

<u>No:</u>	BH2026/00749	<u>Ward:</u>	Westdene & Hove Park Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Brighton And Hove High School Junior Department Radinden Manor Road Hove BN3 6NH		
<u>Proposal:</u>	Change of use of vacant school building from education (Use Class F1) to House in Multiple Occupation for 47 occupants (Sui Generis) (retrospective).		
<u>Officer:</u>	Oliver Redmond,	<u>Valid Date:</u>	27.03.2026
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	22.05.2026
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	14.10.2026
<u>Agent:</u>	Maddox Planning 33 Broadwick Street London W1F 0DQ		
<u>Applicant:</u>	Lowe Management Limited C/O Maddox Planning 33 Broadwick Street London W1F 0DQ		

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	A-001		27-Mar-26
Block Plan	A-002		27-Mar-26
Proposed Drawing	P-001-B		27-Mar-26
Proposed Drawing	P-001-G		27-Mar-26
Proposed Drawing	P-001-F		27-Mar-26
Proposed Drawing	P-001-S		27-Mar-26
Proposed Drawing	P-001-R		27-Mar-26
Proposed Drawing	Annotated Ground Floor Plan		08-Jul-26
Report/Statement	Planning Statement		08-Jul-26
Report/Statement	Proposed Management Plan		08-Jul-26

2. The temporary use hereby permitted shall cease no later than two years from the date of this permission, or upon the permanent cessation of the use as a

House in Multiple Occupation (Sui Generis), whichever occurs first. Upon cessation of the authorised use, the building shall cease to be used as a House in Multiple Occupation and shall revert to its lawful use as an Education premises (F1) being the lawful use immediately preceding the grant of this permission.

Reason: The use is considered acceptable only on a temporary basis, having regard to the circumstances of the site and the requirements of Policies DM9 and DM44 of the Brighton & Hove City Plan Part Two.

3. The House in Multiple Occupation hereby permitted shall not be occupied by more than 47 persons as their sole or main residence at any time.

Reason: To prevent over-occupation and safeguard the living conditions of occupiers, neighbouring amenity and the character of the area, in accordance with Policies DM7 and DM20 of the Brighton & Hove City Plan Part Two.

4. The premises shall be operated and managed throughout the temporary permission in broad accordance with the site-management arrangements set out in the received email dated 8th of July 2026, and shall include:

- the appointment and retention of a Head Guardian
- carrying out of unannounced monthly property inspections
- carrying out of monthly visits by Lowe Management's Community Managers
- the provision of a dedicated 24-hour maintenance service
- the vetting of prospective occupiers
- the operation of the stated complaints and resident-conduct procedures
- maintenance of an up to date register of resident occupiers, which shall be made available to the council upon reasonable request
- management to ensure no person who is not entered on the resident occupiers register occupies the premises as their sole or main residence.

The above arrangements shall be maintained throughout the permitted use. Any proposed changes shall be submitted to and approved in writing by the Local Planning Authority before being implemented.

Reason: To prevent over-occupation, ensure that the premises are appropriately managed and safeguard the living conditions of occupiers, neighbouring amenity and the character of the area, in accordance with Policies DM7, DM20 and DM40 of the Brighton & Hove City Plan Part Two.

5. The external communal amenity areas shall not be used by residents or visitors between 23:00 and 07:00, other than for access, egress or in an emergency.

Reason: To safeguard neighbouring occupiers from late-night noise and disturbance, in accordance with Policies DM7, DM20 and DM40 of the Brighton & Hove City Plan Part Two.

6. Within one month of the date of this permission, details of secure, covered and conveniently accessible cycle parking for a minimum of 47 cycles shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be fully provided within one month of its approval and thereafter retained throughout the use.

Reason: To promote sustainable travel and ensure appropriate cycle-parking provision, in accordance with Policies CP9, DM33 and DM36 of the Brighton & Hove City Plan and SPD14.

