increasing other facilities in the store. It is considered that the proposal meet the sequential test as set out in the NPPF.

5.13 **Sustainability:** No objection subject to the following:

- Further details are required which indicate how the details set out in the application to reduce net annual CO2 emissions will be achieved. This could entail submission of evidence that the low and zero carbon technologies referred to in the application have been installed.
- Submission of rainwater feasibility study and implementation, if feasible.
- Evidence that the scheme involves the use of sustainable materials.

5.14 **Sustainable Transport:** No objection subject to the following:

- No development shall take place until a scheme setting out details of dropped kerbs and tactile paving at all crossing points within the site where a formal footpath is and details of level thresholds from all disabled bays has been submitted to and approved in writing by the Local Planning Authority.
- No development shall take place until a scheme setting out improvements to the existing bus stop within the site located to the west of the main car parking area has been submitted to and approved in writing by the Local Planning Authority. These works shall include the provision of accessible bus stop kerbs, Real Time Passenger Information signs, enhanced waiting facilities and improved pedestrian access to the floating island bus stop. No part of the building hereby approved shall be occupied until the

approved public transport works have been carried out in accordance with the approved scheme.

- The development hereby permitted shall not be commenced until details of a minimum of 22 secure cycle parking facilities for the workers of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.
- No development shall commence until full details of all directional and access road signage has been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted and shall thereafter be retained for use at all times.
- The development hereby permitted shall not be commenced until details of electric vehicle charging points for the visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.
- Within 3 months of occupation of the development hereby approved, the Developer or owner shall submit to the Local Planning Authority for approval in writing, a detailed Travel Plan (a document that sets out a package of measures and commitments tailored to the needs of the development, which is aimed at promoting safe, active and sustainable travel choices by its users (pupils, parents/carers, staff, visitors, residents & suppliers).

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
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
SU9	Pollution and nuisance control
SU10	Noise nuisance
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
QD10	Shopfronts
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD18	Species protection
QD19	Greenways
QD20	Urban open space
QD27	Protection of Amenity
SR2	New retail development beyond the edge of existing established shopping centres
SR20	Protection of public and private outdoor recreation space

Supplementary Planning Guidance:

SPGBH4	Parking Standards
Interim Guidance on Developer Contributions	

Supplementary Planning Documents:

SPD02	Shop Front Design
SPD03	Construction & Demolition Waste

SPD06 Trees & Development Sites
SPD08 Sustainable Building Design

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development
CP4 Retail provision

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to whether the scheme meets the tests for out of centre retail development, design considerations, impact on amenity, traffic and highway considerations, landscaping, impact on trees, ecology and sustainability considerations.

Planning Policy:

8.2 Policy SR2 of the Brighton & Hove Local Plan relates to new retail development beyond the edge of existing established shopping centres. The policy states that applications for new retail development on sites away from the edge of existing defined shopping centres will only be permitted where:

- a. they meet the requirements of Policy SR1 (with the exception of clause (b); and where;
- b. the site has been identified in the local plan for retail development and a more suitable site cannot be found firstly, within an existing defined shopping centre; or secondly, on the edge of an existing defined shopping centre; or
- c. the development is intended to provide an outlying neighbourhood or a new housing development with a local retail outlet for which a need can be identified. Unless the site has been identified in the Local Plan, applications for new retail development away from the edge of existing established shopping centres will be required to demonstrate that there is a need for the development.

8.3 Policy CP4 of the City Plan, Part 1, sets out the retail hierarchy for the city and sets out that applications for all new edge and out of centre retail development will be required to address the tests set out in national policy. It is considered that policy CP4 will replace the current local plan policy SR2 and is more compliant with the requirements set out in the NPPF. Policy CP4 is therefore considered to carry more weight than policy SR2 in the consideration of this application.

8.4 The NPPF states 'Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.' (para 24)

8.5 Paragraph 26 goes on to state that 'when assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally

set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m).’

