

## ADDENDUM REPORT

<b>Application Number:</b>	<b>AWDM/2039/22</b>	<b>Recommendation - Approve subject to a s.106 Agreement, the receipt of additional information and outstanding consultee responses.</b>
<b>Site:</b>	<b>69 - 75 Brighton Road, Shoreham-By-Sea, West Sussex</b>	
<b>Proposal:</b>	<b>Demolition of existing buildings, construction of 176no. one and two bedroom residential apartments and commercial development over 4 blocks between 5 and 9 levels, basement parking and raised deck, new highway access, flood defences, drainage infrastructure, landscaping and ancillary development. (Including changes in heights and reduction from previously proposed 183no. apartments to 176no.).</b>	
<b>Applicant:</b>	<b>Shoreham Brighton Road Ltd</b>	<b>Ward: St Mary's</b>
<b>Agent:</b>	<b>Waller Planning</b>	
<b>Case Officer:</b>	<b>Stephen Cantwell</b>	

### Updated Information

The applicant has made the following comments in relation to the policies on building heights as set out in the Committee report:

*“At the previous committee meeting there were numerous comments from Members suggesting that the JAAP only allows for development of 5 storeys on this site, and that references to the possibility of taller buildings being acceptable were limited to sites WH3, WH4 and WH5, which are in the centre of the Western Harbour Arm. These sites are mentioned in paragraph 4.7.761 of the JAAP, in the context that development within them may interfere with views of the South Downs, and this is why their height needs to be considered carefully.*

*This limitation doesn't apply to this site (WH7), and nor would there be any harm to the setting of St Mary de Haura Church (the other point on which the JAAP and Tall Buildings Study suggest height should be limited (as is already confirmed within the committee report). That means that development on this site isn't specifically limited in scale by the policy, subject to the allowance for 5 storeys on the road and*

*river frontages, and then stepping up into the site. Policy CA7, part 8, allows for this on deeper sites.”*

Regarding the heating strategy, the applicant has made the following comments (summarised by Officers):

The proposed heat strategy is considered favourable as it would be easier to install and maintain. There would also be carbon savings through less steel required in the roof to house compounds. There would also be less infrastructure required than for a connection to the District Heating Network. At present there is no certainty as to when a District Heating Network would be provided, so it would be unreasonable to impose such a requirement notwithstanding it being set out in planning policy, particularly as technology has since advanced. Any retrofitting of a District Heating system would be cost ineffective, the possible costs would be £12 - £15,000 per unit.

Other comments raised by the applicant include the following:

- The applicant wishes to increase its offer to 6 car club spaces, to increase to 8 subject to demand.
- The applicant will also increase the number of EV spaces to 41% with passive provision made for all other spaces to be upgraded in the future.
- The amount of cycle parking is 411, not 359 as set out in the report. This exceeds the minimum County standards.
- The parking ratio for Free Wharf will be reduced to 0.65 spaces per apartment following the grant of permission for an additional 47 apartments on this site.
- An updated Daylight and Sunlight Assessment is being produced and should be available in advance of the committee.
- The applicant has notified the Council that it has now appealed against the previous refusal.

The applicant also notes that the Committee report is not based on the most up to date images provided of the proposed development and has requested that these are made available prior to the Committee meeting. The key images are appended.

### **Correction**

Parking (pg 53), should read as follows:

**In the amended proposal** the number of car parking spaces is 79 compared with 81 previously. This change and the reduced number of dwellings increases the car parking ratio slightly to 0.449/dwelling (0.44 previously). These spaces are all in the basement and include 12 wheelchair user spaces, located close to lifts.

The HSE provided a consultation response dated 14th February 2023 primarily setting out concern about the access arrangements to the basement. Officers are awaiting comment on the amended plans which have sought to address the comments by providing separate staircases and lifts going to the basement

adjacent to Blocks 2, 3 and 4, which are separate from the stairs and lifts which serve the buildings' upper floors. The agent also points out that this would benefit the public wanting to access car club spaces.

## **Consultee Responses**

**WSSC Highways** (additional comment relating to S106 contribution request from Network Rail)

No objection in principle to the contribution requested by Network Rail (of £8k towards improvements to Shoreham Railway Station) being made through part of the financial contribution in the S106, subject to adequate details being provided; but they will endeavour to work with Network Rail to find alternative funding for the station improvements in advance of this development coming forward.

