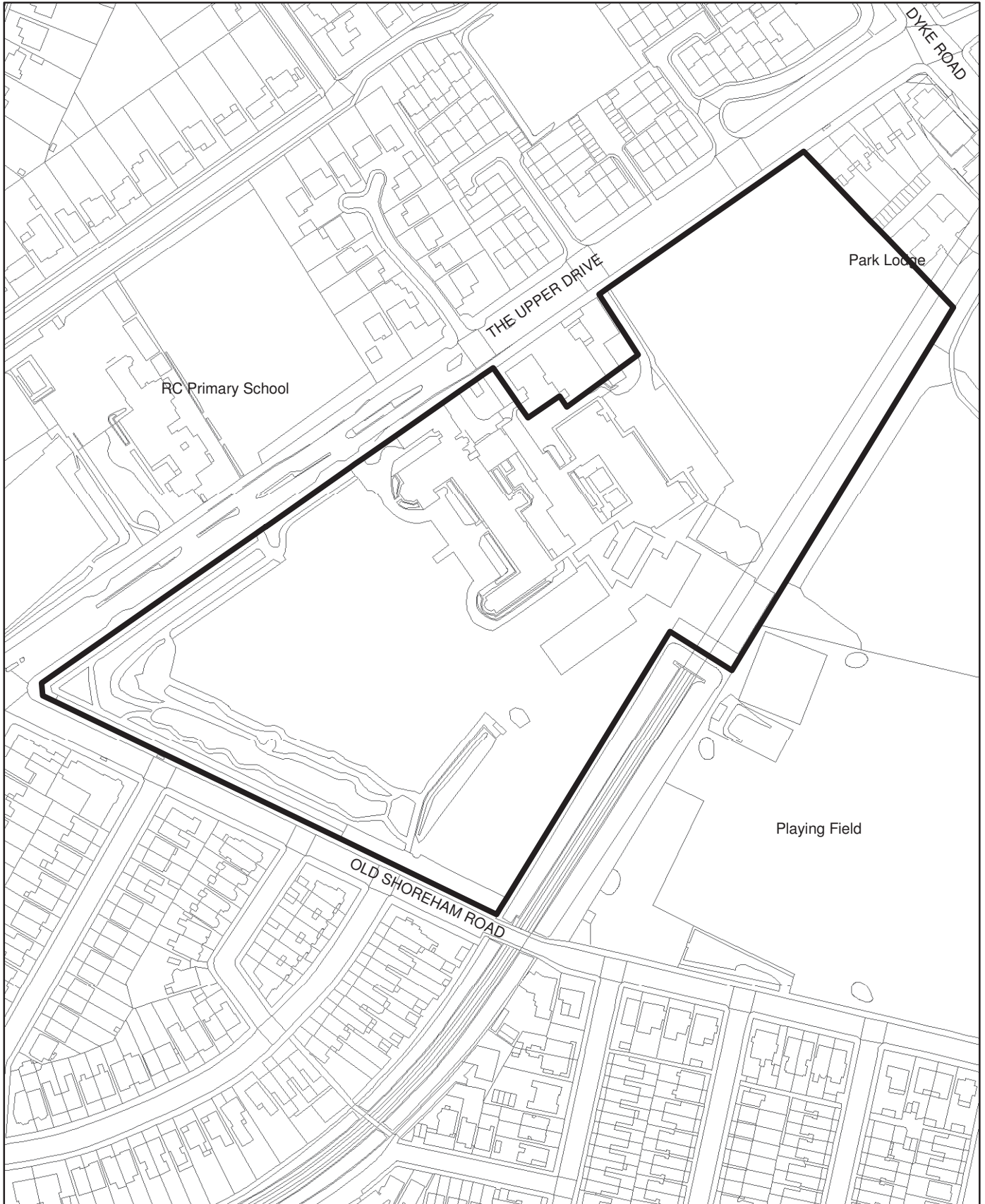


# **ITEM A**

**Cardinal Newman Catholic School,  
The Upper Drive, Hove**

**BH2013/01693  
Full Planning**

**28 AUGUST 2013**



<b><u>No:</u></b>	<b>BH2013/01693</b>	<b><u>Ward:</u></b>	<b>HOVE PARK</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Cardinal Newman Catholic School The Upper Drive Hove</b>		
<b><u>Proposal:</u></b>	<b>Erection of a new three storey detached building to the north of the existing school, alterations to existing Newman building, relocation of 40no car parking spaces to south east corner and associated works.</b>		
<b><u>Officer:</u></b>	Jason Hawkes Tel 292153	<b><u>Valid Date:</u></b>	05/06/13
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	04 Sept 2013
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Morgan Carn Partnership, Blakers House 7, 9 Stanford Avenue, Brighton, BN1 6FA		
<b><u>Applicant:</u></b>	The Governors of Cardinal Newman School, Cardinal Newman Catholic School, The Upper Drive, Hove, BN3 6ND		

