

<u>No:</u>	BH2022/03486	<u>Ward:</u>	Withdean
<u>App Type:</u>	Outline Application		
<u>Address:</u>	Varndean College, Surrenden Road, Brighton, BN1 6WQ		
<u>Proposal:</u>	Outline application with matters of appearance and landscaping reserved for an educational masterplan scheme comprising replacement of temporary classrooms with a new teaching block; demolition of a single storey teaching building to enable construction of a new entrance block and student cafe with new pedestrian access and associated reorganisation of the north car park; erection of a loft extension to the main building to provide administration space; and a new sports hall with associated parking and new pedestrian entrance from Surrenden Road.		
<u>Officer:</u>	Russell Brown, tel: 293817	<u>Valid Date:</u>	09.11.2022
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	08.02.2023
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	
<u>Agent:</u>	Mrs Grace Crook NTR Planning 118 Pall Mall London SW1Y 5EA		
<u>Applicant:</u>	Elaine French Varndean College Surrenden Road Brighton & Hove BN1 6WQ		

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 be **MINDED TO GRANT** planning permission subject to a s106 agreement on the Heads of Terms set out below and the following Conditions and Informatives as set out hereunder, SAVE THAT should the s106 Planning Obligation not be completed on or before the **5th August 2023** the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 14.1 of this report:

Section 106 Head of Terms:

Transport:

- A sustainable transport contribution of £30,000 for a new uncontrolled pedestrian crossing on Surrenden Road
- Travel plan including monitoring fees

Biodiversity:

- Biodiversity Net Gain monitoring fees of £7,000

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	1001	B	09 November 2022
Block Plan	1002	B	09 November 2022
Proposed Drawing	1003	B	09 November 2022
Proposed Drawing	1004	C	02 March 2023
Proposed Drawing	1005	B	09 November 2022
Proposed Drawing	1006	B	09 November 2022
Proposed Drawing	1012		09 November 2022
Proposed Drawing	0105	D	02 March 2023
Proposed Drawing	0106	C	02 March 2023
Proposed Drawing	0107	C	02 March 2023

2. Details of the reserved matters set out below ("the reserved matters")
- (i) appearance; and
 - (ii) landscaping (to include a minimum of three trees to every one felled with the replacement trees being of a nursery stock size of 20-25cm - extra heavy standard);
- in respect of the following as set out on the Phasing Plan (ref. 1012)
- a) Phase 1
 - b) Phase 2
 - c) Phase 3
 - d) Phase 4
 - e) Phase 5
- shall be submitted to the Local Planning Authority for approval within five years from the date of this permission. Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development relating to that phase is commenced. The reserved matters shall be carried out as approved.
- Reason:** To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to ensure timely delivery of the development.
3. The development hereby permitted must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- Reason:** To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to ensure timely delivery of the development.
4. The development hereby permitted, through Reserved Matters applications pursuant to this Outline Planning Permission, shall have regard to, and shall be in substantial accordance with, the principles set out in the following submitted plans listed below:
- 1003 B Teaching Building Parameter Plans and Sections
 - 1004 C Entrance Building and Loft Conversion Parameter Plans and Sections
 - 1005 B Sports Building Parameter Plans and Sections
 - 0105 D Indicative Department Floor Plan Level 00

- 0106 C Indicative Department Floor Plan Level 01
- 0107 C Indicative Department Floor Plan Level 02

Reason: Because the Local Planning Authority has had regard to these drawings in determining whether the amount and type development proposed can be accommodated within the site in an acceptable and sustainable way in terms of overall scale and mass, open space, transport and infrastructure delivery, landscaping and ecology mitigation and enhancement, and building heights, in accordance with Policies SS1, SA6, CP7, CP8, CP9, CP10, CP12, CP13, CP16, CP17 and CP18 of the Brighton and Hove City Plan Part One and DM9, DM18, DM20, DM21, DM22, DM31, DM33, DM35, DM36, DM37, DM40, DM42 and DM44 of the Brighton and Hove City Plan Part Two and SPD06, SPD11, SPD12, SPD14 and SPD17.

5. Prior to the first use of the sports hall hereby approved, a community use agreement prepared in consultation with Sport England shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the sports hall, its ancillary facilities and car parking, and include details of pricing policy, hours of use, access by non-college users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policies SA6 and CP17 of the Brighton & Hove City Plan Part One and DM9 of the Brighton & Hove City Plan Part Two.

6. The development hereby permitted shall not be commenced until a site-specific flood risk assessment of surface water, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall include

- Proposed surface runoff rates and supporting calculations demonstrating no flooding in a 1 in 100 year + 40% for climate change storm;
- Ground composition;
- Ground infiltration rates, demonstrating suitability of proposed sustainable drainage;
- Details of paths of exceedance flows;
- Evaluation of groundwater contamination risk of infiltration, with reference to the CIRIA SuDS Manual, and mitigation methods if necessary;
- A maintenance and management plan for all drainage elements, identifying tasks, frequencies, and parties responsible;
- Sustainable drainage plans identifying the nature, location, and dimensions of each element to be used, including their designs; and
- Justification as to why any identified opportunities for sustainable drainage have not been taken / would not be appropriate.

The recommendations of the approved flood risk assessment for each phase shall be implemented in accordance with the approved details before the first occupation of the associated phase of the development hereby approved.

Reason: As this matter is fundamental to the acceptable delivery of the permission to prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with Policies CP8 and CP11 of the Brighton & Hove City Plan Part One and DM42 of the Brighton & Hove City Plan Part Two, and SPD16.

7. Construction of the development hereby approved shall not commence until details of the proposed means of foul sewerage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The drainage details submitted to the Local Planning Authority should;
- Specify the responsibilities of each party for the implementation of the SuDS scheme;
 - Specify a timetable for implementation; and
 - Provide a management and maintenance plan for the lifetime of the development.

The development shall be implemented in full accordance with the requirements of the approved details.

Reason: To ensure adequate foul sewage drainage/treatment is available prior to development commencing, to ensure that the principles of sustainable drainage are incorporated into this proposal and to comply with Policy DM42 of the Brighton & Hove City Plan Part Two, and SPD16.

8. No development, including demolition and excavation, in respect of the following as set out on the Phasing Plan (ref. 1012)
- a) Phase 1
 - b) Phase 2
 - c) Phase 3
 - d) Phase 4
 - e) Phase 5

shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority for each phase. Each phase of the development shall be carried out in accordance with the details approved.

Reason: To maximise the sustainable management of waste and to minimise the need for landfill capacity and to comply with Policy WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

- 9.
- i) No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
 - ii) The archaeological work shall be carried out in accordance with the approved written scheme of investigation and a written record of all archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of the archaeological investigation.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with Policies CP15 of the Brighton & Hove City Plan Part One and DM31 of the Brighton & Hove City Plan Part Two.

10. Within six months of first use of the buildings in each of the following phases of the development hereby permitted as set out on the Phasing Plan (ref. 1012):

- a) Phase 1
- b) Phase 2
- c) Phase 3
- d) Phase 4
- e) Phase 5

a Post Construction Review Certificate issued by the BREEAM Building Research Establishment confirming that the non-residential development built has achieved a minimum BREEAM New Construction rating of 'Excellent' shall be 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 CP8 of the Brighton & Hove City Plan Part One and DM44 of the Brighton & Hove City Plan Part Two.

11. The development hereby approved as set out on the Phasing Plan (ref. 1012):

- a) Phase 1
- b) Phase 2
- c) Phase 3
- d) Phase 4
- e) Phase 5

shall not be first used until the buildings in each of the phases have achieved as a minimum, an Energy Performance Certificate (EPC) rating 'B'.

Reason: To improve the energy cost efficiency of new development and help reduce energy costs to comply with Policy DM44 of the Brighton & Hove City Plan Part Two.

