

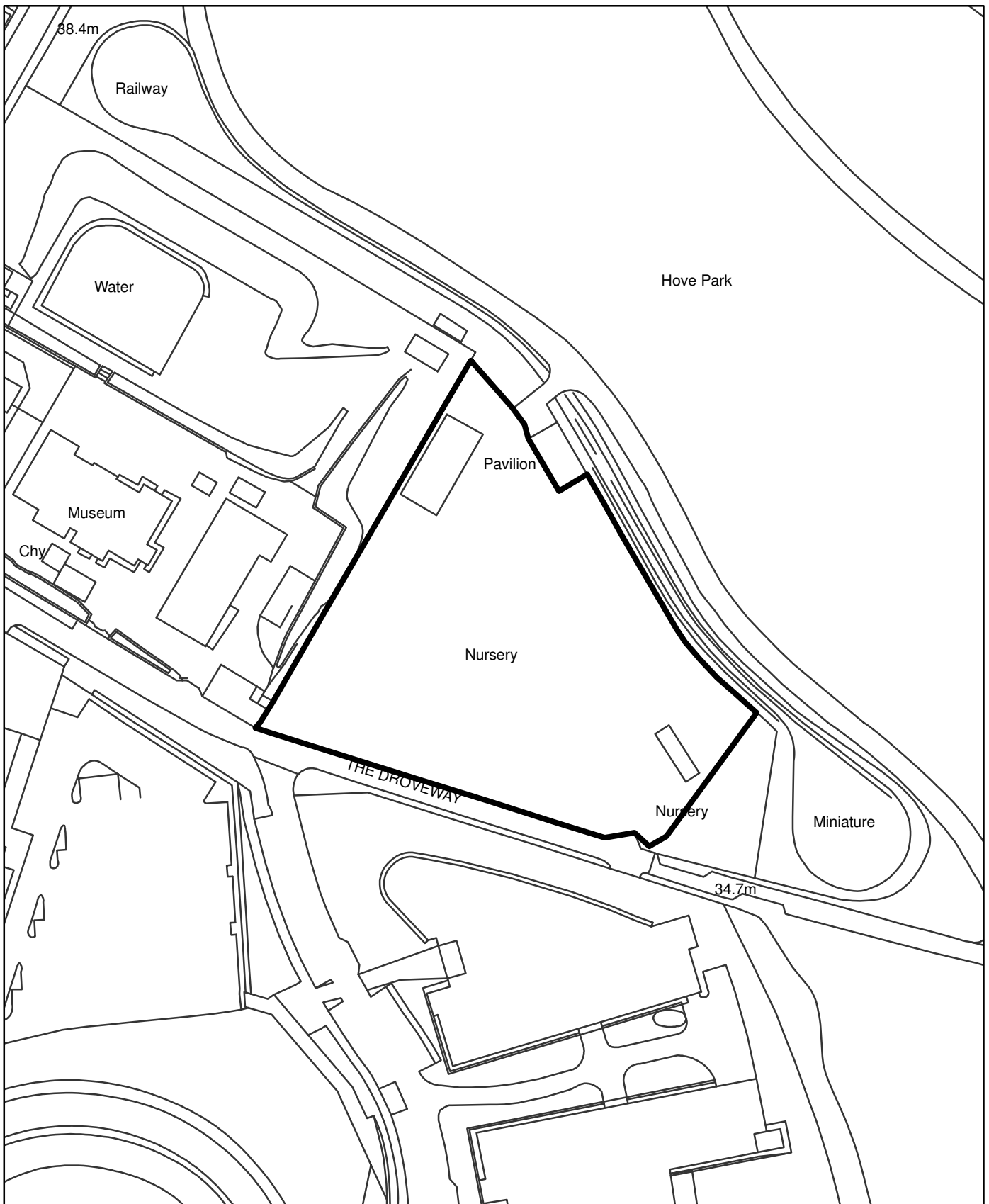
ITEM A

Hove Park Depot, The Droveaway, Hove

BH2014/00922
Full planning

04 JUNE 2014

BH2014/00922 Hove Park Depot, The Droeway, Hove.



**Brighton & Hove
City Council**

N



Scale: 1:1,250

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<u>No:</u>	BH2014/00922	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Hove Park Depot The Droveaway Hove		
<u>Proposal:</u>	Demolition of existing buildings and construction of a new two storey primary school building with solar panels and windcatchers, associated access works and hard and soft landscaping.		
<u>Officer:</u>	Jonathan Puplett Tel 290480	<u>Valid Date:</u>	21 March 2014
<u>Con Area:</u>	Engineerium	<u>Expiry Date:</u>	20 June 2014
<u>Listed Building Grade:</u>	Adjoining Grade II & Grade II*		
<u>Agent:</u>	ECE Planning Limited, Brooklyn Chambers, 11 Goring Road, Worthing, West Sussex.		
<u>Applicant:</u>	Kier Construction, Mr Darren Howe, Longley House, International Drive, Southgate Drive, Crawley.		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to be **MINDED TO GRANT** planning permission subject to a S106 planning obligation and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site comprises an approximate triangular piece of land sited between The Droveaway and City Park (to the south), Hove Park (to the north and east) and The Engineerium (to the west). Although the site is currently used as a Council depot it is understood that the majority of functions previously performed at the site have now been transferred to Stanmer Nursery.
- 2.2 The site is predominantly open with the exception of 3 detached buildings used in association with the depot. The site incorporates significant changes in ground level, as do ground levels of the area in general, which allows views into the site from Hove Park. The Engineerium is located towards the top of the hill; such that its chimney and boiler houses are prominent in views from the park and from the development site, forming a local landmark. The Droveaway slopes down from The Engineerium towards the Park and is at its steepest beside the application site.
- 2.3 The site is located within The Engineerium Conservation Area which is dominated by the adjoining Engineerium complex of Grade II & II* Listed buildings.

3 RELEVANT HISTORY

BH2013/02096 - Demolition of existing buildings and construction of a new three storey primary school building with brise soleil solar shading, solar panels and windcatchers with associated external hard and soft landscaping. – Withdrawn – 17/09/2013

BH2013/02097 – Conservation area consent for the demolition of existing buildings – Approved 25/09/2013

BH2006/03698: New Indoor Bowls Centre. Refused 23/02/2007 for the following reasons:-

1. *The proposed development, by virtue of its form design and materials, fails to preserve or enhance the character or appearance of the Engineerium Conservation Area and the setting of the nearby Listed buildings. The development is therefore contrary to Policies HE6 and QD1 of the Brighton & Hove Local Plan.*
2. *The proposed development fails to make efficient and effective use of the site contrary to the objectives of Policy QD3 of the Brighton & Hove Local Plan.*

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of existing depot buildings upon the site and the construction of a new two storey primary school building with solar panels and windcatchers, associated access works and hard and soft landscaping.
- 4.2 In terms of design, the proposed form is simple and functional, which is a two storeys in height with a flat roof. The building has a slab like quality and is proposed to be excavated in to the sloping site as much as possible.
- 4.3 Proposed materials include a combination of two types of brick and the use of render for the proposed entrance wing to the south.
- 4.4 Key features of the scheme:
 - 12 parking spaces are proposed, 3 of which are disabled.
 - Limited outdoor play space is proposed. This is due to the size of the proposed building relative to the size of the site, and the fact that a portion of the site which is steeply sloping is to be a habitat area.
 - Vehicular access is to be from The Droveaway.
 - It is proposed that parents dropping off / collecting children would park on Goldstone Crescent on the eastern side of Hove Park and walk across the park to / from the school.
 - Landscaping is proposed across the site, planting and new fencing and gates are proposed to the site boundaries.
 - Renewable energy production is proposed in the form of windcatchers and photovoltaic panels to the flat roof of the school building.

