

<u>No:</u>	BH2018/02607	<u>Ward:</u>	St. Peter's And North Laine Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Greater Brighton Metropolitan College Pelham Street Brighton BN1 4FA		
<u>Proposal:</u>	<p>Hybrid planning application comprising: Full Planning application Site A (West of Pelham Street): External alterations and internal refurbishment to the existing college building and redevelopment of the existing car park to provide 3 storey extensions to the existing college (D1 use), disabled parking spaces with new vehicular access, cycle parking spaces, open space and landscaping.</p> <p>Outline Application Site B (East of Pelham Street): Demolition of York, Trafalgar and Cheapside Buildings and the erection of up to 135 residential units (C3 use) at maximum 6 storeys with associated new and relocated vehicular accesses, car and cycle parking (with all matters reserved except access, external layout and scale).</p>		
<u>Officer:</u>	Sarah Collins, tel: 292232	<u>Valid Date:</u>	23.08.2018
<u>Con Area:</u>	Adjoining North Laine and Valley Gardens Conservation Areas	<u>Expiry Date:</u>	22.11.2018
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	17.12.2018
<u>Agent:</u>	Mr Huw James Brooklyn Chambers 11 Goring Road Worthing BN12 4AP		
<u>Applicant:</u>	Greater Brighton Metropolitan College C/O ECE Planning Limited Brooklyn Chambers 11 Goring Road Worthing BN12 4AP		

1. RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site Location Plan	6301-ECE-01-01-ST-A 0000	A1	10 August 2018
Illustrative Masterplan	1923-TF-00-DR-L-1001	P02	16 October 2018
Proposed Site Block Plan	6301-ECE-01-00-ST-A-0004	A2	16 October 2018
Existing &	6301-ECE-01-ZZ-ST-A-0010	A1	10 August 2018

Proposed Site Section AA			
Existing & Proposed Site Section BB	6301-ECE-01-ZZ-ST-A-0011	A1	10 August 2018
Site A Landscape Proposals	1923-TF-00-00-DR-L-1002	P04	16 October 2018
Site A Cycle Parking Provision	1923-TF-V4-00-DR-L-1003	P04	November 2018
Site A Indicative sections/elevations	1923-TF-00-00-DR-L-5001	P03	16 October 2018
Site A Plant Palette – Part 1	1923-TF-00-00-SH-L-3001	P03	16 October 2018
Site A Plant Palette – Part 2 – planting bed against college building			10 August 2018
Site A Plant Palette – Part 3 – East-West tree bed and Pelham St and Whitecross St pavement beds			10 August 2018
Site A Plant Palette – Part 4 – south of Whitecross St steps			10 August 2018
Site A Gate Sections	1923-TF-00-DR-L-5002	P02	23 August 2018
Site A Proposed Ground Floor	6301-ECE-01-00-GA-A-0300	A1	10 August 2018
Site A Proposed First Floor	6301-ECE-01-00-GA-A-0301	A1	10 August 2018
Site A Proposed Second Floor	6301-ECE-01-00-GA-A-0300	A1	10 August 2018
Site A Proposed Third, Fifth, Ninth & Tenth Floors	6301-ECE-01-00-GA-A-0304	A1	10 August 2018
Site A Proposed Roof Plan	6301-ECE-01-00-GA-A-0303	A1	10 August 2018
Site A Amended Proposed East Elevation			10 August 2018
Site A Bay Study of West Elevation – Whitecross St	6301-ECE-01-ZZ-DT-XX-2102	A2	10 August 2018
Site A Bay Study of West Wing Courtyard Elevation	6301-ECE-01-ZZ-DT-XX-2103	A2	10 August 2018
Site A Bay Study of East Elevation – Pelham St	6301-ECE-01-ZZ-DT-XX-2104	A2	10 August 2018
Site A Bay Study of	6301-ECE-01-ZZ-DT-XX-	A2	10 August 2018

East Wing Courtyard Elevation	2105		
Site A External Lighting Isoline Plot	6350/S2	P2	10 August 2018
Site A External Lighting Layout	6351/S2	P2	10 August 2018
Site A Existing & Proposed Site North Elevation	6301-ECE-01-ZZ-ST-A-0006	A1	10 August 2018
Site A Existing & Proposed Site East Elevation	6301-ECE-01-ZZ-ST-A-0007	A2	10 October 2018
Site A Existing & Proposed Site South Elevation	6301-ECE-01-ZZ-ST-A-0008	A2	10 October 2018
Site A Existing & Proposed Site West Elevation	6301-ECE-01-ZZ-ST-A-0009	A2	10 October 2018
Site A Existing & Proposed Site Section AA	6301-ECE-01-ZZ-ST-A-0010	A2	10 October 2018
Site A Proposed Inner East & West Elevations	6301-ECE-01-ZZ-GA-A-0614	A2	10 October 2018
Site A Proposed West Elevation	6301-ECE-01-ZZ-GA-A-0613	A2	10 October 2018
Site A Proposed South Elevation	6301-ECE-01-ZZ-GA-A-0612	A2	10 October 2018
Site A Proposed East Elevation	6301-ECE-01-ZZ-GA-A-0611	A2	10 October 2018
Site A Proposed North Elevation	6301-ECE-01-ZZ-GA-A-0610	A1	10 August 2018
Site B Site Servicing Diagram	6301-ECE-02-xx-GA-A-1101	B	16 November 2018
Site B Proposed Storey Height Diagram	6301-ECE-02-XX-GA-A-1103	A	10 August 2018
Site B Existing & Proposed West Elevation	6301-ECE-02-ZZ-GA-A-1500	A	10 August 2018
Site B Existing & Proposed North Elevation	6301-ECE-02-ZZ-GA-A-1501		10 August 2018
Site B Existing & Proposed South Elevation	6301-ECE-02-ZZ-GA-A-1502	A	10 August 2018
Site B Existing & Proposed East Elevation	6301-ECE-02-ZZ-GA-A-1503	A	10 August 2018
Accommodation Schedule	6301-ECE-02-ZZ-SC-A-1400	C	4 September 2018