12. Prior to the first use of each phase of the development hereby approved as set out on the Phasing Plan (ref. 1012):

- a) Phase 1
- b) Phase 2
- c) Phase 3
- d) Phase 4
- e) Phase 5

an overheating assessment to CIBSE standards shall be submitted to and approved in writing by the Local Planning Authority. Each phase of the development shall be carried out in accordance with the recommendations of the assessment.

Reason: To ensuring that the buildings have efficient design and ventilation systems to prevent overheating given the impacts of climate change, such as hotter summers, and to comply with Policy CP8 of the Brighton & Hove City Plan Part One.

13. Prior to the first use of each phase of the development hereby approved as set out on the Phasing Plan (ref. 1012):
- a) Phase 1
 - b) Phase 2
 - c) Phase 3
 - d) Phase 4
 - e) Phase 5
- an Energy Statement using the Lean / Clean / Green hierarchy shall be submitted to and approved in writing by the Local Planning Authority. Each phase of the development shall be carried out in accordance with the approved details.
- Reason:** To ensure the new development uses renewable energy for lighting and heating and is generally energy efficient to comply with Policies CP8 of the Brighton & Hove City Plan Part One and DM44 of the Brighton & Hove City Plan Part Two.
14. Prior to any demolition / removal / alterations works to each phase of the development hereby approved as set out on the Phasing Plan (ref. 1012):
- a) Phase 1
 - b) Phase 2
 - c) Phase 3
 - d) Phase 4
- a bat survey shall be carried out and a report containing its findings shall be submitted to and approved in writing by the Local Planning Authority. Any works necessary shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.
- Reason:** To safeguard these protected species from the impact of the development and ensure appropriate integration of new nature conservation and enhancement features in accordance with Policies CP10 of the Brighton & Hove City Plan Part One and DM37 of the Brighton & Hove City Plan Part Two, and SPD11.
15. A bee brick shall be incorporated within the external walls of each building hereby approved and shall be retained thereafter.
- Reason:** To enhance the biodiversity of the site and to comply with Policies CP10 of the Brighton & Hove City Plan Part One and DM37 of the Brighton & Hove City Plan Part Two, as well as SPD11.
16. Prior to any works related to the development hereby approved taking place, an Ecological Impact Assessment (EIA) assessing the likely impacts of the scheme on biodiversity and providing recommendations for appropriate mitigation, compensation and enhancement shall be submitted to and approved in writing by the Local Planning Authority. The EIA shall include the following:
- a. purpose and conservation objectives for the proposed works;
 - b. review of site potential and constraints;
 - c. detailed design(s) and / or working method(s) to achieve stated objectives;
 - d. extent and location / area of proposed works on appropriate scale maps and plans;

- e. type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f. timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g. persons responsible for implementing the works;
- h. details of initial aftercare and long-term maintenance;
- i. details for monitoring and remedial measures;
- j. details for disposal of any wastes arising from works.

The EIA shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this and to comply with the requirements of Policies CP10 of the Brighton & Hove City Plan Part One and DM37 of the Brighton & Hove City Plan Part Two, as well as SPD11.

17. Prior to any works related to the development hereby approved taking place, a Biodiversity Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development. The net biodiversity impact of the development shall be measured in accordance with the DEFRA biodiversity metric as applied in the area in which the site is situated at the relevant time and the Biodiversity Management Plan shall include:

- 1. Proposals for the on-site biodiversity net gain;
- 2. A management and monitoring plan for onsite biodiversity net gain including 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2, 5, 10, 15, 20, 25 and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed;
- 3. Where necessary, proposals for off-site biodiversity net gain;
- 4. Where necessary, a management and monitoring plan for all offsite biodiversity net gain including 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2, 5, 10, 15, 20, 25 and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

The development shall be implemented in full accordance with the requirements of the approved Biodiversity Management Plan.

Reason: In the interests of ensuring measurable net gains to biodiversity and in accordance with Policies CP8, CP10 and CP12 of the Brighton and Hove City Plan Part One and DM37 of the Brighton and Hove City Plan Part Two, and SPD11.

18. The development hereby approved shall be carried out in accordance with the Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement

(AMS) dated 6 March 2023 ref. PJC/6119/22-02 Rev 02, including the ground protection measures identified within paragraph 2.7.7.

Reason: As this matter is fundamental to protecting the trees which are to be retained on the site during construction works in the interest of the visual amenities of the area and to comply with Policies CP12 / CP13 of the Brighton & Hove City Plan Part One and DM22 of the Brighton & Hove City Plan Part Two, and SPD06.

19. Prior to the commencement of the development hereby approved (including any ground clearance, tree works, demolition or construction), details of all tree protection monitoring and site supervision by a suitably qualified tree specialist shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: As this matter is fundamental to protecting the trees which are to be retained on the site during construction works in the interest of the visual amenities of the area and to comply with Policies CP12 / CP13 of the Brighton & Hove City Plan Part One and DM22 of the Brighton & Hove City Plan Part Two, and SPD06.

20. Prior to any development, including demolition, taking place to the phases of the development hereby approved as set out on the Phasing Plan (ref. 1012):

- a) Phase 1
- b) Phase 2
- c) Phase 3
- d) Phase 4

a Demolition Environmental Management Plan (DEMP) shall be submitted to and approved in writing by the Local Planning Authority. It shall include:

- (i) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of demolition progress and how any complaints will be dealt with reviewed and recorded (including joining the details of considerate constructor scheme);
- (ii) a scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management, vibration, site traffic and deliveries to and from the site;
- (iii) details of hours of construction including all associated vehicular movements;
- (iv) a plan showing construction traffic routes;
- (v) details of any site entrances and their management, construction compound and offices;
- (vi) details of any Department for Transport Abnormal Load Notification and/or Order; and
- (vii) details of where construction personnel will park when the site is under construction.

The demolition works shall be carried out in accordance with the approved DEMP.

Reason: As this matter is fundamental to the protection of neighbouring amenity, highway safety and managing waste throughout demolition works and to comply with Policies CP8 and CP9 of the Brighton & Hove City Plan Part One, DM20, DM33 and DM40 of the Brighton and Hove City Plan Part

Two and WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013, as well as SPD03.

21. Prior to any development, including demolition, taking place to the phases of the development hereby approved as set out on the Phasing Plan (ref. 1012):
- a) Phase 1
 - b) Phase 2
 - c) Phase 3
 - d) Phase 4
 - e) Phase 5
- a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. It shall include:
- (i) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of joining the considerate constructor scheme);
 - (ii) a scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management, vibration, site traffic and deliveries to and from the site;
 - (iii) details of hours of construction including all associated vehicular movements;
 - (iv) a plan showing construction traffic routes;
 - (v) details of any site entrances and their management, construction compound and offices;
 - (vi) details of any oversailing of the highway construction, falsework, formwork and scaffolding;
 - (vii) details of the use of any cranes, lifts, escalators and lifting vehicles;
 - (viii) details of any Department for Transport Abnormal Load Notification and/or Order; and
 - (ix) details of where construction personnel will park when the site is under construction.

The construction works shall be carried out in accordance with the approved CEMP.

Reason: As this matter is fundamental to the protection of neighbouring amenity, highway safety and managing waste throughout demolition works and to comply with Policies CP8 and CP9 of the Brighton & Hove City Plan Part One, DM20, DM33 and DM40 of the Brighton and Hove City Plan Part Two and WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013, as well as SPD03.

22. Prior to the first use of each phase of the development hereby approved as set out on the Phasing Plan (ref. 1012):
- a) Phase 1
 - b) Phase 2
 - c) Phase 3
 - d) Phase 4
 - e) Phase 5
- details of secure long-stay cycle parking and end-of-trip-facilities for the employees and students and short-stay cycle parking for the visitors of the development shall have been submitted to and approved in writing by the Local

Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first use of the buildings in each phase of the development 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 DM33 of the Brighton & Hove City Plan Part Two, and SPD14.

