

Kap Ltd, Newtown Road

BH2025/01359

1st October 2025



Brighton & Hove
City Council

Application Description

- ▶ Application to vary condition 14 of planning permission BH2018/03356 to change the minimum BREEAM new construction rating from 'Excellent' to a 'Very Good' rating.

Context

- ▶ **BH2018/03356** provided for a residential led mixed-use development including 148 dwellings and 954sqm of office floorspace, arranged within three blocks ranging from four to eleven storeys in height.
- ▶ Approved in September 2020. Works have commenced on site and are well underway.
- ▶ Condition 14 set a BREEAM target of 'Excellent' for the office element of the scheme only.
- ▶ No other changes to the approved development are proposed as part of this application.

Justification for the proposal

- ▶ The BREEAM assessment criteria includes a number of credits for early design stage (pre-Planning) actions.
- ▶ The original developer failed to record evidence of these actions at the requisite design stages.
- ▶ The current applicant can no longer obtain the credits for these actions.
- ▶ As a result, even though the scheme could have originally achieved BREEAM 'Excellent', due to these lost credits this is no longer technically feasible.
- ▶ The application is recommended for approval. The revised wording of Condition 14 would be:

Within 6 months of first occupation of the non-residential development hereby permitted a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM New Construction rating of 'Very Good' shall be submitted to, and approved in writing by, the Local Planning Authority.

In addition, it shall be demonstrated that the available mandatory credits required for a BREEAM rating of 'Excellent' as set out in Table 2.5 "Minimum BREEAM standards by rating level" of BREEAM UK New Construction Version 6.1 Technical Manual SD5079, and as identified in the submitted supporting letter as being targeted (XDA Consulting, received 27th May 2025), have been achieved.

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.

