

ITEM B

BHASVIC 205 Dyke Road, Hove

BH2013/02082
Full planning

09 OCTOBER 2013

BH2013/02082 BHASVIC, 205 Dyke Road, Brighton



<u>No:</u>	BH2013/02082	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	BHASVIC 205 Dyke Road Hove		
<u>Proposal:</u>	Construction of a new 3no storey teaching block located on the existing upper car park between College House and the main building on Dyke Road, provision of a new service area to provide access for deliveries and refuse vehicles located to the north of College House on Dyke Road, refurbishment of the existing refectory and staff room in the Link Building, installation of CCTV cameras and creation of a new landscaped area.		
<u>Officer:</u>	Clare Simpson Tel 292454	<u>Valid Date:</u>	08/07/2013
<u>Con Area:</u>	n/a	<u>Expiry Date:</u>	07 October 2013
<u>Listed Building Grade:</u>	n/a		
<u>Agent:</u>	HNW Architects, 11 West Pallant Chichester P019 1TB		
<u>Applicant:</u>	Brighton Hove & Sussex Sixth Form College, Ms Jutta Knapp 205 Dyke Road Hove BN3 6EG		

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 is **MINDED TO GRANT** planning permission subject to an amended plan detailing proposed additional cycle and car parking facilities, the completion of a Section 106 agreement and subject to the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to Brighton & Hove and Sussex Sixth Form College (BHASVIC) which is located at the junction on Dyke Road and Old Shoreham Road. BHASVIC is a locally listed building. The main building is located on a prominent corner, with an imposing symmetrical facade, surmounted by a tall cupola. It has particular architectural merit and forms a local landmark in the area.
- 2.2 There is slight fall in land levels from north to south and ground levels fall away from Dyke Road
- 2.3 The existing student numbers for the site are 2089. The College will have an additional 288 students attending in the next academic year.

3 RELEVANT HISTORY

BH2013/01430 Demolition of existing lobbies and erection of new part-covered lobbies (Part-Retrospective). Approved 01/07/2013

BH2012/02063 Replacement of existing windows to the main building with UPVC and aluminium windows. Approved 24/08/2012

BH2012/01118 Erection of temporary single storey modular classroom and steel container for a period of five years. Approved 12/06/2012

BH2011/03469 External refurbishment of Student Common Room including installation of access ramp. Erection of canopies to College House, the main building, student services building and the canteen area. Approved 08/02/2012

BH2010/01096 Erection of new temporary two storey classroom building for 5 years replacing existing single storey building and retention of existing temporary single storey classroom for a further 4 to 5 years. Approved 02/07/2010

BH2008/01457 Installation of a two storey Portakabin Ultima building to be used as classroom facilities for a hire period of 5 years Approved 21/08/2008. (Consent expired)

BH2008/01275 Proposed single storey extensions to north and west elevations of existing sports centre including extension to tennis court to form netball courts. Approved 22/08/2008

BH2008/01113 Proposed redevelopment of educational facilities comprising one 4-storey, one 3-storey and one 3 and 1-storey blocks and associated works. Approved 29/01/2009

BH2007/00925 Outline application for erection of educational facilities comprising one 3 storey, one 4 storey and one 3 and 1 storey blocks and associated works. Approved 23/01/2008

4 THE APPLICATION

4.1 Planning permission is sought for the construction of a new 3no storey teaching block located on the existing upper car park between College House and the main building, fronting Dyke Road. The building would provide a new student social learning space, kitchen facilities, WCs and learning resource centre on the ground floor with 12 teaching rooms located above. Associated works include the provision of a new service area to provide access for deliveries and refuse vehicles located to the north of College House on Dyke Road, refurbishment of the existing refectory and staff room in the Link Building, installation of CCTV cameras. One particular focus appears to be the creation of main external social space in the heart of the campus at the rear of the new block. and creation of a new landscaped area in the proposed courtyard.

4.2 The proposal would result in additional gross internal floor space of 2027m².

The building would be located on the upper car park of the school. This would result in the loss of 29 car parking spaces.