23. Prior to the first use of any of the buildings in the development hereby approved a car park layout plan shall be submitted to and approved in writing by the Local Planning Authority. The car park layout plan shall confirm the final total number of car parking spaces for the development and identify Blue Badge parking bays, active electric vehicle charging bays, delivery and servicing locations / areas and signage (markings and signs) for management of all forms of parking and stopping on-site as appropriate. The plan should include dropped kerbs from footways and tactile paving where proposed or already in place. The approved scheme shall be fully implemented and made available for use prior to the first use of the buildings in the development and shall thereafter be retained for use at all times.

Reason: To ensure the development maintains a sustainable transport strategy and to comply with Policies CP9 of the Brighton & Hove City Plan Part One and DM33 and DM36 of the Brighton & Hove City Plan Part Two, and SPD14.

24. Prior to any development, including demolition, taking place in relation to Phases 4 and 5 of the development hereby approved as set out on the Phasing Plan (ref. 1012):

a) Phase 4

b) Phase 5

details of the street design, including the new northern pedestrian access point, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available for use prior to the first use of the buildings in each phase of the development and shall thereafter be retained at all times.

Reason: In the interest of highway safety, sustainability, quality design, the historic environment and public amenity and to comply with Policies CP9, CP12 and CP13 of the Brighton & Hove City Plan Part One and DM22, DM33, DM36 and DM43 of the Brighton & Hove City Plan Part Two, and SPD14 and SPD16.

25. Prior to development of Phase 3 as set out on the Phasing Plan (ref. 1012), details of the reinstatement of the northern pedestrian access point, including gradient of the stairs and lighting, at the northeast corner of the site on Surrenden Road shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of user safety, active and sustainable forms of travel facilitating desire lines, the general permeability of the application site and the wider campus, and to comply with Policies CP9, CP12 and CP18 of the Brighton & Hove City Plan Part One and DM18 and DM33 of the Brighton & Hove City Plan Part Two.

26. Prior to any development, including demolition, taking place to the phases of the development hereby approved as set out on the Phasing Plan (ref. 1012):
- a) Phase 1
 - b) Phase 2
 - c) Phase 3
 - d) Phase 4
 - e) Phase 5

full details of existing and proposed ground levels (referenced as Ordnance Datum) within the site and on land and buildings adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, shall have been submitted to and approved by the Local Planning Authority. Each phase of the development shall then be implemented in accordance with the approved level details.

Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, in addition to comply with Policies CP12 of the Brighton & Hove City Plan Part One and DM20 of the Brighton & Hove City Plan Part Two.

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. The submitted drawings numbered MHDS119_PL01 B and MHDS119_PL02 B are for illustrative purposes only and do not constitute approved drawings.
3. Guidance on preparing Community Use Agreements is available from Sport England: www.sportengland.org/planningapplications
4. The applicant is advised that the 4 inches public water distribution main requires a clearance of 6 metres on either side of the water main to protect it from construction works and to allow for future access for maintenance.
5. The applicant is advised that no excavation, mounding or tree planting should be carried out within 6 metres of the external edge of the public water main without consent from Southern Water.
6. The applicant is advised that no soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public water main.
7. The applicant is advised that all existing public water main infrastructure should be protected during the course of construction works.
8. Southern Water requires a formal application for a connection to the public sewer and water supply to be made via

www.developerservices.southernwater.co.uk and you are advised to read their New Connections Charging Arrangements documents which are available on our website via the following link: www.southernwater.co.uk/developing-building/connection-charging-arrangements.

9. The applicant is advised that a wastewater grease trap should be provided on any kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.
10. The applicant is advised to contact the East Sussex County Archaeologist to establish the scope for the Written Scheme of Archaeological Investigation as required by the archaeology condition.
11. 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).
12. The applicant is advised that Part L – Conservation of Fuel and Power of the Building Regulations 2022 now requires each non-residential building built to have achieved a 27% reduction in carbon emissions against Part L 2013.

The applicant is advised that following the simplified assessment method under Part O of the 2022 Building Regulations is unlikely to achieve the required standard.

The applicant is advised of the possible presence of bats on the development site. All species of bat are protected by law. It is a criminal offence to kill bats, to intentionally or recklessly disturb bats, damage or destroy a bat roosting place and intentionally or recklessly obstruct access to a bat roost. If bats are seen during construction, work should stop immediately and Natural England should be contacted on 0300 060 3900.

It is estimated that the number of swift bricks / boxes to be incorporated within the external walls of the development hereby approved is forty three (43). These can be placed on any elevation, but ideally under shade-casting eaves. They should be installed in groups of at least three, at a height above 5m height, and preferably with a 5m clearance between the host building and other buildings or obstructions. Where possible avoid siting them above windows or doors. Swift bricks should be used unless these are not practical due to the nature of construction, in which case alternative designs of suitable swift boxes should be provided in their place.

Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.

The applicant is advised that any demolition of buildings or removal of scrub/trees that could provide nesting habitat should be carried out outside the breeding season (generally March to August). If this is not reasonably practicable within the timescales, a nesting bird check should be carried out prior to any demolition / clearance works by an appropriately trained, qualified

and experienced ecologist, and if any nesting birds are found, advice should be sought on appropriate mitigation.

In order to be in line with Policy DM33 Safe, Sustainable and Active Travel of the Brighton & Hove City Plan Part Two 2022, cycle parking should be secure, convenient (including not being blocked in a garage for cars and not being at the far end of a rear garden), accessible, well-lit, well-signed, near the main entrance, by a footpath/hardstanding/driveway and wherever practical, sheltered. It should also be noted that the Local Highway Authority would not usually support vertical hanging racks as they are difficult for many people to use and therefore not considered to be policy and Equality Act 2010 compliant. The Local Highway Authority's preferred cycle parking is 'Sheffield' type stands, spaced in line with the guidance contained within the Manual for Streets section 8.2.22 or other proprietary forms of covered, illuminated, secure cycle storage including the Police approved Secure By Design cycle stores, "bunkers" and two-tier systems where appropriate.

13. The applicant is advised that for street design guidance they should at least refer to the Department for Transport's Manual for Streets documents and the Department for Transport's Inclusive Mobility document. Where changes occur, the design is to include footway, carriageway, landscaping, street lighting and surface water drainage designs, construction methods and materials, dimensions, gradients, levels, radiuses, alignment (horizontal and vertical), general arrangement and vehicle swept path analysis drawings for a standard size fire engine, large ambulance and standard size waste disposal vehicle. The construction shall be carried out in accordance with the approved Section 278 (of the Highways Act 1980) Agreement. The applicant must contact the Local Highway Authority by e-mail (s278@brighton-hove.gov.uk) at their earliest convenience to avoid any delay and prior to any works commencing on-site and on the adopted (public) highway. An assigned officer telephone number will be supplied in the e-mail response to provide a point of contact regarding the submission and Section 278 (of the Highways Act 1980) Agreement. Both the detailed scheme and any associated Traffic Regulation Orders (TROs) (if required) must be approved to the satisfaction of the Local Highway Authority prior to the commencement of any development. Thereafter, before first use of the proposed development, a Section 278 (of the Highways Act 1980) Agreement to implement the scheme shall be agreed with the Local Highway Authority and the scheme completed to its satisfaction.
14. The applicant is advised that this planning permission does not override the need to go through the Local Highway Authority's Approval in Principle (AIP) process for all necessary works adjacent to (that is, within 3.66m) and within the highway (including under and over) and gain any appropriate licences, prior to the commencement of any construction works. The applicant is further advised that they must contact the Council's Civil Engineering team (transport.projects@brighton-hove.gov.uk 01273 294570) and Streetworks team (permit.admin@brighton-hove.gov.uk 01273 290729) for further information at their earliest convenience to avoid delay.