- 8.6 The National Planning Policy Framework sets out two key tests that should be applied when planning for town centre uses which are not in an existing town centre and which are not in accordance with an up to date Local Plan – the sequential test and the impact test. The sequential test should be considered first as this may identify that there are preferable sites in town centres for accommodating main town centre uses (and therefore avoid the need to undertake the impact test). The sequential test will identify development that cannot be located in town centres, and which would then be subject to the impact test. The impact test determines whether there would be likely significant adverse impacts of locating main town centre development outside of existing town centres (and therefore whether the proposal should be refused in line with policy).
- 8.7 This proposal would be classified as an out of centre proposal as it would not fall within one of the defined retail centres listed in the retail hierarchy. There are unresolved objections following the examination of the City Plan in October 2013 regarding the proposed locally set threshold of 1,000 sqm for a retail impact assessment, and as such in the absence of the Inspector’s Report the default position is the threshold of 2,500 sqm as set out in the NPPF paragraph 26.
- 8.8 It is understood that the proposal seeks to increase the sales area of the store by 262sqm along with improvements to warehousing, online shopping facilities, checkouts, lobby, changing rooms and toilets.
- 8.9 It has been stated by the applicant that the business model is to modernise and improve the existing foodstore facility. In agreement with the council the applicant has undertaken a sequential assessment in line with the NPPF paragraph 24. The NPPF sets out a checklist of considerations that should be taken into account in determining whether a proposal complies with the sequential test.
- 8.10 The applicant has assessed the availability of sites within the neighbouring retail centres of Boundary Road / Station Road District Centre, Mill Lane Local Centre and the Grenadier Local Centre and has determined that the entirety of the development could not be accommodated within these centres as stores within these centres range from approximately 50 to 350 sqm in size. (The approach by the applicant in assessing sites for the entirety of the development and not for the proposed extension amount has been agreed with council lawyers in light of recent high court judgements).
- 8.11 In conclusion it is considered that with respect to the applicant’s proposed business model to modernise and improve the existing foodstore facility and the fact that there is considered to be no suitable sequentially preferable locations, the sequential test is passed.

- 8.12 Policy CP4 of the City Plan is yet to be adopted and therefore the default position for the Retail Impact Test contained in the NPPF is the threshold of 2,500sqm. The scheme would result in an additional 2,068sqm of additional floor area (not including areas to be demolished) . The total amount of additional floorspace proposed is below the 2,500 sqm threshold set in the NPPF which means that an impact assessment under paragraph 26 is not required for this application.
- 8.13 The scheme includes the relocation of the existing Timpson's pod to inside the building. It is felt that the unit would be ancillary to the main supermarket, with customers and trips linked with the main / existing supermarket use of the site. The transfer of the Timpson's unit into the main part of the building is therefore considered appropriate.
- 8.14 It should also be noted that the proposal is for extensions to an existing store. The retail unit is an established use and it could be argued that any extensions to the building would not significantly result in an impact on local shopping centres.
- 8.15 Given the above, the scheme would not affect the vitality of local shopping centres and is deemed in accordance with policy SR2 of the Brighton & Hove Plan, policy CP4 of the forthcoming City Plan and the requirement for new retail development set out in the NPPF.

Design:

- 8.16 Brighton & Hove Local Plan policies QD1 and QD2 require new development to be of a high standard of design that would make a positive contribution to the surrounding area and that emphasises and enhances the positive characteristics of the local neighbourhood. Policy QD14 relates to extensions to buildings and requires extensions to be appropriately designed in relation to the building to be extended.
- 8.17 To the main building, the scheme proposes various extensions and alterations. The scheme proposes extensions to the front, side (west) facing and rear elevations. To the front elevation, an extension is proposed which will add up to 12.5m to the front elevation. The extension would largely replace an existing paved area and requires the removal of the existing Timpson's Pod and the relocation of disabled parking bays. The proposal is for a flat roofed extension with extensive glazing and in matching brickwork. The extension would include a canopy overhang with supports. The extension would be 4.5m high set below the main gable ended roof.
- 8.18 To the front elevation, the scheme also proposes the relocation of the main entrance to the store to a more central position. The new entrance would be glazed set under the proposed canopy. The scheme also includes alterations to the remaining part of the front elevation which comprise framed curtain wall glazing and matching brickwork.