5 PUBLICITY & CONSULTATIONS

External

5.1 **210 (two hundred and ten)** letters of representation have been received from the addressed Listed in **Table One** (at the rear of the report) supporting the application for the following reasons:-

- More primary school places are needed.
- The development would be a good use of land
- The school would be well located to be able to access Hove Park for learning, the park is seemingly under used and this would encourage a greater use of it.
- The benefits of a bilingual school are multiple and would provide an excellent opportunity to young people and future generations.
- The development would be accessed by people from all over the city and well served by public transport so it should not be excessive or harmful.
- The primary school has out-grown its current location and it is vital to approve the new buildings to accommodate more children
- The site is well served by public transport, including buses and trains
- The proposal would be sensitive development that would not harm the location.
- The school is well run.
- The proposed building would be attractive and sit well in its surroundings.

5.2 **Neighbours: 100 (one hundred)** letters of representation have been received from the addressed Listed in **Table Two** (at the rear of the report) objecting to the application for the following reasons:

- The scale and size of the school, numbers of pupils and staff is too big for the site.
- The development would have a severe impact upon the highway and transport network, causing safety concerns and further and displaced parking pressures, and increased noise and disturbance.
- There are already traffic problems and significant congestion in surrounding roads during the hours pupils would be arriving / departing.
- There is not sufficient parking available for parents dropping off / picking up children.
- With only 12 parking spaces proposed on site parents and others working at the school / visiting it will have to park in the surrounding area.
- It is not environmentally friendly to have children travelling long distances to school.
- The school should be located away from the central Brighton / Hove so that parking can be provided.
- Parents will not want to spend time parking on Goldstone Crescent and walking over the park to the school.
- The data, content of the Transport Assessment and walk-ability of the catchment are questioned

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- The school would have inadequate outdoor recreation facilities and maybe forced to use the public open space in Hove Park which would reduce public access and quality of life for other users.
- The school may seek to formalise playing fields within Hove Park.
- There are already three large schools in the area which makes it difficult at present for parents to drop off and pick up children. This situation would be further exacerbated by the proposal
- There is insufficient pavement space and not enough space for buggies and prams to pass with young children.
- The City Park offices and Waitrose already generate significant traffic and parking in the immediate area, the proposed school would worsen this.
- The traffic impact of the proposed school should be considered in conjunction with the newly opened supermarket, Park House (under construction). The Legal and General buildings, The British Engineerium (and a potential Ice Rink), expansion at Aldrington School and potential development at Toads Hole Valley.
- Vehicular access to the site from the Droveaway is extremely difficult and dropping off pupils here would be difficult / dangerous.
- A primary school is not required for the area.
- The school would result in further noise and disturbance to residents
- The land is publicly owned and should not be sold for profit
- The modal shift on to public transport, cycle and pedestrian methods required is unrealistic
- The catchment of the school to other BN postcodes would increase the transport impact of the proposal.
- The traffic changes and current infrastructure would pose a threat to child safety.
- The school places should be restricted to local children to reduce the impact of the travel demand
- A higher quality design is required for a building which would affect the setting of the Listed British Engineerium
- There is insufficient space to evacuate children safely from the building.
- The site could be used for affordable housing, a parking area or a centre for the elderly.
- Badgers on the site will be disturbed by construction works.
- The site is not serviced by the number of buses the application submission suggests.
- The application submission suggests 50% of pupils will travel to the site by car; this figure may in fact be much higher due to the location of the site, poor transport links and the lack of a catchment area which would usually ensure shorter journeys.

5.3 A petition with **31 signatures** has been received objecting to the application for the following reasons:

- The proposed school will create considerable problems for traffic
- There is insufficient parking available. Parking associated with the school would create problems for residents and visitors to Hove Park.

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- If the school uses the park frequently this will create an increased need for maintenance of the park.
- 5.4 A letter has been received from the **Goldstone Valley Residents' Association** objecting to the application for the following reasons:
- Increased traffic will overwhelm the area and cause noise and disturbance.
 - There is insufficient on-street parking available.
 - The submitted Transport Statement references use of the Coral's car park; it is not confirmed whether there is agreement from Coral's for this car park to be used.
 - The change from a Co-op supermarket to Waitrose has resulted in increased traffic which the proposed school would add to.
 - The school would not benefit from sufficient outdoor play space.
 - Vehicles of parents dropping off / picking up pupils, and turning vehicles will cause havoc.
 - The proposed alternative methods for travelling to the school (bus, train, waling, cycle) are unworkable.
 - Alternative site for a school could be the Weald Allotments off Neville Road (with allotments relocated to the application site), the Payless building in the Sackville Trading Estate and the ex-Gala Bingo site on Portland Road.
 - The application site should be put out to tender.
- 5.5 A letter has been received from the **Hove Park Residents' Association** objecting to the application for the following reasons:
- The site is too small for the school and the proposed playground area is too small.
 - The park should not be used by the school as playing fields on a regular basis.
 - The proposed school would cause increased traffic and congestion and there is not adequate parking provision for parents dropping off / picking up children.
 - The traffic impact of school in conjunction with a development of the Toad's Hole Valley site should be considered.
- 5.6 **Councillor Andrew Wealls** Support – a copy of his letter is attached.
- 5.7 **Councillors Vanessa Brown and Jayne Bennett** Object – a copy of their letter is attached.
- 5.8 **Brighton Society:** Object on the following grounds:
- The proposal is no better than the previous application in terms of the extremely poor and inadequate access to the proposed school site.
 - The primary difference between this application and the previous one is that the current proposal is now a boxy two-storey building rather than a

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three-storey one. Although a bit more thought has been given to the design, we think it is still an unattractive design both in its basic form and as an unimaginative response to the sloping site.