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to be **MINDED TO GRANT** planning permission subject to the completion of a Section 106 agreement and the conditions and informatives set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application site relates to the Cardinal Newman Catholic School, which is located on the south east side of The Upper Drive. The school has 2,173 students and is an 11-18 Catholic mixed comprehensive school. The school is on the local list of buildings of interest. The local list states that the building is comprised of a 'dignified, brick and stone collegiate building with a strong sense of place. Impressive chapel and a calm setting.' The front of the school to the south has maintained its historic character where the chapel is situated. In contrast, the majority of the rest of the school has been extended with a number of modern extensions and alterations. This includes a new modern detached two-storey Design and Technology block which was recently constructed to the rear.
- 2.2 The school is flanked by two large playing fields to the north and south and is surrounded by a large boundary wall. On the opposite side of the school on the other side of The Upper Drive are detached dwellinghouses. Immediately to the east of the school site is Dyke Road Park and the playing fields of Brighton & Hove Sixth Form College.

## 3 RELEVANT HISTORY

**BH2013/00003:** Erection of proposed infill extension to accommodate escape stair core incorporating the provision of an internal lift in existing stair core. Approved 21<sup>st</sup> February 2013.

**BH2012/03459:** Erection of proposed infill extension to accommodate escape stair core incorporating the provision of an internal lift in existing stair core. Refused 10th January 2013.

**BH2009/01722:** Erection of a new detached two storey Design and Technology teaching block. Approved 9<sup>th</sup> February 2010.

**BH2009/00511:** Replacement of existing windows and glazing to rear of link block. Approved 1<sup>st</sup> May 2009

**BH2007/00312:** Construction of new first floor to provide changing room facilities. Granted 21<sup>st</sup> March 2007.

**BH2006/3979:** Single storey sixth form common room extension. Granted 5<sup>th</sup> February 2007

**BH2004/03221/FP:** Single storey extension within inner courtyard to form a toilet block. Granted 2<sup>nd</sup> December 2004.

**BH2001/0217/FP:** Construction of new library above the existing gym. Granted 3<sup>rd</sup> December 2001.

#### **4 THE APPLICATION**

- 4.1 Planning permission is sought for the construction of a three-storey detached building to form a new sixth form building for the Cardinal Newman Catholic School. The proposed building is proposed mainly on an existing car park located on the north side of the school. The building would be adjacent to the northern playing field and takes up part of the field area. The new building is required to accommodate an increase in the numbers of sixth form students (an additional 150 students) and to provide better facilities. The building will include classrooms, a lecture theatre / exam hall, common room, café, plant room, offices, media room and a library / learning resource centre.
- 4.2 The scheme includes alterations to the existing Newman Building which comprise a proposed canopy and photovoltaic panels at roof level. The scheme also includes the relocation of 40 car parking spaces to the south east corner of the school where there is a hard surface area.
- 4.3 The scheme has been amended to indicate a new pedestrian access adjacent the main entrance and space for additional cycle parking.

#### **5 PUBLICITY & CONSULTATIONS**

##### **External**

- 5.1 **Neighbours:** **Three (3)** letters of representation have been received from **10 Park Lodge, Dyke Road, 1 Merlin Close** and **1 Kestrel Close** objecting to the application for the following reasons:
  - It is not entirely clear if the views south from Park Lodge to the north of the school is going to be restricted or not. The scheme could block views of the coast from the building.
  - The scheme would result in more traffic noise, loss of privacy, parking problems and disturbance. There are already issues with students parking in nearby streets as they are not allowed to park on school premises. The 6<sup>th</sup> form will increase this problem.