- 8.19 A new individual letter sign is proposed above the new entrance lobby. This sign requires separate advertisement consent. An informative is recommended informing the applicant of this requirement.
- 8.20 To the rear north east elevation, a two-storey extension is proposed. The extension is proposed over a grassed area. This grassed area is an unused area within the ownership of the supermarket. Given that this grassed area is largely unused, no objection is raised to its loss. The proposed two-storey extension would be 25.5m x 19m with a height of 6.8m with a flat roof. The extension includes windows and is proposed in matching brickwork. This extension is proposed for staff facilities warehouse and sales area.
- 8.22 To the west elevation, an extension is proposed to the goods on-line section of store. This addition would replace the existing goods on-line building and would be 12.5m from the building. The extension would again be flat roofed and includes parking for delivery vans. This addition would be a continuation of the existing warehouse addition. The extension would match the height and finish of the existing addition in aluminium cladding. This extension faces onto a service road and would not be visible from the front of store.
- 8.23 The proposal includes the installation of photovoltaic solar panels on the roof of the building. The solar panels are proposed to the flat roofs of the side and rear extension proposed and also to the main roof of the building. The solar panels are extensive but they have been placed in positions where they would not be readily visible on the building.
- 8.24 Overall, the extensions to the building are considered to be appropriate. The extensions and alterations have been sympathetically designed and would respect the appearance of the building. The rear extension proposed would not match the pitched roofed design of the building with its two-storey flat roof. However, the extension is in a secluded position at the rear surrounded by trees. In this position, the two-storey extension would not significantly detract from the appearance of the building or surrounding area and would not stand out as an inappropriate addition. The scheme is considered to accord with the requirements of policy QD14.
- 8.25 The scheme includes alterations to the layout of the supermarket car park and access roads. This includes a rearrangement of the car park layout with disabled parking bays relocated and replacement landscaping. The proposal indicates the retention of the substantial covered walkway in its central position. The proposal involves relocating the recycle area from the rear of the site to the east side of the car park. The alterations to the car parking arrangement are deemed appropriate and would not significantly affect the appearance of the site.
- 8.26 Finally, the scheme includes a replacement petrol station and car wash. The petrol station would remain in its existing position in the south west corner of the site near the junction with the Hangleton Link Road. The scheme proposes a new single-storey kiosk, canopy and jet wash. The replacement kiosk would be a square structure finished in grey aluminium cladding. The proposed car wash

building would be a glazed structure set at the rear of the site adjacent trees. The replacement petrol filling station is of a similar modern design to the existing and is considered appropriate in this location.

8.27 The site abounds a Greenways route to the west which includes a number of mature trees. The scheme would not affect the Greenways route. The scheme does involve new landscaping within the site and the removal of some existing trees. The Council's Arboricultural Section has stated no objection to the proposal subject to a comprehensive landscape scheme with details of hard landscaping, planting plans, schedules of plants, plant sizes and proposed numbers. These details are to be secured by condition and would help preserve the appearance of the site. An additional condition is recommended requiring details of how existing trees to be retained on site are to be protected during works.

8.28 Having regard to the above, the scheme is considered appropriate in respect of its design and appearance and is in accordance with policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

Impact on Amenity:

8.29 Policy QD27 states that planning permission for any 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.

8.30 In respect of impact on residential amenity the scheme is considered appropriate. The supermarket is mostly surrounded by trees which screen the site from view from adjacent houses and from the school to the north. The nearest residential properties lie to the east of the site on Hangleton Way. These houses are set a significant distance away from the site and are separate from the store by banks of mature trees. Given the distance and screening, these houses would not be significantly affected by the proposal.

8.31 Portslade Cricket Club has raised an objection to the scheme on the grounds that the proposed car wash would have a detrimental impact on the enjoyment of the cricket ground. The proposed car wash would be closer to the boundary when compared to the existing. The proposed car wash would still be screened by existing landscaping and would be over 25m from the cricket pavilion. The applicants have stated that car wash would be to the latest specifications to control noise emission. Given the screening and distance from the cricket ground, the proposed car wash would not have a detrimental impact on the amenity or enjoyment of the cricket ground.

Environmental Considerations:

8.32 The proposal includes a replacement petrol filling station which includes relocated petrol pumps. The Council's Environmental Health team have raised no objection to the proposal subject to the applicant being aware that any change to the fuel infrastructure would require the need to be notify the Environmental Health Team and petroleum officer at East Sussex Fire and Rescue. This is in respect of petrol vapour recovery.

