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| <u>No:</u> | BH2021/03029 | <u>Ward:</u> | Hollingdean And Stanmer Ward |
| <u>App Type:</u> | Full Planning | | |
| <u>Address:</u> | Cedar Centre Lynchet Close Brighton BN1 7FP | | |
| <u>Proposal:</u> | Extension and re-modelling of existing school building including erection of first floor extension, new perimeter fencing, revised parking layout and refurbishment of elevations. | | |
| <u>Officer:</u> | Steven Dover, tel: | <u>Valid Date:</u> | 31.08.2021 |
| <u>Con Area:</u> | | <u>Expiry Date:</u> | 26.10.2021 |
| <u>Listed Building Grade:</u> | | <u>EOT:</u> | |
| <u>Agent:</u> | Head Of Education Capital Property And Design Brighton And Hove City Council Hove Town Hall Hove BN3 4AH | | |
| <u>Applicant:</u> | Head Of Education Capital Property And Design Brighton And Hove City Council Hove Town Hall Hove BN3 4AH | | |

1. RECOMMENDATION

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

Conditions:

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

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

| Plan Type | Reference | Version | Date Received |
|------------------|------------------|-----------------|----------------------|
| Location Plan | 001 | | 18 August 2021 |
| Location Plan | 002 | | 18 August 2021 |
| Block Plan | 003 | | 18 August 2021 |
| Block Plan | 004 | | 18 August 2021 |
| Proposed Drawing | 006 | | 18 August 2021 |
| Proposed Drawing | 008 | | 18 August 2021 |
| Proposed Drawing | 010 | | 18 August 2021 |
| Proposed Drawing | 011 | | 18 August 2021 |
| Proposed Drawing | 012 | | 18 August 2021 |
| Proposed Drawing | 015 | | 18 August 2021 |
| Proposed Drawing | 018 | | 18 August 2021 |
| Proposed Drawing | 021 | A | 5 October 2021 |
| Report/Statement | | Design & Access | 5 October 2021 |

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

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

- a) details of all brick, panelling, render and tiling (including details of the colour of render/paintwork/panelling to be used)
- b) details of all roofing to be used, including details of material, seaming, thickness and colour.
- c) details of all hard surfacing materials
- d) details of the proposed window, door and balcony treatments
- e) details of the proposed gullwing canopy
- f) details of the proposed cantilever canopy
- g) details of all the proposed external fencing (including material, colour and design)
- h) details of all other materials to be used externally

Development shall be carried out in accordance with the approved details.

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

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

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

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

Reason: To ensure the development provides for the needs of disabled staff and visitors to the site and to comply with policy TR18 of the Brighton & Hove Local Plan and SPD14 guidance.

6. The development hereby permitted shall not be occupied until a car park layout plan shall have been submitted to and approved in writing by the Local Planning Authority. This should include details of disabled parking, minibuss parking, staff and visitor parking. These spaces should be clearly demarcated on the plans and swept path drawing provided to demonstrate that a minibus can manoeuvre out of the proposed spaces. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

Reason: To ensure the development provides for the needs of all occupants and visitors to the site, to ensure the provision of satisfactory facilities for all users of the car park including pedestrians and the mobility and visually impaired and to comply with policies TR7, TR12, TR14 and TR18 of the Brighton & Hove Local Plan and SPD14 Parking Standards and CP9 of the City Plan Part One.

7. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

8. At least one bee brick shall be incorporated within the external wall of the development hereby approved and shall be retained thereafter.

Reason: To enhance the biodiversity of the site and to comply with Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.

2. SITE LOCATION

- 2.1. The application relates to The Cedar Centre which is a co-educational state special school for boys and girls from 4 -16 years of age, located on the southern side of Lynchet Close. It is not within a conservation area, and does not have any relevant Article 4 directions in place removing 'permitted development' rights.
- 2.2. The school has a capacity of 70, and currently has 69 pupils on roll, and has four staff. Neither the school roll or staff numbers are proposed to increase as part of this application.
- 2.3. The site slopes downwards to the south. To the immediate east of the site is the Central Hub educational facility which is single storey. The surrounding area is predominantly residential and educational with an eclectic mix of housing styles that are two and three storeys in height, with further blocks of apartments which are three storeys in height. To the north east lies the Hertford Junior School which is also single storey, and to the west is Hollingdean Children's Centre, backing onto Hollingdean Park.