7. Within one month of the date of this permission, details of facilities for the storage of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location, capacity and enclosure of the facilities and arrangements for their management and collection. The approved facilities shall be fully provided within one month of their approval and thereafter retained and managed in accordance with the approved details.

Reason: To ensure satisfactory refuse and recycling arrangements and safeguard the amenity and appearance of the site, in accordance with Policy WMP3e of the Waste and Minerals Plan and Policy 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. SITE LOCATION

- 2.1. The application relates to the former Brighton & Hove High School - Junior Department at 1 Radinden Manor Road, Hove. The site is located on the south-eastern side of Radinden Manor Road, close to its junction with Old Shoreham Road. The surrounding area is predominantly residential in character, with detached and semi-detached houses set within mature plots. Cottessmore St Mary's Catholic Primary School and associated school and sports uses are located nearby.
- 2.2. The application building is a substantial former school arranged over ground, first and second floors and formed from a series of interconnected brick built blocks. It contains former classrooms, halls, kitchens, washing facilities, circulation areas and ancillary accommodation. Limited vehicle parking is available toward the front of the building. The wider former school site includes outdoor grounds and sports facilities.
- 2.3. The application site comprises the former school building together with the forecourt, external amenity and waste storage areas shown within the red line boundary. It does not include the adjoining sports field or the remainder of the wider former school grounds. The sports field remains outside the application site and is intended to remain in educational use.
- 2.4. The applicant states that the building became surplus to the operational requirements of the Girls Day School Trust following the relocation and consolidation of the junior school. The building had already been brought into use as a large House in Multiple Occupation when the application was submitted and remains occupied. The application is therefore retrospective. Permission is sought for a maximum of 47 residents, although the submitted information does not confirm whether all 47 bedrooms are yet currently occupied.

3. RELEVANT HISTORY

None relevant to the determination of this application.

4. APPLICATION DESCRIPTION

- 4.1. Retrospective planning permission is sought for the temporary change of use of the former school building from education use (Use Class F1) to a large HMO (Sui Generis) for a maximum of 47 occupants.
- 4.2. The applicant seeks permission for a temporary period of two years from the date of any planning permission granted. The use is proposed to be a “meanwhile use” while the wider site is sold and long term proposals are developed. The Girls Day School Trust has confirmed that the building is no longer required for its operations however the sports field would be retained in educational use and continue to be utilised by the school. Any permanent redevelopment of the wider site would require a separate planning application and would be assessed on its own merits.
- 4.3. The HMO proposes 47 single occupancy bedrooms - 13 at ground-floor level, 17 at first-floor level and 17 at second-floor level within the principal school building. The submitted schedule records approximately 1,439.94sqm of bedroom accommodation. Individual rooms range from approximately 8sqm to 109sqm, reflecting the reuse of former classrooms and other school accommodation.
- 4.4. Shared facilities include a kitchen measuring approximately 47.5sqm, a kitchen/dining room measuring approximately 140sqm and a communal room within the former school hall measuring approximately 253sqm. These spaces provide approximately 440sqm of communal accommodation in total. Shared bathroom and WC facilities are provided within the building. Outdoor amenity, refuse and recycling areas are identified within the application site. Approximately four existing parking spaces are retained at the front of the building and internal storage areas are identified for cycle parking.
- 4.5. No external alterations or extensions are proposed as part of the application.

5. REPRESENTATIONS

- 5.1. Representations have been received from **fourteen (14)** people objecting to the application on the following grounds:
 - Loss of an educational/community facility and concern regarding future educational need
 - Excessive scale and intensity of occupation
 - Harm to the character of the predominantly residential area
 - Noise and disturbance from continuous occupation, late night activity, visitors, taxis, deliveries, communal areas and outdoor smoking
 - Reported late-night antisocial behaviour