15. The applicant should contact the Local Highway Authority Access Team for advice and information at their earliest convenience to avoid delay (travel.planning@brighton-hove.gov.uk or telephone 01273 292233). 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 initiatives and commitments detailed in the condition above.

2. SITE LOCATION

- 2.1. The application relates to a further education college site located in the north-west corner of a site known as the Surrenden Campus, which it shares with Downsview Link College, Dorothy Stringer School, Varndean School and Balfour Primary School. The site is bounded by Surrenden Road to the north and west from where pedestrian and vehicular access is gained, Draxmont Way to the south and Friar Road and Friar Crescent to the east, all of which are residential streets. A two storey Science, Technology, Engineering and Mathematics (STEM) centre has recently been approved (see relevant history) and constructed on site to the north of the main college building and to the east of the Hutchins Wing.
- 2.2. The topography of the site rises from south to north, but the change in levels is more severe to the eastern part of the site, there being a slight slope across the site from east to west.
- 2.3. The site is not within a conservation area, does not contain a listed building nor is it within the vicinity of one, but it is within a groundwater Source Protection Zone, a Nature Improvement Area (NIA), and covered by a Tree Preservation Order (TPO), partly by an Archaeological Notification Area to the north-west and contains a significant amount of formally designated Open Space. The site is not within a Controlled Parking Zone (CPZ), but CPZ F covers Stringer Way to the south and south east.

3. RELEVANT HISTORY

- 3.1. Pre-application advice was sought (ref. **PRE2022/00078**) for a proposed masterplan redevelopment for the college including a new two storey teaching block, single storey entrance block and new sports hall and a response was issued 04.08.2022
- 3.2. **BH2022/02293**: Certificate of lawfulness for the proposed erection of 2no single-storey extensions into existing building quadrangles. Granted 19 August 2022
- 3.3. **BH2020/00947**: Application for Variation of Condition 2 of application BH2018/02404 (Relocation of 2no modular classroom blocks and erection of a two storey Science, Technology, Engineering and Mathematics (STEM) centre with associated cycle parking and landscaping alterations

(retrospective)) to amend the wording of condition 2 to the following 'The 2no temporary classroom structures (nos. 40-72 and 47 shown on the site plan 957.18.51 Rev.D) shall be removed from the site within 3 months of the commencement of the use of the STEM building hereby approved, and the land returned to its former condition within 2 months of removal'. Granted 17 June 2020

- 3.4. **BH2019/01743:** Provision of a new biodiversity area onto existing playing field to encourage the establishment of butterfly and invertebrate habitat. Granted 11 October 2019
- 3.5. **BH2019/01385:** Retention of existing 8no temporary classrooms for a further temporary period of five years. Granted 19 July 2019
- 3.6. **BH2018/02404:** Relocation of 2no modular classroom blocks and erection of a two storey Science, Technology, Engineering and Mathematics (STEM) centre with associated cycle parking and landscaping alterations (retrospective). Granted 17 January 2019

Of relevance at Land At Varndean College:

- 3.7. **BH2017/03676:** Outline application with some matters reserved for erection of 10no residential units (C3), comprising 1no two bedroom, 6no three bedroom and 3no four bedroom houses, with new access from Surrenden Road, associated car and cycle parking and approval of reserved matters for access and layout. Refused at Planning Committee 06 March 2019 for the following reasons:
1. The proposed development would cut right across a wider continuous open space and result in the loss of open space, contrary to policy CP16 of the Brighton & Hove City Plan Part One.
 2. The proposed development would seriously impact on the biodiversity of the site, including loss of the site for butterflies, contrary to policy QD18 of the Brighton & Hove Local Plan and policy CP10 of the Brighton & Hove City Plan Part One.
 3. The proposed development would adversely impact on views southwards across the site from Surrenden Road and result in a loss of amenity to the area, contrary to policy QD27 of the Brighton & Hove Local Plan and policy CP12 of the Brighton & Hove City Plan Part One.

An appeal was dismissed for reason 1 on 10 February 2020.

4. APPLICATION DESCRIPTION

- 4.1. The current application seeks outline planning permission for an educational masterplan scheme comprising five phases. Only matters of scale, layout and access can be considered, with matters of appearance and landscaping are reserved for future 'reserved matters' applications. However, parameter plans are provided for each element of the proposal to set the maximum amount of development proposed both in terms of footprint and height, though detailed matters will be finalised through later applications.

- 4.2. It is proposed to replace the seven existing single storey modular classrooms in the eastern part of the site, abutting a recently built STEM building, north of Downs View Link College, with a new Teaching Block. A maximum development footprint of 2,950m² is proposed, the height of which would not exceed the maximum height of the STEM block. This is to be built in three phases (1 to 3) from west to east dependent on funding.
- 4.3. Phase 4 involves a new and improved main entrance and administration area with student cafe (including both indoor and outdoor seating) between the existing Hutchins Wing and the main College building, replacing the current single storey Room 30-31 block. It is intended that this new Entrance Building would provide a large foyer, back-of-house office space to allow for the consolidation of administration spaces, and enhanced social space for students in the form of the café. It would face outwards onto Surrenden Road, easily accessible from both the retained vehicle entrance and the new pedestrian pathway from Surrenden Road. Also proposed as part of this phase is an internal loft conversion within the main building adjacent to the new Entrance Block. This would provide the College with an additional 251m² of space for office and administrative functions. Some additional rooflights may be required to serve it but such details would be determined at the reserved matters stage.
- 4.4. A new Sports Hall with four courts is proposed in the south-western corner of the campus to the north of Draxmont Way, west of demarcated sports pitches. This would also accommodate performing arts and space for students to take national curriculum exams, and it is proposed that the local community could use / hire it outside of college hours. Additional car and cycle parking spaces are also proposed adjacent as well as an additional new pedestrian access. This is Phase 5.
- 4.5. A key aspiration underlying this masterplan is the improvement of the campus for students with mobility issues, of which there are a significant number currently attending the College. A network of new and resurfaced external access routes that are to be wider and more level are proposed, augmented by wayfinding signage. The historic pedestrian access at the north-east corner of the site would be upgraded with new low-level lighting and repaired steps, allowing this to be re-opened for staff and students, as well as local people outside of college hours.
- 4.6. A change has been made during the course of the application to retain one of the trees subject to a Tree Preservation Order (TPO)(T45 on the Arboricultural Impact Assessment, a Ginkgo) close to the proposed Entrance Building by reassessing the canopy. Trees T52 and T53 (both cherries) are now being retained. As such, only one of the TPO protected trees is proposed for removal. In addition, six individual trees, one group of five trees and two sections of hedgerow require removal to facilitate the masterplan.
- 4.7. Whilst it is noted that the application is for outline permission with matters of appearance and landscaping reserved, some landscaping plans have been

submitted but are “for illustrative purposes only”. These show that in principle an enhancement of the existing and a new landscape improvement with up to 50 new trees could be delivered across the site, but these are not formally part of the application at this stage.

- 4.8. It is important to note that these phases are indicative only and will not necessarily be delivered in the order listed above, being dependent upon the nature, amount and timing of Central Government funding. The College intends to apply for funding on this timescale every year over the masterplan period and, on the assumption that all bids are successful, each phase of the masterplan could therefore come forward in consecutive years. Based on this schedule, there is potential for each phase to come forward as follows:

	Reserved Matters Submission	Commencement of Development
Phase 1: Teaching Block W	Summer 2023	Spring 2024
Phase 2: Teaching Block C	Summer 2023	Spring 2025
Phase 3: Teaching Block E	Summer 2023	Spring 2026
Phase 4: Entrance Block	Autumn 2026	Spring 2027
Phase 5: Sports Hall	Autumn 2027	Spring 2028

5. REPRESENTATIONS

- 5.1. **Thirty six (36)** objections were received, along with one from Green Varndean (a community group of local residents) raising the following concerns:
- Poor design, especially the proposed Sports Hall and of the upper part and roof of the proposed teaching building
 - The significant cost of heating the proposed Sports Hall building, which is not environmentally friendly.
 - Loss of residential amenity through the impact of the proposed teaching building upon the eyeline.
 - The proposed teaching building is quite out of keeping with the surrounding buildings and landscape, and would clearly be unsightly, intrusive and over-prominent, setting a precedent that is likely to have a cumulative impact over time. It would have a negative impact on the Surrenden Road strategic view.
 - Detrimental effect on property value
 - Overdevelopment and unnecessary expansion given the number of college places in Brighton exceeds current demand. Spending tax payers' money on expansion of the college is wasteful and unnecessary.
 - Overshadowing
 - The public consultation response was overwhelmingly negative, but the adjustments are so minimal as to be virtually non-existent.
 - The proposed Sports Hall building is too big, ugly, far too close to the boundary with the pavement and no attempt appears to have been made to soften its appearance.