- 5.9 **CAG:** The Group recommend refusal of the application.
- 5.10 Whilst it is recognised that this is a potential development site, and the reduction in height of the proposal is welcomed, the Group are seriously concerned about the proposed design of the new building and feel it is bland, not sensitive to the adjoining Listed Building in the Conservation Area and does not meet the criteria in paragraph nine of the draft Conservation Strategy Policy, namely that new buildings in conservation areas should be built to a high design standard so that they will be admired in years to come.
- 5.11 The Group also feel the impact of the increased traffic would have a detrimental impact on the Conservation Area.
- 5.12 **English Heritage:** Comment:
- 5.13 The open space within the site at present provides an undeveloped contrast to the industrial buildings which dominate this landscape, making a positive contribution to the landscape. Residual harm to the setting of the pumping station and the character and appearance of the conservation area might be mitigated by maintaining as far as possible an open aspect through careful control of the scale and mass of the buildings, appropriate landscaping and insisting on an exemplary design in line with NPPF policy objectives in respect of the historic environment.
- 5.14 It is recommended that the application be determined in accordance with national and local guidance and on the basis of the Council's specialist conservation advice.
- 5.15 **East Sussex County Archaeologist:** Comment:
The proposed development is situated within an Archaeological Notification Area defining an area of prehistoric and Roman activity. The application includes a very comprehensive archaeological desk based assessment of this site which concludes:
- 5.16 *there is a low to moderate potential for archaeological remains to be found within the Site boundary. This study has identified a moderate potential for remains dating to the Prehistoric period with particular emphasis on the Palaeolithic and Bronze Age. Evidence dating to the Romano-British period has also been identified in the form a Roman villa located north west of the site and possible villa to the south of the Site, a coin hoard and a small number of findspots within the Study Area. Evidence from subsequent periods is sparse in the vicinity, therefore the probability of recovering remains from these periods is considered to be low.*
- 5.17 This assessment is generally concurred with, but advise that as intrusive archaeological assessment of this site has not been carried out, the sites true

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archaeological potential is undefined. However it is probable that if archaeological remains do exist they are likely to be of local significance.

- 5.18 In the light of the potential for loss of heritage assets on this site resulting from development the area affected by the proposals should be the subject of a *programme of archaeological works*. This would enable any archaeological deposits and features, disturbed during the proposed works, to be adequately recorded. These recommendations are in line with the requirements given in the NPPF (the Government's planning policies for England).
- 5.19 It is therefore requested that a programme of archaeological works is secured and implemented by planning condition.
- 5.20 It is expected that the written scheme of investigation will confirm the action to be taken and accord with the relevant portions of the East Sussex County Council document Recommended Standard Conditions for Archaeological Fieldwork, Recording and Post-Excavation In East Sussex (Development Control) (2008) including Annexe B.
- 5.21 **Brighton & Hove Archaeological Society:** Comment
The area around this part of Brighton & Hove has produced, in the past, a significant amount of archaeological finds including flint work from the Neolithic period. It is possible that vestiges of an ancient landscape may still be present
- 5.22 **Environment Agency:** Comment
The Environment Agency consider that planning permission could be granted to the proposed development as submitted if the planning conditions are included to secure:
- a universal condition for development on land effected by contamination
 - No infiltration of surface water into the ground
 - Piling or any other foundation designs using penetrative methods not being permitted
- 5.23 Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application. Additional Informatives to advise the applicant are suggested.
- 5.24 **Sussex Police:** Comment
The Design and Access Statement includes full reference to the crime prevention to be considered and adopted in the layout and design of this development using the seven attributes of safe, sustainable place and the principles of Secured by Design, which is welcomed.
- 5.25 The applicant is encouraged to seek accreditation for this development and is referred to the New Schools design guide. Sussex Police are satisfied that the proposals would create a safe and secure environment for students, staff and visitors.
- 5.26 **Southern Water:** Comment:

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The exact position of a public water trunk and distribution main must be determined on site by the applicant before the layout of the proposed development is finalised.

- 5.27 It might be possible to divert the public water trunk main (16 and 9 inch) so long as this would result in no unacceptable loss of hydraulic capacity and the work is carried out at the developer's expense.
- 5.28 If granted consent a condition is requested to ensure that the developer agrees measures to divert/protect the public water supply.
- 5.29 Initial investigations indicate that Southern water can provide foul sewerage disposal service to this development. The requirement for as a formal application for connection to a public foul sewer should be highlighted by an informative note.
- 5.30 Initial investigations indicate that there is currently inadequate capacity in the local network to provide surface water disposal to service the proposed development. The proposed development would increase flows to the public sewerage system and existing properties and land may be subject of greater risk of flooding as a result. It is advised that the applicant investigates alternative means for surface water disposal including, discharge to an available watercourse, discharge to soakaway, requisition of a public surface water sewer.
- 5.31 Council Building Control and/or Environment Agency should be asked to comment on the adequacy of soakaways to dispose of surface water for the proposed development.
- 5.32 The application makes reference to SUDS (Sustainable Urban Drainage Systems). Under currently legislation and guidance SUDS rely upon facilities which are not adopted by sewerage undertakers. Therefore the applicant will need to ensure that arrangements for the long term maintenance of SUDS facility is in place to ensure effectiveness are maintained in perpetuity.
- 5.33 Following initial investigations, it appears that Southern Water can provide a water supply to the site. A formal application for connection and on-site mains should be made by the applicant, this requirement should be highlighted by an informative note.
- 5.34 **UK Power Networks:** No objections.
- 5.35 **Southern Gas Networks:** Comment
It should be noted that low/medium/intermediate Pressure gas main in the proximity of the site. There should be no mechanical excavations taking place within 0.5m of the low pressure system, 0.5m of the medium system and 3m of the intermediate pressure system. The position of the mains should be confirmed by hand dug trial holes.

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- 5.36 A copy of the plans and a safety advice booklet have been provided and this should be made available to the developer in order to prevent damage.

Internal:

- 5.37 **Planning Policy:** Support: A previous application was withdrawn under BH2013/02096 prior to determination at committee to enable amendments to the scheme to be made to address those reasons for refusal put forward by officers regarding scale, massing and design and envisaged harm to the adjacent Listed Building as well as transport implications.
- 5.38 Policy comments remain unchanged as per application BH2013/02096 in that no policy objections are raised to the principle of the proposed development at this site. The creation of a school at this site is welcomed in addressing the growing demand for school places particularly in the west of the city, as set out in the Brighton & Hove School Organisation Plan 2012 – 2016.
- 5.39 **Heritage:** Object The Heritage Team considers that the proposed development, by virtue particularly of its scale and mass, has a harmful impact on the open character of the site. This has not been fully mitigated by the design devices that have been implemented. In terms of the NPPF, the level of harm is considered to be less than substantial. In accordance with paragraph 134, it may be that the public benefits of the proposal are considered to outweigh this harm. No heritage public benefits have been identified. Notwithstanding these objections, minor design changes and conditions are recommended should approval be recommended.
- 5.40 **Sustainable Transport:** Comment: No objections subject to the applicant entering into a S106 agreement to secure the formulation, implantation and ongoing review of a Travel Plan and the funding of necessary highways works. Necessary planning conditions are recommended.
- 5.41 **Ecology:** Comment: Provided that the proposed mitigation and compensation measures are carried out, the proposed development should not have an adverse impact on local populations of reptiles and can be supported from an ecological perspective. The site offers the opportunity for biodiversity enhancements.
- 5.42 **Environmental Health:** Comment: Conditions are recommended to secure a land contamination strategy, testing for Radon, plant noise restrictions and odour control, and restrictions on use of outdoor space to restrict noise.
- 5.43 **Arboriculture:** Comment: The nine trees lost as a result of the development are not worthy of a Tree Preservation Order (TPO). Overall no objection by the Arboricultural Section subject to suitable conditions being attached to any planning consent granted.
- 5.44 The Arboricultural report submitted with the application is comprehensive and the Arboricultural Section is in full agreement with its contents, however, this report has only highlighted six trees to be felled plus one already dead tree and the Arboricultural Section has counted a further three trees, making ten in total.