- Light spill and loss of privacy
- Inadequate internal and external amenity provision
- Inadequate bathroom and washing facilities
- Insufficient on-site management and uncertainty regarding how the maximum occupancy would be monitored
- Increased traffic, congestion, parking demand and overspill parking
- Absence of a permit-free restriction
- Highway and pedestrian safety, particularly in relation to the nearby school and cycle lane
- Reported obstruction of driveways and pavements
- Insufficient secure cycle parking
- Inadequate refuse and recycling facilities, with reports of overflowing bins, litter and early-morning collections
- Poor maintenance and appearance of the site
- The proposed duration and concern that the temporary use could become permanent
- The absence of a secured restriction prioritising key workers
- Concern regarding the implications for future redevelopment

5.2. **Two (2)** representations have been received supporting the application on the following grounds:

- Beneficial reuse of a vacant building
- Provision of additional accommodation
- Reduced risk of vandalism, unauthorised occupation and deterioration
- Accessible location close to public transport, shops and recreational facilities
- Reuse of an existing building without the impacts associated with substantial new construction

5.3. **Two (2)** representations of comment have been received neither supporting nor objecting to the application but raising the following issues.

- That any permission be limited to a short period so that the effects of the use can be reviewed
- Occupation should principally be restricted to key workers.
- Concerns were also raised regarding traffic, parking, highway safety, noise and lighting.

5.4. A full copy of the representations can be found on the Planning Register

5.5. **Councillor Samer Bagaeen** has objected to the proposal on grounds of noise, overdevelopment and residential amenity. A copy of their representation is attached to this report.

5.6. **Councillor Ivan Lyons** has objected to the application on grounds of parking, congestion, noise and out of keeping with the area. A copy of their representation is attached to this report.

6. CONSULTATIONS

- 6.1. **Planning Policy:** Comment
Further information requested. The lawful use of the building is an educational community use and Policy DM9 of the City Plan Part Two applies. The original submission did not demonstrate that any of the circumstances in Policy DM9.2 allowing the loss of a community facility applied. Further information was also requested regarding the proposed temporary period, bedroom and communal space sizes, outdoor amenity space, waste storage and energy efficiency.
- 6.2. The Policy response notes that the proposal would contribute one net residential unit in the form of an HMO, albeit temporarily, and that increased weight should be given to housing delivery because the Council cannot demonstrate a five-year housing land supply.
- 6.3. The response also advises that the HMO concentration tests in Policies CP21 and DM7 must be met and that the accommodation must provide appropriate communal living, cooking, bathroom and outdoor amenity facilities. Policy DM44 requires an EPC rating of C and improvement against the applicable Part L carbon-emission target for a change of use to residential.
- 6.4. **Private Sector Housing:** Do not wish to comment.
- 6.5. **Sustainable Transport:** No comments received.
- 6.6. **Children and Young Peoples Trust:** No comments received.

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. 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 2023; revised October 2024);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017).

8. RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
CP1	Housing delivery
CP8	Sustainable buildings
CP9	Sustainable transport
CP18	Healthy city

CP21 Student housing and Houses in Multiple Occupation

Brighton & Hove City Plan Part Two:

DM1	Housing Quality, Choice and Mix
DM7	Houses in Multiple Occupation (HMOs)
DM9	Community Facilities
DM20	Protection of Amenity
DM33	Safe, sustainable and active travel
DM36	Parking and servicing
DM40	Protection of the Environment and Health - Pollution and Nuisance
DM44	Energy Efficiency and Renewables

Waste and Minerals Plan:

WMP3e Sustainable Design of New Development

Supplementary Planning Documents:

SPD14 Parking Standards

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the principle of the temporary change of use and loss of the educational/community facility, the provision and concentration of HMO accommodation, the standard of accommodation for occupants, the impact on neighbouring amenity and the character of the area, management, transport and parking, waste and recycling, and sustainability.