- 8.33 The Environment Agency has also commented that permission can be granted subject to a condition stating that no development shall commence until a scheme to manage the pollution risks associated with the operations of the proposed petrol filling station have been submitted to and approved, in writing, by the local planning authority. The scheme shall include and address the following components:
- A Feasibility Assessment is to be submitted that addresses the design and risks related to the storage.
 - Details of the tanks design and infrastructure.
 - Details of fuel delivery pipework.
 - Drainage details for the forecourt and drainage within the tanker off loading area.
 - Information relating to the proposed third party leak detection system.
 - A site specific staff training manual that explains to site staff specific environmental risks associated with the petrol filling station, and actions to be taken in the event of an incident.
- 8.34 The above condition would ensure that applicants provide adequate information to demonstrate that the risks posed by development to groundwater can be satisfactorily managed.

Sustainable Transport:

- 8.35 Brighton & Hove Local Plan policy TR1 requires new development to address the related travel demand, and policy TR7 requires that new development does not compromise highway safety.
- 8.36 In respect of pedestrian & mobility impaired access, pedestrian access is broadly along the same routes as the existing layout. The Sustainable Transport Manager has commented that the use of zebra crossings within the site is welcomed to provide increased pedestrian priority. It is not apparent from the submission whether dropped kerbs and tactile paving are to be provided at necessary crossing points. The Sustainable Transport Manager would look for dropped kerbs and tactile paving to be provided at all crossing points where a formal footpath is provided. Further details of internal site footpaths and dropped kerbs/tactile paving can be secured via condition. The Sustainable Transport Manager has commented that there should also be a level threshold from the end of all clear zones around disabled bays as is currently the case.
- 8.37 SPG04 states that a minimum of 1 cycle parking space is required per 550m² of gross floor space. Therefore for this development of 10,798m² the minimum cycle parking standard is 22 spaces.
- 8.38 In order to be in line with Policy TR14 of the Brighton & Hove Local Plan 2005 cycle parking must be secure, convenient, well lit, well signed and wherever practical, sheltered. The Sustainable Transport Manager preference is for the use of Sheffield type stands spaced in line with the guidance contained within the Manual for Streets section 8.2.22.

- 8.39 The Sustainable Transport Manager has commented that the existing cycle parking spaces are not deemed to meet guidance on cycle parking. The stands are located too close to the wall which makes it difficult for users to easily secure a bike by the frame and both wheels. The stands are also too long which again make it difficult to store a bike by both wheels and the frame. Therefore the Sustainable Transport Manager would look for new policy compliant cycle parking to be provided in the form of covered Sheffield stands in line with the guidance in the Manual for Streets section 8.2.22. It would also be beneficial if separate staff cycle parking is provided. There is plenty of space on-site to provide cycle parking therefore further details can be secured via condition. The creation of usable, convenient and secure cycle parking is also in the operator's interest as it reduces the likelihood of fly cycle parking which can cause clutter and obstruct customer movements. A condition is therefore recommended requiring the submission of further details of cycle parking.
- 8.40 SPG04 states that the minimum standard for disabled parking for an A1 food store use is 1 space plus 1 space per 1000m². Therefore for this development of 10,653m² the minimum disabled car parking standard is 12 spaces.
- 8.41 The applicant is proposing 29 relocated spaces for disabled people which is deemed acceptable and in line with the Department for Transport guidance in Traffic Advisory Leaflet 5/95 Parking for Disabled People. Therefore the number of disabled car parking spaces is deemed acceptable.
- 8.42 All the disabled bays are designed with a 1.2m clear zone to the rear and both sides which is also appropriate. The applicant should also provide a level threshold from the clear zone to the adjacent pavement to ensure people in wheelchairs can access the footpath to the store. Further details could be secured via condition.
- 8.43 The applicant is intending to retain the existing servicing arrangements from the service yard located to the north of the store. The applicant has provided a swept path analysis of an oil tanker and a recycling collection vehicle. All vehicles can safely access the site within a forward gear and then leave the site. No objections to the proposed servicing arrangements which are deemed appropriate.
- 8.44 Vehicular access to the store is retained as per the existing arrangements from the existing site access roundabout on the A293 Hangleton Link Road. The Sustainable Transport Manager has no objections to this.
- 8.45 The applicant is proposing some realignment to the service road within the site, to provide an enhanced access arrangement to the petrol station. All these highway works are on land in the applicants control and do not encroach onto the adopted highway.
- 8.46 Turning to car parking standards, SPG04 states that the maximum car parking standard for an A1 major food store outside a CPZ is 12 spaces per 100m². For this development of 10,798m² the maximum car parking standard is 1296 spaces. The applicant is proposing to increase the number of spaces from 530

to 546. Currently there are 530 total car parking spaces of which 39 spaces are for disabled users, 35 spaces are for parent and child. While the applicant is proposing 546 total car parking spaces of which 29 spaces are for disabled users, 29 spaces are for parent and child and 10 electric vehicle charging points are proposed. The applicant is also providing a point for motorcycle parking. The Sustainable Transport Manager would look for further details of an appropriate locking point for the motorcycle parking spaces.