5.2 **One hundred and eight (108)** letters of representation have been received from **182 Nevill Road, 86 Brighton Road, 17 Sandringham Drive, 28 Temple Street, 61 Rugby Place, 14 Woodland Drive, 3 The Florets, Hyde Street, Upper Beeding, 57 Walsingham Road, Rushfield Paddock, Henfield Road, Poynings, 17 Wilbury Gardens, 13 Amesbury Crescent, 15 Withdean Road, 2 Hangleton Manor Close, 10 Fullwood Avenue, Newhaven, 6 Downsway, Southwick, 11 Greenways Crescent, Shoreham-by-Sea, 63 North Road, 125 Godwin Road, 124 The Gardens, Southwick, 48 Warrren Way, 75 Rodmell Avenue, Saltdean, 311 Upper Shoreham Road, Shoreham-by-Sea, 71B Telscomb Road, Peacehaven, 14 Tivoli Crescent, 61 The Upper Drive, 27 Osmond Road, 27 Broad Rig Avenue, 39 Langdale Road, 26 Aymer Road, 37 Lenham Avenue, Saltdean, 34 Downsview Road, 48 Woodhouse Road, 1 York Court, Nizells Avenue, 279 Hangleton Road, 3 Ferndale Road, 58 Highdown Road, 10 Wellington Road, 7 Sompting Court, St Giles Close, 12 Mile Oak Crescent, 26 Upper Hamilton Road, 188 Church Green, Shoreham-by-Sea, 5 Midhurst Rise, 57 Saltdean Vale, 12 Wigmore Close, 9 Monument View, 70 Berriedale Avenue, 12 Valley Gardens, Worthing, 6 Orchard Gardens, 116 Warren Road, 42 Neville Road, 50 Stonecross Road, 35 Brangwyn Drive, 2 Clarendon Mansions, 80 East Street, 17 Windelsham Gardens, Shoreham-by-Sea, 1 Wicklands Avenue, Saltdean, 51 Standford Avenue, 3 Lee Bank, Grove Hill, 3 Bates Road, 37 Valley Road, 12 Gregory Close, Eastbourne, 5 Nyetimber Hill, Bevendean, 3 Grange Close, Flat 5, 51-52 Grand Parade, 1 Park Lodge, 2 The Woodlands, London Road, Flat 4, 4 North Road, 50A Clarendon Road, 23 Sheldale Avenue, Flat 4, 58 Ventnor Villas, 3 Mill Avenue, Shoreham-by-Sea, 209 Wiston Road, Flat 1, Hurst Court, 36 Reigate Road, 10 Hangleton Manor Close, Pickwell Estate, Buncton Lane, Bolney, 92A Blatchington Road, Flat 2, 89 Church Road, 24 Underdown Road, Southwick, 5 St Leonards Gardens, 70 Wayland Avenue, 70 Westbourne Gardens, 3 Kingston House, Gardner Road, 31 Mandalay Court, 31 Carden Crescent, 61 Carden Avenue, 48 Valley Drive, 45 Applesham Way, 44 Westbourne Gardens, 28 Norway Street, 29 Terminus Road, 52 Burlington Gardens, 153 Ringmer Road, Flat 2, 11 Elder Place, 8 Redhill Drive, Robinia Lodge, Station Road, 90 Greenways, Ovingdean, 9 Hunston Close, 15 Princes Square, 41 Bramble Way, 53 Findon Road, 40 Franklin Road, 77 Sandhurst Avenue, Woodingdean, 51 Chichester Drive West, Saltdean, 19 Hove Park Road, 29 Elder Close, 42 Brittany Road, 209 Nevill Road, 6 Hartington Villas, 67 Foredown Drive, 97 Ditchling Road, 51 Tongdean Avenue and Flat 2, 12 Eaton Road supporting the application for the following reasons:**

- Given the pressure on secondary education places, this seems an entirely appropriate proposal. The proposal appears sympathetic to the surroundings with negligible impact on any neighbouring premises.
- The scheme will provide a high quality provision for sixth form catholic education.
- With children in this school, this is a fantastic opportunity for them and other children in the community to get the best possible sixth form experience. The scheme will increase standards further and be within walking distance for students.

PLANNING COMMITTEE LIST – 28 AUGUST 2013

- The students of the school support the application on the grounds that it will create more space and will provide more modern facilities and better resources.
- 5.3 **Brighton & Hove Archaeological Society:** The Upper Drive is known to have produced a collection of Neolithic flintwork in the past. The society suggests the County Archaeologist is contacted for his recommendations.
- 5.4 **East Sussex County Council Archaeologist:** No objection subject to the following:
- No development shall commence until the developer has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.
  - The development shall not be brought into use until an archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the written scheme of investigation approved under the above condition and that provision for analysis, publication and dissemination of results and archive deposition has been secured.
- 5.5 **East Sussex County Council Ecologist:** No objection.
- 5.6 **East Sussex Fire & Rescue Service:** No objection subject to sufficient fire hydrants and the installation of sprinkler systems.
- 5.7 **Environment Agency:** No comment.
- 5.8 **Gas Networks:** No objection.
- 5.9 **Southern Water:** No objection subject to the applicant entering into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development.
- 5.10 **Sport England:** No objection.
- 5.11 **UK Power Networks:** No objection.
- Internal:**
- 5.12 **Children and Young Peoples Trust:** The scheme is supported.
- 5.13 **Economic Development:** No objection subject to the provision of an Employment and Training Strategy with the developer committing to using 20% local employment during the construction.
- 5.14 **Environmental Health:** No objection.
- 5.15 **Heritage:** No comment.



5.16 **Planning Policy:** Support. Further information required to satisfy policy WMP3d of the Waste & Minerals Plan and consideration given to relocating the car parking area around the building.

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

- The application should be approved with standard planning conditions to secure a BREEAM 'very good' standards as a minimum, and 60% in energy and water sections.
- A feasibility study should be undertaken with potential to install some form of rainwater capture for irrigation as a minimum.

