

<b><u>No:</u></b>	<b>BH2016/06040</b>	<b><u>Ward:</u></b>	<b>South Portslade Ward</b>
<b><u>App Type:</u></b>	<b>Removal or Variation of Condition</b>		
<b><u>Address:</u></b>	<b>Former Portslade Community College Mile Oak Road Portslade BN41 2PG</b>		
<b><u>Proposal:</u></b>	<b>Application for variation of condition 2 of application BH2016/01494 (Erection of two storey temporary modular classroom) to allow amendments to the approved drawings.</b>		
<b><u>Officer:</u></b>	Helen Hobbs, tel: 293335	<b><u>Valid Date:</u></b>	05.12.2016
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	30.01.2017
<b><u>Listed Building Grade:</u></b>	N/A	<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	Logan Construction (SE) Ltd Mr Darren Warner, 238 Green Lane Business Park, Eltham, SE9 3TL		
<b><u>Applicant:</u></b>	King's School C/O Logan Construction (SE) Ltd, 238 Green Lane Business Park, Eltham, SE9 3TL		

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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Tree Survey	1184/SK22/PG21 0316		27 April 2016
Tree Survey	136869/PRO/TC P		27 April 2016
Floor Plans Proposed	KS-A-002	0	28 November 2016
Elevations Proposed	KS-A-003	0	28 November 2016
Floor Plans Proposed	KS-A-001	0	28 November 2016

- 2 The permission hereby granted shall be for a temporary period only, expiry on or before 12th August 2018.

**Reason:** The structure hereby approved is not considered suitable as a permanent form of development.

- 3 The temporary classroom hereby permitted shall be removed and the land restored to its condition immediately prior to the development authorised by this permission commencing on or before 12th August 2018 in accordance with a

scheme of work submitted to and approved in writing by the Local Planning Authority.

- 4 The development hereby permitted shall be carried out in full accordance with the Travel Plan received on 27th April 2016 as part of application BH2016/01494.

**Reason:** To ensure the promotion of sustainable forms of travel and comply with policies TR4 of the Brighton & Hove Local Plan and CP9 of the Brighton and Hove City Plan Part One.

- 5 No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

**Reason:** As this matter is fundamental to protecting the trees which are to be retained on the site during construction works in the interest of the visual amenities of the area and to comply with policies QD16 of the Brighton & Hove Local Plan and CP12 of the Brighton and Hove City Plan Part One.

- 6 Not used.

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 & APPLICATION DESCRIPTION**

- 2.1 The application relates to King's School which occupies the former Portslade Aldridge Community College Sixth Form Facility, which is located at the bottom of Mile Oak Road, west of Applesham Way, north of Maplehurst Road and east of Melrose Avenue. The main school is a large two-storey building in the middle of the site which has a field to the west of the main school building. The site is not within a conservation area, and the buildings are not listed.

- 2.2 The application seeks consent for variation of condition 2 of application **BH2016/01494**, to allow amendments to approved modular classroom. The amended modular classrooms have already been constructed on site.

- 2.3 The amendments include;

- Increased height to the two storey part of the modular classrooms, including a maximum increase of two metres. The single storey element is approximately 1.2m higher than the previous scheme.

- Revised access steps and ramp

### 3. RELEVANT HISTORY

**BH2016/01494** - Erection of two storey temporary modular classroom. Approved 30.06.2016.

**BH2015/00359** - Variation of conditions 1 and 2 of Application **BH2013/01620** (Erection of single storey temporary modular classroom) to extend the temporary permission to 31 July 2017. Approved 11/05/2015.

**BH2013/01620** - Erection of single storey temporary modular classroom, Approved 18 July 2013.

### 4. REPRESENTATIONS

4.1 Eighteen (18) letters have been received, objecting to the proposed development for the following reasons:

- Size
- Visibility
- Office appearance
- Loss of privacy
- Loss of light
- Noise and disturbance
- Increased parking

### 5. CONSULTATIONS

5.1 Transport: The Highway Authority has no objection to the variation of condition 2 as the proposed amendments do not appear to impact on transport and highway related matters.

