

<u>No:</u>	BH2021/01731	<u>Ward:</u>	Goldsmid Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Brighton And Hove Bus Garage 43 Conway Street Hove BN3 3LT		
<u>Proposal:</u>	Demolition of existing buildings and the erection of new four storey bus garage building including office and engineering floorspace, external bus parking provision and new boundary treatment.		
<u>Officer:</u>	Wayne Nee, tel: 292132	<u>Valid Date:</u>	18.05.2021
<u>Con Area:</u>	None	<u>Expiry Date:</u>	17.08.2021
<u>Listed Building Grade:</u>		<u>EOT:</u>	09.02.2022
<u>Agent:</u>	Gerald Eve Gerald Eve	72 Welbeck Street	London W1G 0AY
<u>Applicant:</u>	Go-Ahead Bus Company	C/O Gerald Eve	72 Welbeck Street London W1G 0AY

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to be **MINDED TO GRANT** planning permission subject to a s106 agreement and the following Conditions and Informatives:

as set out hereunder, SAVE THAT should the s106 Planning Obligation not be completed on or before 9 June 2022 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in in the final section of this report:

S106 Heads of Terms

Travel Plan

- 1.2. To promote safe, active and sustainable travel choices by its future occupiers and visitors.

Highway Works

- Reinstatement of existing footway on Conway Street where existing vehicular access is to be removed
- Extension of vehicle access on Fonthill Road

Employment and Training

- 1.3. Employment and Training Strategies for the provision of local employment opportunities with 20% of any new roles created from the demolition and construction phases of development, at least one month before the intended date of formal commencement of the development.

Conditions:

1. 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
Location and block plan	OS50	00	18 May 2021
Proposed Drawing	P101	PL4	13 January 2022
Proposed Drawing	P102	02	12 November 2021
Proposed Drawing	P103	02	12 November 2021
Proposed Drawing	P104	02	12 November 2021
Proposed Drawing	P200	PL2	12 November 2021
Proposed Drawing	T202-PR0		4 January 2022
Proposed Drawing	PL199	PL2	12 November 2021

2. 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.

3. The use of the open vehicle parking area hereby permitted (as indicated on submitted drawing PL101/PL4) shall cease within 10 years from the date of this permission.

Reason: The open vehicle parking is not considered suitable as a permanent form of development in terms of visual amenity and future neighbouring residential amenity impact due to the lack of enclosed roof, in order to achieve the long-term regeneration of the Hove Station Area, and to accord with Policies DA6 and CP12 of Brighton and Hove City Plan Part One.

4. No development, including demolition and excavation, shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: To maximise the sustainable management of waste and to minimise the need for landfill capacity and to comply with policy WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

5. No development shall take place until a Construction Environmental Management Plan (CEMP) and Demolition Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority and the Highway Authority. The CEMP/DEMP shall at least include:

- a. scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)
- b. a scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management, vibration, site traffic and deliveries to and from the site
- c. details of hours of construction including all associated vehicular movements
- d. a plan showing construction traffic routes

- e. details of any site entrances and their management, construction compound and offices
- f. details of any oversailing of the highway construction, falsework, formwork and scaffolding
- g. details of the use of any cranes, lifts, escalators and lifting vehicles
- h. details of any Department for Transport Abnormal Load Notification and/or Order
- i. details of where staff and buses will park when the site is under construction

The construction shall be carried out in accordance with the approved CEMP/DEMP.

Reason: In the interests of amenity and road safety and to comply with policies TR7, SU3, SU5, SU9, SU10, QD27 and HE6 of the Brighton & Hove Local Plan and CP1, CP2, CP3, CP7, CP9, CP11, CP12, CP13 and CP15 of the City Plan Part One.

- 6. Prior to the commencement of the development hereby approved, detailed plans shall be submitted to and approved by the local planning authority to demonstrate how the scheme will be able to connect to any future decentralised energy scheme, should one become available. Specifically these plans shall include details of below ground works which will be implemented within the scheme to ensure that appropriate piping routes are available and safeguarded to enable future connections from the highway, and demonstrate where connections will be made including where space is left available in designated plant rooms for future heat exchanger installation or similar.

Reason: To ensure the site is network ready and to comply with the sustainability requirements of Policy CP8 of the Brighton & Hove City Plan Part One.

- 7. The development hereby permitted shall not be commenced (other than demolition works) until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods as per the recommendations of the Sustainable Drainage Report and Flood Risk Assessment PGWD/J7920 has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to comply with policy SU3 of the Brighton & Hove Local Plan.

- 8. No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- a) samples of all 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, door and balcony treatments
- e) samples of all other materials to be used externally, including rainwater goods.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE10 of the Brighton and Hove Local Plan and CP12 and CP15 of the Brighton and Hove City Plan Part One.

9. No development above ground floor slab level of any part of the development hereby permitted shall take place until an ecological design strategy (EDS) addressing enhancement of the site for biodiversity, to include a biodiverse green/brown roof, green fencing, the use of native species and/or species of known wildlife value within the planting scheme, and the provision of swift bricks/boxes and house sparrow boxes, has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:
- a) purpose and conservation objectives for the proposed works;
 - b) review of site potential and constraints;
 - c) detailed design(s) and/or working method(s) to achieve stated objectives;
 - d) extent and location /area of proposed works on appropriate scale maps and plans;
 - e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
 - f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
 - g) persons responsible for implementing the works;
 - h) details of initial aftercare and long-term maintenance;
 - i) details for monitoring and remedial measures;
 - j) details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this, and to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 170 and 175 of the National Planning Policy Framework, and Policy CP10 of the Brighton & Hove City Council City Plan Part One.

10. No development above ground floor slab level of any part of the development hereby permitted shall take place until a drainage strategy detailing the proposed means of foul water disposal and an implementation timetable, has been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: To ensure adequate foul sewage drainage/treatment is available prior to development commencing and to comply with policy SU5 of the Brighton & Hove Local Plan.

11. No development above ground floor slab level of any part of the development hereby permitted shall take place until an energy statement setting out measures to reduce energy usage, achieve reductions in carbon emissions, have low

embodied carbon, and improve sustainability has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented as approved and the measures set out implemented throughout the operation of the development.

Reason: To ensure that the development is sustainable and makes efficient use of energy to comply with policy CP8 of the Brighton & Hove City Plan Part 1.

12. No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the proposed green walling and maintenance and irrigation programme have been submitted to and approved in writing by the Local Planning Authority. The walls shall thereafter be constructed, maintained and irrigated in accordance with the approved details.

Reason: To ensure that the development contributes to ecological enhancement on the site and visual amenity of the locality in accordance with policy and CP10, CP12 and CP13 of the Brighton & Hove City Plan Part One.

13. The development hereby permitted shall not be first occupied until
- i) details of external lighting, which shall include details of; levels of luminance, hours of use, predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent receptors, hours of operation and details of maintenance have been submitted to and approved in writing by the Local Planning Authority.
 - ii) the predicted illuminance levels have been tested by a competent person to ensure that the illuminance levels agreed in part 1 are achieved. Where these levels have not been met, a report shall demonstrate what measures have been taken to reduce the levels to those agreed in part i).