- 4.3 The principle of the development and the positioning of the new block were the subject of pre-application discussions with the Local Planning Authority. A public consultation was held at BHASVIC College in June. Summary comments from the public consultation include both positive and negative feedback on the design of the proposed building.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Two (2)** letters of representation have been received from **Flat 4B Belvedere and Flat 8 Belvedere 152-158 Dyke Road** objecting to the application for the following reasons:

- The building would damage the rhythm of the streetscape as it is located too close to Dyke Road,
- The eastern façade has no human scale and would be constructed in materials which do not relate to neighbouring properties,
- The ground floor has no proper frontage,
- The planning statement does not explain the design of the development
- The scheme would be detrimental to the character and appearance of existing buildings on site reducing the distinctiveness of the area
- Existing buildings would be dominated by the height
- The blue materials would be out of place
- Parking would be displaced
- CCTV cameras would be intrusive to the flats opposite
- The development would cause overshadowing and a loss of to neighbouring occupiers
- Expansion would provide more problems with noise and disturbance with late night functions

- 5.2 **County Archaeologist: Comment**

The application does not include an adequate heritage statement, and has only considered visual impact. For this scale of development the application should have contained an archaeological desk based assessment detailing the known archaeological resource of the site and area, as well as detail on past impact to provide an understanding of potential survival of archaeological remains and the proposed impact on remains. Without this information it must be assumed that the site has a high archaeological potential and that impact will be full. However based on the information available on the Historic Environment Record, it is likely that surviving archaeological remains will be of local significance which can be dealt with through an appropriate planning condition.

- 5.3 **UK Power Networks: No objection**

- 5.4 **Environment Agency: No objection**

- 5.5 **Southern Gas Networks: No objection**

- 5.6 **East Sussex Fire and Rescue:** Comment: The plans do not appear to indicate the water supply and provisions of hydrants.

Internal:

- 5.7 **Ecology:** Comment

The proposed development is unlikely to have any significant impacts on biodiversity and can be supported from an ecological perspective. The site offers opportunities for biodiversity enhancements that will help the Council address its duties and responsibilities under the Natural Environment and Rural and Communities Act 2006 and NPPF.

- 5.8 **Economic Development:** Comment

Overall support for the application and request a contribution to the local employment scheme of 20% local employment during the construction phase and an employment and training strategy in accordance with the interim guidance document.

- 5.9 **Planning Policy:** No Comment

- 5.10 **Planning Projects:** Comment

To make sure the requirements of Policy QD6 are met at implementation stage, it is recommended that an 'artistic component' schedule be included in the section 106 agreement. It is suggested that the public art element for this application is to the value of £7,100.

- 5.11 **Heritage:** Comment

The proposal is for an additional building along the Dyke Road elevation. It is located in what is currently a car park, between the main block and College House.

- 5.12 The principle of a building in this location is acceptable, as it has the potential to provide greater definition to the boundary, strengthen the building line and enhance the street scene.

- 5.13 The proposed building is, however, set forward of the building line of the main building. It is located to align with the projecting parts of the main building and College House, but this is not the over-riding building line along this stretch of the road. The proposal will impact on the dominance of the main block. The building should be set back to align with the building line of the main block.

- 5.14 The height of the proposed building matches the ridge height of the main block, with an additional level of plant located above this. This will again compete with the dominance of the main block. The proposed building should ideally match the eaves height of the main block, with any part of the building above this height set back from the elevation. The height of the building in its totality should not be higher than the ridge height of the main block.

- 5.15 A modern design is considered acceptable in this location. A palette of red and earthy tones however unites all the buildings on site currently, creating a strong sense of place. It would be appropriate for this building to respect this palette in

order to integrate the building with the site, rather than the blue and green palette which is proposed.