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

- The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the employees of and visitors to the development hereby approved.
- The development hereby permitted shall not be commenced until full details of secure cycle parking facilities for the students and staff of, and visitors to, the sixth form college and the school as a whole 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.
- The development hereby approved shall not be occupied until details of a pedestrian gate entrance in the vicinity of the existing southern vehicular entrance have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development.
- Within 3 months of occupation of the development hereby approved, the Developer or owner shall submit to the Local Planning Authority for approval in writing a detailed Travel Plan (a document that sets out a package of measures tailored to the needs of the site, which is aimed at promoting sustainable travel choices by residents, visitors, staff, deliveries and parking management) for the development.
- To comply with the Brighton & Hove Local Plan 2005 policies TR1 and QD28 and the Council Interim Guidance on Developer Contributions approved by Cabinet on the 17th February 2011 the Applicant is expected to make a financial contribution of £45,600 to help finance off-site highway improvement schemes such as pedestrian infrastructure improvements on and around the Upper Drive and/ or pedestrian and cycle infrastructure improvements on Dyke Road.

## **6 MATERIAL CONSIDERATIONS**

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## 7 RELEVANT POLICIES & GUIDANCE

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD19	Greenways
QD20	Urban open space
QD27	Protection of Amenity
HO19	Provision of new community facilities
SR20	Protection of public and private outdoor recreation space
HE10	Buildings of local interest



Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD08	Sustainable Building Design
SPD11	Nature Conservation & Development

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
SO21	Strategic Objective to provide additional primary and secondary school places
CP16	Open Space

**8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the principal of development, loss of open space, whether the proposal is appropriate in terms of design and the wider street views, residential amenity, sustainability, archaeological considerations and transport / highway considerations.

**Principle of the development:**

- 8.2 Policy HO19 of the Brighton & Hove Local Plan states that planning permission will be granted for community facilities where it can be demonstrated that certain criteria can be met. The criteria include ensuring the design and use of the facility is accessible to all members of the community, no unacceptable impact on residential amenity and addressing transport highway concerns.
- 8.3 Cardinal Newman Catholic School has an existing sixth form located in the Newman Building which is located to the north of the school. The school currently has 450 sixth form students and struggles to accommodate this number in the existing building. The school is expanding the number of sixth form students to 600 and requires more space and better facilities to accommodate this increase. The proposed sixth form building would provide for this need and the scheme is considered to be in accordance with the above policy. It provides a community facility and, as outlined below, is appropriate in respect of its impact on the amenity of adjacent properties and transport / highway concerns.
- 8.4 The scheme is also in accordance with Strategic Objective SO21 of the Brighton & Hove Submission City Plan Part One. The objective is to provide additional primary secondary school places in response to growing demand and future increases in population by working with not for profit organisations, to build new schools and by expanding successful schools. This is to assist in the long term planning of higher and further education establishments and ensure that they play a full part in the city's economic, social and environmental development. Given the above, the principle of providing a purpose built unit to meet the current and future educational needs of the school is welcomed and accords with policy HO19 and strategic objective SO21.

**Loss of open space:**

- 8.5 Policy QD20 seeks to protect areas of private or public open space. Policy SR20 also states that planning permission will not be granted for development on areas of outdoor recreation space, other than that which incidental and appropriate to the respective recreation uses, unless it can be demonstrated that the land is not an important open space. Policy CP16 of the emerging city plan also seeks to prevent the loss of urban open space and protected outdoor recreation space.
- 8.6 The proposed building would replace an existing car park. It also involves the partial loss of some of the existing playing field to the north of the school. This area of the playing fields is used for sport and includes a rugby pitch. The new extension would project into the playing fields by approximately 4m. This equates to approximately 159m<sup>2</sup> or 1% of the total area of the playing field. The scheme includes a reinforced grass route adjacent the extension. This also cuts into the playing fields. This area is for emergency vehicles and would not be used on a regular basis. As this area is grassed it would be mostly be used as part of the playing fields.
- 8.7 The scheme results in the loss of a small proportion of the playing field. The Policy Team has commented the small encroachment onto the playing field is considered to be inconsequential to its continued use as it would not adversely affect its ability to host activities it is currently used for. The scheme would not affect the existing rugby pitch and the loss of this small section of playing fields is considered to be acceptable.
- 8.8 Sport England has also commented that the vast majority of the proposal does not encroach onto the playing field and does not result in the loss of playing field land. As such, Sport England does not wish to raise any objection to this application.
- 8.9 The Policy Team has queried the loss of the hardstanding to car parking in the south east corner of the site. This area has the potential to be used as play area which would benefit the school. The school has stated that this area is not readily used as a play area and is sometimes used as an overspill car park. The school has better outside hard standing play courts within the site for the students. There are also limited options around the school for an alternative site for the car parking spaces. Additionally, the proposal would only take up half the hardstanding area leaving the rest to remain as a play area. Given the above, the use of the existing hardstanding as a car park is deemed acceptable and the scheme is considered to be in accordance with policies SR20 and QD20 of the Local Plan and policy CP16 of the emerging city plan.