The external lighting shall be installed, operated and maintained in accordance with the approved details and thereafter retained.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.

14. The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development 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.

15. The development hereby permitted shall not be occupied until a Delivery & Service Management Plan, which includes details of the types of vehicles, how deliveries will be scheduled, take place and otherwise be managed, and the frequency of deliveries, shall be submitted to and approved in writing by the Local Planning Authority. All deliveries shall thereafter be carried out in accordance with the approved plan.

Reason: In order to ensure the safe operation of the development and to protect the amenities of nearby residents and to comply with policies TR7, SU10, QD27 and SR4 of the Brighton & Hove Local Plan and SA2, CP4, CP5, CP9, CP12, CP13 and CP15 of the City Plan Part One.

16. Prior to first occupation of the development hereby permitted, full details of electric vehicle charging points within the proposed car park 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 seek measures which reduce fuel use and greenhouse gas emissions and to comply with policies SA6, CP7, CP9, CP12, CP13 and CP15 of the City Plan Part One and SPD14 Parking Standards.
17. The development hereby permitted shall not be occupied until a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments, including gated access, has been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be provided in accordance with the approved details prior to occupation of the development and shall thereafter be retained at all times.
Reason: To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD15 and QD27 of the Brighton & Hove Local Plan, and CP12 and CP13 of the Brighton & Hove City Plan Part One.
18. Prior to first occupation of the development hereby approved, details of the photovoltaic array depicted on the roof plan shall be submitted to and approved in writing by the Local Planning Authority. The photovoltaic array shall then be installed in accordance with the approved details and retained thereafter.
Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance and to comply with policies CP8 and CP12 of the Brighton & Hove City Plan Part One.
19. Prior to occupation of the development hereby permitted, a scheme for landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be implemented in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. The scheme shall include the following:
- a. details of all hard and soft surfacing to include type, position, design, dimensions and materials and any sustainable drainage system used;
 - b. a schedule detailing sizes and numbers/densities of all proposed trees/plants, to include food-bearing plants, including details of tree pit design, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period;
 - c. details of all boundary treatments to include type, position, design, dimensions and materials.
- 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.
Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD15 of the Brighton &

Hove Local Plan and CP12 and CP13 of the Brighton & Hove City Plan Part One.

20. Prior to the first occupation of the development hereby approved a Noise Management Plan for the activities on site shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the management plan shall be implemented and retained thereafter.
Reason: To safeguard the amenities of occupiers of the adjoining properties and the residents of the property to comply with Policies SU10 and QD27 of the Brighton and Hove Local Plan.
21. The development hereby permitted shall not be occupied until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out and provided in full in accordance with the approved details prior to first occupation of the development 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 to comply with policy QD27 of the Brighton & Hove Local Plan, Policy DM21 of the Submission City Plan Part 2, policy CP8 of the Brighton & Hove City Plan Part One and Policy WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan.
22. No plant and machinery shall first be brought into use until details of their appearance and location and a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the first occupation of the development and shall thereafter be retained as such.
Reason: To safeguard the amenities of the occupiers of adjoining properties and the visual amenities of the locality to comply with policies HE3, HE6, SU10 and QD27 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton and Hove City Plan Part One.
23. Within 6 months of first occupation of the non-residential development hereby permitted a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM New Construction rating of 'Excellent' shall be submitted to, and approved in writing by, the Local Planning Authority.
Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy CP8 of the Brighton & Hove City Plan Part One.
24. The commercial uses hereby approved shall be retained as office (Use Classes E(c) and E(g)) office/industrial (Use Class B8) storage uses only and shall not be used for any other purpose in Class E of the Schedule to The Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Notwithstanding the provisions of the Town and Country

Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification), no change of use shall occur without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with policy QD27 of the Brighton & Hove Local Plan.

25. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying and assessing the risk and proposing remediation measures, together with a programme for such works, shall be submitted to the Local Planning Authority for approval in writing. The remediation measures shall be carried out as approved and in accordance with the approved programme.

Reason: To safeguard the health of occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

26. Noise associated with plant and machinery throughout the development shall be controlled such that the Rating Level, calculated at -metre from the façade of the nearest proposed residential unit, shall not exceed a level 5dB(A) below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:2014.

Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton and Hove Local Plan.

27. All hard surfaces hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policies CP8 and CP11 of the Brighton and Hove City Plan Part One.

28. A bee brick shall be incorporated within the external walls of the development hereby approved and shall be retained thereafter.

Reason: To enhance the biodiversity of the site and to comply with Policy CP10 of the Brighton & Hove City Plan Part One and SPD11.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One 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. Southern Water requires a formal application for a connection to the water supply to be made by the applicant or developer. To make an application visit: southernwater.co.uk/developing.
3. 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).
4. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
5. The Council Flood Risk Officer states that the 30% consideration for Climate Change mentioned in the Flood Risk Assessment will need to be increased to 40% in line with current BHCC recommendations. Additionally, the streets directly adjacent to the site are shown in the EA flood maps to act as flood water routes for medium-risk flood events, and so the detailed drainage plan should provide mitigation to manage this flood risk.
6. The applicant / developer may be required to enter into an Asset Protection Agreement. Network Rail requests the applicant / developer contacts Network Rail's Asset Protection and Optimisation (ASPRO) team via AssetProtectionLondonSouthEast@networkrail.co.uk as soon as possible
7. The applicant is advised that the CEMP should also include the following information:
 - Details of any oversailing of the highway construction, falsework, formwork and scaffolding
 - Details of use of any cranes, lifts, escalators and lifting vehicles
 - Details of any Department for Transport Abnormal Load Notification and/or Order
 - A commitment to implement vehicle cleaning and drainage facilities to prevent mud and dirt being trafficked onto the highway from the site or being washed onto it.
 - A commitment that any temporary traffic management measures and/or marshalling of traffic on the highway, including that of both construction traffic and general traffic, shall be undertaken by Contractors holding National Highways Sector Scheme 12(d) certification.
 - A commitment to register the site during construction with the Considerate Constructors Scheme (CCS) and the Construction Logistics & Community Safety scheme (CLOCS), to retain that certification for the duration of the works and to comply with all mandatory requirements of the related Codes, to arrange associated monitoring visits every 4 months, and to make the monitoring reports available to us.
 - A commitment that the Principal Contractor for both demolition and construction shall have Silver certification under the Fleet Operators Recognition Scheme (FORS).

The applicant is recommended to contact the Highway Authority (s278@brighton-hove.gov.uk assigned officer phone number will be provided in

e-mail response) at their earliest convenience to avoid any delay and prior to any works commencing on-site and on the adopted (public) highway.