Sustainability: Comment

- 5.16 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.
- 5.17 Under supplementary planning document SPD08 major new development built on previously developed land is expected to achieve BREEAM 'excellent' and 60% in energy and water sections. The applicant has submitted a BREEAM Education Pre-assessment report that indicates a targeted score of 'Excellent' overall with 78% in energy and 62% in the water section. This meets the overall standard expected via SPD08 and exceeds the energy performance standard.
- 5.18 The application reflects a robust response to all aspects of policy SU2 and SPD08. The documents demonstrate that sustainability has been well integrated into the design process delivering a highly energy efficient building that has incorporated advanced thermal fabric performance, passive solar design, efficient servicing and a considerable solar array incorporating both solar thermal and photovoltaic renewable technologies.

Sustainable Transport: Comment

- 5.19 The Highway Authority has no objections to this application subject to the inclusion of the necessary conditions (including additional cycle parking) and Section 106 of £90,300 to help finance off site transport improvements along the Dyke Road corridor. The adopted formula uses a trip assumption of the additional 288 students and 13 staff making 2 trips per day to and from the college. The proposed arrangement of the various accesses to the site is acceptable in principle

Environmental Health No objection

- 5.20 Subject to conditions to deal with noise and potential land contamination.

Arboriculture Team: No objection

- 5.21 Two trees need to be removed in the interests of sound arboricultural management, however, no trees need to be removed to facilitate the development.
- 5.22 The Arboricultural Section has no objection to the proposals in this application subject to suitable conditions being attached to any planning consent granted.

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
QD4	Design – strategic impact
QD5	Design – Street Frontages
QD6	Public Art
QD7	Crime Prevention through Environmental Design
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of Amenity
HE10	Buildings of local interest
HO19	Provision of new community facilities

Supplementary Planning Guidance:

SPGBH4 Parking Standards

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 assist in the planning of higher and further education establishments

8 CONSIDERATIONS & ASSESSMENT

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

Planning Policy:

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 BHASVIC has currently has 2089 students and struggles to accommodate this number in the existing building. The student numbers are expanding next year by an additional 288. The college requires more space and better facilities to accommodate this increase. The proposed 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 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.

Design

8.5 Brighton & Hove Local Plan policies QD1 and QD2 require new development to be of a high standard of design that would make a positive contribution to the surrounding area and that emphasises and enhances the positive characteristics of the local neighbourhood. Policy QD4 requires the setting of

well-known landmark buildings to be respected. Policy QD5 seeks to ensure new development presents an interesting and attractive frontage.

- 8.6 The architects have explained in their supporting information that the design rationale is to make a separate statement on Dyke Road rather than attempt to replicate existing design or materials. Although it is the whole site which is on the Local List, the prominent building, with the most architectural merit is the main school building which is the focal point on the southeast corner of the site at the junction between Dyke Road and Old Shoreham Road.
- 8.7 A distance of 17 metres decreasing to 5 metres would separate the new building from the main building. It would be read as a stand-alone building, not as an extension to the existing buildings on site.
- 8.8 In terms of its design, the approach is for a modern new building which utilises glazing, cladding and brickwork. The building is three-storeys high. The highest part of the building would be approximately 11 metres in height. Plant on top of the flat roof would be contained behind screening of an additional 2 metres in height. This screening would be set back 2 metres from the front elevation of the building.
- 8.9 The height of the building is comparable to the ridge height of BHASVIC Main Building and sits mid-way between the eaves and ridge height of College House. It should be noted that the plant screening would be set 2 metres back from the front elevation of the building and therefore the visual impact of this feature is reduced.
- 8.10 The new building would be located slightly forward of the principle building lines of the Main Building to the southeast and College House to the north-west by 3 metres increasing to 4 metres. Both of these buildings however have front projections which are comparable to the building line of the proposed new building. This is considered to make the proposed building line comfortable in its setting. In addition, land levels slope down from Dyke Road in to the College site. The building would be constructed on a slightly lower land than Dyke Road and when viewed from public vantage points it is considered that the siting of the building will not overly dominate the neighbouring properties.
- 8.11 A further consideration with the initial drawings was the treatment of the ground floor of the new building, fronting Dyke Road. This does not appear to have received the same level of architectural attention shown elsewhere on the building, and in terms of the public realm it is this area which would potentially have the most impact. The internal spaces of the new building focus activity to the rear of the new building, creating an active student court yard area. The service areas are therefore located towards the Dyke Road elevation. The design team have now shown the level change through the site from Dyke Road to the front elevation of the building. This demonstrates that much of the ground floor of the building would not be prominent when viewed from the adjacent pavement.