- The parking provision included in the plan appears not to alleviate the congestion that is already created in the area by the college, and would worsen. There is insufficient public transport given that buses are crowded.
- The removal of a tree covered by a TPO caused by the new entrance building should be resisted, and the shape of the building is jarring in the streetscene given its proximity and the general sylvan setting.
- The massive sports hall would result in the loss of grassland that is used regularly, both formally and informally, by students and public.
- No amount of green wash can hide the damaging effects this development will have upon the local environment.
- The relocation of three temporary classrooms to the upper field in Phases 1-3 would continue the college's encroachment onto surrounding land and suggests a later aim to continue site expansion up the slope.
- It would be better to intensify the use of the footprint of the existing buildings than build on open space, changing its use to a sports / leisure facility.
- The Sport England support only appears to relate to football use when there are many other all surface football facilities in very close proximity, most of which do not appear to be at saturation point.
- The proposed Sports Hall would be in conflict with BHCC Policies CP10, CP16 and DM37 given the impact on green open space, biodiversity such as bats and wider landscape.
- It is unclear why a car park is needed at the proposed Sports Hall building given that students are not permitted to park their cars on site.
- There is nothing wrong with the teaching block so its demolition to provide a café is questioned.

5.2. **Two (2) comments** have been received stating that:

- The sports facility has the potential to provide a much needed facility for additional indoor cricket and is supported in principle, subject to the design and proposed standards.
- In general the design is very good as are the external biodiversity areas.
- The stark white roof on the new teaching block is unnecessarily obtrusive and interferes with the greenness of the strategic view. It should be amended so it is complementary to the landscape and less visible.

5.3. **Nine (9) representations in support** of the application were received stating the following:

- The possibility of bringing some or all of the indoor cricket practice much closer to the Preston Park neighbourhood is supported, and 'location 3' would be the best place for the sports centre to go.
- Good design, which has been very well thought through
- The view from Surrenden Road would be improved because the unsightly portacabins would be removed and the new building would be more attractive. The view of the city in the distance would not change because Surrenden Road is much higher than the new building.
- The new building would have much lower carbon footprint than the old portacabins, which is important considering the climate emergency.

- This would improve the facilities of the college enabling the continued provision of opportunities for young people. The current facilities are poor and in great need of improvement.
- The plan has respected its neighbours and green space.
- The new building would not reduce the values of the local housing.
- The application includes proposals for increasing biodiversity and planting more trees.
- A more spacious area for parking and traffic drop-off/pick-up points would improve safety as would pedestrian paths with good lighting.

6. CONSULTATIONS

Internal

6.1. **Air Quality:** Comments

- The proposal will not add significant vehicle trips to the extant planning permission. Therefore, not submitting a detailed air quality assessment is justified.
- The proportion of electromotive-ready parking bays on site should be in line with building regulation Part S.
- It would be advantageous if the development was without combustion with flues and emission to air.

6.2. **Arboriculture:** Recommend the application is amended to retain T45, T52 and T53, but should it be granted without amendment, the protection measures identified within the Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) must be conditioned with robust mitigation landscaping provided to compensate for their loss.

6.3. **City Clean:** No objection.

6.4. **Economic Development:** No comments offered.

6.5. **Environmental Health:**

6.6. **Heritage:** No comments offered.

6.7. **Planning Policy:** Support subject to detailed considerations.

6.8. **Sustainability:** No objection subject to conditions.

6.9. **Sustainable Drainage:** No objections, but further information will be required at Reserved Matters stage.

6.10. **Transport:** No objections, subject to the inclusion of conditions securing cycle parking, car park layout plan, street design and boundary treatments.

6.11. **Urban Design:** Seek amendments as follows:

- Conduct an options appraisal and identification;

- Develop a comprehensive strategic asset (property) management plan;
- The use of traditional university 'college quad' layout typology / design principles to revise and inform the layout;
- Develop 3D visuals or verified views;
- Redistribute the footprint of the sports hall building to create additional active frontage and to form a gateway;
- The quasi-public spaces within the estate lack detail and are irregular due to the randomness of the piecemeal design (however, the provision of multi-functional amenity space with a range of accessible, inclusive, and sensory spaces is encouraged);
- The 'prow' shaped canopy of the entrance building is not required to make a more direct connection to Surrenden Road or to emphasise the location of the new pedestrian entrance as these aims can be achieved by other means;
- Tree retention is said to be one of the driving objectives behind the design, yet the removal of two trees the subject of a TPO can be avoided by considering alternative layouts or retaining them within the entrance building
- Regarding the sports hall parking, this may be able to be moved at least partially behind the building whilst still being close to the main entrance.
- Prioritise the provision of disabled bays in that car park.
- Explore the use of green roofs to potentially reduce / mitigate for the loss of outdoor open space.
- Revise the roof line and reduce the height of the teaching building.
- The sawtooth roof of the teaching building will need to be changed at this stage given that the application allows consideration of scale.

External

- 6.12. **Brighton and Hove Archaeological Society:** Suggestion to contact the County Archaeologist for their recommendations.
- 6.13. **County Archaeology:** Recommend for approval subject to a condition.
- 6.14. **Designing Out Crime Officer (Sussex Police):** No detailed comments to make, but additional measures to mitigate against any identified local crime trends and site-specific requirements should always be considered.
- 6.15. **Ecology:** Recommended for approval in principle subject to conditions.
- 6.16. **Neos Networks:** Follow safe dig procedures around our apparatus. Please contact us if the works have been determined as possibly impacting our existing apparatus.
- 6.17. **Southern Water:** Comment – generic standing advice provided.
- 6.18. **Sport England:** No objection subject to a condition that the sports hall would be available to the community outside of college hours.

- 6.19. **UK Power Networks:** Comment - Generic advice and plan of services provided.

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 City Plan Part Two (adopted October 2022);
 - 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 Joint Area Action Plan (October 2019).

8. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SA6 Sustainable Neighbourhoods
SS1 Presumption in Favour of Sustainable Development
CP7 Infrastructure and developer contributions
CP8 Sustainable buildings
CP9 Sustainable transport
CP10 Biodiversity
CP12 Urban design
CP13 Public streets and spaces
CP16 Open space
CP17 Sports Provision
CP18 Healthy city

Brighton & Hove City Plan Part 2:

DM9 - Community Facilities
DM18 - High quality design and places
DM20 - Protection of Amenity
DM21 - Extensions and alterations
DM22 - Landscape Design and Trees
DM31 - Archaeological Interest
DM33 - Safe, Sustainable and Active Travel
DM35 - Travel Plans and Transport Assessments
DM36 - Parking and Servicing
DM37 - Green Infrastructure and Nature Conservation

DM40 - Protection of the Environment and Health – Pollution and Nuisance
DM42 - Protecting the Water Environment
DM44 - Energy Efficiency and Renewables

Supplementary Planning Documents:

SPD03 Construction and Demolition Waste
SPD06 Trees and Development Sites
SPD11 Nature Conservation and Development
SPD12 Design Guide for Extensions and Alterations
SPD14 Parking Standards
SPD17 Urban Design Framework

Other Documents

Urban Characterisation Study 2009
Developer Contributions Technical Guidance - June 2020
East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan -
Policies WMP3d and WMP3e

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the principle of development on the site, the scale of the proposed buildings, the layout of and access to the proposed buildings, and phasing.