5.2 Education:

King's School, which opened in September 2013, is an 11-19 ecumenical free school of Christian designation. It offers the choice to parents and pupils of a secondary school with its roots in the Church of England which previously was missing from the city. The parent group which initially proposed the school always wished to be located in Hove but at the time there were no sites available and so the Education Funding Agency agreed to the school opening on a temporary site in Portslade while a permanent location was identified for the school. Unfortunately identification of a permanent site has been far from simple and has resulted in the school being located on its temporary site far longer than originally intended. The temporary accommodation will enable the school to continue to deliver education until the permanent new school is complete. Without this accommodation the school would be unable to take another year group in September 2017.

### 6. MATERIAL CONSIDERATIONS

- 6.1 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
- 6.2 The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016)
  - Brighton & Hove Local Plan 2005 (retained policies March 2016);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
  - East Sussex 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 Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

## **7. POLICIES**

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development  
CP12 Urban design

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

TR4 Travel plans  
TR7 Safe Development  
TR14 Cycle access and parking  
SU10 Noise Nuisance  
QD14 Extensions and alterations  
HO20 Retention of community facilities

#### Supplementary Planning Documents:

SPD14 Parking Standards

## **8. CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in this application remain as originally considered, which are the impact of the classroom on the setting of the school and surrounding area, impact on the amenity of adjacent properties, loss of play area and impact on traffic / highway considerations.
- 8.2 King's School have occupied the site following the relocation of Portslade Sixth Form to new premises in Chalky Road. The site is temporary accommodation for the school, and it is intended to move to another site in Hove, once the facilities have been constructed.

- 8.3 Design and Appearance:  
The modular classrooms are located to the western side of the site, on an area known as 'The Orchard'. This piece of land previously had consent for use as a temporary car park for 20 cars which expired on 31st October 2016.
- 8.4 The application seeks a variation of the previous consent, planning reference **BH2016/01494**, as the modular classrooms that have been installed on site are taller than the previously approved scheme.
- 8.5 The floor area of approximately 471.6m<sup>2</sup> remains the same and the unit provides 9 classrooms. The majority of the unit is two storeys in height, and it reduces to single storey along the western boundary of the site. The building is clad in sheet steel with a factory applied paint finish. The roof is a grey single ply membrane. Windows and doors are of PVCu.
- 8.6 It is acknowledged that the classrooms do not accord with the character of the site and the surrounding area in terms of its materials, architecture and mass. However portacabins are normal temporary additions within school grounds and it is not felt that the additional height causes any significantly greater harm to visual amenity of the area than that of the original consent. Given the temporary nature, the proposal is not considered to cause significant harm to the character and appearance of the existing site or the surrounding area. The revisions to the access ramp and entrance into the units are considered acceptable.
- 8.7 Impact on Amenity:  
The temporary classroom is approximately 2m from the site boundary and is adjacent to the rear boundaries of no's. 59a, 57, 55 and 53 Melrose Avenue. The separation between properties fronting Melrose Avenue and the two storey element of the classrooms is considered sufficient being over 12m from the nearest property and therefore does not result in a significant impact, in terms of overlooking, loss of privacy or an increased sense of enclosure. The single storey element would be approximately 1.2m higher. It is acknowledged that the overall height increase of the building would have a greater impact in terms of its overbearing nature, however this impact is not identified as being significant.
- 8.8 The majority of window openings are located on the northern elevation and therefore do not directly face any residential properties. The western elevation has been kept blank and the openings on the southern elevation (facing properties on Maplehurst Road) have been kept to a minimum, particularly at first floor level. Therefore no significant overlooking or loss of privacy occurs.
- 8.9 The applicant submitted a noise impact assessment for the previously approved application. The portacabin replaces potential playspace with a quiet building which has less impact on the amenities of adjacent properties by way of noise and disturbance. The majority of openings face away from the west, reducing the noise escape towards the adjoining residential properties when windows are opened. For these reasons it is considered that the portacabin does not unduly impact on the residential amenities of the occupiers of adjacent properties.
- 8.10 Other Considerations:

This site currently supports a number of trees subject to a Tree Preservation Order (TPO) 2003 number 6.

- 8.11 The previous application was submitted with a comprehensive report submitted by Connick Tree Care. The previous application included conditions to ensure that the trees being retained on site were protected during construction. All construction work has now taken place and therefore there is no longer a requirement for a condition to be attached to ensure the satisfactory protection of trees during construction.
- 8.12 A condition ensuring that no trees, shrubs or hedges within the site shall not be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the LPA should be re-attached to the new permission.

## **9. EQUALITIES**

- 9.1 None identified.