Principle of the Development and Loss of Community Use

- 9.2. Policy DM9 of the Brighton & Hove City Plan Part Two seeks to protect community facilities, including educational uses. The loss of a community facility is permitted where replacement provision is made, the facility is no longer needed and suitable alternative provision with sufficient capacity is available, the premises are no longer suitable for the existing or another community use and cannot reasonably be adapted, or there is no current or future need or demand, supported by evidence of marketing for community use.
- 9.3. The former junior school building has been declared surplus to the operational requirements of the Girls' Day School Trust following the relocation and consolidation of the school. The application does not include the adjoining sports field, which is intended to remain in educational use. However, the evidence does not demonstrate that the building is no longer needed for any alternative community use or that it has been marketed for such a use. The proposal therefore does not fully satisfy the requirements of Policy DM9.2.
- 9.4. The temporary nature of the proposal is an important material consideration. Permission is sought for two years only and the applicant advises that the wider site is being sold, with separate longer-term proposals anticipated. A time-limited permission would not establish the HMO as the permanent use of the building or determine the acceptability of any future redevelopment. At the end of the

temporary period the HMO use would be required to cease and the building would return to its former educational use.

- 9.5. The proposed temporary use brings a substantial otherwise unoccupied building into active occupation during the sale and planning process and provides additional residential accommodation in the interim. The temporary proposal also assists in maintaining and securing the building. These benefits attract positive weight. Whilst the applicant has stated that the accommodation would principally serve key workers or be provided below market rents these statements attract limited weight in the planning balance because neither the identity of occupants nor the rent levels would or could be secured through the planning process.
- 9.6. On balance, whilst the conflict with Policy DM9 is clear, the impact is considered somewhat limited by the strictly temporary nature of the permission, the building being surplus to the former operator's requirements, the retention of the sports field in educational use and the fact that any permanent loss or redevelopment would require separate assessment.

HMO Provision and Housing Delivery

- 9.7. Policies CP21 and DM7 support the role of HMOs in meeting housing needs while seeking to prevent harmful concentrations and protect mixed and balanced communities. The application creates one residential unit in the form of a large HMO containing 47 bedspaces. As the permission would be temporary, its contribution to the city's housing supply would be limited.
- 9.8. Council records identify 12 neighbouring residential units wholly or partly within 50m of the relevant centre point, excluding the application site itself. Of these, two are in lawful HMO use or benefit from an extant permission for HMO use. Existing HMOs therefore represent 16.7% of neighbouring residential units within the radius. This exceeds the 10% threshold in Policy CP21 and the proposal therefore conflicts with that policy.
- 9.9. For the purposes of Policy DM7, the Output containing the application site and the immediately adjoining Output Areas contain a combined total of 1,901 dwellings, of which 27 are recorded as HMOs. HMOs therefore represent approximately 1.4% of dwellings within the wider neighbourhood area, comfortably below the 20% threshold in Policy DM7(a).
- 9.10. The application relates to a freestanding former institutional building and would neither sandwich a non-HMO dwelling between two HMOs nor result in a continuous frontage of three or more HMOs. It therefore satisfies the separate concentration and frontage criteria in Policy DM7(a)-(c). However, Policy DM7 also requires HMO proposals to comply with Policy CP21. As the 50m concentration threshold in Policy CP21 is exceeded, the proposal conflicts with Policy DM7 in that respect.
- 9.11. The purpose of the HMO concentration policies is to maintain mixed and balanced communities and prevent the harmful cumulative effects associated with concentrations of HMOs. In this case, the percentage within the 50m radius

is influenced by the relatively small number of neighbouring residential properties surrounding the large former institutional site. The threshold is exceeded by the presence of two existing HMOs, whereas the wider-neighbourhood assessment demonstrates a very low concentration of approximately 1.4%.

- 9.12. Whilst the proposal is for a temporary HMO use of the site and the requirements of policies CP21 and DM7 are recognised, the proposal would not involve the loss of an existing family dwelling, would not create a continuous concentration of HMOs and would not permanently establish an HMO use. Permission is sought for two years only, after which the use would be required to cease. Whilst the policy conflict is noted the context of the site and the proposed temporary “guardianship” of the building is sufficiently short so as to be able to accommodate the proposed occupation whilst not unbalancing the residential communities of the surrounding area. Housing provision albeit temporary only, is given weight in the planning balance, given the high demand and need in the city.