Principle of development:

- 9.2. Strategic Objective SO21 of CPP1 supports the provision of secondary school places in response to growing demand and future increases in population by expanding successful schools. Varndean College is a sixth form college offering A-Levels alongside a range of adult education courses and had a need for extended and improved facilities as far back as 2009, as specified in the submitted Educational Needs Statement. The provision of new and improved education facilities would help to increase capacity at the college with an additional 280 students needed to be accommodated over the next 5-6 years. This is considered to meet priority 10 of CPP1 Policy SA6.
- 9.3. In the past the College has struggled to meet its accommodation needs and pressures since the loss of central government funding for educational projects nationwide prevented delivery of its previous masterplan scheme in 2009. The longer-term use of temporary modular classroom space has been an essential component to allow the College to continue providing for its students. However, these are not meeting the college's requirements in the long term and as temporary buildings are not appropriate for longer term siting and this proposal would facilitate their removal. The proposed teaching buildings and associated accommodation are fit for purpose facilities that are secure, fully accessible, and would help deal with the capacity issues where sixth form students are likely to be turned away. Phase 1 is for 6308m² of teaching space for dance, drama and music. Phase 2 is for 5455m² of teaching space for film and media. Phase 3 is for 4990m² of teaching space for business, IT and computing.

- 9.4. Phase 4 involves a new prominent and accessible entrance of 910m², closer to Surrenden Road than is currently the case, with all of the administrative space in one place. It would also provide much-needed enhanced social space for students in the form of a student café with both indoor and outdoor seating. A loft extension of 251m² would provide space for office and administrative functions.
- 9.5. A new sports hall building is proposed and it is intended that it would also be available for community use in addition to serving the college. As such, CPP2 Policy DM9 would apply relating to new community facilities, requiring them to be, in summary, compatible with adjoining/nearby uses, and where possible co-located to maximise their accessibility to residents and reduce the need to travel. The proposed use is considered to be compatible with the nearby college use and sits within the Surrenden neighbourhood so therefore would be close to the community it serves. It would be co-located alongside the other schools on the campus, which fall within the definition of 'community facilities' in the policy, and is readily accessible by walking, cycling and public transport being close to numerous bus stops and within 1 mile of Preston Park Railway Station.
- 9.6. Policy CP17 of CPP1 relates to Sports Provision including encouraging new sports facilities, especially those that meet identified needs. In this case the provision of a new sports hall building has been supported by an Educational Needs Statement demonstrating that it would meet an identified need, and would help facilitate an increased participation in sports and physical activity. Opening the facility outside of college hours to the local community would help facilitate participation from under-represented sectors of the community in accordance with point 8 of the policy. It has been confirmed that it would meet Sport England's guidance for a 'four court' sports hall allowing for a variety of sports, including five / seven a-side football, badminton, basketball, netball and cricket training. The setting of the finished floor level with that of the car park to allow level access for wheelchair users to the northern elevation of the building is welcomed to optimise the building's accessibility.
- 9.7. The principle of the masterplan put forward for the College site development is justified, given the lack of high quality and modern facilities for all of the students, and the proposed improvement of education facilities on site, which would be of city-wide benefit. The use of a masterplan, which is a strategic and comprehensive approach to development, allows site-wide matters such as biodiversity net gain, sustainability, accessibility, transport and parking to be considered across the site and scheme as a cumulative whole for the short to medium term future of the College.
- 9.8. The site comprises several educational buildings, as well as the clusters of temporary classrooms, areas of car parking and a grassed area in the centre of the school grounds which is of a sloping nature and is at a lower level than the playing fields to the north. The area within the campus where the proposed sports hall would be located is designated as open space of the "schools grounds and sports pitch" typology and consists of informal spill-out and

socialising areas for students, some of whom sit here during lunch and study breaks, but has not been in use as an active playing field for at least 20 years. The new building would have a footprint of approx. 1460m² GIA and would therefore result in a permanent reduction in the amount of open space available for informal recreation.

- 9.9. The proposal is not considered to meet any of the specified criteria in CPP1 Policy CP16, which addresses the loss of open space. It is worth noting that paragraph 99 of the NPPF sets out that existing open space, including playing fields should not be built on unless:
- a) “An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”
- 9.10. In this case, it is considered that the proposed Sports Hall meets criterion c) given that it would deliver important and significant enhancements for the sport and physical education curriculum as well as hosting performing arts and student examination space. Therefore, the loss of 2856m² (a 1443m² building plus a 1413m² car park) of open space, which is all informal spill-out and socialising areas for students, is considered to be justified despite the non-compliance with Policy CP16.
- 9.11. It is recognised that there is also some loss of open space (240m²) as a result of the proposed entrance hall, but this part of the site is partly occupied by an existing building (208m²) and is considered to be of limited value as open space. The proposed teaching block would be sited where the temporary classrooms currently are so this area is not currently in use as open space.
- 9.12. As such, the principle of the proposed development is considered acceptable.

Layout:

Phases 1 to 3

- 9.13. Three new elements are proposed to form the Teaching Building, which would be located to the east of the site (north of the Downs View Link College) in an area currently occupied by temporary classrooms, at least 35m from the rear gardens of the Friar Crescent properties.
- 9.14. The Teaching Building is proposed as a replacement for the temporary classrooms, facilitating a trade-off in built footprint because it makes more effective use of the space by not leaving gaps between the buildings and by being more than a single storey in height. Therefore, it would not encroach beyond the existing cluster of STEM building and would be seen as part of the cluster of built form on site. Therefore, their positioning would relate well to the existing Hutchins Wing and STEM buildings.

- 9.15. As previously mentioned, the proposal would result in some loss of open space, but there have been temporary buildings on the site of the new Teaching Block for at least 13 years. It is considered that this has undermined the open space designation on this part of the wider site as it has not served as visual or physical open space purpose for many years. This is reinforced by the challenging topography of the wider College campus, especially in the location of the existing temporary huts where the site steeply slopes down.
- 9.16. The Teaching Building would house three departments: Dance, Drama & Music; Film & Media; and Business IT & Computing. Each would be in a separate section of the building and all would be located over two floors with staircases to each end of the building. This is considered acceptable.

Phase 4

- 9.17. The Entrance Building would be in-between the Hutchins Wing and the main building. Sitting within what is considered to be one of the least sensitive parts of the site, the Entrance Building would not form an overly dominant built addition when set within this existing cluster of educational buildings.
- 9.18. The Entrance Building would contain the main office and registry; the senior leadership team offices, and a coffee shop exclusively for students with outside seating to the rear (east), partly covered by a canopy. It would also provide internal access into and between the main building and the Science & Maths block. Given there is ample circulation space for students and staff, the layout is considered acceptable.
- 9.19. Also proposed is the conversion of the loft of the main building. This does not present any particular layout concerns.

Phase 5

- 9.20. The Sports Hall Building would be located in the south western corner of the site at a minimum of 35m from Draxmont Way and 7m from Surrenden Road. It is acknowledged that this would be set away from the cluster of buildings on site. However, it has been determined through testing four different potential locations (that chosen plus three others) that this would be the best location for a potential Sports Hall (see below).