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- 5.45 Should this application be granted consent, the following trees will be lost from site:
- 5.46 1 x Elm – This has been categorised as a B2 tree, meaning it is of moderate quality and has an estimated life expectancy of at least 20 years. This tree is the final tree in a line of trees on the boundary of the site. It needs to be removed to widen the entrance to the site. This tree is ivy clad to about 8 metres, with a lean to the east (the majority of the canopy leans to the east to escape from the line of trees) and basal decay is present. For these reasons this tree is not worthy of preservation order and the Arboricultural Section would not object to its loss.
- 5.47 6 x Norway Maples – Five of these trees have been categorised as C2 trees (meaning they are of low quality) and a further Norway Maple is dead. These trees are on the edge of the site and are not of fine form.
- 5.48 3 x Ornamental Pear Trees – these trees are in the middle of the site and have not been included in the Arboricultural report.
- 5.49 None of the above trees are worthy of Preservation Order and the Arboricultural Section would not object to their loss.
- 5.50 The Arboricultural Section would ask that conditions are attached to any planning consent granted regarding the following:
- * Protection of trees that are to remain on site (21 trees in total, all Elm).
 - *Construction of the new entranceway into the school as this is in the vicinity of Elm trees that border the site.
 - *Landscaping scheme to include replacement trees, perhaps in the form of fruit trees for educational purposes. Please note that the Landscaping Masterplan submitted with this application mentions Quercus robur (English Oak). This tree does not thrive on chalky soil and it is therefore recommended that this species is substituted for Quercus frainetto (Hungarian Oak).
- 5.51 **Economic Development:** Comment: The Economic Development team have no adverse economic development comments.
- 5.52 If approved a contribution through a S106 agreement for the provision of an Employment and Training Strategy with the developer committing to using 20% local employment during demolition and construction phases of the development is requested.
- 5.53 **Sustainability:** Recommend approval subject to conditions securing a BREEAM rating of 'Excellent' and 60% score in energy and water sections, and further consideration of solar shading on all the south east and west facades.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
Brighton & Hove Local Plan 2005 (saved policies post 2007);
East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
East Sussex and Brighton & Hove Minerals Local Plan (November 1999);
Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) is a material consideration.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD14	Extensions and alterations
QD15	Landscape design

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QD16	Trees and hedgerows
QD27	Protection of Amenity
EM1	Identified employment sites (industry and business)
EM3	Retaining the best sites for industry
HE3	Development affecting the setting of a Listed building
HE6	Development within or affecting the setting of conservation areas.

Supplementary Planning Guidance:

SPGBH4 Parking Standards
Interim Guidance on Developer Contributions

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste
SPD06 Trees & Development Sites
SPD08 Sustainable Building Design
SPD11 Nature Conservation & Development

Waste & Minerals Plan WMP3d

Brighton & Hove School Organisation Plan 2012 – 2016

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development on this site and the resulting impact on the character and appearance of The Engineerium Conservation Area, the setting of adjoining Listed Buildings, neighbouring amenity, transport and ecology.
- 8.2 A Screening Opinion outlining that an Environmental Impact Assessment is Not Required was adopted by the Local Planning Authority on 18/04/2014.

Principle of development:

- 8.3 The established use of the site is as a Council Parks' Depot which is a 'sui generis' use (i.e. a specific use in its own right). Whilst current planning policy seeks to protect existing employment uses within the City the Local Plan does not specifically seek to retain sui generis. On this basis, the depot would not be considered to be an active employment site and there is no objection to the loss of the existing use. It is also understood that the majority of functions previously performed at the site have now been transferred to Stanmer Nursery. The proposed development would create a three form-entry primary school on the site with a capacity of 650 pupils. The school would be established through the Government's Free School initiative (and would be a maintained school free from local authority control) and would offer a bilingual curriculum in a mixture of English and Spanish.

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- 8.4 The proposed school would be supported by local plan policy HO19, and paragraph 72 of the National Planning Policy Framework which explicitly encourages the provision of new schools. In addition Strategic Objective SO21 of the Submission City Plan (Part One) states that additional primary school places will be provided in response to growing demand. The growing demand is set out in the Brighton & Hove School Organisation Plan 2012 – 2016, which forecasts that the number of children entering primary education in the city will grow from 2,711 in 2011/12 to 2,850 in 2016/17. The need for new places is particularly acute in the west of the city.
- 8.5 The proposed educational use of the site would therefore provide additional school places in an area of high demand. The proposed use, in isolation of other considerations, does not raise any policy conflict which would warrant refusal of the application and the Planning Policy Team has advised that, as a result of the existing use, the site should be viewed as brownfield / previously developed. The key remaining issues of consideration therefore relate to the impact of the proposal on the character and appearance of the area, neighbouring amenity, transport and ecology.

Impact on amenity:

- 8.2 The application site is a considerable distance from neighbouring residential properties, with Hove Park and The Engineerium providing separation of at least 70 metres. This separation is considered sufficient to ensure no significant harm would result through loss of light, outlook or privacy for occupiers of adjoining properties.
- 8.3 The separation from adjoining residential properties and presence of other buildings and walls between them and the school would reduce noise levels from outdoor play. These factors coupled with the noise being primarily limited to working hours on weekdays are considered sufficient to ensure no harmful noise would result from the proposal. Whilst future noise complaints from the school cannot be entirely ruled out any such complaints could be investigated as a Statutory Noise Nuisance under the Environmental Protection Act 1990.
- 8.4 A lighting statement has been submitted indicating that obtrusive light would be minimal and would rapidly diminish to very low levels outside the boundaries of the site. On this basis the proposal would not result in an adverse impact on occupants of adjoining properties or users of Hove Park.

The school accommodation proposed:

- 8.5 The proposed building would provide accommodation for a three form entry school. Due to the constraints of the site (the site size, the desire to retain the sloped area of the site as habitat, and the desire to keep the building to a maximum two storey height), there is a limited amount of outdoor play space proposed. There is no Government requirement for Free Schools to provide outdoor play space.

Heritage and visual impact:

- 8.6 The site is within the Engineerium Conservation Area and forms part of the setting of the Listed Engineerium buildings. Discussions have taken place

between the applicant and the Heritage Team following the withdrawal of the previous application. The Heritage Team consider that the proposed building is of an excessive scale, footprint and bulk, and would benefit from greater relief and articulation.

- 8.7 The Heritage Team considers that the proposed development, by virtue particularly of its scale and mass, has a harmful impact on the open character of the site. This has not been fully mitigated by the design devices that have been submitted. In terms of the NPPF, the level of harm is considered to be less than substantial. Paragraph 134 of the NPPF states:
- 8.8 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.'
- 8.9 In this case, it is considered that the proposed development would provide a substantial public benefit in the form of a new school. The design of the proposed building is simple in form and the Heritage Concerns are noted. However, it is considered that the public benefit identified and an appreciation of the constraints of the site justify the proposed design, and that the public benefit outweighs the harm which has been identified in Heritage terms as less than substantial and accords with paragraph 134 of the NPPF.
- 8.10 The Heritage Officer has recommended a number of minor changes to the proposed design and materials, such changes can be agreed by planning condition.