2. SITE LOCATION

- 2.1. The application relates to buildings and land used by the Brighton & Hove Bus Company located on the western side of Goldstone Street, covering 4,100sqm on the corner of Conway Street. Three and four storey office buildings occupy the site, with mixed commercial buildings beyond. The Brighton & Hove Bus Company (a subsidiary of the Go-Ahead Group) is the main bus operator in the city. As well as the application site (known as the West Garage site), the bus operator uses the East Garage and land to the south of Conway St (which is used for bus parking), both of which do not form part of this current application.
- 2.2. The site is located within the Conway Street Industrial Area Strategic Allocation, which is located within the wider policy DA6 Hove Station Area of the Brighton & Hove City Plan Part One.
- 2.3. Conway Street was developed from the 1870s with a mix of light industry and residential use. Immediately to the west lies Jewson's builders' merchant's yard. Further to the west of the site is the locally listed heritage asset of 101 Conway Street. It is of two storeys with attic and located at the end of a terrace of dwellings. Immediately adjacent to the site to the north is the locally listed heritage asset the Fonthill Road Railway Bridge. The bridge is set in between the existing building on the application site, and the bus depot building on the east side of Goldstone Street. To the south of the site lies the industrial/storage use building Industrial House.

3. RELEVANT HISTORY

Land At Goldstone Street Hove

- 3.1. **BH2017/01176** Erection of a 3 storey office building (B1) with 2no disabled parking spaces, bin storage and roof terrace - Refused 22/09/2017

Unit 1-3 Ellen Street Hove

- 3.2. **BH2020/00917** Demolition of existing buildings & redevelopment to provide a mixed-use scheme comprising commercial floorspace (B1 use), flexible commercial & community floorspace (B1/D1/D2 use) & residential units (C3 use), together with associated car & cycle parking, plant, supporting facilities, amenity space, landscaping & infrastructure works - approved 01/10/2020

4. APPLICATION DESCRIPTION

- 4.1. Planning permission is sought for the demolition of the existing buildings and the erection of a new four storey bus garage building, including office and engineering floorspace, external bus parking provision and new boundary treatment.

- 4.2. The proposals include the following works:
- Complete demolition of the West Garage;
 - New four storey building (2,600sqm) providing 4 bay workshop with offices, driver's accommodation and bus storage occupying the first two floors. Remaining two floors above to be used as headquarters' office;
 - Use of the remainder of the site as open parking for buses (increased space for up to 67 buses, and employee parking during office hours);
- The site generally would be used for the day to day running of the bus fleet and maintenance of vehicles, while functions like refuelling and washing would remain part of the East Garage.
- 4.3. Following receipt of consultation comments, the applicant submitted amendments to the scheme as follows:
- Amended plan indicating a 'Buffer Zone' reserved for future development along the east boundary of the site;
 - Alterations to landscaping including wider planted boundary strips;
 - Amendment to roof parapet and external materials of building;
 - Internal layout alterations to facilitate re-arrangement of external main entrance and building fenestration.
- 4.4. The applicant also submitted further information in relation to contextual analysis, Sustainability Review, submission of a framework Travel Plan, and further transport details including on deliveries, capacity analysis and trip generation.

5. REPRESENTATIONS

- 5.1. Two (2) letters of representation have been received commenting on the application as follows:
- Concern of disruption during development with a shortage of parking facilities;
 - Concerns over any excessive dust and demolition pollution in the atmosphere as a result of the works;
 - Recommend for installation of the appropriate number of swift bricks/boxes in new development to provide biodiversity enhancements.
- 5.2. Hove Civic Society have commented on the application as follows:
- No objection in principle with the development of the site for the proposed uses;
 - Pleased to see the applicant's intention for this development to free up the applicant's two neighbouring sites for development;
 - 'Form' of the design for the combined office/engineering building is smart and interesting;
 - Concerns about the new building having an oppressive look, if the proposed choice of black aluminium materials is pursued;
 - It's important that the front boundary is well executed and its appearance is maintained to a high standard, reinforced as necessary in conditions.

6. CONSULTATIONS

External

6.1. **County Archaeology:** No objection

This application site is not located within a current Archaeological Notification Area.

6.2. **County Ecologist:** No objection.

Note development would not have a significant impact on priority habitats; site has negligible potential for bat roost, foraging or commuting; demolition of buildings should take place outside bird nesting season, or nesting bird check undertaken by qualified ecologist prior to demolition. Planting should use species that are native/of known wildlife value. Should include green/brown/chalkland green roof to increase biodiversity potential, and include swift box.

6.3. **Network Rail:** Comment

Due to the close proximity of the proposed demolition and construction of new bus four storey bus garage building to Network Rail's land and the operational railway, Network Rail requests the applicant / developer contacts Network Rail's Asset Protection and Optimisation (ASPRO) team.

6.4. **Scotia Gas Networks:** Comment

In the event that gas pipes are present within the site, there may be restrictions on the work being undertaken to ensure the safety of the site and the protection of the gas pipes.

6.5. **Southern Water:** No objection

Our investigations indicate that Southern Water can facilitate foul and surface water sewerage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer.

6.6. The proposed development would lie within a Source Protection Zone. The applicant will need to consult with the Environment Agency to ensure the protection of the public water supply source is maintained and inform Southern Water of the outcome of this consultation.

6.7. **Sussex Police:** No objection

Access control will be essential in maintaining security and authorised access into the yard and building, ensuring only those authorised to enter specific elements of the building have access. In order to provide a minimum level of security within the proposed development, it is recommended that the development conforms to the requirements within SBD Commercial Development document 2015.

- 6.8. The boundary fencing is interspersed with solid blockwork for community artist use. This will remove the amount of natural surveillance available further, so it will be important to maintain as much natural surveillance as is possible.
- 6.9. **UK Power Networks: Comment**
Should the excavation affect relevant Extra High Voltage equipment, the applicant should contact UK Power Networks to obtain a copy of the primary route drawings and associated cross sections.
- Internal
- 6.10. **Air Quality: No objection**
Beneficial if a higher proportion of parking bays can be electromotive ready. Slow rate EV chargers (<7kW) are not expensive to wire into new development parking areas, and electrical ducting connections will be required anyway.
- 6.11. Electric car and van sales are a higher proportion of the market than six years ago (SPD14). For health and wellbeing reasons, road traffic emissions need to be avoided in Air Quality Management Areas such as the nearby Sackville Road north of the railway.
- 6.12. Otherwise recommend approval on grounds of air quality.
- 6.13. **City Regeneration: No objection**
Employment and Skills supports this application as despite the redevelopment of the site resulting in a loss of 1510 sqm of employment space, it will maximise the use of the new floor space and the wider site and will create a fit-for-purpose work environment for current and future employees.
- 6.14. Hopefully, this development will generate employment opportunities for local residents in the new business administration centre and attract residents to consider the training and employment in the core business, as an award-winning public transport operation.
- 6.15. As this application meets the criteria to be subject to a S106 Agreement, there will be a requirement to submit employment and training strategies in respect of both the demolition and construction phases of the development. As the redevelopment of this site results in a nett loss of 1510 sqm there will not be requirement for a developer contribution to be paid, in this instance.
- 6.16. **Environmental Health: No objection**
With regards to any concerns regarding contaminated land, the information held on Environmental Protection records indicate that the land is relatively low risk with regards to any potential contamination from historic use. Along with this, the hardstanding of the development will sever any source pathway-receptor link. However, as a precautionary measure, it would be recommended that a Land Discovery Strategy is applied by condition.
- 6.17. **Heritage: Objection**
The new four storey building would be sufficiently distanced from 101 Conway Street, with intervening buildings and land, as to have little impact on the setting

of the 101 Conway Street. If the aluminium panels are to be a combination of black and grey as indicated that would nevertheless make appropriate reference to the flint facing of the locally listed heritage asset.