- 8.12 The comments from the Heritage Officer have suggested that the height and the building line of the new building should be revised to ensure that the extension does not compete with the existing buildings on site. A comment from a neighbouring resident also refers to these concerns. These comments have been considered and although the building line is 3-4 metres forward of the principle building line of adjoining properties, it is not considered that this should render the design unacceptable. For the reasons explained above, it is considered that the building line of the new building would sit appropriately with the building line of the existing College buildings. Importantly green landscaping and boundary treatment have been considered within the scheme which will provide some continuity with the existing boundary treatment along Dyke Road.
- 8.13 Amended plans have been received during the course of the application in an attempt to address some of the concerns around the palette of materials on the original submission. Although red tones were suggested to the applicants, the design team were reluctant to significantly change the palette of materials. The colour palette has been toned-down slightly and the tones are considered to be earthier and therefore more comfortable in its surroundings. The applicant has submitted a materials board for consideration at planning committee.
- 8.14 It is also worth noting that the BHASVIC currently relies on a number of temporary classrooms on site which are not considered to respond positively to the setting of the building. These classrooms have temporary consents, and although the college have not linked the removal of some of these buildings to the new extension, it is considered that there is a significant need for permanent student accommodation on site and this application offers the potential in the future to tidy up the campus as a whole.
- 8.15 The application contains three CCTV cameras, shown on drawing no.P109. These are located towards the front of the site to provide surveillance in areas which otherwise see little activity. These are considered to be acceptable installations from a design perspective.
- 8.16 Overall the design of the scheme has some merit, and although the approach has been to contrast with the existing buildings on site, it is considered that the design rationale is considered broadly acceptable. The proposed new building will make a significant statement to the Dyke Road frontage, but it is considered that the visual impact of the main building would not be diminished. On balance, the design of the building is considered to be acceptable.

Landscaping:

- 8.17 The site has a blanket Tree Preservation Order which covers all trees on the site. Trees do not need to be removed to facilitate the development. The application does contain plans showing the removal of two trees on the site. The Arboriculture Team have reviewed the application and raise no objections to this loss. The Common Elder identified to be felled is considered in poor condition and a poor quality tree and the Elm is considered in an advance state of decline. Conditions have been identified to protect the trees through construction.

8.18 A landscaping plan has been submitted with the application which details treatment of the Student Courtyard Area at the rear of the new building which will contain some landscape planting. There is an overriding need for improved accessibility in this space.

8.19 A hedge is proposed to run along the Dyke Road pavement which is consistent with the front boundary treatment of the adjoining blocks. The front of the building would create a cohesive front boundary treatment for this section of Dyke Road.

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 building would be located on the existing car parking area fronting Dyke Road. This space is currently undeveloped. The formation of a three storey building on this site will inevitably have a degree of impact on the residential properties opposite. The properties most affected are those directly facing the site which include the Alquds Mosque and residential flats in the Belvedere 152-158 Dyke Road. One resident from these flats has objected to the application on the grounds of loss of privacy and overlooking. The separation distance between the front elevation of the new building and the front elevation of the residential flats would be in excess of 25 metres. Such separation distances are considered to be comfortable and will prevent any significant impact on loss of light and loss of privacy. As the land is currently undeveloped, residents would lose their open aspect over the college site, but given the separation distances are sufficient to prevent this building being overbearing, the impact is considered acceptable. Similarly with the issue of loss of light, some additional shadowing from the new building is anticipated but no significant loss of light to neighbouring properties.