- 8.47 The applicant has undertaken a parking assessment by using a parking accumulation survey undertaken in September/October 2011. The results of this survey have been factored up to take account of the forecast 4.5% increase in customer transactions as a result of these proposals. The applicant has forecast that the peak periods for parking accumulation are:
- Friday 12 – 13 411 spaces parked / 119 spare capacity
 - Saturday 12 - 13 426 spaces parked / 104 spare capacity
- 8.48 Even with the forecast additional traffic there are 116 spare car parking spaces on a Friday peak and 101 on a Saturday peak. No objection is raised to the overall car parking provision of 546 spaces which adequately accommodates parking demand for the supermarket.
- 8.49 The Sainsburys store is relatively well served by public transport, with several services operated by both Brighton & Hove Buses and Compass Travel operating services which serve the site. The nearest bus stop to the store is within the site to the west of the main car parking area.
- 8.50 The facilities at this bus stop are currently lacking, with there being only a dated bus shelter. The Sustainable Transport Manager would look for the applicant to renew the facilities at this bus stop and provide the following:
- Accessible bus stop kerb at both bus stops – to ensure all members of society can easily board and alight the buses.
 - Real Time Passenger Information (RTPI) Sign – a RTPI should be provided to ensure passengers waiting for services are well informed.
 - Enhanced waiting facilities – enhanced waiting facilities should be provided.
 - Enhanced pedestrian access to bus stops – the pedestrian access to the floating bus stop island is poor. The kerbs are all at full height and it would be extremely difficult for someone with mobility issues to access this bus stop. Therefore, appropriate dropped kerbs and tactile paving should be provided to ensure there is convenient and safe access to both bus stops.
- 8.51 While it is acknowledged that the a car will be needed for bulky food shopping trips there is significant scope to encourage some trips to be made by sustainable modes and bus public transport forms a realistic potential at this site. All these improvements are necessary to ensure that bus public transport is a viable option for all members of society irrespective of their mobility. This development should have the necessary infrastructure to enable and promote bus public transport trips to and from the site.
- 8.52 The National Planning Policy Framework (NPPF) supports the need for development to have access to high quality public transport. The NPPF states:

- 8.53 “Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable modes can be maximised.”
- 8.54 “...developments should be located and designed where practical to: ... give priority to pedestrian and cycle movements, and have access to high quality public transport facilities...consider the needs of people with disabilities by all modes of transport.”
- 8.55 Therefore the Highway Authority would recommend that the need to provide enhanced public transport provision is secured via condition.
- 8.56 The proposals are for an extension to provide a store of 10,653m² gross internal area with an 18 pump petrol station. The applicant has forecast that the proposed increase in trips is likely to be:

No. of Trips	Arrivals	Departures	Total
Friday PM Peak	21	22	43
Saturday PM Peak	25	23	48

- 8.57 The applicant has also assumed that 30% of the new trips will already be on the transport network (pass by trips). This further reduces the number of new trips likely to be attracted to the site. There is forecast to be approximately 30 additional new trips in the Friday and Saturday peak hour.
- 8.58 In light of the nature of the proposals the Highway Authority would not seek a S106 contribution in this instance but would seek the highlighted improvements to be secured via condition as outlined above.
- 8.59 Subject to appropriate conditions, the scheme will not result in an unacceptable demand on traffic or parking in the area.

Ecology and Sustainability:

- 8.60 Local Plan Policy SU2 states that planning permission will be granted for proposals which demonstrate a high standard of efficiency in the use of energy, water and materials. City Plan Policy CP8 also seeks that development incorporates sustainable design features to avoid expansion of the city's ecological footprint, help deliver the principles of the One Planet approach, radical reductions in greenhouse gas emissions, particularly CO₂ emissions, and mitigate against and adapt to climate change.
- 8.61 Under supplementary planning document SPD08 and City Plan policy CP8 major new built development is expected to achieve BREEAM, and extensions to existing buildings are expected to make improvements in order to prevent additional net annual carbon emissions for the existing and proposed development.