Sustainable Transport:

- 8.11 The application site is accessed from The Droveaway, which leads from a junction with Neville Avenue to the North of the Waitrose supermarket downhill past entrances to The Engineerium and City Park. It is proposed that this route would be utilised for pedestrian and cycle access, for vehicles accessing the car park of the school, and for deliveries and servicing of the school. It is proposed that parents driving children to or from school would park along Goldstone Crescent to the east of Hove Park and walk their children across the park to or from the school site. The application submission also references the parking available at the Waitrose car park and the Coral's car park, there is however no formal agreement in place for parents to park in these car parks when dropping off or collecting children. There is a formalised pedestrian access from Waitrose Car Park to the Droveaway.
- 8.12 As part of the previous application the applicant proposed minor amendments to the main school access into the school by providing a separate pedestrian entrance. The Highway Authority would look for further improvements in the form of dropped kerbs and tactile paving providing access to the area of new hard standing and that school keep clear markings and double yellow lines are provided outside of the main access. Further details of the proposed access including details of highway infrastructure and road markings can be secured by planning condition.

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- 8.13 Car parking proposed on site consists of nine standard parking spaces and three disabled spaces, this is within the maximum parking standards set out in SPGBH4. The applicant has stated within the Transport Statement that the car parking spaces will be allocated on the basis of need. It is stated that staff parking demand will be limited to levels that can be accommodated by the on-site provision through the Travel Plan. It is also important to note that the applicant is not proposing any on-site car parking provision for parent parking or dropping off. The proposed disabled car parking spaces meet current standards and are considered to represent sufficient provision.
- 8.14 Twenty cycle parking spaces are proposed in a covered stand; this is above the minimum of 15 spaces which the standards set out in SPGBH4 require. The proposed cycle parking is considered acceptable and further details of the stand can be secured by condition.
- 8.15 In regard to servicing and deliveries to the site, the applicant has previously submitted a swept path analysis of a vehicle of 7.5m length accessing the on-site car parking area and turning around within the turning head. Through a Travel Plan, measures will have to be put in place to ensure that deliveries and refuse collection will take place outside of school start and end times. This is to ensure that there are no conflicts between vehicles and school children. Therefore the Highway Authority has no objections to the proposed servicing and delivery arrangements.
- 8.16 In regard to construction traffic, The Highway Authority has recommended a condition is included on any permission granted that requires the applicant to produce a Construction Environmental Management Plan (CEMP) that looks at ways of mitigating the impact of the construction project. Transport measures within this document should include but not be limited to the following:
- Provide sub-contractors with suitable routes to and from the site:
 - Provide details of where sub-contractors should load/un-load from:
 - Measures to prevent vehicle movements during term time and school start and end times and how this will be enforced, due to the proximity to other local schools:
 - Measures to minimise the number of deliveries and consolidate deliveries:
 - Details of staff parking provision during construction:
 - Measures to prevent road safety issues on local roads.
- 8.17 Transport is a key issue in the determination of this application. A large number of objections have been received from local residents who consider that the proposed on-site parking provision is inadequate, and that parents dropping off and collecting children school will cause a significant increase in traffic levels and on-street parking, and that this in conjunction with increased pedestrian movements could lead to highway safety risks.
- 8.18 The amount of parking which can be provided on site is limited due to the size of the site, the size of building required to accommodate a three form entry school, and the need to provide some outdoor play space. Local Planning

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policies and guidance set out maximum parking standards rather than minimum and seek to maximise the use of sustainable transport methods.

- 8.19 The proposed school would not have a catchment area and therefore it is likely that average journey distances to the school may be longer than those associated with a mainstream school and that it may therefore be more likely that parents may chose to drive their children to school. The applicant has proposed that a travel plan would be employed to seek to ensure that staff, visitors and parents maximise the use of sustainable transport methods. Available parking in surrounding streets has been surveyed and likely trip generation has been calculated. Local residents have questioned the validity of the figures submitted and the conclusions drawn.
- 8.20 The Sustainable Transport Team have commented upon the information submitted and consider that subject to an appropriate Travel Plan being agreed and enacted, and subject to regular review of this plan, the submitted information demonstrates that use of sustainable transport methods would be encouraged and sufficient on-street parking in the vicinity of the application site would be available for parents dropping off and collecting children.
- 8.21 It should be noted that staggered start and finish times are proposed, and that the school attendance is proposed to increase year on year as follows:
- 2014: 210 pupils
 - 2015: 270 pupils
 - 2016: 330 pupils
 - 2017: 420 pupils
 - 2018: 480 pupils
 - 2019: 510 pupils
 - 2020: 540 pupils
 - 2021: 570 pupils
 - 2022: 600 pupils
 - 2023: 630 pupils
- 8.22 Therefore the annual monitoring and review of the travel plan should allow for an assessment of any highways and parking problems caused which can be mitigated through revisions to the Travel Plan year on year, allowing for a full strategy to be adopted to address problems as they emerge.
- 8.23 In regard to off-site highways works, given the scale of the development and that the admissions criteria of the school is not based upon home to school distance, it is forecast that there could be a significant transport impact. The Highway Authority would therefore look for this to be mitigated by the applicant funding works as follows.
- 8.24 Using established formula based on the projected trip generation works to the value of £202,800 are required.
- 8.25 The Highway Authority seeks the following improvements:

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- The Droveway (from Nevill Road to park entrance) – Upgrade advisory cycle route by raising the height of cycle route to match the pavement. This effectively would reduce the carriageway width and prevent vehicles from parking but would still allow a refuse lorry to use The Droveway.
- The Droveway (entrance to City Park development) – Continue upgraded cycle route and install a raised table crossing across the entrance to city parks.
- Junction of Goldstone Crescent & The Droveway – Realign the crossing point to allow for a wider central pedestrian refuge. Assist in providing for pedestrian movements from the proposed Park & Stride site on Goldstone Crescent.
- Junction of Goldstone Crescent & Woodland Drive – Provide pedestrian refuge at junction of Goldstone Crescent/Woodland Drive. Assist in providing for pedestrian movements from the proposed Park & Stride site.
- Junction of Orchard Road & Park View Road – Provide a new pedestrian footpath within the park to provide for a potential pedestrian desire line from Orchard Road through the park to the school site.
- Western end of The Droveway within Hove Park – Provide one additional lighting column to ensure continuous lit route.
- Area bounded by Old Shoreham Road, Goldstone Crescent, Shirley Drive and Woodland Drive & area bounded by Goldstone Crescent and Queen Victoria Avenue – Footway improvements in the form of dropped kerbs and tactile paving where currently full height kerbs and no tactile paving are provided.

8.26 Overall, given the constraints of the site, and the fact that a three form entry is proposed, subject to appropriate conditions and the securing of a Travel Plan, C.E.M.P. and the funding of off-site highways works by way of a s106 legal agreement, it is considered that the proposed scheme would successfully address highways and transport considerations.