Standard of Accommodation

- 9.13. Policies DM1 and DM7 of the Brighton & Hove City Plan Part Two seek a good standard of accommodation for HMO occupants.
- 9.14. Policy DM7 recommends at least 4sqm of usable communal living space per occupant, proportionately increased for larger HMOs having regard to bedroom sizes and their ability to provide social space.
- 9.15. The submitted schedule identifies 47 single-occupancy bedrooms ranging from approximately 8.07sqm to 109sqm. All exceed the national minimum room size of 6.51sqm for a single adult imposed through the HMO licensing regime and most substantially exceed that figure. The very large rooms reflect the reuse of former classrooms and provide space for occupants to sit, work and store belongings in addition to sleeping accommodation.
- 9.16. Approximately 440sqm of communal accommodation is provided, comprising a 47.5sqm kitchen, a 140sqm kitchen/dining room and a 253sqm communal hall. This equates to approximately 9.4sqm per occupant and comfortably exceeds the 188sqm minimum indicated by applying the 4sqm per person recommendation. The photographic survey shows the kitchen, communal hall and a sample of bedrooms furnished and in use. The rooms shown in both photographs and the submitted plans benefit from windows, outlook and natural light, although the building retains aspects of its former institutional appearance.
- 9.17. The submitted plans show shared shower, WC and washing facilities distributed through the ground and first floors. The detailed number, operation and maintenance of these facilities would also be controlled through the mandatory HMO licensing regime.
- 9.18. Subject to the maximum occupation being limited to 47 people the internal accommodation, communal areas and shared facilities are considered capable of providing an acceptable living environment for occupants.

- 9.19. The submitted information identifies paved seating and landscaped garden areas within the application site for use by residents. The adjoining sports field falls outside the application site and has not been taken into account as resident amenity space.
- 9.20. Having regard to the substantial internal communal provision, the temporary nature of the use and the available outdoor areas, the amenity provision is considered appropriate to the scale and character of the development. The proposal is therefore considered to provide an acceptable standard of accommodation in accordance with Policies DM1 and DM7 of the City Plan Part Two.

Impact on Amenity and Character

- 9.21. Policies DM20 and DM40 of the Brighton & Hove City Plan Part Two seek to ensure that development does not cause unacceptable harm to neighbouring amenity through noise, disturbance, overlooking, loss of privacy or other impacts. Policy DM7 also requires HMOs to be compatible with the characteristics of the area and not cause unacceptable harm through cumulative noise and disturbance.
- 9.22. The proposal introduces a different pattern of activity from the former school, which generated concentrated daytime movements associated with pupils, staff and servicing. Resident representations have reported late-night noise, taxi movements, outdoor activity and antisocial behaviour since the HMO occupation commenced. These concerns are acknowledged.
- 9.23. The proposed use is residential in character and no external enlargement or alteration of the building is proposed. While the number of occupants is significant, the building is substantial and provides extensive internal communal space, reducing the need for occupants to congregate outside or on the public highway. The former school use was itself capable of generating appreciable activity, although mainly during daytime hours.
- 9.24. The submitted Management Plan provides for a Head Guardian, resident vetting, monthly inspections, a complaints procedure and 24 hour maintenance support. It also establishes arrangements for managing resident conduct, visitors, communal areas and refuse and recycling.
- 9.25. Compliance with the Management Plan would be secured by condition, together with the display of an up to date 24 hour management contact at the premises. A separate condition would limit occupation to a maximum of 47 people and prevent the creation of additional bedrooms. Given the reported late-night disturbance, use of the external communal areas would also be restricted between 23:00 and 07:00, other than for access, egress or emergencies.
- 9.26. Collectively, these controls and the temporary duration of the permission are considered to provide a proportionate and enforceable means of managing the use and responding to any potential operational issues. Notwithstanding, it should be noted that should any noise issues arise this does not prevent the

council's Environmental Health team investigating/enforcing under a separate regime.