- 8.62 It is considered that the standalone new build element, the petrol station, is not suitable for a BREEAM assessment, as this type of development has not been assessed in the UK under BREEAM, and because the conditioned area (heated, cooled, lit indoor space) of the kiosk is an area that would fall below the threshold that might trigger a BREEAM assessment under SPD08. For retail this would be 151sq/m, whereas the proposed petrol station kiosk is around 100m².
- 8.63 The extension to the existing building is delivered over several different areas of the building, the southern façade, the west corner and the northeast corner. For this reason a new build BREEAM assessment may not be appropriate as a means of assessment for these new build extensions out of the existing store.
- 8.64 The applicant has aimed to meet the SPD08 recommended approach to deliver enhancements to the existing store so that when taking into consideration the extended elements of the store, the overall energy use and resulting carbon emissions will not be increased. Modelling of energy performance indicates that the improvements will go beyond preventing increased carbon emissions, and are modelled to achieve annual reductions of 400tonnes CO₂ a year. The Council's Sustainability Officer has commented that this is welcomed, although it must be acknowledged that the supermarket currently has a very large carbon footprint of 2,380tonnes CO₂ annually.
- 8.65 A Renewable Energy and Energy Efficiency Assessment has been submitted with the application. The assessment sets out current and future modelled energy use and carbon emissions, and sets out a wide range of energy efficiency measures and the proposed renewable technologies that will be incorporated into the proposed scheme. These are considered to meet local policy requirements in relation to energy efficiency, renewables and carbon emissions.
- 8.66 The Council's Sustainability Officer has commented that the application has responded well to planning policy in its approach to energy efficiency, carbon reduction, and use of renewable technologies. The following energy efficiency measures are proposed include the following:
- Replacement LED luminaires lighting in the existing sales area, car park, ambient, frozen case, cold room and display lighting;
 - Excellent building air tightness rates in extensions;
 - Daylight linked dimming control systems to the main sales area and staff facilities area lighting;
 - Night time / out of hours lighting levels reduced to 20% in lieu of 30%;
 - Bakery equipment sourced in agreement with DEFRA;
 - Cold air is removed from the chilled aisles and utilised to cool certain areas of the store specifically the checkout and GM areas of sales floor;
 - Induction type extract canopies to the bakery, prep rooms, staff and customer kitchens optimise fresh air intake;
 - Inverter drives on HVAC plant, with economy settings; weir screens on refrigeration to improve efficiency;
 - Use of night blinds on sales area refrigerated cabinets;

- A full store Building Management System (BMS) that pre authorises all use of energy in the building removing the chance of human error and a comprehensive building control strategy reflecting different building usages throughout the day;
 - Web-based sub-metering on all major energy loads to manage usage and future maintenance.
- 8.67 The low and zero carbon energy technologies proposed with the application include:
- On-site CHP installation to provide the total electricity, heating and hot water requirements of the store;
 - Air Source Heat Pumps provided to the Customer Restaurant and colleague areas;
 - and a 150kWp PV installation on the store roof which will provide 130,500 kWh per annum equivalent to 3% of the anticipated total energy demand of the extended store.
- 8.68 In addition to the energy efficiency measures and technologies referred to above, which in themselves fully address local policy, the documents refer to the intention to further reduce CO2 emissions through offsite solutions. This forms part of an aspiration that the extended store having zero carbon emissions from all operational energy.
- 8.69 It is very much welcomed that Sainsbury's intend to take steps to reduce their operational energy use to zero emissions. However, this would go far beyond recommended sustainability standards and the means of achieving this will not be through measures that can be secured through the planning system.
- 8.70 In addition to measures referred to above, a rainwater harvesting system to flush public and staff toilets is referred to that will be subject to further appraisal during detailed design phase.
- 8.71 Brighton & Hove Local Plan policy SU13 requires the minimisation and re-use of construction waste. Further detail of the information required to address this policy is set out in SPD03 Construction and Demolition Waste. The applicant has submitted a waste minimisation statement. SPD03 requires the submission of a waste management plan for a scheme of this scale. Conditions requiring the submission of a plan is submitted.
- 8.72 In respect of ecology, the County Ecologist has commented that, given the nature and scale of the proposed works, it is unlikely that there will be any significant impact on ecology in the area and that the site is of a relatively low ecological value. The Ecologist welcomes the measures to replace landscaping and trees within the site.