3. RELEVANT HISTORY

- 3.1. BH2017/01104 - Erection of terrace of 6no four bedroom houses (C3) and two storey building comprising 2no two bedroom flats (C3) with associated car parking. Approved
- 3.2. BH2000/01765/CD/FP - Replacement of existing windows and doors with UPVC units to match those already installed. Approved
- 3.3. BH1998/00985/CD/FP - Remove existing chain-link fence in south west corner and erect 3m high replacement chain-link nearer to site boundary. Approved

4. APPLICATION DESCRIPTION

- 4.1. Planning permission is sought for the extension and re-modelling of the existing school building, including the erection of a first floor extension, new perimeter fencing, revised parking layout and refurbishment of elevations.
- 4.2. The design is led by the requirement for the existing classroom capacity to increase from 7 to 10. This would allow the separation of entrances for younger and older pupils, and extra vocational areas combined with new therapy and art rooms. The updating of the elevations and internal remodelling would enhance the pupil and staff experience and improve the appearance of the property, with the new fencing to the boundaries increasing the security and integrity of the school.
- 4.3. The supporting documents have been amended during the course of the application to clarify that there is no proposed increase in pupil or teacher numbers as part of this application which would remain at 70 pupils and 4 Staff.
- 4.4. The plans have also been amended during the course of the application to take into account comments and changes requested by Transport Planning.

5. REPRESENTATIONS

- 5.1. **Six** (6) unique letters objecting to the proposed development on the following grounds:
 - Height
 - Noise
 - Impact on property value
 - Overshadowing
 - Overdevelopment
 - Would affect views
 - Poor design
 - Too close to boundary
 - Traffic generation and parking

- 5.2. These objection letters were submitted while the original Design & Access Statement was available for public viewing and many refer to issues caused by the assumed extra pupils, which is not the case, there is no proposed increase in existing capacity.

6. CONSULTATIONS

- 6.1. **Economic Development** - Have no comment to make on this application 13/09/2021
- 6.2. **Transport Planning** - Final Response: No objection. 07/10/2021
Recommend approval subject to the inclusion of the following conditions.
- Cycle parking implementation
 - Disabled Parking
 - Car Park Layout Plan
- 6.3. 2nd Response - Further information required. 04/10/2021
Regarding teacher numbers and layout of parking.
- 6.4. 1st Response - Further information required. 24/09/2021
Regarding pupil numbers and layout of parking and gates.

7. MATERIAL CONSIDERATIONS

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

8. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

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|------|--|
| SS1 | Presumption in Favour of Sustainable Development |
| CP9 | Sustainable transport |
| CP10 | Biodiversity |
| CP12 | Urban design |
| CP13 | Public streets and spaces |

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

| | |
|------|---|
| TR7 | Safe Development |
| TR12 | Helping the independent movement of children |
| TR14 | Cycle access and parking |
| TR18 | Parking for people with a mobility related disability |
| QD5 | Design - street frontages |
| QD14 | Extensions and alterations |
| QD27 | Protection of Amenity |
| CP10 | Biodiversity |

Brighton & Hove City Plan Part Two

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

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|------|-------------------------------------|
| DM20 | Protection of Amenity |
| DM21 | Extensions and alterations |
| DM33 | Safe, Sustainable and Active Travel |
| DM36 | Parking and Servicing |

Supplementary Planning Documents:

| | |
|-------|---|
| SPD14 | Parking Standards |
| SPD12 | Design Guide for Extensions and Alterations |
| SPD11 | Nature Conservation & Development |

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the principle of the development, its impact on the appearance and character of the building and the wider area, the impact on the amenities of adjacent occupiers and the highway impacts of the revised parking arrangements.