- 6.18. The most impressive view of the Railway Bridge is the view from the Goldstone Street approach looking north, from where it is suitably framed by the similar two storey red-brown brick bus depot buildings. The brickwork of these contrasts warmly with the buff brick of the Bridge and brings out the red brick string course.
- 6.19. The replacement of the western flank of this approach with a 2.5m high planted mesh fence would greatly unbalance and disrupt the visual coherence of the flanked approach, whilst the parked multi-coloured buses would be clearly visible above the fencing in these views. Overall therefore the proposed development would cause clear harm to the setting of the locally listed Railway Bridge. In accordance with paragraph 197 of the NPPF this harmful impact should be taken into account in determining the application
- 6.20. **Planning Policy:** No objection
- The Council is strongly committed to the provision of an integrated, safe and sustainable transport system (Policy CP9). Both the draft Neighbourhood Plan and Hove Station Area SPD recognise the bus company's desire to remain in this location, subject to exploring the potential to rationalise its use of the site(s) and/or incorporate other uses.
 - The SPD identifies the bus depot (particularly the East Garage site) as a potential 'gateway' to the area from Hove Station and therefore a key location for unlocking the regeneration potential of the area. The current application to some extent conflicts with these longer term aspirations, however the Masterplan/SPD acknowledges this and has established the principle that the West Garage site can be redeveloped by the bus company in the short term without necessarily compromising the longer term objectives for the East Garage site. Therefore, the current application is considered to be in broad conformity with the strategy and project timeline set out in the draft SPD.
 - Whilst the proposal is designed to meet the specific needs of the bus company, it would provide (or retain) on-site employment, support off-site employment and allow the bus company to modernise and potentially expand.
 - The proposed design of the new building would in general support Policy DA6 priorities for the Hove Station area, including improvements to the public realm and green infrastructure (DA6.A.2, DA6.A.3 and DA6.A.9) as well as overarching City Plan policies such as Policy CP12 and CP13.
- 6.21. **Sustainability:** No objection
This is an excellent outline, setting the direction for improving energy efficiency and biodiversity while creating modern offices and bus workshop
- 6.22. Heating - technologies such as infrared radiant heaters (for workshop) and heat pumps (for offices) should be explored to ensure the heating system is the most efficient possible.

- 6.23. Renewable energy - in particular solar panels should be considered for the roof to offset electricity use on site. External lighting should be low-energy.
- 6.24. The hardy planting proposed for the green wall is suitable for this location, use and constrained growing conditions. Advice should be sought about native climbing species which can provide a diverse range of shelter and food sources for wildlife. There should be a management plan in place for the green wall along the boundary to ensure the planting is watered appropriately, replaced when necessary, pruned, litter removed etc.
- 6.25. **Sustainable Drainage** No objection
Recommend for approval subject to conditions.
- 6.26. **Sustainable Transport:** No Objection
Initial comments:
The proposal does not address delivery and servicing and other kerb-side movements. No demand forecasts or related capacity analysis has been provided. No details have been provided on whether there will be an increase in the number of staff on the site. It is currently unclear from the submitted plans where the proposed cycle parking would be located. There is also currently an under provision of 38 spaces.
- 6.27. Currently unsuitable for determination due to a lack of information necessary to assess the potential impacts of the proposals in accordance with the requirements of NPPF paragraph 111. Further information required.
- Further comments following submission of further information:
- 6.28. No objection subject to the inclusion of the following condition/informatives and obligations to any permission granted.
- 6.29. **Urban Design Officer:** No objection
Initial comments:
The principle of retaining operational bus depot facilities, including open bus parking at this time, is in line with design guidance in the draft Hove Station Area Masterplan SPD.
- 6.30. Proposals seek to respond to design ambitions for comprehensive redevelopment and consolidation of the bus depot facilities as outlined within the draft SPD, and the submitted Planning Statement and Concept Masterplan Programme are indicative of this.
- 6.31. However, as currently proposed, the site configuration does not align with some of the more detailed elements of this guidance, including the generation of strategic active frontages and public realm enhancements on the eastern site boundary. As such, proposals somewhat inhibit future comprehensive redevelopment of the site.
- Further comments following submission of amendments/further information:

- 6.32. Proposals now respond positively to future ambitions by incorporating a "buffer zone" for strategic active frontage and public realm enhancements on the eastern site boundary as part of future comprehensive redevelopment of the site.

7. MATERIAL CONSIDERATIONS

- 7.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report
- 7.2. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990
- 7.3. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016)
 - Brighton & Hove Local Plan 2005 (retained policies March 2016);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
 - Shoreham Harbour JAAP (adopted October 2019).
- 7.4. Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

8. POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
SA6	Sustainable Neighbourhoods
DA6	Hove Station Area
CP2	Sustainable economic development
CP3	Employment land
CP7	Infrastructure and developer contributions
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP11	Flood risk
CP12	Urban design
CP13	Public streets and spaces
CP15	Heritage

Brighton and Hove Local Plan (retained policies March 2016):

TR4	Travel plans
TR7	Safe Development

TR14	Cycle access and parking
SU3	Water resources and their quality
SU5	Surface water and foul sewage disposal infrastructure
SU9	Pollution and nuisance control
SU10	Noise Nuisance
SU11	Polluted Land and Buildings
SU12	Hazardous Substances
QD5	Design - street frontages
QD15	Landscape design
QD16	Trees and hedgerows
QD18	Species protection
QD25	External lighting
QD27	Protection of amenity
EM4	New business and industrial uses on unidentified sites
HE6	Development within or affecting the setting of a Conservation Area
HE10	Buildings of local interest

Brighton & Hove City Plan Part Two

Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications. The weight given to the relevant CPP2 policies considered in determining this application is set out in the Considerations and Assessment section below where applicable.

DM11	New Business Floorspace
DM18	High Quality Design & Places
DM20	Protection of Amenity
DM22	Landscape Design and Trees
DM28	Locally Listed Heritage Assets
DM29	The Setting of Heritage Assets
DM33	Safe, Sustainable and Active Travel
DM35	Travel Plans and Transport Assessments
DM36	Parking and Servicing
DM37	Green infrastructure and nature conservation
DM40	Protection of the Environment and Health - Pollution and Nuisance
DM41	Polluted sites, hazardous substances & land stability
DM42	Protecting the Water Environment
DM43	Sustainable Urban Drainage
DM44	Energy Efficiency and Renewables
DM45	Community Energy
DM46	Heating and cooling network infrastructure

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD11	Nature Conservation & Development
SPD14	Parking Standards
SPD16	Sustainable Drainage
SPD17	Urban Design Framework

Hove Station Neighbourhood Plan (Regulation 16 publication version):

Policy 1 Creation of the Hove Station Quarter

Policy 4 Bus Depot

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the principle of the development, the impact of the proposed development upon the character and importance of nearby locally listed heritage assets and the wider area, impacts upon neighbouring amenity including noise/disturbance, sustainable drainage, air quality, sustainability, landscaping, ecology, and related traffic implications.