- 9.21. Option 1 was discounted due to its close proximity to residents on the northern side of Surrenden Road; Option 2 because it was more practical to locate the Teaching Block here and for accessibility reasons. Option 4 would have been on a habitat area for butterflies and other invertebrates, and is outside of the College's ownership. As such, the location of the proposed Sports Hall within the site has been thoroughly investigated and the proposed location is considered preferable to the other three options given it would be in a currently under-utilised area of open space, easily accessible and there is space for a dedicated car parking area. Additionally, the drop in levels from the main entrance and existing mature trees would help screen the proposed car park in views southwards from Surrenden Road. Locating it to the east would result in the proposed car park having a greater visual impact as well as presenting accessibility issues given the land levels.
- 9.22. As previously discussed, the proposed sports hall would be located on open space, which is used as informal spill-out and socialising areas for students. This is considered acceptable given it has not been in use as an active playing field for at least 20 years and delivers important and significant enhancements for the sport and physical education curriculum. It is therefore compliant with the NPPF and there is no objection from Sports England.
- 9.23. Internal layout drawings have latterly been submitted. The Sports Hall Building would be laid out with the actual sports hall to the north west side with dance studios and changing rooms to the south east side. No objections are raised to this.
- 9.24. In terms of the impact on neighbouring amenity from the layout of the proposed buildings, their positioning on site, as detailed above, is considered to be

sufficiently far from the closest dwellings not to have any material impact in this regard.

- 9.25. As such, it is considered that the layout is acceptable and it is not necessary to use a traditional university 'college quad' layout typology / design principles.

Scale:

- 9.26. Paragraph 130 of the NPPF outlines that planning decisions should ensure that developments create places that promote health and well-being, with a high standard of amenity for existing and future users.
- 9.27. Policy DM20 of City Plan Part 2 states that planning permission for any development will not be granted where it would cause unacceptable loss of amenity to the proposed, existing, adjacent or nearby users, residents, occupiers or where it is not liable to be detrimental to human health.

Phases 1 to 3

- 9.28. The Teaching Building would be a maximum of 10.3m tall with a maximum footprint of 2,950m². The building would be 95m at its longest, although a 23m section of this would tie in with the existing STEM building, and 36m deep. The height has been specified to sit just below or equal with the ridge height of the STEM building and would also be partially built into the slope like the STEM building. It would also sit below the ground level of the habitat area / biodiversity area approved under BH2019/01743 to the east of the site. It should be noted that the height has been reduced since the original proposals (at pre-application stage) and in response to concerns raised at the public consultation. This is of particular importance given the visibility of the proposed building from Surrenden Road to the north, more so the pedestrian footway to the south side of the road. This view to the sea is a strategic viewpoint as identified by SPD17 with the land stepping down in stages down to the south. It is considered that the proposed building would not interrupt this viewpoint given the vast majority of it, particularly the most important elements and landmarks, would be retained with this element of the proposal in place.
- 9.29. In any case, it is not considered that the proposed building would not be overly dominant in the context and against the backdrop of the adjoining cluster of permanent College buildings. It is considered preferable to reduce the physical footprint of the building and provide teaching facilities over two storeys, as is proposed and which is considered sufficient justification for the scale. The roof form and materials for the roof of this building, which would be the most visible element of the proposed building, will come forward as part of a Reserved Matters application. As such, reference to a 'sawtooth' roof form has been removed from the submitted documentation as recommended by the Urban Design Officer. Furthermore, this building is proposed within the heart of the existing cluster of educational buildings on site and therefore would not encroach beyond this.

Phase 4

- 9.30. The Entrance Building would almost be triangle shaped with a 'prow-shaped' canopy to the front, a blunted edge to the rear and almost a third point to the

south. It would have a maximum width of 37m between the Hutchins Wing and the main building and a maximum depth of 47m including both front and rear canopies. The maximum footprint would be 910m². The maximum height would be 9.9m, which would equal the ridge of the Hutchins Wing building, but sloping down considerably to the south-east to join the existing HR and finance building. It is considered to be well-proportioned, sitting snugly within the adjoining cluster of buildings, yet be sufficiently prominent to highlight itself as the main entrance to the college through the 'prow-shaped' front canopy. The College does not currently have a recognisable or accessible entrance and it is not considered that signage is capable of marking it out to the same extent as the proposed architectural design.

- 9.31. The loft conversion of the main building would be 8.5m deep by 29.5m wide giving a footprint of 250.75m², although a maximum footprint of 251m² is sought for flexibility reasons. No objections are raised to this quantum of development since it would not involve any extension of the roofslope, only some rooflights. Details of these will be submitted at Reserved Matters stage.

Phase 5

- 9.32. The Sports Hall Building would be a maximum of 10m tall with a maximum footprint of 1,443m² (39m to the south eastern and north western elevations and 37m to the north eastern and south western elevations). It is understood that the height is to meet Sport England's design guidance for such a facility, allowing a variety of sports to take place inside. Given this requirement and the fact it would sit below the ridge height of the existing Caretakers House at 106 Surrenden Road, it is considered that the height and footprint is justified. It is also noted that due to the change in levels across the site, it would only be slightly above the ground level on which the Entrance Building is proposed to be built. It is recognised that the proposed building would be highly visible from Surrenden Road. Whilst trees, both existing and proposed, would partially screen it, and views from further north of the secondary entrance would be relatively limited, the design in terms of the appearance will need to be high quality with suitable landscaping to soften its appearance. This will come forward as part of a Reserved Matters application.

- 9.33. Like with the layout, the positioning of the proposed buildings on site is considered to acceptably mitigate any material impact on neighbouring amenity from their scale and mass.

- 9.34. As such, it is considered that the scale is acceptable.

Access:

- 9.35. A new site access dedicated to pedestrians is proposed to the south of the northern vehicle access on Surrenden Road. This would be step-free, facilitating access for all students and employees, including those with mobility impairments, and is supported. Another pedestrian access to the site is proposed further to the south to connect Surrenden Road with the proposed Sports Hall Building, which is also supported. Cyclists would be able to access the site via the existing and proposed vehicular accesses.

- 9.36. As evidenced on a recent site visit, the stepped pedestrian access at the northeast corner of the site on Surrenden Road has been closed off with a fence given safety concerns around the gradient of the stairs, lack of lighting and absence of overlooking from the college side. It is understood that this is to be re-opened at some point in the future with those issues addressed. Further details can be provided at Reserved Matters stage in the landscaping application.
- 9.37. It is considered necessary to provide a pedestrian crossing on Surrenden Road close to the main entrance (to the south) in order to facilitate accessibility of the site from nearby bus stops, but also to ensure pedestrian safety in the course of that journey. It is acknowledged that this was secured as part of the STEM building permission, but that the financial contribution secured was spent on bus infrastructure improvements instead. Given the increase in pedestrian movement on Surrenden Road as a direct result of the proposed development, it is considered that an uncontrolled pedestrian crossing, such as a raised table either side of the existing central island, is necessary. It would also act as a traffic calming measure, which is beneficial in the interests of highway safety. Officers consider that this can be achieved by way of legal agreement.
- 9.38. The existing main vehicle accesses with splayed edges are to remain as they are. Access for emergency vehicles would therefore remain as existing, although swept path analysis drawings have been submitted to demonstrate that it would be possible for a fire tender to access and exit the new car park to the proposed Sport Hall Building. The car park would be one-way, but the access to it would have two lanes, one for entering and one for exiting. Officers therefore raise no objection to the vehicular access to the proposed car park.
- 9.39. The Sports Hall Building would be accessed via double doors to the north elevation facing onto the car park, which is considered appropriate. Access to the Teaching Building would be from within the main building at ground floor level to its western elevation, which allows for easy movement of students. The Entrance Building would principally be accessed via the new pedestrian access, but also provides access into the main building and the STEM building. The creation of an access hub is supported as a clearly defined principal entrance point to the main educational buildings on site. Students already on site could also enter the rear doors. Access to the loft conversion would be via a staircase in the finance and HR offices.
- 9.40. In the design of the proposal, consideration has been given to access for those with a mobility-related disability. It should be noted that there is currently no level access to the quads (which sit within the main building), at the main entrance or to the Hutchins Wing. As such, it is proposed to include a lift within the Entrance Building and Teaching Building which would provide accessible linkages, provide accessible or step-free external routes with shallow gradients wherever possible as part of the landscape proposals, provide facilities (e.g. seating, outdoor dining areas and cycle parking) accessible to disabled people, prioritise Blue Badge car parking spaces at key entrances with suitable drop-off points, and provide a north-south walking route with a consistent 1:12 slope.