Principle of the Development

- 9.2. Paragraph 95 of the NPPF notes the following:

"It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should (a) give

great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications."

- 9.3. The government's Policy Statement - 'Planning for Schools Development' adds to this, noting that local authorities 'should make full use of their planning powers to support state-funded schools' applications'.
- 9.4. The enhancement of the school proposed in the present application must, therefore, be given significant weight.

Design and Appearance

- 9.5. The main change in appearance proposed is the increase in height of a building facing Lynchet Close to two storeys in height with a large, pitched roof over, and amendments to its cladding and fenestration. Internally the building would be completely remodelled.
- 9.6. The current front elevation is set on a slope, is single storey in height, relatively low key and uniform with little of architectural interest. The proposed extension would be bold in form, colour and materials, contrasting with the existing buildings on site which are single storey, flat-roofed, and functional. The roof would be dual pitched with an offset ridge and have standing seam metal panels. The first floor would be cantilevered on both sides, with metal support poles below, with a larger footprint than the ground floor.
- 9.7. The elevational finish would bring in elements of cladding coloured purple, to match the school logo, and areas of bare brickwork. The purple colour is an addition to the elevation that is not currently represented in the street scene and would be in contrast to the rest of the buildings' palettes. It would highlight the new structure and bring architectural interest to the remodelled school, while being a relatively small part of the elevational treatment, so is considered appropriate. The structure would be located on the school frontage, but still set substantially back from the highway and forming a minor part of the overall school structure and footprint.
- 9.8. The proposed structure would extend the building slightly forward towards the Lynchet Close to the north but would still be a substantial distance from any of the surrounding educational and residential properties. It would provide the required extra space for the school in a contemporary form, adding interest and a focal point to the existing streetscene.
- 9.9. The new elevational treatments to the remainder of the school would match the proposed two storey structure in overall design and materials, with the use of new ppc aluminium fenestration and Rockpanel infill panels to the elevations of the reconfigured classrooms considered acceptable. The area has no predominant design style or form with an eclectic mix of two and three storey properties exhibiting varying forms of roof, elevational material and colour. The new elevations and the proposed gullwing canopy would bring further relief to the front and side elevations, breaking up what could appear as a large and uninteresting facade.

- 9.10. The further external works to erect new 2.7 metre cantilever canopies to the majority of the North, South and West Elevations are acceptable in design and appearance, while providing solar screening and covered exterior walkways.
- 9.11. The proposal sees changes to the parking layout with additional spaces, including disabled and minibus parking provision. New cycle storage is proposed, and the bin store would be relocated. All these elements are acceptable and cause no design harm in excess of the existing layout. The plans have been amended during the course of the application following comments from Transport Officers, which requested the provision of disabled parking and the access gate setting back a minimum of 5.5m from the public highway, both of which have been addressed.
- 9.12. The existing site has a mix of metal chain link boundary fencing, playground fencing and metal stake fencing. The proposed new boundary fencing to all the boundaries would be open mesh fencing measuring 2.4 m in height. The proposed sliding access gates would be powder coated weld mesh gates, measuring 2.4m in height.
- 9.13. This fencing and gates would be located within the site boundary, but further north than the existing and nearer to the public highway. The introduction of high fencing in areas that are unobstructed at present would reduce the sense of openness, but allow a high degree of visibility through to the school buildings, with far reaching views to the sea remaining. Similar forms of gates and fencing are already present at the Hertford Junior School to the north east. The benefits of increased security to the school are considered to outweigh any harm to the streetscene, particular in the context of an educational establishment where such fencing is to be expected.
- 9.14. The new playground open mesh fencing would be 3m in height and appropriate in design. The new timber fencing proposed for the cycle store/bin store is appropriate as is the lower timber fencing set forward of the front elevations.
- 9.15. A condition would be attached to any planning permission requiring full details of the proposed external materials prior to commencement of development to ensure the final materials, design and colours are appropriate.
- 9.16. Overall, the proposed works are considered to be suitable additions to the building that would not significantly adversely harm its appearance or that of the wider area, in accordance with policies QD5, QD14, TR7, TR12, TR14, TR18 of the Brighton & Hove Local Plan, Policies DM21, DM33 and DM36 of CPP2, and Supplementary Planning Documents SPD12 and SPD14.
- 9.17. Policies DM21, DM33 and DM36 are part of the Proposed Submission City Plan Part Two which is gathering weight. Policy DM21, DM33 and DM36 are considered to have significant weight at this stage.