**Design:**

- 8.10 Brighton & Hove Local Plan policies QD1 and QD2 require new development to be of a high standard of design that would make a positive contribution to the surrounding area and that emphasises and enhances the positive characteristics of the local neighbourhood.

- 8.11 In terms of its design, the building has a modern appearance with a mix of brick, render, areas of cladding and an aluminium standing seam roof. The building is three-storeys high and involves the excavation of the ground level and the construction of a retaining wall with new areas of hardstanding. It includes areas of cladding and glazing and has a stepped entrance facing The Upper Drive. The building is shown 9m from the existing sixth form. It has a length of over 38m, a width of approximately 18m and a height up to 12.8m.
- 8.12 The existing sixth form, together with the other buildings to the north east elevation, has a functional appearance and these are not part of the historic part of the school. These buildings are modern additions to the school. The Cardinal Newman School is included in the Council's Local List of Building's of Interest. The historic part of the school faces south west where the school has retained an attractive frontage. The proposed sixth form building is to the north of the school and would not affect the setting or historic character of the building.
- 8.13 Recently a detached two-storey Design and Technology teaching block (approved in 2010) was completed to the south east elevation of the school. It should be noted that the new sixth form centre is similar to the modern design and appearance of the approved Design and Technology Block.
- 8.14 Given the position of the proposed sixth form centre to the north elevation, there is no objection to the modern design which would be sympathetic to the appearance of the existing sixth form and other school extensions and buildings facing north.
- 8.15 The scale of the building is also considered appropriate. The plans indicate that the eaves level of the new building would not be appreciably higher than the existing sixth form building or any other buildings within the school. The proposed sixth form building would be visible from The Upper Drive and will be a prominent addition when viewed from the properties to north. To reduce the presence of the extension when viewed from the north, the scheme involves partly sinking the extension into the ground through excavation and the construction of retaining walls. This would give the extension the appearance of a two-storey building when viewed from the north and would make the building an appropriate and sympathetic addition.
- 8.16 The scheme includes fencing in front of the school adjacent the playing fields. The fencing is required to protect the school from stray balls. No details have been given of the fencing and it is understood that the fencing will match the existing green chain link metal fencing which is similar to existing fencing around tennis courts within the site. Given the lack of details, a condition is recommended requiring details of fencing to be submitted prior to commencement of the development.
- 8.17 The applicant has submitted a materials board which shows the following materials:
- Roof covering of polyester powder coated aluminium.

- Aluminium windows, soffits, fascias, doors, brise soleil and louvres in light grey.
- Light cream render.
- Green coloured copper cladding.
- Stratford red bricks.

The materials proposed are similar to those used on the recently constructed Benedict building and are considered appropriate.

- 8.18 Given its design and scale, the building is considered appropriate and would not stand out as an inappropriate addition in relation to the existing school and in the context of The Upper Drive.
- 8.19 The scheme also includes alterations to the Newman Building which comprise the installation of a canopy entrance to the north elevation and the installation of photovoltaic panels to its roof. These alterations would not significantly affect the appearance of the building and are also considered appropriate.

**Impact on Amenity:**

- 8.20 Policy QD27 states that planning permission for any development will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.21 The proposed sixth form centre is positioned adjacent the existing school and is set a significant distance from the nearest residential properties. It is separated from the nearest properties to the north by the existing playing field and from the properties to the west by The Upper Drive and a distance of over 80m. Given its position and distance from the nearest residential properties, the proposal would not result in a significant impact on the amenity of any adjacent residential properties in relation to loss of light, outlook, privacy, noise disturbance or an increased sense of enclosure.

**Sustainable Transport:**

- 8.22 Brighton & Hove Local Plan policy TR1 requires new development to address the related travel demand, and policy TR7 requires that new development does not compromise highway safety.
- 8.23 The applicant has submitted a Transport Statement and Travel Plan to support the expansion of the school. The statement outlines that the site is located near to bus stops and rail stations which provide links to the surrounding areas. The travel survey in the statement indicates that almost three quarters of sixth form students travel by non-car modes, although the Travel Plan aims to further reduce reliance on the private car.
- 8.24 The statement outlines that trip generation has been calculated using existing travel mode data provided by pupils in Year 12 (lower sixth). This indicated that approximately one quarter of sixth form students travel by car and if this proportion is applied to the new 150 pupils, there will be an additional 39 students travelling to and from the site by car. It is probable that most of these

trips will be parents dropping off their children, as only a small proportion of sixth formers are likely to drive. Additionally, sixth formers are not permitted to park on site which is likely to limit demand by this mode given parking restrictions along the Upper Drive.