8.22 A further comment was received from a neighbour about the proposed CCTV cameras and potential for intrusion and loss of privacy from these installations. Drawing P109 shows the location of 3 CCTV cameras towards the front of the site. These cameras are located in areas where natural surveillance is lacking and additional surveillance is considered to be required. None of the cameras are angled directly towards the properties opposite. Notwithstanding this, there is sufficient distance between the cameras and neighbouring residential properties to prevent a feeling of intrusion and loss of privacy is not considered to be an issue in this instance.

Sustainable Transport:

8.23 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.

- 8.24 The applicant has submitted a Transport Statement 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 most students travel by non-car modes.
- 8.25 The proposed development would involve building on the upper car parking area. Two of the existing vehicular access point would be removed and only pedestrian and cycle access would be retained to this area.
- 8.26 The applicant is proposing to reduce standard car parking spaces by 29. The Highway Authority deems this reduction in estimated car parking acceptable due to the site being in a sustainable location within walking distance of bus stops and close to main railway stations and the site being within a controlled parking zone that should limit overspill. The development would also be in accordance with the City Council's maximum Car Parking Standards (SPG04). Furthermore the applicant indicates that 7 new car parking spaces would be provided in the lower car park to partly offset the removal of spaces in the upper car park. However detail of the provision has not been included within the submitted plans. A plan must be submitted by the applicant detailing such provision and this plan is awaited.
- 8.27 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 also commented that the applicant should make a financial contribution of £90,300 to help finance off-site highway improvement schemes. The requested contributions are to help finance pedestrian and cycle facility improvements along the Dyke Road corridor.
- 8.28 The Transport Team have commented on the need for a Construction and Environmental Management Plan which will ensure no adverse impact on neighbouring occupiers through the construction period. This can be secured through a section 106 agreement.

Sustainability

- 8.29 The application has been accompanied by BREAAAM pre-assessment which shows the design of the building equates to a BREEAM 'Excellent' rating. This is welcomed and in accordance with the sustainability thresholds suggested in the Supplementary Planning Document on Sustainable Building Design (SPD08).
- 8.30 Renewable Energy provision is accommodated through 125m² photovoltaic array; and a solar thermal array of 12m² both to be accommodated on the roof of the new building. Furthermore a passive design has been submitted which incorporates passive ventilation, natural lighting and solar shading.
- 8.31 The Sustainability Team have confirmed that the development would meet local and national policy. Further areas of environmental performance enhancement have been identified including rainwater harvesting, and a food composting provision. Although this is recommended, given that the development can be

shown to meet the required BREEAM ‘Excellent’ rating it is not considered justifiable to insist on these additional measures in this instance.

Ecology/Nature Conservation

- 8.32 The applicant has submitted Ecology Report for the site. The new building would be located on the existing car park; an area of low ecological value. 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.
- 8.33 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.

Other Considerations:

- 8.34 BHASVIC is located on potentially Contaminated Land. Previous contaminated land reports for the site have already identified that remedial measures are required in order that the development can be undertaken safely to protect the future occupants of the building. The Environmental Health Officer has suggested conditions to ensure this matter is given due attention before the development is commence.

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 local significance of BHASVIC’s main building. The character and appearance of the school and the surrounding area is not considered to be harmed. 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 **£90,300** to help finance off-site highway improvement schemes such as pedestrian and cycle infrastructure improvements on along the Dyke Road corridor
 - A Construction and Environmental Management Plan

and subject to the following Conditions and Informatives:

PLANNING COMMITTEE LIST – 9th OCTOBER 2013

11.2 Regulatory Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
- 2) The development hereby permitted shall be carried out in accordance with the approved drawings listed below.
Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Existing Site Plan	P100	B	21 st June 2013
Proposed Site Plan	P101	C	2 nd July 2013
Proposed Site Plan	P104	H	21 st June 2013
Proposed Block Plan	P107	B	2 nd July 2013
Location Plan	P108	B	2 nd July 2013
CCTV location Site Plan	P109		8 th July 2013
Existing Basement Floor Plan	P200	A	21 st June 2013
Existing Ground Floor Plans	P102	B	21 st June 2013
Existing First Floor Plan	P202	B	21 st June 2013
Existing Second Floor Plans	P203	A	21 st June 2013
Proposed Infill Block Ground Floor	P258	K	2 nd July 2013
Proposed Infill Block First Floor	P259	J	2 nd July 2013
Proposed Infill Block Second Floor	P260	H	2 nd July 2013
Proposed Infill Block Roof plan	P261	E	8 th July 2013
Proposed link Building Ground Floor	P262	C	8 th July 2013
Proposed Infill-Block section AA-BB	P263	B	21 st June 2013
Proposed elevations	P265	D	6 th September 2013
Existing elevations	P266	A	21 st June 2013
Contextual Elevations	P267	B	2 nd July 2013
Existing Link building Ground Floor	P278		2 nd July 2013
Proposed elevations – Sculptural Boundary Treatment	P279		6 th September 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) Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing L_{A90} background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:1997. In addition, there should be no significant low frequency tones present.
Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 5) 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:

- 6) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:
- (i)(a) A desk top study has previously been submitted, please refer to (b) below
(b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001; and, unless otherwise agreed in writing by the Local Planning Authority,
(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.
- (ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of (i) (c) above that any remediation scheme required and approved under the provisions of (i) (c) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise

agreed in writing by the Local Planning Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress; and
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under (i) (c).

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

- 7) No development or other operations shall commence on site until a scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, has been submitted to and approved in writing by the Local Planning Authority; no development or other operations shall take place except in complete accordance with the approved protection scheme.

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

- 8) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme. Protective fencing shall be retained intact for the full duration of the development hereby approved, and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

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

- 9) No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

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

- 10) No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Construction Specification/Method Statement for new refuse location, relocated mini bus parking, new footpath on south west corner (if appropriate) and widened entrance to the north of the site on Dyke Road has been submitted to and approved in writing by the Local Planning Authority. This shall provide for the long-term retention of the trees. No development or other operations shall take place except in complete accordance with the approved Construction Specification / Method Statement.
Reason: To ensure the adequate protection of the protected trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.
- 11) 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.
Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework and to comply with policy HE12 of the Brighton & Hove Local Plan.
- 12) 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 'Excellent' 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.
- 13) 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.
- 14) The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the

development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

11.3 Pre-Occupation Conditions:

- 15) Prior to the occupation of the development the applicant shall reinstate the redundant vehicle crossovers on Dyke Road as detailed above back to footway by raising the existing kerb and footway. The works shall be completed prior to the occupation of the development hereby permitted and shall thereafter be retained.

Reason: In the interests of highway safety and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.

- 16) 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.

- 17) The new/extended crossover and access shall be constructed prior to the first occupation of the development hereby permitted and in accordance with a specification that has been approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to comply with policies TR1 and TR7 of the Brighton & Hove Local Plan.

- 18) The development hereby permitted shall not be brought into use until the 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 Condition 11 and that provision for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework

- 19) 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 'Excellent' 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.

- 20) Within 3 months of occupation of the new building hereby approved, the college 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). 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).

- 4) The applicant is advised that advice regarding permeable and porous hard surfaces 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).
- 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 floor space (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 and 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:
 - a. 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;
 - b. 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.
 - c. Use of the BHCC STP guidance documents to produce and annually review the STP.
 - d. 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;
 - e. A commitment to take part in the annual 'Hands Up' Mode of Travel Survey co-ordinated by the council's School Travel Team.

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- f. Identification of mode-use targets focussed on reductions in the level of individual motor vehicle use by staff and parent/carers.
- g. A commitment to reduce carbon emissions associated with nursery and school travel.
- h. Initiatives to increase awareness of and improve road safety and personal security.
- i. Evidence of dialogue and consultation with neighbouring residents and businesses.

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.

- 8) The planning permission granted includes a vehicle crossover which requires alterations and amendments to areas of the public highway. All necessary costs including any necessary amendments to a Traffic Regulation Order (TRO), the appropriate license and application fees for the crossing and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. The crossover is required to be constructed under licence from the Highways Operations Manager. The applicant must contact the Network Co-ordination Team (01273 293 366) prior to any works commencing on the public highway.