Impact on Amenity

- 9.18. A site visit has been carried in person by the allocated officer to fully assess the impact of the proposed works.
- 9.19. Policy QD27 of the Brighton & Hove Local Plan and emerging Policy DM20 of City Plan Part Two (which can be given significant weight) state that planning permission for any development or change of use 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.
- 9.20. The position of the extensions and new roof design, although increasing the amount of fenestration, would not lead to substantially increased overlooking or harm to the privacy of neighbouring properties. The new front facing fenestration would overlook front gardens and open space, limiting any harm to private amenity. The new rear fenestration would be located such a distance from the rear elevations of neighbouring properties in Uplands Road and The Crestway (in excess of 50m), that no adverse harm is caused through overlooking.
- 9.21. Considering the above, the degree of harm to amenity through increased overlooking from the new fenestration is considered very limited.
- 9.22. The raising of the roof height and new form due to the proposed extension would lead to a small reduction in the view from some properties located to the north in Lynchet Close. However, a right to a view and retention of the same is not a material consideration in the determination of this application.
- 9.23. The proposed works would not be overbearing or overshadow any surrounding properties due to the separation distances. The works to erect the cantilever canopy to the sides of the building, and the new perimeter fencing would likewise have no overbearing or overshadowing effects, as they are small scale and would be comparable in height to the existing single storey. The majority of these works would also be a significant distance from neighbouring properties
- 9.24. Therefore, it is not considered that the proposed extension and works would cause any significant harm to amenity, in accordance with Policy QD27 of the Brighton & Hove Local Plan and Policy DM20 of CPP2.

Transport Planning

- 9.25. The revised plans and Design and Access Statement have been fully assessed, and with no increase in pupil capacity confirmed, no objection is raised. The scheme would see a revised layout with an increase in parking spaces and cycle storage. The increases, although higher than guidance under SPD14, are seen as appropriate due to the special nature of the school (SEN) and the higher proportion of drop off and pick-ups that may be needed. Conditions requested relate to Cycle Parking, Disabled Parking and Car Park Layout would be attached to any approval.
- 9.26. Therefore, it is considered that the proposed extension and works would be in accordance with policies TR7, TR12, TR14, TR18 of the Brighton & Hove Local

Plan, Policies DM33 and DM36 of CPP2, and Supplementary Planning Document SPD14.

- 9.27. Policies DM33 and DM36 are part of the Proposed Submission City Plan Part Two which is gathering weight. Policies DM33 and DM36 are considered to have significant weight at this stage.

Other Matters

- 9.28. A condition requiring a bee brick has been attached to improve ecology outcomes on the site in accordance with the Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

Conclusion:

- 9.29. The propose development is considered to bring no significant adverse harm to the host property or the wider streetscene. No significant harm to neighbouring amenity is identified. Approval is therefore recommended.

10. COMMUNITY INFRASTRUCTURE LEVY:

- 10.1. Under the Regulations of the Community Infrastructure Levy (CIL) 2010 (as amended), Brighton & Hove City Council adopted its CIL on 23 July 2020 and began charging on all CIL liable planning applications on and from the 5 October 2020. Educational uses are exempt from CIL charges so no CIL would be payable.

11. EQUALITIES

- 11.1. Disabled parking provision is identified in the supplied plans close to a new ramped access entrance. This is would increase accessibility for wheelchair users and those with limited mobility to access the Cedar Centre.