

June 2021

Introduction

Beachbox Developments Ltd (BDL) are proposing to redevelop the dilapidated toilet block on beach green with a new modern facility which re-provides the toilet facilities, external showers and water supplies, a community space and a beachfront café/restaurant.

The design concept was developed in response to the Emerging Neighborhood Plan Planning brief for Beach Green, available at

<https://docs.google.com/document/d/1ttygYPbcgg4j8UBw7oC3IW0Z1iKTjINIBUYxD11bCU/edit#>

After signing a lease agreement with Adur District Council in March 2019 and undertaking extensive consultation through the summer of 2019, BDL secured planning consent (**AWDM/1135/19**) for the development on 19th November 2019, with the intention to build the scheme over the winter of 2021 and open spring 2022.

However due to the Covid-19 pandemic, BDL had to temporarily pause development plans, delaying any further progression of the site over the course of 2020 and the early part of 2021.

As lockdown restrictions are scheduled to come to an end in July 21, BDL are recommencing work on the development. These will include submitting a provisional statement for licensing activities application, starting marketing the unit and selecting a contractor for the project.

BDL recognize the significant community interest in the development and therefore ahead of any further work on the project BDL invited all members of the Shoreham Beach community to an event to find out more about the next steps for the development and provide an opportunity to ask any questions they have about the scheme.

Over 500 households in the Shoreham Beach area were issued with a letter inviting them to attend the event and notices about the event were placed on the SBRA facebook page and in the Worthing Herald. With the additional support from local resident groups the letter's contents reached an estimated 17,000-20,000 locals and interested parties from throughout the region. In total 68 people registered for the two sessions and 11 people also submitted questions in advance.

Questions & Answers

Over 40 questions were asked, both in advance of the meeting and during the session. A number of queries addressed the same issues, so where questions are similar we have collated and addressed the issue as one.

BDL welcome all feedback from the local community so if you don't feel that your query or question has been answered please get in contact with the team at info@shorehambeachbox.co.uk

Question topics

- 1) Who will the operator be and how will you be managing their impact on the beach takeaways (plastic/paper/recyclables/carbon neutral approach to operations/dog access)?
- 2) What will be the hours, and proposed operations of the development. Will it include provision for live music?
- 3) What is the purpose of the provisional statement application, how does it differ from a normal licensing application and how can we comment on it?
- 4) How will you prevent noise nuisance from the site?
- 5) How will you manage parking demand and support sustainable transport to the site?
- 6) Would you clarify design concept, why the building is the proposed size and materials - why can't you propose flint walls/pointed roof?
- 7) Where will rubbish & recycling be stored and secured – and the strategy for litter management onsite and around the premises?
- 8) What is the external lighting strategy; will it be sensitive to local residents
- 9) What is planned use of community space and community events and what is its capacity?
- 10) When will you submit details of extraction and odour control plans?
- 11) What are the facilities for Beach Hut users and beach visitors? Where will external seating be situated ?
- 12) When will you submit the Construction Management Plan and will it include cycle park provisions, drainage system plan, ecology plan, landscaping plan, ongoing provision of public toilets water & showers, water point, management , accessible DDA and hours of operation
- 13) What is the proposed development timetable
- 14) What say will the local community have in choosing the tenant? Will the tenant be a McDonalds or Burger King?
- 15) Will you commit to removing the license of the operator if the local council don't commence enforcement action in the event of noise nuisance?
- 16) What happens if interests in the company change/Boxpark undergoes a change of ownership
- 17) What happens if tenant fails /loses license or BDL does not develop this site?
- 18) How is the proposed BeachBox development different from Rockwater at Hove?
- 19) Why are you undertaking this project in this economic climate?

Answers

The choice of tenant and their responsibilities

We absolutely understand that getting the right operator is a primary concern. We have appointed local agents Oakleys and national agents CWM to find the best possible operator for the site. However, we need to wait for the application for a provisional statement for a licensed premises to be determined before we can market and agree terms with any potential operator.

Boxpark will not operate this site and where never intended to operate this site. Our intention is to attract a high quality restaurant operator. We have already had interest from some excellent local operators including Perch and Ginger & Dobbs, and specialist beachfront cafe/restaurant operators from some of the UK's most successful coastal locations. We have consulted extensively with tenants about their requirements for the building and believe the existing design meets their requirements.