- 8.25 The new building would retain and use the existing vehicle accesses to the site. As outlined above, the applicant is proposing to relocate all of the existing parking spaces from the north of the site to the south in order to accommodate the new build. This will mean additional vehicles will use the existing southern vehicular entrance to access the relocated 40no spaces. This entrance is currently also used by school children as a form of pedestrian access, as stated in the transport statement submitted by the applicant.
- 8.26 The Transport Manager expressed concerns that there was no separate pedestrian access at the main entrance. Given the increase in use of the main entrance by vehicles, the Transport Manager requested that a pedestrian entrance was provided adjacent to the vehicular entrance. This would mitigate the likely increased risk of collisions occurring between vehicles using the south entrance and school children and offer a suitable pedestrian entrance and safer option for school children entering the site in that vicinity.
- 8.27 In accordance with the Transport Manager's comments, the applicant has amended the scheme to indicate an additional pedestrian access at the main entrance. No details have been given of the appearance of this access. Consequently, a condition is recommended requiring the submission of details of the appearance of the new pedestrian access and gates.
- 8.28 The proposed pedestrian entrance to the new 6th Form block is via an access road that is to be used by emergency services only. The Transport Manager has commented that this access is satisfactory if vehicles other than the emergency services are not permitted to use it. The applicant is also providing a pedestrian gate by the side of the access. Again details of this access can be secured by condition.
- 8.29 In respect of cycle parking, SPG04 states that the minimum standard for a school is 1 cycle parking space per 250m<sup>2</sup> or part thereof. Within the submitted Transport Statement the applicant forecasts that 3% of sixth formers are likely to cycle to the site. Given that the proposed number of sixth formers will be 565 there is forecast to be 17 students cycling to the development. Therefore the Highway Authority would look for an adequate level of provision to cater for the forecast demand identified within the Transport Statement.
- 8.30 Within the submitted Travel Plan the applicant states that they intend to investigate the provision of 200 cycle parking spaces. In order to ensure that the additional cycle parking provision for the sixth form development, a condition is recommended stating that the development hereby permitted shall not be commenced until full details of secure cycle parking facilities for the students and staff of, and visitors to, the sixth form college and the school as a whole have been submitted to and approved in writing by the Local Planning Authority.

## PLANNING COMMITTEE LIST – 28 AUGUST 2013

- 8.31 The applicant does not appear to be proposing any additional disabled parking spaces. However, the Transport Manager has commented that the existing provision for disabled parking spaces meets required standards.
- 8.32 The proposed amount of standard car parking is as existing. Students are not permitted to park vehicles on the school site therefore it is acceptable for the onsite car parking provision to remain the same amount. The relocation of the 40 standard spaces from the north to the south of the site does not appear to significantly impact on the highway network and is therefore acceptable.
- 8.33 Additionally, the increase to the site of students that may drive is also not likely to impact significantly on the surrounding network due to the site being in a controlled parking zone and the cost of parking there will be a deterrent.
- 8.34 To comply with the Brighton & Hove Local Plan 2005 policies TR1 and QD28 and the Council Interim Guidance on Developer Contributions the Transport Manager has commented that the applicant should make a financial contribution of £45,600 to help finance off-site highway improvement schemes such as pedestrian infrastructure improvements on and around the Upper Drive and/ or pedestrian and cycle infrastructure improvements on Dyke Road. The applicant has agreed to this contribution and a Section 106 agreement has been drafted.
- 8.35 Overall, subject to the provision of cycle parking and the implementation of the Travel Plan, it is felt that the scheme will not result in an unacceptable demand on traffic or parking in the area.

### **Sustainability:**

- 8.36 Policy SU2 states that planning permission will be granted for proposals which demonstrate a high standard of efficiency in the use of energy, water and materials.
- 8.37 Under supplementary planning document SPD08 major new built development is expected to achieve BREEAM 'excellent' and 60% in energy and water sections. The applicant has submitted a BREEAM Pre-assessment report and justification for achieving a lower standard of 'very good'. Justification relates to technical constraints and financial viability.
- 8.38 The Pre-assessment report indicates that the scheme will achieve over 60% in the energy and water sections, and that the scheme overall takes a robust approach to sustainability delivering a building that addresses local sustainability issues as set out in Local Plan Policy SU2.
- 8.39 The Council's Sustainability Officer has commented that the scheme includes positive aspects which include good fabric performance, a photovoltaic array, an air source heat pump for cooling, solar shading, water efficiency measures, use of sustainable materials and provision for composting.
- 8.40 As the new sixth form building is proposed within the existing school, there are certain BREEAM credits which are not available or would be harder to score, making the achievement of BREEAM 'excellent' problematic. Having regard to



the justification submitted, the Sustainability Officer has agreed to the lower standard.