- 9.27. The proposed temporary change of use does not create new windows or materially alter existing relationships with neighbouring properties. Any overlooking would arise through established openings formerly serving the school and is not considered to result in unacceptable loss of privacy. External lighting and use of outdoor areas would remain subject to statutory nuisance controls, with the management plan providing an additional mechanism for addressing disturbance.
- 9.28. The occupation would alter the character of activity at the site, but the reuse of a large institutional building for managed communal accommodation is not considered inherently incompatible with the residential surroundings and subject to the recommended management, occupancy and temporary use conditions, the proposal is not considered to cause unacceptable harm to neighbouring amenity or the character of the area and would comply with Policies DM7, DM20 and DM40 of the Brighton and Hove City Plan Part Two.

Transport and Parking

- 9.29. Policies CP9 of the City Plan Part One and DM33 and DM36 of the City Plan Part Two seek to promote sustainable travel and ensure that development does not result in unacceptable highway safety, parking or servicing impacts.
- 9.30. The application site is in a sustainable location within the built-up area accessible by walking, cycling and public transport. Hove railway station is approximately a 15 minute walk away and bus services are available on Old Shoreham Road. There are local amenities close by.
- 9.31. Approximately four existing parking spaces are retained at the front of the building, primarily for operational and management purposes. Residents have raised concerns regarding additional vehicles, deliveries, taxis, obstruction of driveways and pavements and the interaction with traffic serving the nearby school and sports facilities. The applicant contends that residents are likely to have relatively low car ownership and that trips would be dispersed through the day rather than concentrated around school opening and closing times.
- 9.32. It is considered that the proposal could generate some additional residential parking and servicing activity, particularly during evenings and weekends. However, the former school use generated concentrated movements at peak periods and the proposal would not materially alter the existing access or highway layout. In addition, the type and nature of the proposed use is not anticipated to result in significant or demonstrably harmful impacts; the site is within an established residential area. The site is in an accessible location close to public transport and the limited availability of on-site parking is not, by itself, evidence that the residual cumulative highway effects would be severe or that highway safety would be unacceptably affected. On balance therefore it is not considered that refusal of permission can be justified on transport grounds.

9.33. Internal storage areas are identified for one cycle space per occupant. Details are recommended to be secured to ensure that 47 spaces can be accommodated in a secure, covered and accessible arrangement and retained throughout the temporary use. Subject to this requirement, the proposal would encourage use of sustainable modes, in line with policy.

9.34. The proposal is considered acceptable in transport terms and would comply with Policies CP9, DM33 and DM36.

Waste and Recycling

9.35. Policy WMP3e requires development to incorporate suitable facilities for the storage and collection of waste and recycling. Residents have reported overflowing bins, litter and an absence of recycling facilities during the existing occupation. These reports indicate that the arrangements in place at the time of the representations may not have been sufficient.

9.36. The applicant has subsequently identified refuse and recycling storage within the site.

9.37. Given that the use is already operating, a condition is attached requiring the approved facilities to be fully provided within a short period and thereafter retained. The management plan should ensure that bins are presented and returned appropriately and that the storage area is kept clean and secure. Subject to these controls, the proposal is considered capable of providing acceptable waste and recycling arrangements in accordance with Policy WMP3e.

Sustainability

9.38. Policy DM44 of the City Plan Part Two requires changes of use of existing buildings to residential use to achieve an EPC rating of C and the applicable improvement against Approved Document Part L carbon emission targets. The applicant has not submitted calculations demonstrating the required improvement. Instead, it argues that substantial fabric or renewable-energy works would be disproportionate for a two year use involving no extension, new building or external alterations.

9.39. The requirement to undertake substantial permanent upgrades to the building must also be considered against the temporary duration and the tests for planning conditions. In these particular circumstances, it would not be reasonable to require major fabric or renewable energy works whose useful life would extend materially beyond the two-year permission and could prejudice future redevelopment. This results in a degree of conflict with Policy DM44, but the weight attributed to that conflict is reduced by the limited duration and nature of the proposal.