8.27 **Sustainability:**

Positive features of the scheme include a large 270m² photovoltaic array is proposed and shown on roof plans. Energy modelling shows that the scheme could achieve an 'A' rated Energy Performance Certificate. Proposed passive design measures include: maximising natural daylighting; external shading on easterly face; passive ventilation via roof mounted wind vanes; natural ventilation to the majority of classrooms and hall.

8.28 Efficient building fabric is proposed with; low air permeability; efficient gas boiler for hot water and heating; demand led extract ventilation to the deep plan classrooms; heat recovery ventilation systems for the admin area, studio, hub areas and toilets; energy efficient lighting systems with daylight

occupancy linked control systems; and energy efficient lighting. A rainwater harvesting feasibility study submitted and water efficiency measures include: low flow hot and cold water outlets, leak detection; and sub metering. Ten trees are proposed to be planted on site, and an area of 770m² seeded with wildflowers. Locally sourced materials, timber certified from sustainable sources are proposed to be used.

8.29 Under supplementary planning document SPD08 major new built development on previously developed land is expected to achieve BREEAM 'excellent' and 60% in energy and water sections. The completed Sustainability Checklist refers to the achievement of BREEAM Education 'very good' with a 50% score in the energy and water sections. This is below the recommended standard expected for major schemes. It does appear that an 'Excellent' rating and 60% in energy and water sections would be achievable and can reasonably be secured by condition. Should further justification be provided at conditions stage to demonstrate that such ratings are not achievable this would be considered in full at this time.

8.30 Ecology/Nature Conservation:

Detailed ecological survey information has been submitted. The County Ecologist has commented upon this information and considers that provided the recommended mitigation and compensation measures are carried out, the proposed development should not have an adverse impact on local populations of reptiles and can be supported from an ecological perspective. Impact upon badgers within the site has been appropriately addressed; an outlier set is proposed to be closed (subject to license from Natural England) and it is proposed that the impact of the works on the main sett be mitigated through the implementation of a detailed method statement/mitigation strategy. The site offers opportunities for biodiversity enhancements which can be secured by planning condition as part of the landscaping scheme for the site.

8.31 Landscaping and trees:

Landscaping of the site is proposed and full details and the implementation of the scheme can be secured by planning condition. The Heritage Officer has requested revisions to the proposed boundary treatments and gates which can again be secured by planning condition. Nature Conservation enhancements can be secured by condition as part of the landscaping scheme to ensure compliance with policy QD17 and the guidance set out in SPD11.

8.32 A comprehensive arboricultural report has been submitted in support of the application; 10 trees are to be removed consisting of one Elm, six Norway Maples and three pear trees. The Arboriculturalist recommends conditions to secure the protection of trees to be retained on site and the planting of replacement trees to mitigate for the proposed losses.

8.33 Environmental Health

Due to previous uses of the site there may be contamination present. Appropriate planning conditions are recommended to secure mitigation and radon testing. In regard to external lighting, details have been submitted to demonstrate that harm would not be caused and the proposed scheme can be

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secured by condition. Conditions are recommended to control noise output from plant and machinery and to control odour from the school kitchen. A condition has been recommended to restrict use of outdoor space outside of core school hours, given the distance of residential properties from the site this is not considered to be necessary.

8.34 **Other considerations**

The County Archaeologist has advised that the site is within an area of prehistoric and Roman activity. If the application were approved it would be necessary to require an archaeological watching brief prior to the commencement of development.

8.35 The application site lies within Source Protection Zone 1 for the Goldstone Public Water Supply. If the application was approved it would be necessary to require further details of a remediation strategy for any land contamination at the site, foundation design (to avoid the need for piling) and surface water drainage through condition.

8.36 It has been confirmed that to address comments from Southern Water the building has been positioned to allow for a 3m easement either side of the main sewer.

8.37 The Planning Projects Team have commented upon the application and identify that a public art element be incorporated into the scheme. It is the preference of the Local Planning Authority that such a proposal be incorporated into the scheme by the developer and in this case a proposal relating to the school gates and / or boundary treatments appears to be the most appropriate solution. Should the developer not wish to propose an appropriate scheme a financial contribution to the council (in this case (£11,600) to prepare a scheme is an acceptable alternative; both options can be secured by s106 agreement.

8.38 The Economic Development Team have commented upon the application and identify that a Local Employment Strategy and a commitment to 20% local labour should be secured as part of the development. This again can be secured by s106 agreement.

9 CONCLUSION

9.1 The principle of the redevelopment of the site as a school is acceptable. The proposed development will cause some harm to the setting of the Listed Engineering buildings, this harm is however considered to be outweighed by the public benefit which the proposed scheme would deliver. Subject to appropriate conditions, s106 requirements and a travel plan with ongoing monitoring and review, the development would appropriately address transport issues. Sustainability, landscaping and biodiversity measures and improvements can be secured by planning condition. Approval is recommended.

10 EQUALITIES

- 10.1 The development would result in increased primary school capacity in the City. The proposed school building would be accessible throughout with lift access between floors. The on-site car park makes provision for 3 disabled accessible parking spaces.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Planning Obligation Heads of Terms

- Transport contribution of £202,800
- Travel Plan
- Public Art; scheme to the value of £11,600
- C.E.M.P.
- Local Employment and Training Strategy and commitment to 20% local labour

11.2 Regulatory Conditions:

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

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

- 2) The development hereby permitted shall be carried out in accordance with the approved drawings Listed below.

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

Plan Type	Reference	Version	Date Received
LOCATION PLAN	100		10/04/2014
BLOCK PLAN	101		21/03/2014
SITE PLAN	102		21/03/2014
EXISTING ELEVATIONS	103		21/03/2014
EXISTING ELEVATIONS	104		21/03/2014
PROPOSED GROUND FLOOR PLAN	106	A	21/03/2014
PROPOSED FIRST FLOOR PLAN	107	A	21/03/2014
PROPOSED ROOF PLAN	108	A	21/03/2014
PROPOSED ELEVATIONS	109	A	21/03/2014
PROPOSED ELEVATIONS	110	A	21/03/2014
PROPOSED ELEVATIONS	111	A	21/03/2014
PROPOSED ELEVATIONS	112	A	21/03/2014
LANDSCAPING PLAN	200		21/03/2014
LANDSCAPING PLAN	201		21/03/2014
LANDSCAPING PLAN	300		21/03/2014
LEVELS PLAN	600		21/03/2014
LANDSCAPING PLAN	L.100		21/03/2014

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3) The use of the site hereby approved shall be limited to a total on site occupation of no more than 630 pupils and 50 full time equivalent staff at any time.

Reason: To ensure the development provides for the travel demand which it creates and to comply with policies TR1 and TR7 of the Brighton & Hove Local Plan.

4) The measures and strategies set out in the Reptile Survey received 19 May 2014 and the Preliminary Ecological Appraisal received 21 March 2014 shall be carried out in full and retained as such thereafter.

Reason: To ensure that species and ecology is protected and to accord

5) No hedgerow, tree or shrub shall be removed from the site between 1st March and 31st August inclusive without the prior submission of a report to the Local Planning Authority which sets out the results of a survey to assess the nesting bird activity on the site and describes a method of working to protect any nesting bird interest. The report must first be agreed in writing by the Local Planning Authority and shall then be carried out in strict accordance with the approved details.