This cannot operate as a pub or nightclub. Any future applications which would change the arrangements set out in any planning consent would need to have permission from the Council as landlord and would also be heard on their merits and local residents would have an opportunity to comment.

The tenant will be responsible for fitting out the building to their interior design specification and operations, and we will be taking into account all of their operational proposals including how they manage their local environment and responds to environmental concerns such as sustainability of their packaging. The tenant will also determine policies on whether dogs will be able to access the site.

Proposed operating hours and conditions for a licensed premises

We are proposing that the Shoreham BeachBox would have standard opening hours for a café/restaurant unit not dissimilar to existing venues already in the local area.

Operating hours

Consented planning hours

7am – 11pm Monday – Saturday (00:30 NYE and Xmas Eve)

7am – 10pm Sunday

Licensing hours

10 – 11pm Monday to Saturday except the external spaces which will close at 9pm (00:30 NYE and Christmas Eve)

10am – 10pm Sunday

The proposed conditions for the provisional statement are published on the website

We note that the Harbour Club, much closer to residential properties, has permission to open until up to 11.30pm during the week and up to 1.30am on the weekend, and that a number of other premises on Shoreham Beach Green including The Waterside and The Quay open until 11pm during the week and up to 12 midnight during the weekend.

As we set out at the consultation event, the reason for applying for these standard operating hours for an A3 cafe/restaurant is we want to be able to attract proposals from the widest possible pool of operators, to give them the maximum possibility of succeeding in this location. It is highly likely that throughout the year the operator will vary opening hours to suit the location/operation.

We are not applying to allow the tenant to open for late night hours (except an additional 1.5 hours on Christmas eve and New Years eve) or to operate as a live music venue, although the provisions of the live music act allow for music to be played at the venue within the constraints of the acoustic report – how this will be managed will be contained in the noise management plan which will be submitted following selection of tenant.

What is the purpose of a provisional statement for a licensed premises?

Beachbox Developments Ltd do not intend to operate the site. However securing a license is fundamental to the viability of the scheme and securing a high quality tenant. In order to provide some comfort for a tenant we need to secure the outline terms on which a subsequent premises license application by the tenant will be able to trade. The purpose of a provisional statement for a licensed premises is to set out the hours and conditions under which a future tenant could make a successful licensing application. It does not permit BDL to operate the premises and a further full licensing application will need to be made by the tenant.

Full details of the provisional statement for a licensed premises application are available at www.shorehambeachbox.co.uk and local stakeholders will have an opportunity to submit comments on both the provisional statement application and the subsequent full application during the statutory consultation process.

How will you prevent noise nuisance from the site?

We appreciate the potential for noise breakout from the site is a major issue for residents and we have worked extensively in both the design and materiality selection to reduce any potential noise breakout. We have run extensive tests over a 10-day period to establish what the ambient noise levels are in the local area. We proposed in our planning application to ensure we do not cause any noise nuisance to local residents greater than the ambient noise levels that exist. We will also propose under our licensing conditions (if granted) to include a no noise nuisance condition, including measures to ensure our customers arrive and leave the site respectfully. The chosen operator will apply for their own separate license, and if they do not abide by the no

nuisance requirement, they will potentially lose their license and the business will not be able to serve alcohol. Please note any potential license can only operate during agreed hours as set out by the agreed planning application.

We have an acoustic report setting out a noise propagation evidence base from experienced, well-respected and independent sound acoustic engineers who have worked extensively in the local area. The sound model accounts for several conditions for the building in normal operation as a restaurant and measures the impact on residents in a series of scenarios including allowing for residential windows being open as well as closed. The report clearly sets out that the building can operate as the proposed use without breaching ambient noise levels at the nearby residential properties.

To further increase the robustness of the design to prevent noise breakout, we have added a 2.2m screen around the perimeter of the terrace to act as a sound barrier. Furthermore, the access structure to the roof terrace has been deliberately placed on the east of the building to mitigate the effect of the prevailing southwest winds carrying noise to the east.

A noise management plan for both the construction and operation phase will be submitted once the construction team and tenant are selected.