- 8.41 It is therefore recommended that the application be approved with standard planning conditions to secure a BREEAM 'very good' standards as a minimum, and 60% in energy and water sections.
- 8.42 The Sustainability Officer has commented that it is disappointing that rainwater harvesting has been ruled out, with no evidence to support this decision. It is therefore recommended that in accordance with SPD08 and SU2, this be further examined and a feasibility study be undertaken with potential to install some form of rainwater capture for irrigation as a minimum. A standard planning condition is recommended to secure this.

#### **Archaeological Considerations**

- 8.43 The East Sussex County Archaeologist has commented that the site is within an Archaeological Notification Area defining an area of prehistoric activity, identified by past finds of significant concentration of flint tools. The site is located on a south facing spur of the South Downs, a location favoured by agricultural settlements from the Neolithic period through to the Saxon period.
- 8.44 The location of the proposed new building appears to have received little disturbance during the construction of the school. This is therefore a high potential that any archaeological remains survive in good condition.
- 8.45 In light of the potential for loss of heritage assets, the archaeologist recommends a condition stating that no development shall commence until the developer has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

#### **Ecology/Nature Conservation:**

- 8.46 The applicant has submitted an Ecology Report which addresses the ecological considerations for this development. The East Sussex County Council Ecologist has commented that the proposed development is within an area of low ecological value and, given the nature, scale and location of the proposed development, there are unlikely to be any significant impacts on any designated sites or protected species.
- 8.47 The scheme does not involve the loss of any significant trees on site. The Ecologist has commented that to avoid disturbance to birds, any removal of shrubs or trees that could provide nesting habitats should be carried out outside the breeding season. An informative is to be added to the decision notice informing the applicant of this requirement.
- 8.48 The scheme includes the installation of 6 bird boxes throughout the site. The Ecologist has commented that this is entirely appropriate and would enhance opportunities within the site for biodiversity. A condition is therefore recommended requiring the installation of the bird boxes.

**Other Considerations:**

- 8.49 Southern Water has commented that there is currently inadequate capacity to provide foul water sewage disposal to service the proposed development. Should this application be granted, South Water require the applicant to enter into a formal agreement with them to provide the necessary sewerage infrastructure required.
- 8.50 It should be noted that on receipt of these comments, the applicants have subsequently commenced discussions with Southern Water with regards to water sewerage disposal. One of the options to deal with Southern Water's concerns is to reduce the water currently discharging into the sewer via the combined system which can offset the water sewerage from the new building. Notwithstanding these discussions, an informative is recommended to be attached to the decision notice informing the applicant of their obligations to Southern Water.
- 8.51 Gas Networks have also included a copy of an extract showing the position of gas mains in this location is included for the benefit of the applicant.

**9 CONCLUSION**

- 9.1 The application has been assessed against relevant policies. It would not cause demonstrable harm to the amenities of neighbouring properties and will preserve strategic views and the character and appearance of the school and the surrounding area. The scheme involves the enhancement of educational facilities on the site and is also considered appropriate in terms of sustainability, its impact on highway safety and demand for travel in the area.

**10 EQUALITIES**

- 10.1 The proposal provides adequate access for people with disabilities and would have to comply with Part M of the Building Regulations.

**11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES**

- 11.1 Section 106 agreement to secure:
- An employment strategy to secure up to 20% local labour during construction of the project.
  - Contribution of £45,600 to help finance off-site highway improvement schemes such as pedestrian infrastructure improvements on and around the Upper Drive and/ or pedestrian and cycle infrastructure improvements on Dyke Road.

and subject to the following Conditions and Informatives:

**11.2 Regulatory Conditions:**

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.  
**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

PLANNING COMMITTEE LIST – 28 AUGUST 2013

- 2) The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

**Reason:** For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Site Location Plan	1228_P_001	P2	5 <sup>th</sup> June 2013
Block Plan	1228_P_002	P3	31 <sup>st</sup> July 2013
Parking Provision	1228_P_005	P3	31 <sup>st</sup> July 2013
Existing Site Plan	1228_P_009	P1	24 <sup>th</sup> May 2013
Proposed Site Plan	1228_P_010	P2	31 <sup>st</sup> July 2013
Ground Floor Plan	1228_P_110	P2	24 <sup>th</sup> May 2013
First Floor Plan	1228_P_111	P2	24 <sup>th</sup> May 2013
Second Floor & Roof Plan	1228_P_112	P2	24 <sup>th</sup> May 2013
Modifications to Newman Building	1228_P_113	P1	5 <sup>th</sup> June 2013
Proposed Elevations	1228_P_200	P3	24 <sup>th</sup> May 2013
Elevation from the Upper Drive	1228_P_300	P2	24 <sup>th</sup> May 2013
Section 1-1	1228_P_150	P3	24 <sup>th</sup> May 2013
Cardinal Newman Catholic School – New Sixth Form Centre Material Samples			6 <sup>th</sup> August 2013

- 3) The hard surface 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 policy SU4 of the Brighton & Hove Local Plan.