Reason: To ensure that wild birds building or using their nests are protected, in accordance with QD18 of the Brighton & Hove Local Plan.

6) Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:1997.

Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

7) No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

11.3 Pre-commencement conditions

8) Notwithstanding the submitted samples, no development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

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9) Notwithstanding the approved details, no development shall take place until large scale details of the elevations and its elements including reveals and change of plane, windows, doors, copings and parapets, thresholds and steps (1:20 elevations and 1:1 scale frame sections), and solar shading be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details and retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies SU2 and HE6 of the Brighton & Hove Local Plan.

10) Notwithstanding the approved details, no development shall take place until full details of proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details and retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

11) The development hereby permitted shall not be commenced until full details of the proposed secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

12) Unless otherwise agreed in writing by the Local Planning Authority, no non-residential development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

13) No development shall take place until details of measures to divert / protect the public water supply have been submitted to and agreed in writing by the Local Planning Authority (in conjunction with Southern Water). The measures shall be carried out in fully in accordance with the agreed details and retained as such thereafter.

Reason: To ensure the protection of the public water supply which runs through the site.

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14) No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the programme of archaeological work has been completed in accordance with the approved Written Scheme of Archaeological Investigation

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policy HE12 of the Brighton & Hove Local Plan

15) No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall accord with the standards described in Annex 6 of SPD 11 and shall be implemented in full prior to the occupation of the development hereby approved.

Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Policy QD17 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD11 Nature Conservation and Development.

16) Notwithstanding the approved details, no development shall take place until full details of proposed external lighting has been submitted to and approved in writing by the LPA. The scheme shall demonstrate that night time spillage and glare on to boundary trees and hedge lines shall be minimised, and that the best practice guidance (Institute of Ecology and Environmental Management 2006, Institute of Lighting Engineers 2007) is to be followed.

Reason: To ensure that bats are not unnecessarily disturbed by the proposed development and to comply with policy QD18 of the Brighton & Hove Local Plan

17) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

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

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

19) No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Construction Specification/Method Statement for the widened entranceway in the vicinity of tree roots has been submitted to and approved in writing by the Local Planning Authority. This shall provide for the long-term retention of the trees. No development or other operations shall take place except in complete accordance with the approved Construction Specification / Method Statement.

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

20) No development shall commence until a scheme for the fitting of odour control equipment to the building has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policy QD27 of the Brighton & Hove Local Plan.

21) No development shall commence on site until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the planting of 10 replacement trees to mitigate those being removed, details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes and proposed numbers / densities and an implementation programme.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

22) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: The site lies above the Newhaven Chalk Formation which is designated a Principal Aquifer and lies within the Source Protection Zone 1 (SPZ1) for the Goldstone Public Water Supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk to groundwater underlying the site and potable supplies.

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23) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason The site lies above the Newhaven Chalk Formation which is designated a Principal Aquifer and lies within the Source Protection Zone 1 (SPZ1) for the Goldstone Public Water Supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk to groundwater underlying the site and potable supplies.

24) No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:

[(a) A desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice;

(Please note that a desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of b and c below. However, this will be confirmed in writing);

and unless otherwise agreed in writing by the local planning authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by the local planning authority,}

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the local planning authority verification by a competent person approved under the provisions of condition (i)c that any remediation scheme required and approved under the provisions of condition (i)c has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation). Unless otherwise agreed in writing by the local planning authority such verification shall comprise:

a) built drawings of the implemented scheme;

b) photographs of the remediation works in progress;

c) certificates demonstrating that imported and/or material left in situ is free from contamination.

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

Reason The site lies above the Newhaven Chalk Formation which is designated a Principal Aquifer and lies within the Source Protection Zone 1

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(SPZ1) for the Goldstone Public Water Supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk to groundwater underlying the site and potable supplies. To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

25) No development shall take place until an assessment of radon levels at the site has been undertaken and details of any required mitigation of radon levels submitted to and approved in writing by the Local Planning Authority. Submitted mitigation methods shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

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

11.4 Pre-Occupation Conditions:

26) Unless otherwise agreed in writing by the Local Planning Authority, the non-residential development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

11.5 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

2. This decision to grant Planning Permission has been taken:

(i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents: (Please see section 7 of the report for the full list); and

(ii) for the following reasons:-

The principle of the redevelopment of the site as a school is acceptable. The proposed development will cause some harm to the setting of the Listed Engineerium buildings, this harm is however considered to be outweighed by the public benefit which the proposed scheme would deliver. Subject to appropriate conditions, s106 requirements and a travel plan with ongoing monitoring and review, the development would

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appropriately address transport issues. Sustainability, landscaping and biodiversity measures and improvements can be secured by planning condition.

3. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
4. Refer to the Environment Agency Guiding principles for land contamination for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
5. Refer to our website at www.environment-agency.gov.uk for more information. We would like to refer the applicant/enquirer to our groundwater policies in Groundwater Protection: Principles and Practice, available from our website. This sets out our position for a wide range of activities and developments, including the discharge of liquid effluents, land contamination and drainage.
6. A formal application to connect to the water supply and public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgate House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk
7. 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 0300.
8. The applicants are advised that the proposed works involving badgers setts require a license from Natural England who can be contacted on 0300 060 0300.

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Table One: Letters of support have been received from the following addresses:-

Aldrington Court	10 Beverley Court
Albert Road	8
Alpine Road	16 (x2)
Anvil Close	18
Barnett Road	62
Beaconsfield Road	78
Bear Road	275 (x2)
Berriedale House	42
Bolsover Road	5
Brentwood Road	120 (x2)
Brewer Street	37 (x3)
Brighton Marina	Summer Breeze
Brunswick Square	38
Bush Farm Drive	43 (x3)
Byron Street	28
Church Close (Lancing)	17
Clarendon Villas	15
Cobton Drive	24
Colbourne Road	48a
Coleman Avenue	6 (x2), 27 (x6)
Coombe Road	36
Court Farm Road	4 (x2)
Cowley Drive	107
Davigdor Road	Preece House
Denmark Villas	47 (x2), 49
Devils Dyke Road	Terridel Farm
Ditchling Rise	161 (x2)
Ditchling Road	251- 7 Eastwoods
Downside (Shoreham-by-Sea)	32
Downsview (Small Dole)	23
Dyke Road	Fairways
Eaton Place	2
Eaton Gardens	F3-7
East View Fields (Plumpton Green)	48 (x2)
Edmonton Road	42
Exeter Street	44
Fairdene Road	27
Fairway Crescent	7 (x2), 38 (x2)
Firle Road	17
Fonthill Road	13
Foredown Drive	61