Map of Application Site



Site

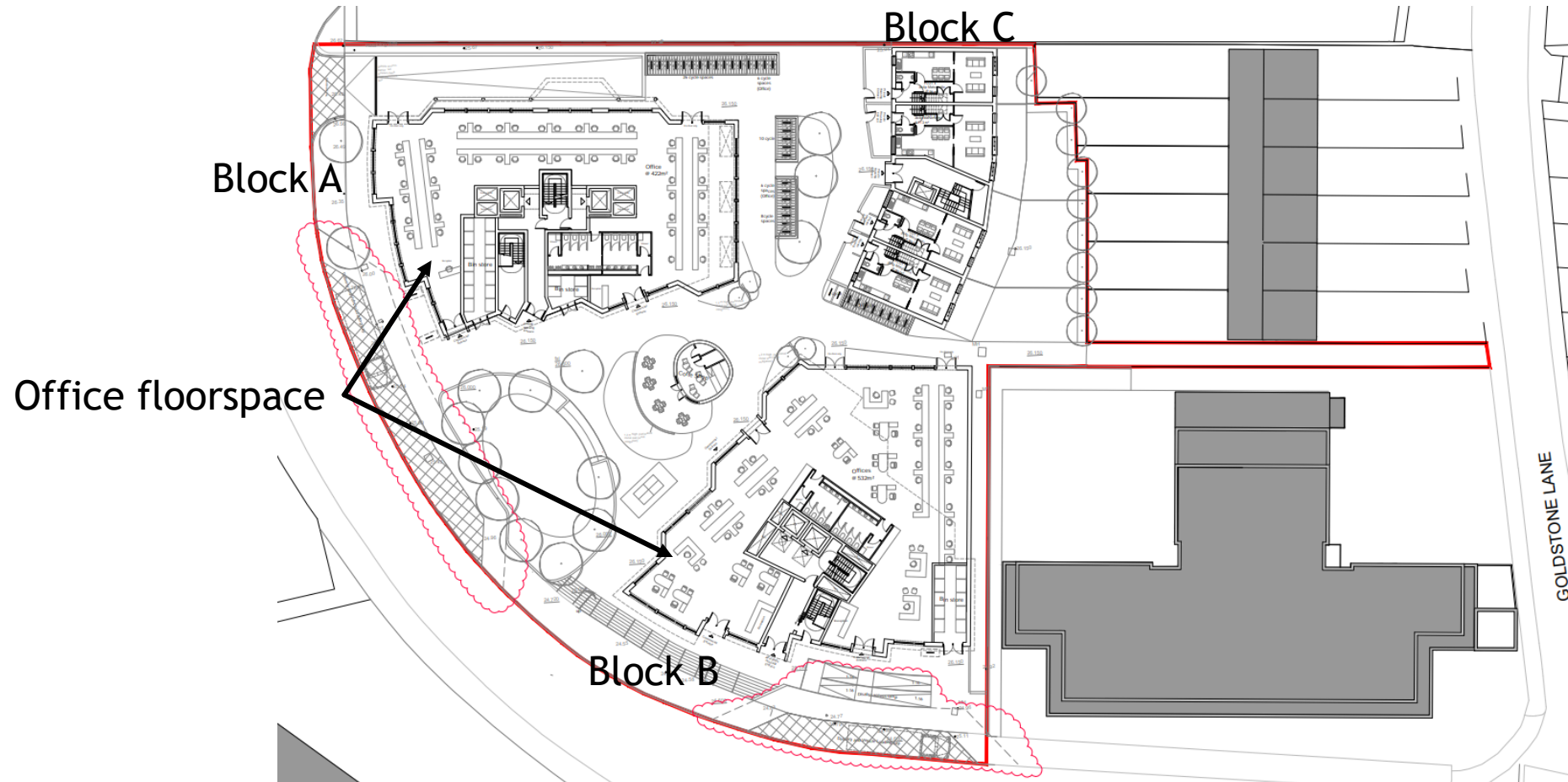
Location Plan



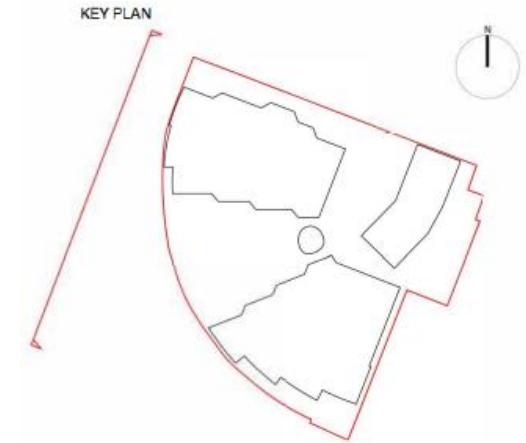
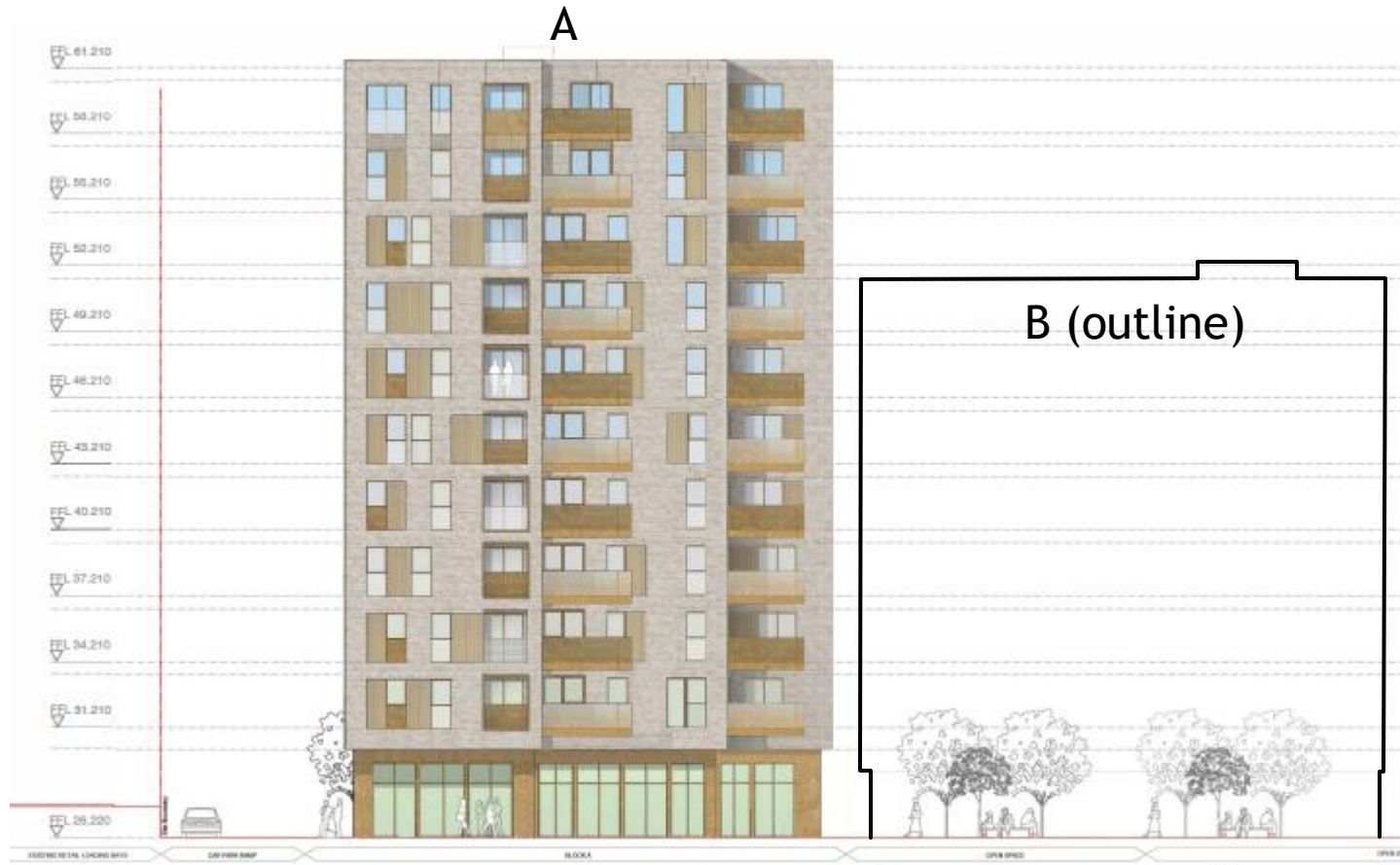
Approved Block Plan



Approved Ground Floor Plan



Approved Site West Elevation



Approved Site South Elevation



Aerial Photo of Site



3D Aerial Photo of Site



Site Photo (September 2025)

Block A



Block C

Site Photo (September 2025)



Block A

Block B

Block C

Site Photo (September 2025)

Block B



Representations

- ▶ None received

Key Considerations

- Sustainability

Conclusion and Planning Balance

- ▶ It is disappointing that the previous developer did not take the necessary actions to register BREEAM credits during the early design stages of the development. However, it is recognised that the window of opportunity for these credits to be obtained has now passed.
- ▶ The remaining credits that would have been mandatory for BREEAM 'Excellent' are still being targeted, including all five 'Energy' credits.
- ▶ The residential component of the development would be unaffected.
- ▶ Sustainability measures such as rooftop PV panels and energy and water efficiency standards in accordance with Policy CP8 are still included.
- ▶ There is no objection from the Council's Net Zero team.
- ▶ The application is recommended for approval with revised wording to Condition 14.