- 4) The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the employees of and visitors to the development hereby approved.

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

11.3 Pre-Commencement Conditions:

- 5) No development shall commence until details showing the type, number, location and timescale for implementation of the compensatory bird boxes has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be carried out in strict accordance with the approved details.

**Reason:** To ensure appropriate integration of new nature conservation and enhancement features in accordance with policy QD17 and QD18 of the Brighton & Hove Local Plan.

- 6) No development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM

assessment within overall 'Very Good' of relevant BREEAM assessment for all non-residential development has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

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

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

- 8) The development hereby permitted shall not be commenced until full details of secure cycle parking facilities for the students and staff of, and visitors to, the sixth form college and the school as a whole have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

- 9) No development shall commence until full details of the new pedestrian access onto The Upper Drive, including elevation drawings, have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed details and thereafter retained as such.

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

- 10) No development shall commence until full details of the existing and proposed land levels of the proposed building in relation to Ordinance Datum and to surrounding properties have been submitted to and agreed in writing by the Local Planning Authority. The details shall include finished floor levels. The development shall be constructed in accordance with the agreed details.

**Reason:** To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

- 11) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, boundary treatments (including new fencing), planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

**Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

- 12) No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the archaeological site investigation has been completed in accordance with the approved programme.

**Reason:** To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policy HE12 of the Brighton & Hove Local Plan.

11.4 Pre-Occupation Conditions:

- 13) All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

**Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

- 14) The non-residential development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' has been 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 SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

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

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

11.5 Informatives:

- 1) In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
- 2) This decision to grant Planning Permission has been taken:
  - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:  
(Please see section 7 of the report for the full list); and
  - (ii) for the following reasons:-

The application has been assessed against relevant policies. It will not cause demonstrable harm to the amenities of neighbouring properties and will preserve strategic views and the character and appearance of the school and the surrounding area. The scheme involves the enhancement of educational facilities on the site and is also considered appropriate in terms of sustainability, its impact on highway safety and demand for travel in the area.
- 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](http://www.breeam.org)). Details about BREEAM can also be found in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website ([www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk)).
- 4) The applicant is advised that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website ([www.communities.gov.uk](http://www.communities.gov.uk)).
- 5) The applicant is advised that new legislation on Site Waste Management Plans (SWMP) was introduced on 6 April 2008 in the form of Site Waste Management Plans Regulations 2008. As a result, it is now a legal requirement for all construction projects in England over £300,000 (3+ housing units (new build), 11+ housing units (conversion) or over 200sq m non-residential floorspace (new build)) to have a SWMP, with a more detailed plan required for projects over £500,000. Further details can be found on the following websites: [www.netregs.gov.uk/netregs/businesses/construction/62359.aspx](http://www.netregs.gov.uk/netregs/businesses/construction/62359.aspx) and [www.wrap.org.uk/construction/tools\\_and\\_guidance/site\\_waste\\_2.html](http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_2.html).
- 6) The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting birds, their nests and eggs is a criminal



offence. The nesting season is normally taken as being from 1st March – 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.

- 7) The Travel Plan shall include such measures and commitments as are considered necessary to mitigate the expected travel impacts of the development and should include as a minimum the following initiatives and commitments:
- i. Measures to promote and enable increased use of active and sustainable transport modes, including walking, cycling, public transport use, car sharing and Park & Stride, as alternatives to individual motor vehicle use;
  - ii. Identification of a nominated member of staff to act as School Travel Plan Co-ordinator to become the individual contact for the council's School Travel Team relating to the School Travel Plan; to convene a School Travel Plan (STP) Working Group.
  - iii. Use of the BHCC STP guidance documents to produce and annually review the STP.
  - iv. Production of a SMART action and monitoring plan, which shall include a commitment to undertake annual staff, parent/carer and pupil travel surveys to enable the STP to be reviewed and to update the SMART actions to address any issues identified;
  - v. A commitment to take part in the annual 'Hands Up' Mode of Travel Survey co-ordinated by the council's School Travel Team.
  - vi. Identification of mode-use targets focussed on reductions in the level of individual motor vehicle use by staff and parent/carers.
  - vii. A commitment to reduce carbon emissions associated with nursery and school travel.
  - viii. Initiatives to increase awareness of and improve road safety and personal security.
  - ix. Evidence of dialogue and consultation with neighbouring residents and businesses.
  - x. Submission of an annual STP review document, following the annual travel surveys, to the Council's School Travel Team to demonstrate progress towards the identified targets.