Biodiversity Net Gain

9.40. Schedule 7A of the Town and Country Planning Act 1990 requires applicable development to deliver a minimum 10% biodiversity net gain, unless an exemption applies.

- 9.41. The applicant has submitted a Biodiversity Net Gain Exemption Statement. The proposal relates solely to the change of use of the existing building and does not involve external alterations, groundworks, demolition, extensions or changes to the site layout. It would therefore not result in the loss or degradation of any onsite habitat.
- 9.42. As the development would not affect any priority habitat and its impact on onsite habitat would fall below the applicable de minimis thresholds, the proposal is exempt from the statutory biodiversity gain requirement. The general biodiversity gain condition would therefore not apply and no further biodiversity net gain information is required.

Fire Safety and Other Regulatory Matters

- 9.43. A high level fire safety strategy has been submitted. Detailed requirements relating to means of escape, detection and alarm systems, compartmentation and ongoing management are principally controlled through Building Regulations, the Housing Act 2004, HMO licensing and the Regulatory Reform (Fire Safety) Order 2005. The proposal does not include external fire safety alterations requiring assessment as part of this application. Planning permission would not remove the need to comply with these separate statutory regimes.
- 9.44. The fact that the application is retrospective does not alter the planning merits and is not a reason to withhold permission. Matters relating to previous enforcement action, the handling of the application and effects on property values are not material planning considerations. Any future redevelopment of the site would require a separate planning application and would not be prejudged by this temporary permission.

10. CONCLUSION

- 10.1. The proposal brings a substantial former school building which is surplus to its former operator's requirements into temporary residential use and provides 47 bedspaces at a time of significant housing need. The bedrooms are generally generous in terms of space provision and the development provides extensive internal communal accommodation together with outdoor amenity space. The use would remain subject to the site management arrangements provided by the agent on 8th of July 2026 and would be limited by condition to a maximum occupation of 47 people.
- 10.2. The proposal does not demonstrate full compliance with Policy DM9 because the potential need or demand for the building as an alternative community facility has not been established. It also exceeds the 10% HMO concentration threshold in Policy CP21 and consequently conflicts with Policy DM7 in that respect. Compliance with the carbon emission improvement sought by Policy DM44 has not been demonstrated. These matters weigh against the proposal.
- 10.3. However, permission is sought for a strictly limited two year period while the wider site is sold and longer term proposals are progressed. The proposal would not result in the loss of a family dwelling, the wider neighbourhood HMO

concentration is approximately 1.4% and the development would not create sandwiching or a continuous frontage of HMOs. The sports field would remain in educational use, permanent physical works are not proposed within the application and any permanent loss or redevelopment would require separate planning permission.

- 10.4. The development would provide 47 bedspaces, secure the beneficial interim occupation and maintenance of a vacant substantial former institutional building and provide extensive bedroom and communal accommodation. Weight is given to housing provision. Concerns regarding noise, disturbance, parking, highway safety, refuse and management are acknowledged, including reports based on the existing occupation. However, the proposal is considered acceptable having regard to the size of the building, its accessible location and the ability to secure the site management arrangements, occupancy limit, refuse recycling facilities and cycle parking via condition. Any potential impacts are likely to be limited and are not considered sufficient to outweigh the benefits of the temporary use.
- 10.5. On balance, the identified policy conflicts are considered to be outweighed by the particular circumstances and benefits of the strictly temporary use in this instance. Subject to the recommended conditions, the proposal is considered acceptable.

11. EQUALITIES

- 11.1. Section 149(1) of the Equality Act 2010 provides:
A public authority must, in the exercise of its functions, have due regard to the need to-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.2. Officers have considered the submitted information, consultee response and third-party representations. The proposal provides temporary accommodation capable of meeting a range of housing needs. Detailed accessibility and suitability matters are also considered through the HMO licensing regime. Subject to the recommended controls, the proposal is not considered to give rise to unacceptable material impacts on individuals or identifiable groups with protected characteristics.