9 CONCLUSION

- 9.1 The development is of an appropriate scale, bulk and design and is appropriate in the context of the existing building and surrounding area. The development would not cause significant harm to neighbouring amenity and is also

appropriate in terms of highway safety, landscaping and sustainability. The proposal is also appropriate in respect of its impact on the vitality of local shopping centres.

10 EQUALITIES

10.1 The scheme would allow suitable access for people with disabilities.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Section 106 agreement to secure:

- A contribution of £16,780 towards the Local Employment Scheme and the provision of an Employment and Training Strategy with the developer committing to using 20% local employment during the construction phase.

and subject to the following Conditions and Informatives:

11.2 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
Site Location Plan	PL01		10 th October 2014
Existing Site Plan	PL02		10 th October 2014
Existing Store Plan	PL03		10 th October 2014
Existing Roof Plan	PL04		10 th October 2014
Existing Elevations	PL05	A	10 th October 2014
Proposed Site Plan	PL06		10 th October 2014
Proposed Store Plan	PL07		10 th October 2014
Proposed Elevations	PL09	A	3 rd November 2014
Existing Elevations Petrol Filling Station	PL10		3 rd November 2014
Proposed Elevations Petrol Filling Station	PL11		3 rd November 2014
Proposed Elevations Petrol Filling Station	PL11A		16 th December 2014

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Proposed Roof Plan with PV Panels	PL12		31 st October 2014
Site Survey Plan (Car Park)	24439	A	10 th October 2014
Site Survey Plan (Building)	24439	A	
Tree Survey Plan	1155-01		10 th October 2014
Tree Removal, Retention & Protection Plan	1155-03		10 th October 2014
Outline Landscape Proposals	1155-04		10 th October 2014
Tree Pit Detail	1155-05		31 st October 2014
Detailed Landscape Proposals	1155-06		10 th October 2014

- 3) 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.

- 4) The development hereby permitted shall implemented in accordance with the sustainability measures detailed within the Design and Access statement and Renewable Energy & Energy Efficiency Assessment received on the 31st October 2014, and such measures shall thereafter be retained as such.

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

11.3 Pre-Commencement Conditions:

- 5) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping. The scheme shall include the following:
- a. details of all hard surfacing;
 - b. details of all boundary treatments;
 - c. details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees.

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.

- 6) No development shall commence until a scheme to manage the pollution risks associated with the operations of the proposed petrol filling station have been submitted to and approved, in writing, by the local planning authority. The scheme shall include and address the following components:
- a. Feasibility Assessment is to be submitted that addresses the design and risks related to the storage.
 - b. Details of the tanks design and infrastructure.
 - c. Details of fuel delivery pipework.
 - d. Drainage details for the forecourt and drainage within the tanker off loading area.
 - e. Information relating to the proposed third party leak detection system.
 - f. A site specific staff training manual that explains to site staff specific environmental risks associated with the petrol filling station, and actions to be taken in the event of an incident.

Reason: To protect the underlying groundwater from potential pollution in accordance with policies SU5 and SU11 of the Brighton & Hove Local Plan.

- 7) No development shall commence until an Arboricultural Method Statement for the protection of trees to be retained and adjoining the site has been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. Any fences shall be erected in accordance with BS5837 (2012) and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

- 8) No development shall commence until a feasibility study for rainwater harvesting has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in strict accordance with the agreed details.

Reason: To ensure the development is sustainable in terms of rain water harvesting and in accordance with policy SU2 and SPD8: Sustainable Building Design of the Brighton & Hove Local Plan.

- 9) No development shall take place until a scheme setting out details of dropped kerbs and tactile paving at all crossing points within the site where a formal footpath is and details of level thresholds from all disabled bays has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure safe and convenient access if provided for all pedestrians to and through the site and to comply with Local Plan policies TR1, TR7 and TR8.

- 10) The development hereby permitted shall not be commenced until further details of cycle parking facilities for the workers of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully

implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.