Policy Context

- 9.2. The site is located within the Conway Street Industrial Area Strategic Allocation which forms part of the Hove Station Area Development Area (Policy DA6). The application is therefore assessed against the overall strategy and priorities in DA6, along with the emerging Hove Station Neighbourhood Plan (at Regulation 16 public consultation) and the recently adopted Hove Station Area SPD.
- 9.3. The overall strategy for the DA6 area is stated as:
"to secure the long-term regeneration opportunities around the Hove Station area and enable its development as an attractive and sustainable mixed-use area focussed on employment. The aim is to secure the creation of a high-quality employment environment that will attract investment and new employment opportunities for the city and promote the efficient use of land through, predominantly employment and residential, mixed use developments."
- 9.4. The Strategic allocation in Policy DA6 for Conway Street Industrial Area is for the following:
"Comprehensive mixed-use redevelopment to deliver more effective use of the under-used land and buildings, requiring the retention / replacement of 12,000sqm employment floorspace with a shift into high quality flexible office / business (B1) floorspace, the provision of 200 residential units and enhancements to the streetscape."
- 9.5. The Council published the draft Hove Station Neighbourhood Plan for pre-submission (Regulation 16) consultation over the period from 20 May to 15 July 2021 to then be submitted for examination by an independent examiner, with the aim for the Plan to be formally 'made' in 2022, at which point it will form part of the statutory development plan for the Hove Station area.
- 9.6. Hove Station NP Policy 4 specifically relates to the Bus Depot site. It states that:
"Proposals for redevelopment and/or rationalisation of the current bus depot to provide or incorporate residential and employment uses will be supported as part of a comprehensive redevelopment of the area of DA6 South of the railway. Development of the site would need to take into consideration the need for an

improved linkage to Hove Station and would need to be essentially car free as set out in Policy 16. The Hove Station Area Master Plan / SPD will provide the means to ensure that the strategic operational and development needs of the bus company are provided for."

- 9.7. The Hove Station Area SPD was adopted on 16 September 2021, and supports the retention and improvement of the bus depot within the DA6 area. The current planning application equates to Phase 1 of the envisaged timeline involving the redevelopment of the western site to create new office space and demolition of the buildings on the eastern site to provide for open bus parking.

Principle of Development:

- 9.8. The proposal is to demolish existing buildings and redevelop the site to provide a new office/engineering building to the west, and to accommodate a new open bus parking area in the remainder of the site. The applicant has indicated in the submission that the proposal would replace existing, out-of-date office accommodation, and would improve the bus operations on site.
- 9.9. The draft Hove Station Neighbourhood Plan and the Hove Station Area SPD set out the need for a bus company to remain in operation in this location, with an understanding that the use of sites would need to be rationalised in order to support the long-term redevelopment of the area with a broader and more intensive mix of uses. The proposal would accord with the aims in Policy CP9 to provide an integrated, safe and sustainable transport system.
- 9.10. The submitted Planning Statement sets out a Concept Masterplan Programme which would potentially allow for the longer-term release of the East Garage site, subject to a programme of Council-led land assembly and redevelopment. It is acknowledged that the proposed development within this application does not achieve the longer-term aspirations for the regeneration of the Hove Station area. However, SPD18 notes that this site can be redeveloped in the short-term to provide upgraded facilities as it is not as critical as the eastern depot in unlocking regeneration of the wider area. The SPD states:
"...in order to accommodate the shorter-term operational needs of the bus company, it is probable that it will take some time to secure the necessary land deals that will provide for the bus company's longer term needs and release the eastern depot site.
- 9.11. Therefore, it is considered that the proposed development would not compromise the longer-term Masterplan objectives for the site, and would be in broad conformity with the strategy and project timeline set out in the SPD18.

Proposed Employment:

- 9.12. Policy DA6 of City Plan Part One seeks coordinated employment focussed mixed-use regeneration of under-used land and buildings that offers flexible employment space and high-quality design. It also encourages more efficient use of under-used sites whilst retaining/replacing employment floorspace.
- 9.13. Although there would be a net decrease in employment floorspace from the existing 4,110sqm to 2,660sqm, the site would be redeveloped to provide a

better, more modern facility which would increase the efficiency of the bus company operation. It would maintain on-site employment, increase office floorspace (from 1,014sqm to 2,026sqm), and would potentially support off-site employment (bus drivers) and future employment on the site and surrounding sites.

- 9.14. The Council City Regeneration Team support the application, noting that it would maximise the use of the wider site and would create a fit-for-purpose work environment for current and future employees.
- 9.15. There will be a requirement to submit employment and training strategies in respect of both the demolition and construction phases of the development. The Employment and Training Strategies set out how the developer will provide employment and training opportunities for local residents, with the developer committing to using an agreed minimum percentage of 20% local employment. Employment and Training Strategies will be secured through a s106 legal agreement.
- 9.16. Therefore, the proposal is considered to support the objectives for sustainable economic development set out in Policy CP2 as well as according with the employment priorities in Policy DA6.

Design and Appearance:

- 9.17. The National Planning Policy Framework attaches great importance to the design of the built environment and identifies good design as a key aspect of sustainable development. This is reflected in policy CP12 of the City Plan which seeks to raise the standard of architecture and design in the city.
- 9.18. The Council's Design objectives are covered in the City Plan and expect development to raise the standard of architecture and design in the city and establish a strong sense of place by respecting the diverse character and urban grain of the city's identified neighbourhoods. Development should achieve excellence in sustainable building design and construction. It should conserve or enhance the city's heritage assets and their settings. Development should protect or enhance strategic views into, out of and within the city. The design of the external spaces should be an integral element of the overall design approach, in a manner which provides a legible distinction between public and private realm.
- 9.19. Saved Policy QD15; City Plan Part One Policies CP12, CP14, and CP16 and emerging City Plan Part Two Policy DM18 and DM22 seek to deliver quality developments, raise the standard of architecture and design in the City and establishing a strong sense of place by respecting the diverse character and urban grain where landscape is an integral part of the design.
- 9.20. CPP1 Policy DA6 requires development to take into account impacts on townscape and strategic views, as well as ensuring improvements to the public realm and townscape, particularly in the Conway Street area. SPD17: Urban Design Framework, Section 1.2, encourages development to "*Build on a sound understanding of neighbourhood characteristics*". Section 7.1: Vision & Site

Strategy, asks applicants to submit a clear vision statement, contextual analysis, constraints and opportunities diagrams, and a diagrammatic site strategy to inform design development.