How will you manage parking demand and access to the site from other transport methods (walking/cycling/public transport)

We again understand that this is a major issue for the local community and we strongly support the local residents' efforts to secure parking controls, which will direct visitors to not park on street and to use the car parking facilities to prevent unsafe parking conditions and road blockages.

The transport assessment does set out that it is likely that the primary customer and staff base for the restaurant will be drawn from the local area (i.e. residents or beach users) and existing visitors to the area, and therefore will not generate significant additional journeys. The number of additional journeys generated by the development should be nominal compared against the overall existing traffic flows and there is adequate parking provision in Riverside car park to absorb any additional capacity. We note that visitors use the car park all day for £4 and that no charges apply after 6pm but we are intending to work with Adur District Council to fundamentally improve the condition of the car park site (surface, lighting, charging rates, entry/exit points) and incentivise use.

We are discussing safe drop off zones for vulnerable people and will also support resident's campaigns for safer crossing points and improvements to the NCN2, although these are out of our demise and we don't have access to the beach hut access road/NCN2. 27 cycle parking bays will be provided onsite

We do not control the area beyond our demise but we fully support retaining existing access to the beach and the extension of the beach boardwalk.

The travel plan will be submitted once the operator is secured.

Would you clarify design concept, why the building is the proposed size and materials - why can't you propose flint walls/pointed roof?

We have drawn from substantial consultation previously undertaken for this site and our own consultation process in designing the final scheme. As part of this consultation we have aligned our design with the emerging local planning brief for the site as set out by the Shoreham Beach Neighborhood Forum. Through the Neighborhood Forum, consultation on the design brief for the site began with a Household Questionnaire Survey in 2014 and has subsequently been developed through several rounds of formal and informal public consultation events, surveys and questionnaires from 2016 – 2019. Please see below the key criteria in the development brief for this site prepared by the Neighborhood Forum and visit these websites below for an overview of the Shoreham Beach Neighborhood Plan Consultation Record.

Key Criteria

- Cafe
- The provision of facilities to accommodate additional toilets for events
- Showers, lockers and changing rooms
- Flexible meeting space for community groups
- Storage facilities
- Sustainable building design
- Transport considerations
- MUGA – multi-use games Area

Neighborhood Plan Consultation Record

https://docs.google.com/document/d/1XrpDjqEL5XQYKUaGdEcQd-D0ev4BJo5O_Bgj9ihJ1Rc/edit#

Emerging Neighborhood Plan Planning brief for Beach Green

<https://docs.google.com/document/d/1ttygYPbcgg4j8UBw7oC3IW0Z1iKTijINIBUYxD11bCU/edit#>

The scheme design and massing itself has been in the public domain since our announcement as preferred bidder in March 2017 and, with consultation with planning officers and councilors since 2017. BDL met with the SBRA in October 2017 and both before and after lease completion we met with local councilors and officers throughout the process. In early 2019 we also met on multiple occasions with representatives to agree the consultation process.

As a result of input from these early meetings we held 4 public consultation events over an 8 week period and encouraged comments to our consultation website www.shorehambeachbox.co.uk. With the help and support from the local councilors over 600 people attended these events and almost 200 people left comments on the design. We were delighted by the level of engagement throughout the consultation process and as a result we made revisions.

The development received planning permission on 19th November 2019.

Where will rubbish & recycling be stored– and the strategy for litter management onsite and around the premises?

There is a separate secured bin store attached to the building with capacity for 4 waste bins and recycling and restaurant waste requirements. We will ensure the development does not create additional waste and work with the operator to ensure they keep the premises and surrounding green and beach tidy

What is the external lighting strategy; will it be sensitive to local residents?

No external lighting shall be installed on the building without details being first submitted to and approved in writing with the Local Planning Authority.

A plan will be produced once the tenant has been selected.

When you will submit details of extraction and odour control plans?

BDL has extensive experience working with food retailers on their cooking and extraction equipment. We are fully aware of current requirements for fitting the kitchen extract and filtration system that comply with Environmental Health requirements. The successful operator will be required to meet all regulations to prevent smells and smoke venting from the unit and the council will ensure that the operator will fit and maintain the correct extract system.

We will be submitting these plans once the operator has been selected.

What are the facilities for Beach Hut users and beach visitors? Where will external seating be situated ?