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Freyberg Street (Tauranga – NZ)	101B
Gladys Road	2 (x2)
Glendale Road	12
Goldstone Crescent	86, 93, unnumbered
Goldstone Road	BF-2
Goldstone Villas	73
Goldsmid Road	F2-15
Greenways	47
Hallyburton Road	67 (x2)
Hangleton Valley Drive	84 (x2)
Hanover Crescent	17
Harrington Road	Garden Flat 48 (x2)
High Street (Hurstpierpoint)	Farralls
Highlands Road	59
Hills Road (Steyning)	20
Ivor Road	2
Kingsmere, London Road	70, 79
Kings Esplanade	9 Benham Court (x2), 14 Spa Court (x2),
Kingsway	251/255
Ladies Mile Road	78
Ladysmith Road	180
Langridge Drive	15
Lansdowne Place	F1-28
Lewes Mews	3 (x2)
Lincoln Road	17
Lydens Lane (Hever)	Lydens Middle Barn
Lyminster Avenue	104 (x2)
Mackie Avenue	120
Maldon Road	40
Manor Hall Road	134
Marine Parade (Worthing)	75
Medina Villas	F2-28, 28
Millers Road	79 (x2)
Monterey Wharf (Eastbourne)	1
Montgomery Street	30, 127
Natal Road	31
Nevill Road	120, 171, 182
New Church Road	F3-260
New Road	20
Orchard Gardens	12
Osborne Road	201
Osborne Villas	7 (x2), 182, 84 (x2)
Over Street	36 (x2)
Park Crescent Road	63
Park Road	27 (x2)
Pembroke Crescent	29
Princes Terrace	3 (x2), 30 (x2)

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Priors Road	74
Queens Place	8
Queens Park Road	1
Queensmead Avenue (Epsom)	22
Queen Victoria Avenue	Unnumbered
Regency Square	64
Rochester Gardens	6 Palm Court (x3)
Round Hill Crescent	63
Romany Close	3
Rutland Road	73
Sandown Road	64
Shaftesbury Road	GF-70 (x2)
Sandringham Drive	22 (x3)
Shakespeare Street	10
Sherbourne Way	15
Shirley Street	79
Solway Avenue	12
South Street (Wells)	22
Southdown House Mews	2
Stanford Avenue	79
Station Road	F5 Robina Lodge
Sunna Gardens (Sunbury on Thames)	29
Suez Way	18 Caspian Heights (x2)
Sussex Road	18b
St Andrews Road	10
St Aubyns Road	52
St Catherines Terrace	5 The Priory - 8
St Leonards Gardens	31 (x3), 162
St Nicholas Road	6
Tadorne Road (Tadworth, Surrey)	13 (The Cottage)
Tamworth Road	94 (x2), 100
Terminus Road	9a (x2)
Thornhill Way	11
Tisbury Road	22a
Titian Road	3 (X2)
Tivoli Crescent North	75 (x2)
Thornhill Way	11
Trafalgar Street (new Plymouth, NZ)	14B
Unaddressed	x 54
Upper Shoreham Road	333 (x2)
Vale Road	23 (x3)
Valley Drive	115
Victoria Road	82
Wolstonbury Road	19
Westbourne Gardens	3, 70

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Wilbury Villas	26 (x3)
Windsor Close (Haywards Heath)	10
Wish Road (Eastbourne)	
Woodland Drive	8 Mews Cottages,
Address not given	x 9

Table Two: Letters of objection have been received from the following addresses:-

Benett Drive	5,
Bishops Road	28
Blatchington Road	46A
Chartfield	5, 16
Chartfield Way	1, 2
Cobton Drive	35
Eridge Road	4
Elizabeth Avenue	23, 35, 49
Glendor Road	22
Goldstone Close	1, 3
Goldstone Crescent	4 (x2), 32, 55, 57, 59, 60, 61, 69, 71, 73, 77, 81, 83, 85, 89, 99, 119, 125, 127, 128 (x2), 133, 137, 139, 143, 149, 175, 261, 1 x unnumbered
Goldstone Way	24
Hove Park Way	27
Lloyd Road	25
Mill Drive	22, 40
Nevill Gardens	1, 3, 4
Nevill Place	5
Nevill Road	24 (x2), 68, 80, 98, 129, 133, 141, 145, 148, 149
Nevill Way	1, 4, 16
Park View Road	3,
Park View Road	30, 37 (x2) Orchard House,
Orchard Gardens	5, 16, 29
Queen Victoria Avenue	38
Sandringham Drive	30, 65
Sheridan terrace	1
Shirley Drive	92, 149
St Leonards Avenue	33
Sunninghill Avenue	42
Tongdean Road	27
Windsor Close	11
Woodland Drive	Ridgeways, 9, 14 (x2), 25, 72, 6 The Mews Cottages, 1 x unnumbered
Woodland Avenue	8, 43, 52, 1 x unnumbered
Woodruff Avenue	68, 97
Unaddressed	2


PLANNING COMMITTEE LIST- 4 JUNE 2014

From: andrew.wealls@brighton-hove.gov.uk
Sent: 24 April 2014 15:38
To: Planning Comments
Subject: Planning Application BH2014/00922 - comment

Planning Application - BH2014/00922

I support the planning application

Sender's details

Councillor Andrew Wealls
King's House, Hove
BN3 2LS
01273 291119


Comment

The school is located close to an area of the city in which there is an extreme shortage of primary places. The school will be a valuable amenity to the city as the only truly bilingual provision. It is vital that the school finds a permanent home. There are no sites in the city at which new school provision will have no impact on traffic movements. The Transport Assessment is clear that 'the proposed relocation of BPS to the Hove site will not lead to significant or unacceptable transport impacts and consequences.....this proposed development meets all the requirements set by the range of transport policies in the approved Local Plan'.

From: Vanessa Brown
Sent: 05 May 2014 15:04
To: Jon Puplett
Subject: BH2014/00922

Dear Mr Puplett

Re BH2014/00922 Bi-lingual School

We have every sympathy with the problems the school is facing in finding a suitable location but as the councillors for Hove Park Ward we have to object most strongly to the school being built on the Hove Depot site.

The shed like design of this building is inappropriate for its location next to the Engineerium It has been reduced to a two storey building but the footprint has increased and therefore there is even less outdoor playspace. It is totally insufficient for 630 pupils.

Our greatest concerns are about the increased traffic and parking. This site is situated at the end of a narrow cul-de-sac that already provides access to the Citypark development and the Engineerium. There are insufficient parking spaces for the staff let alone parents and nowhere for cars to turn if they try to access the site. This is a safety hazard.

Hove Park Ward has already been seriously affected by parking problems caused by the Citypark development. There were travel plans produced for that development but they have proved to be completely ineffectual. We believe the travel plans for the school are equally flawed. All the surrounding roads are fully parked all day every day. To take the few remaining car parking places in Goldstone Crescent to deliver and collect children from school will stop other families being able to use the park. The traffic in the mornings when the school would be opening is often stacked back from Old Shoreham Road to the Droveaway and sometimes to the roundabout at the Woodland Drive junction. This would make it very difficult to even access any spare places. As the school accepts pupils from across the City it will generate more traffic than other schools

To access Nevill Road from Woodland Drive in the rush hour is extremely difficult and the traffic is often stacked back from Old Shoreham Road to the entrance to Waitrose. There has been a vast increase in the volume of traffic generated since Waitrose opened. Traffic from the carpark has difficulty exiting the site because of the tailback of traffic in Nevill Road. There are already two secondary schools and a primary school in this area causing traffic problems.

The traffic situation has therefore dramatically deteriorated since the last application due to the opening of the Waitrose store.

Yours sincerely

Vanessa Brown

Jayne Bennett