Generally, all new buildings would be designed to the principals of BS8300 “*Design of accessible and inclusive built environment*”

- 9.41. Together with 88 covered cycle spaces, 46 uncovered spaces and 4 e-bike charging points being proposed, the application would promote sustainable travel and would provide a development that is accessible by all, compliant with City Plan Part One Policy CP9 and City Plan Part Two Policy DM33.
- 9.42. As such, it is considered that the access is acceptable.

Phasing:

- 9.43. The masterplan proposals have been split into five separate phases because each area of new development is likely to be funded and delivered separately. The western-most element of the Teaching Building would be Phase 1, then the two other sections would be Phases 2 and 3, the Entrance Building and loft conversion would be developed as Phase 4 and finally the Sports Hall Building as Phase 5. However, the order in which the phasing would come forward is not definitive, this being dependent upon the nature, amount and timing of Central Government funding. The plan is to commence the development of each phase in spring starting in 2024 and with the final phase in 2028.
- 9.44. Subsections (4) and (5) of Section 92 of the Town and Country Planning Act 1990 allow for a LPA to substitute the time periods for the submission of reserved matters applications (usually no later than three years from the grant of outline permission) and the commencement of development (usually no later than two years after the final approval of the reserved matters) with such other period (whether longer or shorter) as considered appropriate. In addition, the LPA is entitled to specify separate periods in relation to separate parts of the development to which the planning permission relates.
- 9.45. It is requested that reserved matters applications (namely appearance and landscaping) be submitted across five years to ensure all reserved matters are approved before any development commences and in recognition of the uncertainty surrounding funding. Given that reasoning and the level of interest in the current application (resulting in it being called in for determination at Planning Committee), it is taking longer than the statutory decision period to determine it. On the basis that it is possible that the subsequent Reserved Matters applications take longer than the statutory decision period to determine, it is considered reasonable to allow the variation to this standard condition to permit an additional two years in this instance.
- 9.46. In addition, it is considered permissible to allow for the conditions, including the submission of Reserved Matters applications, to be split down by phase in order to allow for the incremental delivery of the phases of development.

Trees:

- 9.47. Although the design of the proposal has sought to minimise the impact on trees, it does involve the removal of six individual trees (primarily around the new Entrance building zone), a group of trees and two sections of hedgerow.

Only one of the trees (marked as T45) to be removed is subject to a Tree Preservation Order (TPO). This and the other trees are all considered to be Category C trees meaning they are of a low quality and only suitable for retention for approximately 10 years. All other trees, including the protected T52 and T53 that the Council's Arboriculturalist raised concerns about their removal, would be retained. In this context it is considered acceptable for the six trees individual trees, the group and two hedgerows to be removed, subject to mitigation planting, which will come forward as part of the landscaping Reserved Matters application. In the interim, an indicative landscape scheme has been provided, which builds on the positive work begun within the previously permitted ecology garden to deliver a wider ecology and landscape enhancement scheme across the whole of the site. This would deliver 50 new trees and greening as well as a Biodiversity Net Gain (BNG) through areas of wildflower meadow planting and bare chalk mounds for colonisation by specialist flora, butterflies and other invertebrates.

- 9.48. **Other matters:** The submitted Preliminary Ecological Appraisal (PEA) recommends additional survey work in relation to bat roost assessment, which is recommended to be conditioned. It also recommends that bird and bat boxes are installed as well as new elm trees to support the Lesser Hairstreak butterfly.
- 9.49. The Arboricultural Impact Assessment (AIA) submitted with this application recommends engineered solutions and sympathetic construction methodologies to minimise impact on the retained trees. These are also recommended to be secured by condition.
- 9.50. The submitted Archaeological Desk-Based Assessment outlines that the archaeological potential of the northern and southern parts of the site has been reduced due to impacts from quarrying, terracing, 'landforming' (where the school building and playing fields were cut into the landscape) and construction. The site has a low potential to contain evidence of anything outside the Neolithic, Bronze Age, Iron Age and Roman periods where the aforementioned activities haven't taken place. In the light of the potential for impacts to heritage assets with archaeological interest, even of a local significance, the area affected by the proposal would therefore be the subject of a programme of archaeological works, which is recommended to be secured by condition.

10. CONCLUSIONS

- 10.1. The proposed development would help address a pressing need to enhance city-wide provision of educational, sporting and performance space and help reduce educational disparities by providing greater community access to facilities, to which great weight is given. Having regard to the layout and scale of the proposed buildings, they are well-designed and fit-for-purpose with improved access, providing a betterment of the existing situation. There are also sustainability, landscape and biodiversity benefits, in addition to reorganising car and cycle parking across the site. As such, the LPA can

support the expansion of this college since it would not have a significantly adverse impact on the character and appearance of the area, neighbouring amenity, highways, trees, biodiversity or on archaeological remains subject to conditions. The proposed development is therefore recommended for approval.

11. COMMUNITY INFRASTRUCTURE LEVY

- 11.1. 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. The proposed development is not CIL liable.

12. EQUALITIES

- 12.1. Access for all has been fully considered in the design of the proposal and is covered in detail in the access section of this report. More gender-neutral toilets, accessible toilets and a changing places facility are to be provided in the new buildings, which is welcomed.
- 12.2. The proposal, by growing and strengthening a higher and further educational establishment, would also help to reduce inequalities in educational attainment across the city. 20% of the students that attend the College are identified as being from an area of significant deprivation and the number of High Needs students increases year on year, currently at 43, with 37% of the students being identified as Vulnerable Learners with mental health issues, Child Protection Plans and external agency involvement. This proposal would help to provide additional space for the College's Social Work Liaison Officer, mental health practitioner, counsellors, well-being workers and mental health first aiders.

13. CLIMATE CHANGE / BIODIVERSITY

- 13.1. The site is reasonably well served by public transport, and cycle parking is proposed, reducing reliance on cars. The works would modernise and refurbish the existing main building and provide sustainable new buildings. Buildings are to be oriented to take maximum advantage of natural heat and light; embodied carbon is to be considered at an early stage in the process and a site-wide strategy for decarbonising heating and lighting is being explored. There are ample opportunities for sustainable urban drainage options. BNG is recommended to be secured by condition with details of this to come forward as part of the landscaping Reserved Matters application.

14. S106 AGREEMENT

- 14.1. In the event that the draft S106 Agreement has not been signed by all parties by the date set out above, the application shall be refused for the following reasons:
1. The proposed development fails to provide a financial contribution (via a Section 106 legal agreement) towards sustainable transport to address the transport impacts that the proposed development would have on the local area, including highways safety, contrary to Policies SS1, CP7 and CP9 of the Brighton & Hove City Plan Part One, DM33 of the Brighton & Hove City Plan Part Two and the City Council's Developer Contributions Technical Guidance.
 2. The proposed development fails to provide a mechanism (via a Section 106 legal agreement) to secure a travel plan including monitoring fees to enable access to sustainable forms of transport and to maximise their use and increase choices, contrary to Policies SS1, CP7 and CP9 of the Brighton & Hove City Plan Part One, DM35 of the Brighton & Hove City Plan Part Two and the City Council's Developer Contributions Technical Guidance.
 3. The proposal fails to provide a mechanism (via a Section 106 legal agreement) to secure delivery of the necessary and appropriate ecological mitigation and enhancement on site contrary to Policies SS1, CP7, DA7 and CP10 of the Brighton and Hove City Plan Part One, DM37 of the Brighton and Hove City Plan Part Two, Supplementary Planning Document 11: Nature Conservation and Development and the City Council's Developer Contributions Technical Guidance.