The public toilets on the ground floor of the building and the external showers shall be open at all times to the public between the minimum hours of 9.00 am and 9.00 pm during the period of 1st April to 30th September in each year and between the minimum hours of 9.00 am and 5.00 pm during the period of 1st October to 31st March in each year.

The toilets and external showers shall be maintained in accordance with management/maintenance plan first submitted to and approved in writing by the Local Planning Authority prior to the occupation of the building.

External seating must be maintained within the demise of the building as set out in the plans. Any additional seating would need to be agreed in a separate agreement with Adur District Council.

If the tenant fails, the obligation to keep these hours open is still required to meet the planning determination.

When will you submit the Construction Management Plan?

Following determination of the provisional statement application we will proceed with selecting a contactor and details precedent to commencement on site including
Proposed and existing functional services above and below ground such as drainage, power; communications cables, pipelines etc. (indicating lines, manholes, supports);
Materials and finishes for wall, doors, glazing and roof
Soft landscape works shall include planting plans; written specifications; schedules of plants stating species, sizes and numbers/densities; and the implementation programme

We will also submit site management plans including a Construction Management Plan will be submitted to and approved in writing by the Local Planning Authority. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

What is planned use of community space and community events and what is its capacity?

The planning application sets out a D2 leisure and community space use at lower ground floor, and whilst we have not yet determined, the end user the space will be available for hire to the local community for private events, community meetings, socials, training and workshops, and will also be used by local sports and recreational clubs, for example a local water sports club. However, we will not promote the launching of watersports crafts in restricted zones and will provide external showers in our proposed design.

The lower ground floor will be subject to all the conditions as set out in the planning application for the entire building and as such will be restricted to operate to the hours as set out in the planning application (7am – 11pm Monday Saturday; 7am – 10pm Sunday & bank holidays). The use of concrete with insulated dry lined walls and minimal windows on the lower ground floor, will improve the acoustic properties and reduce any potential noise breakout. Please note any activity in the lower ground floor will be subject to the same no noise nuisance as per the rest of the building.

Our preference is a single operator takes the whole building and runs the café/restaurant space and the community/multi use space, but it may be taken by a second operator. The capacity will be determined by the final fit out but the areas are set out on the consented plans

What happens if interests in the company change/Boxpark undergoes a change of ownership?

BeachBox Developments Limited is a separate company to Boxpark Ltd and its subsidiaries. A change of ownership to Boxpark would not change our intentions for BeachBox Shoreham.

Will you commit to removing the license of the operator if the local council don't commence enforcement action in the event of noise nuisance?

BDL do not have the ability to removing the license of an operator – only the licensing authority are able to enforce against the terms of a licensed operator.

What say will the local community have in choosing the tenant? Will the tenant be a McDonalds or Burger King?

The conditions agreed in the provisional statement for a licensed premise will set out how the operator will need to run the site which will define the type of operator who can operate on this site. BDL will welcome any comments from the local community throughout the tenant marketing programme and there will be a further licensing application required by the successful tenant before they operate the site which the local community will be able to comment on.

The tenant will not be a McDonalds or Burger King.

What is the proposed build timetable?

Our intention is to build the scheme out over the winter months to avoid the busy summer months. We are seeking to get consent for our provisional statement for a licensed premise and agree terms with a building contractor by the end of the summer and then we can start to programme construction dates.

How is the proposed BeachBox development different from Rockwater at Hove?

Shoreham Beachbox is a café restaurant scheme with a terminal hour of 11pm. The Rockwater scheme is a bar, restaurant and late night venue with a license with a terminal hour of 3am.

What happens if the tenant fails/loses license/seek to sublet or BDL does not develop this site?

If the tenant fails the management obligations of that tenant as part of the lease from BDL, including the management of the toilets and their local environment, fall back upon BDL, until the building is leased to another tenant. The tenant will not be able to sublet the building without approval from BDL. If BDL defaults or relinquishes the lease the building passes back to Adur District Council, who will be able to lease the site/ building direct to another tenant.

If BDL does not develop the site the existing building will remain and Adur District Council will be able to find another developer for this site.

Why are you undertaking this project in this economic climate?

BDL is an award-winning retail and leisure developer with an extensive track record of delivering complex retail and leisure projects efficiently, on time and to budget. We are very confident in our ability to deliver and manage this project.