- 9.21. The proposals would result in the demolition of the existing buildings, and the erection of a new four storey building with a frontage onto Conway Street. The building would be of contemporary appearance. The rest of the site would provide open parking with perimeter fencing and landscaping around the boundary of the rest of the site. The applicant has set out in the submission that the Hove Station Area Masterplan SPD, as well as the policies outlined above, have informed the design strategy of the proposal.
- 9.22. The application represents the first stage in the process of unlocking the wider potential of the site and facilitating future ambitions. It is considered that the principle of retaining and consolidating the operational bus depot facilities on the site, including open bus parking in the short/mid-term, is in accordance with the design guidance established within the Hove Station Area Masterplan SPD. However, it is also considered that a temporary planning permission for a ten-year period is appropriate to ensure that after that time, the site forms part of the redevelopment of the wider area.

Impact on Heritage Assets:

- 9.23. Policy DM29 (which now carries significant weight) of City Plan Part 2 Proposed Submission states that development within the setting of a heritage asset will be permitted where its impact would not harm the contribution that setting makes to the asset's significance, by virtue of the development's siting, footprint, density, scale, massing, design, materials, landscaping or use. Saved Policy HE10 states that whilst not enjoying the full protection of statutory listing, the design and the materials used in proposals affecting these buildings should be of a high standard compatible with the character of the building.
- 9.24. To the west of the site is the locally listed heritage asset of 101 Conway Street, built as part of the Brighton and Hove Laundry Company in 1886. It is of two storeys with attic, incorporating densely packed field flint elevations with stone dressings. The Heritage Team have noted the end of terrace dwelling as a particularly unusual late Victorian building, demonstrating well-executed use of local materials, with stone for the dressings that is unusual in this area, and contributes greatly to the street scene. The Heritage Team states that the proposed development would have little impact on the setting of this building, as the proposed four storey building would be of sufficient distance away, and the proposed materials would respect the historic locality in this regard.
- 9.25. Immediately adjacent to the site to the north is the locally listed heritage asset the Fonthill Road railway Bridge. The railway line was completed in May 1840, and therefore the bridge likely dates to this time. It is built in buff brick, with a low, segmental-arched opening and projecting piers to either side. The Heritage Team have highlighted the bridge as a good example of a regional approach to railway bridge design, incorporating local materials, and contributing greatly to the street scene. This is especially the case with the view from Goldstone Street

looking north, where the bridge is framed by the similar two storey red-brown brick bus depot buildings either side.

- 9.26. Paragraph 197 of the NPPF states that *"in weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset"*.
- 9.27. The Heritage Team raise concern regarding the replacement of the building with fencing, by way of unbalancing the visual coherence of the flanked approach, and therefore harming the setting of the locally listed Railway Bridge. It is acknowledged that the proposals would result in some harm to the heritage asset by way of a change in the character of the site. However, it is considered that in this instance, the public benefits of the development would outweigh these concerns. The proposed site layout indicates a buffer zone area that would enable a frontage building in this location once the site is further development in line with the long-term regeneration plan for the site and the wider Hove Station Masterplan site. Furthermore, a condition would restrict the use of the open bus parking area use for a temporary period of 10 years.
- 9.28. On balance, it is considered that the proposed development would not result in significant harm to neighbouring heritage assets in accordance with Policy DM29 of City Plan Part 2 Proposed Submission, and Saved Policy HE10 of the Brighton and Hove Local Plan.

Form/Scale/Massing:

- 9.29. The submitted Design & Access Statement sets out aspects of the proposed development design. The addendum to this document submitted during the course of the application includes photographic survey analysis of the existing buildings in the surrounding area. This concludes that there is little architectural merit in the vicinity that would inform design proposals. The proposed new building would have a modern contemporary design.
- 9.30. The proposed four storey scale of the building is considered to be appropriate and in line with height ranges in the locality, including the adjacent terraced housing on Conway Street. The proposed flat roof does not directly relate to this terraced housing, however it does respond to the prevailing character of other buildings nearby, and the flat roof would provide biodiversity/sustainability opportunities.

Appearance, Detailing and Materials:

- 9.31. Urban Design Framework Section 1.3 (Composition of Street Scene) identifies a number of design priorities including "Reference existing building lines, height, rhythm and proportions of frontages, windows and doors". Section 3.5 (Materials and Maintenance) seeks that development should "Select materials, detailing and finishes that reference the local context to help create a sense of place".
- 9.32. During the course of the application, amendments were made to the internal layout of the building to facilitate alterations to the main entrance on the southern

elevation in order to generate more active frontage facing the street. This was a welcomed improvement to the scheme.

- 9.33. The proposed cladding system is considered appropriate in principle, and the Urban Design Officer has highlighted the successful large areas of glazing on the south elevation, which would expose the activity within the offices. The ground floor would have a greater height than the upper levels and a contrasting brick finish which is also considered acceptable. Further details of material types, compositions and colour, as well as opportunities for green/planted walls, would be secured by condition.
- 9.34. There may be some visual impact caused by the open bus parking when viewed from upper storeys of future surrounding development (including the committed residential development at 1-3 Ellen St currently under construction). The Planning Statement argues that providing a forecourt roof would serve no reasonable purpose and would not allow for a maximised parking layout, but also states that once residential development overlooking the forecourt is completed, a roof will be erected to shield views if required. Furthermore, the current proposed plans accommodate a 9x18m structural grid 'Buffer Zone' against the east site boundary to accommodate ground level frontage as part of future comprehensive development of the site.
- 9.35. The future ambition to "roof or develop over the parking area" is welcomed, however is not proposed in this application. The proposed planted fencing is not an active frontage and is considered sufficient as a temporary measure only. As referred above, a condition would restrict the use of the open bus parking area use for a temporary period of 10 years. The lack of an 'active frontage' is considered acceptable for a temporary period.

Landscaping/Biodiversity:

- 9.36. The proposed development would incorporate greened fencing which would integrate it into the surrounding public realm at least at ground floor/pavement level. These elements would support the Policy DA6 priorities for the Hove Station area, including improvements to the public realm and green infrastructure. To ensure an inviting requirement, details of external lighting design to be incorporated into the proposed boundary treatment are required by condition.
- 9.37. The site is constrained in space for public realm improvements, and in order to improve the proposals, the applicant has amended the planted perimeter by incorporating a 500mm wide planting strip in the ground for the full length of frontage. Full details of the landscaping scheme are required by condition.
- 9.38. The site offers opportunities for enhancement to provide biodiversity net gain. Green fencing is proposed along the southern boundary. The Urban Design officer has highlighted that the ambition for urban greening and biodiversity gains is commendable.
- 9.39. The submitted 'Preliminary Roost Assessment for Bats' report recommends installation of green roofs to be considered during the final design stages for the

new buildings. However, this does not appear to be formalised with the proposed plans. The proposed roof plan does show the location for solar panels, and so green roofs could in this instance also benefit the increase in the efficiency of PV panels, as well as reducing run-off and to reduce the urban heat island effect.