## **Environmental Health - Air Quality**

*Further to my previous email of 14 September 2022, I make the following comments in relation to the revised Air Quality Impact Assessment dated 21 September 2022.*

*Section 5.3 Industrial Emissions states "there are no sites within close proximity of the development site that could be affecting air pollutant levels." This is technically incorrect, there is a Part B installation (petrol station) approximately 300m to the east. This has been addressed in the revised report.*

*The difference between baseline concentrations and predicted future concentrations have now been supplied for NO2, but not consistently for PM.*

*Of importance here are several factors.*

- 1) The effect of creating a street canyon as a result of this development and that proposed for the Civic Centre opposite;*
- 2) The cumulative impacts*
- 3) The new Environment Act 2021 targets for PM2.5.*

*Taking the street canyon first, the report concludes that " although the proposed redevelopment of the Civic Centre site would be predicted to lead to an increase in pollutant concentrations owing to the street canyon effect, that pollutant concentrations at the proposed development would still be expected to be below the National Air Quality Objectives."*

*It is correct that the predicted figures for NO2 and PM10 are below the current national objectives. The increases for NO2 are considered 'negligible' and 'moderate' using the IAQM planning guidance (table copied below). It can however be argued that the result of creating a street canyon is to increase levels of NO2 by up to 25%. Even though these are below the national objectives this is at a time when we are trying to reduce levels of NO2 in the AQMA and thus this is unwelcome.*

Long term average Concentration at receptor in assessment year	% Change in concentration relative to Air Quality Assessment Level (AQAL)			
	1	2-5	6-10	>10
75% or less of AQAL	Negligible	Negligible	Slight	Moderate
76-94% of AQAL	Negligible	Slight	Moderate	Moderate
95-102% of AQAL	Slight	Moderate	Moderate	Substantial
103-109% of AQAL	Moderate	Moderate	Substantial	Substantial
110% or more of AQAL	Moderate	Substantial	Substantial	Substantial

*Impacts off site appear to be limited and 'negligible'.*

*The point of a cumulative impact assessment is to ensure any new development does not contribute to a “creeping baseline”. Many individual schemes may be deemed insignificant in themselves, however, when viewed together can result in reduced air quality over time.*

*Section 7.2 of the report concludes "The results show that the percentage change in concentrations relative to [the objectives] is high enough at some properties to give rise to impacts that can be described as on the borderline between “Negligible” and “Slight adverse” at 28 New Road, 46 New Road and 68 New Road (within rounding error); and “Slight adverse” at the ground floor of 63A New Road."*

*The report goes on to state that "the traffic generated by the proposed development makes up only ~2.5% of the total traffic generated by all cumulative development".*

*In this case the predicted levels of NO<sub>2</sub> off site are still approx 50% of the national objective and as such the impacts can be considered to be minimal, although again anything increasing levels is unwelcome.*

*Since this assessment was produced the government has announced new 'targets' for levels of PM<sub>2.5</sub> under the Environment Act 2021. This states " The annual mean concentration target is that by the end of 31st December 2040 the annual mean level of PM<sub>2.5</sub> in ambient air must be equal to or less than 10 µg/m<sup>3</sup> (“the target level”).". This development states it will increase levels of PM<sub>2.5</sub> up to 13.5ug/m<sup>3</sup> on site and 12.1ug/m<sup>3</sup> off site (12.5ug/m<sup>3</sup> cumulative impact). It is appreciated that the target relates to 2040.*

*Overall the development will have a negative effect on air quality, particularly when other developments are taken into account. Levels of NO<sub>2</sub> and PM<sub>10</sub> are below the national objectives, however the levels of PM<sub>2.5</sub> are above the new target (for 2040). The NPPF states that: “Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan” . Our local air quality*

action plan is in [draft form](#) and consultation recently closed, however we are still reviewing the comments so the final plan is not ready.

*The damage cost calculated still appears rather low for a development of this size. In terms of proposed mitigation I welcome the commitment to car clubs, especially working with other developments nearby. This should be incorporated into a condition if permission is granted. The planting of trees should be carefully considered and vegetation (including trees) should be selected to those that have been proven to reduce/mitigate air pollution.*

*The proposed construction phase mitigation should be required by condition, perhaps as part of a CEM'*

### **Representations:**

Cllr Julia Watts: Queried whether there is an updated sunlight and daylight report in view of the June 2022 guidelines on this site as well as the changes to the scheme.

**Officer comment** - an updated daylight and sunlight report is to be provided in advance of the meeting, however, the applicant has advised that the conclusions are unlikely to change in relation to the impact on neighbouring properties.

Two additional letters of objection from members of the public have been received raising the following points:

- Design - the development is cramped and the density is excessive for the space in question. Concern about the cumulative impact of development in the area surrounding the site.
- Concern about lack of affordable housing, and that the type of housing being provided will not meet local needs.
- Highways - Insufficient parking spaces and community facilities, including play space - people will still seek to own cars and public transport is insufficient.
- Infrastructure provision. Concern about impact on provision for school school places and other social infrastructure, including access to health care. Concern about capacity of the drainage system to serve the development.
- Concern that there is no benefit to the community, arising from the proposed development.

### **Recommendation**

As per the Agenda, however, negotiations on the detailed wording of the conditions are ongoing and Members will be updated at the meeting.



# Revised Design

Previous application (AWDM/1473/21)



Current application (AWDM/2039/22) - With ASHP Removed





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