- 11) No development shall commence until full details of all directional and access road signage has been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To improve access to the site and ensure safe access for all users entering and exiting the site and to comply with policy TR7 or the Brighton & Hove Local Plan.

- 12) The development hereby permitted shall not be commenced until details of electric vehicle charging points for the visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To encourage travel by more sustainable means and to comply with policy TR1 and SU2 of the Brighton & Hove Local Plan.

- 13) No development shall take place until a scheme setting out improvements to the existing bus stop within the site located to the west of the main car parking area has been submitted to and approved in writing by the Local Planning Authority. These works shall include the provision of accessible bus stop kerbs, Real Time Passenger Information signs, enhanced waiting facilities and improved pedestrian access to the floating island bus stop. No part of the building hereby approved shall be occupied until the approved public transport works have been carried out in accordance with the approved scheme.

Reason: To ensure that suitable public transport provision and access to these services is provided for all and to comply with policies TR1 of the Brighton & Hove Local Plan.

- 14) The development hereby permitted shall not be commenced until details of secure motor cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of motorcycles are provided and to comply with policy TR1 of the Brighton & Hove Local Plan.

- 15) No development shall take place until samples of the following materials 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:

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- a. samples of brick, render and tiling (including details of the colour of render/paintwork to be used)
 - b. samples of all cladding to be used, including details of their treatment to protect against weathering
 - c. samples of all hard surfacing materials
 - d. samples of the proposed window and door treatments
- Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

11.4 Pre-Occupation Conditions:

- 16) Within 3 months of completion of the development hereby approved, the Developer or owner shall submit to the Local Planning Authority for approval in writing, a detailed Travel Plan (a document that sets out a package of measures and commitments tailored to the needs of the development, which is aimed at promoting safe, active and sustainable travel choices by its users (pupils, parents/carers, staff, visitors, residents & suppliers).

Reason: To ensure the promotion of safe, active and sustainable forms of travel and comply with policies TR1 and TR4 of the Brighton & Hove Local Plan.

11.5 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 is of an appropriate scale, bulk and design and is appropriate in the context of the existing building and surrounding area. The development would not cause significant harm to neighbouring amenity and is also appropriate in terms of highway safety, landscaping and sustainability. The proposal is also appropriate in respect of its impact on the vitality and viability of local shopping centres.
3. The applicant is advised that an agreement with Southern Water, prior to commencement of the development, the measures to be undertaken to divert/protect the public water supply main. The application makes reference to Sustainable Urban Drainage Systems. Southern Water have

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commented that it is critical that these systems are maintained in perpetuity. Areas used for vehicle washing should only be connected to the foul sewer after consultation with Southern Water. The applicant is advised to discuss the matter further with Southern Water's Trade Effluent Inspectors.

4. The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March – 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.
5. The proposal includes a replacement petrol filling station which includes relocated petrol pumps. The Council's Environmental Health team have commented that any change to the fuel infrastructure would require the notification of the Environmental Health Team and petroleum officer at East Sussex Fire and Rescue. This is in respect of petrol vapour recovery.
6. The applicant is advised that advertisement consent is required for the signs indicated on the plans.
7. The Travel Plan shall include such measures and commitments as are considered necessary to mitigate the expected travel impacts of the development and should include as a minimum the following initiatives and commitments:
 - (i) Promote and enable increased use walking, cycling, public transport use, car sharing, and car clubs as alternatives to sole car use
 - (ii) A commitment to reduce carbon emissions associated with business and commuter travel:
 - (iii) Increase awareness of and improve road safety and personal security for staff:
 - (iv) Undertake dialogue and consultation with adjacent/neighbouring tenants/businesses:
 - (v) Identify targets focussed on reductions in the level of business and commuter car use:
 - (vi) Identify a monitoring framework, which shall include a commitment to undertake an annual staff travel survey utilising iTrace Travel Plan monitoring software, for at least five years, or until such time as the targets identified in section (v) above are met, to enable the Travel Plan to be reviewed and updated as appropriate:
 - (vii) Following the annual staff survey, an annual review will be submitted to the Local Planning Authority to update on progress towards meeting targets:
 - (viii) Identify a nominated member of staff to act as Travel Plan Co-ordinator, and to become the individual contact for the Local Planning Authority relating to the Travel Plan.