- 9.40. The submission recommends the provision of bird boxes for house sparrows. Given the nature and location of the proposed development, it would also be recommended that swift boxes are provided. The County Ecologist has no objection to the proposals and recommends a condition for an Ecological Design Strategy to ensure a net gain for biodiversity, incorporating the above specifications.
- 9.41. The Council has adopted the practice of securing minor design alterations to schemes with the aim of encouraging the biodiversity of a site, particularly with regards to protected species such as bees. A condition requiring a bee brick has been attached to improve ecology outcomes on the site in accordance with the Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

Impact on Amenity:

- 9.42. The potential amenity impacts from the operation of the proposed redeveloped bus depot have been assessed, including in terms of noise/disturbance, giving consideration to saved Policies QD27 and SU10, and emerging CPP2 Policies DM20 and DM40 (both of which now carry more weight than the Local Plan policies).
- 9.43. The nearest residential properties are the terraced housing to the west on Conway Street, separated from the site with Jewson's builder's merchant's yard in between. Planning permission has been granted at nearby 1-3 Ellen Street to the south-east of the site for residential development which is currently under construction. There are also sites to the south along Conway Street that have been identified for future mixed-used development.
- 9.44. As per the existing use, the proposed redevelopment of the site would generate a certain amount of noise from the usual comings and goings of buses. The proposed commercial use has the potential to cause disturbance through employee movement, deliveries and services, and plant and machinery (as per the existing premises). There may also be some additional noise from vehicular movements within the proposed open bus parking. The emergence and continued replacement of the bus fleet with electric and hybrid buses with low level sounds is noted. No refuelling to be undertaken on site as this is undertaken at the East Garage. It is therefore not considered that the scheme would result in a significant increase in noise over the existing use. Nevertheless, a Noise Management Plan for the activities on site will be secured by condition to protect the amenities of neighbours. Furthermore, a condition would restrict the use of the open bus parking area use for a temporary period of 10 years. This would enable further consideration of the impact of noise and disturbance on future neighbouring residential development.

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- 9.45. Given the nature of the adjoining sites and the distance from residential properties, the proposed height, bulk, and massing of the development is unlikely to cause any significant impact on residential amenity in terms of overshadowing, loss of light, heightened overlooking, or loss of privacy. The proposed use of external lighting is not expected to cause significant harm, and details of levels of illuminance, hours of use and siting will be required by condition. The noise from the proposed new plant and machinery will be restricted by condition.
- 9.46. Subject to the application of appropriate conditions, overall, it is considered that the proposed development would not cause significant harm to neighbouring amenity, in line with Local Plan Policies SU10 and QD27 and emerging City Plan Part 2 Policies DM20 and DM40 (which can be given significant weight).

Sustainable Transport:

- 9.47. National and local planning policies seek to promote sustainable modes of transport and to ensure highway safety. In accordance with paragraph 109 of the National Planning Policy Framework, development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The NPPF states that the use of sustainable modes of transport should be pursued (paragraph 102). Policy CP9 c) of the Brighton and Hove City Plan Part One is relevant as are Local Plan policies TR4 (Travel Plans), TR7 (Safe Development), TR14 (Cycle 75 Access and Parking) and TR18 (Parking for people with a mobility related disability).
- 9.48. Policy DA6 priorities include the aspirations to enhance the sustainable transport interchange at Hove Station by improving the walking and cycling network in the wider area and improving permeability within the area.
- 9.49. A Transport Assessment (TA) has been submitted in support of this application. The Local Highway Authority initially raised concerns relating to a lack of information regarding delivery and service arrangements, trip generation relating to staff numbers, and cycle parking. The applicant has positively responded to the highway issues raised.
- 9.50. The principle of improving bus depot facilities would strengthen sustainable transport systems. Overall, subject to appropriate conditions and s106 requirements, the scheme is considered acceptable in transport terms. The details transport considerations are set out below.

Access:

- 9.51. There are currently three existing access points on Conway Street, with only and be extended. The changes to the highway would be secured via a s278 agreement. Pedestrian access would remain via Conway Street as existing. For employees, public transport is accessible via nearby bus stops on Ellen Street and Goldstone Villas, and members of staff benefit from free bus pass, discounted rail tickets, and staff bus. Bin collection is on-street via Conway Street as existing.

- 9.52. Details of delivery and servicing were requested during the application. The office use is to be serviced as existing, from Conway Street. The proposed workshop areas would be serviced from within the site, and the submitted swept path drawings in the Transport Assessment show the vehicles can enter and egress the site in a forward motion. The number of vehicle trips associated for delivery and servicing arrangements are expected to be the same as existing, and are therefore considered acceptable. However, the access arrangements would be altered so it is considered appropriate to require the submission and approval of a Delivery and Service Management Plan by condition.

Cycle Parking:

- 9.53. The site is well located for staff to cycle to and from. The applicant proposes an area for cycle parking by the retained Conway Street entrance to the site. Initially, 30 cycle spaces were proposed, and the proposed plan has been revised to expand the cycle parking area. The cycle parking would consist of Sheffield stands and two-tier stands to minimise the loss of space for bus parking. The Highway Authority agree for the exact provision of cycle parking to be confirmed with full details provided by condition. The proposed plans now also show provision of unisex toilets and showers.

Vehicle Parking:

- 9.54. 'Saved' Policies TR4, TR7 and TR18 and CPP1 Policy CP9 (as well as City Plan Part 2 policies DM33, DM34 and DM36, which hold significant weight) seek to ensure that developments provide sufficient on-site parking. There are, however, situations where requirements for on-site provision of parking, for example, can be reduced, particularly if the site is in a sustainable location and within walking distance of public transport.
- 9.55. Three disabled spaces are proposed close to the office entrance, and would be secured by condition. The site is in an accessible location and there are existing on-street that would limit overspill parking opportunity.
- 9.56. The proposals would provide 59 parking bays for buses (49 in the hardstanding area, 6 on the circulation route, and 4 within the workshop), which would be an additional 6 bus spaces from existing.
- 9.57. Details of the 6 active provision electric car charging bays (and 6 with passive provision) are indicated on the site layout plan and would be secured by condition.

Trip Generation:

- 9.58. The proposal would result in an additional 1586m² of office space and an additional 26 bus spaces on site. The applicant has confirmed that there would not be an increase in staff numbers, and the same number of buses (61) would continue to operate in and out of the site. The scheme is not therefore expected to result in an increase in trip generation or impact on highway capacity. Further, the continued provision of bus services would contribute towards more sustainable transport across the city.

- 9.59. A framework Travel Plan has been submitted. A full Travel Plan would be secured by s106 to establish objectives, targets, actions and measures/incentives to reduce single occupancy trips to and from the site by motor vehicles and reduce trips by delivery and servicing vehicles. A DEMP/CEMP would be secured by condition to confirm where staff and buses would be located whilst development is under construction.

Sustainability:

- 9.60. City Plan Policy CP8 requires that all developments incorporate sustainable design features to avoid expansion of the City's ecological footprint, radical reductions in greenhouse gas emissions and mitigate against and adapt to climate change. The policy specifies the residential energy and water efficiency standards required to be met, namely energy efficiency standards of 19% reduction in carbon emissions over Part L Building Regulations requirements 2013 and water efficiency standards of 110 litres per day and conditions are proposed to secure these standards. SPD17 Urban Design Framework Section 3.1 (Resource Performance and Use) outlines a number of design principles to achieve the requirements of Policy CP8.
- 9.61. The application supporting documents set out the proposed sustainability and energy strategy for the proposed development. The design of the proposed building has considered insulation, glazing and reduced air permeability. The materials would include those from locally sourced suppliers, and windows frames would have high recycled content. Air conditioning units in the offices would provide heating and cooling, and heaters and hot air curtains for the workshop. The building incorporates a solar PV array on its roof. The proposed Green Wall would consist of mesh fencing along Conway St boundary wall with hardy green planting such as ivy and pyracanthus growing up it. Overall, the Suitability Officer has highlighted good energy efficiency and biodiversity proposals, subject to further information on some matters. The application addresses building fabric, heating and ventilation, energy supply including onsite renewables, and water efficiency. It is considered that the proposal would contribute towards wider carbon reduction targets across the city.
- 9.62. The development will target BREEAM 'Excellent' rating. A condition is proposed to secure this, as well as further details of external lighting, carbon emissions, PV panels, green wall management plan, and connection to a future district heating system.

Other Considerations:

Air Quality:

- 9.63. Policy SU9 of the Local Plan relates to pollution and nuisance control. The site is not within an Air Quality Management Area (AQMA). Any extra vehicle movements resulting from the development would not be significant and would be unlikely to create a significant impact on air quality in the vicinity. The applicant has submitted information on the low-emissions bus fleet, including a high number of ultra-low emission "Euro 6" buses. Policy DM40 acknowledges the introduction of lower-emission buses within the city. Overall, it is considered that no significant adverse air quality impact would occur as a result of the proposed development.

Flood Risk:

- 9.64. Policy CP11 in the City Plan Part One sets out that the council will seek to manage and reduce flood risk and any potential adverse effects on people or property in Brighton & Hove, in accordance with the findings of the Strategic Flood Risk Assessment (SFRA). Policies SU3, SU5 and SU11 in the Local Plan relate to water resources and their quality, surface water and foul sewage disposal infrastructure and polluted land and buildings.
- 9.65. The site is within Flood Zone 1 which has the lowest risk fluvial risk of flooding. The application includes the submission of a Flood Risk Assessment and Sustainable Urban Drainage report. The report sets out that the site is at low risk from surface water flooding and concludes that the proposed development is appropriate for the flood risk.
- 9.66. The Council Flood Risk Team have recommended further details to be submitted by condition.

Ecology:

- 9.67. Policy CP10 of Brighton & Hove City Council's City Plan Part One states that all development proposals should conserve biodiversity, protecting it from the negative indirect effects of development; provide net gains for biodiversity wherever possible, taking account of the wider ecological context of the development and of local Biosphere objectives; and contribute positively to ecosystem services, by minimising any negative impacts and seeking to improve the delivery of ecosystem services by a development.
- 9.68. The proposed development site is not designated for its nature conservation. The site currently comprises buildings and hardstanding within an urban environment, and is of limited biodiversity interest. The County Ecologist advises ecological harm and impact upon protected species is unlikely on the existing site. If protected species are encountered during development, there are separate protections under the Wildlife and Countryside Act 1981.
- 9.69. The biodiversity considerations are set out above. In line with recommendations from the County Ecologist, it is recommended that Ecological Design Strategy be secured by planning condition.

Land Contamination:

- 9.70. The site was previously occupied by part of a residential terrace and has since remained mostly unbuilt for the use of parking vehicles. The Council Environmental Health Team have stated that records indicate that the land is relatively low risk with regards to any potential contamination from historic use. As a precautionary measure a Land Discovery Strategy would be required by condition.

Waste Management:

- 9.71. Policy WMP3d of the Waste and Minerals Plan requires development proposals to minimise and manage waste produced during construction demolition and

excavation. A Site Waste Management Plan (SWMP) is required by condition to demonstrate compliance with Policy WMP3d.

- 9.72. Policy WMP3e of the WMP requires proposals for new development to identify the location and provision of facilities intended to allow for the efficient management of waste, e.g. location of bin stores and recycling facilities. The location and provision of facilities intended to allow for the efficient management of bin stores and recycling facilities has been outlined on the plans, and full details are required by condition.

Conclusion

- 9.73. Paragraph 11 of the NPPF makes it clear that planning application decisions should apply a presumption in favour of sustainable development. Furthermore, it sets out that where relevant development policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 9.74. The site is located within a sustainable location, close to Hove Station. The proposed development would support objectives for sustainable economic development and is compatible with employment priorities for the Hove Station area. Redeveloping the site would enable the City's bus company to modernise and increase efficiency, which would support the council's aims to provide an integrated, safe and sustainable transport system. The bus company proposals for redevelopment would support on-site employment through the servicing of buses and with provision of office floorspace, as well as supporting off-site employment such as bus drivers.
- 9.75. The proposed design of the new building would in general support priorities for the Hove Station area, including improvements to the public realm and green infrastructure. The use of open bus parking, for a temporary period, would not result in significant impact on nearby heritage assets, visual amenity, or neighbouring amenity.
- 9.76. Other factors including impacts relating to neighbour amenity impact, ecology, sustainability, landscaping, flood risk, land contamination, and air quality have been assessed and have been considered acceptable.
- 9.77. Overall, whilst the proposed scheme would not achieve the long-term ambitions of the draft Masterplan SPD18 regarding active frontage to the east site boundary, it is considered that the scheme would meet short term operational requirements which is acknowledged in SPD18, and would therefore be in broad conformity with the strategy and project timeline set. Overall, the scheme is considered acceptable and it is recommended for approval subject to the conditions and s106 requirements set out in this report.

10. EQUALITIES

- 10.1. Three disabled bays are proposed which is in accordance with SPD14 and Policy TR18.

11. CLIMATE CHANGE / BIODIVERSITY

- 11.1. The site is sustainably located, and all employees have access to free public transport. The proposal does provide an appropriate number of and location for the cycle parking spaces
- 11.2. The application states that Brighton And Hove Buses intends to replace fleet of buses with use of Hydrogen Fuel Cell Electric Buses, as part of commitment to zero carbon emissions by 2030.
- 11.3. The project will target BREEAM excellent. The submission addresses building fabric, heating and ventilation, energy supply including onsite renewables, and water efficiency The applicant's design approach is for an "all-electric" solution and as such there is no gas supply to the site.
- 11.4. An ecology assessment has been submitted in respect of the development, and details opportunity for improvements to biodiversity through the proposed planting.

12. S106 AGREEMENT

- 12.1. In the event that the draft S106 agreement has not been signed by all parties by the date set out above, the application shall be refused for the following reasons:
 - 1. The proposed development fails to provide an Employment and Training Strategy specifying how the developer or their main contractors will provide opportunities for local people to gain employment or training on the construction phase of the proposed development contrary to policy CP7 of the Brighton & Hove City Plan Part One and the City Council's Developer Contributions Technical Guidance.
 - 2. The proposed development fails to provide required highway works on Conway Street and Fonthill Road to comply with policies TR7 of the Brighton & Hove Local Plan and CP9 of the Brighton & Hove City Plan Part One.