SITE A

1. The Site A 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. a) Prior to commencement of development on Site A including demolition, a full asbestos survey of the premises, undertaken by a suitably qualified specialist shall be submitted in writing to the local planning authority for approval.

If any asbestos containing materials are found, which present significant risk/s to the end user/s then

- b) A report shall be submitted to the local planning authority in writing, containing evidence to show that all asbestos containing materials have been removed from the premises and taken to a suitably licensed waste deposit site.

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.

3. Prior to the commencement of development on Site A, in line with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS 10175:2011+A1:2013 - Investigation of Potentially Contaminated Sites - Code of Practice, the following shall be submitted to and approved in writing by the Local Planning Authority:

- (a) 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 BS 10175:2011+A1:2013; and if notified in writing by the local planning authority that the results of the site investigation are such that site remediation is required then,

- (b) 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 a scheme shall include nomination of a competent person to oversee the implementation of the works.

AND

- (c) The development permitted shall not be occupied or brought into use until a written verification report by a competent person required and approved under the provisions of condition (1)c that any remediation scheme 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 the verification report shall comprise:

- i) built drawings of the implemented scheme;
- ii) photographs of the remediation works in progress;
- iii) certificates demonstrating that imported and/or material left in situ is free from contamination.

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.

4. If during development of Site A, 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 obtained written approval from the Local Planning Authority for a method statement to identify, risk assess and address the potential contaminants.

Asbestos containing materials (ACM) within the ground and buildings are a contaminant of concern. Any desk top study and site investigation must fully incorporate ACM into the conceptual site model with any significant risks and pollutant linkages noted and risk assessed.

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.

5. The development hereby permitted on Site A shall not be commenced (other than demolition works and works to trees) until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods as per the recommendations of the Sustainable Drainage and Flood Risk Assessment received on 10th August 2018 has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented and maintained in accordance with the approved detailed design and management and maintenance plan.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to comply with policy SU3 of the Brighton & Hove Local Plan.

6. Prior to the commencement of development on Site A, an ecological design strategy (EDS) addressing enhancement of the site for biodiversity shall be submitted to and approved in writing by the local planning authority. The EDS shall include the following:
 - a) purpose and conservation objectives for the proposed works;
 - b) review of site potential and constraints;
 - c) detailed design(s) and/or working method(s) to achieve stated objectives;
 - d) extent and location /area of proposed works on appropriate scale maps and plans;
 - e) type and source of materials to be used where appropriate, e.g. native

- species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures;
- j) details for disposal of any wastes arising from works.

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

Reason: To provide a net gain for biodiversity in line with Section 40 of the Natural Environment and Rural Communities Act 2006 and paragraphs 170 & 175 of the National Planning Policy Framework 2018.

7. Prior to the commencement of development hereby approved, evidence should be submitted to demonstrate that the energy plant/room(s) have capacity to connect to a future district heat network in the area. Evidence should demonstrate the following:

- Energy centre size and location with facility for expansion for connection to a future district heat network: for example physical space to be allotted for installation of heat exchangers and any other equipment required to allow connection;
- A route onto and through site: space on site for the pipework connecting the point at which primary piping enters the site with the on-site heat exchanger/ plant room/ energy centre. Proposals must demonstrate a plausible route for heat piping and demonstrate how suitable access could be gained to the piping and that the route is protected throughout all planned phases of development.
- Metering: installed to record flow volumes and energy delivered on the primary circuit.

Reason: To ensure that the development is sustainable and makes efficient use of energy to comply with policies CP8 and DA4 of the Brighton & Hove City Plan Part One.

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

Reason: As this matter is fundamental to protecting the trees which are to be retained on the site during construction works in the interest of the visual amenities of the area and to comply with policies QD16 of the Brighton & Hove Local Plan and CP12/ CP13 of the Brighton & Hove City Plan Part One and SPD06:Trees and Development Sites.

9. No development, including demolition and excavation, shall commence until a Site Waste Management Plan for Site A, confirming how demolition and construction waste will be recovered and reused on site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Plan.

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

10. Prior to the commencement of the development of Site A (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

Specific issues to be dealt with in the TPP and AMS include:

- Location and installation of services/ utilities/ drainage.
- Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- Details of construction or demolition within the RPA or that may impact on the retained trees.
- A full specification for the installation of boundary treatment works.
- A full specification for the construction parking areas including details of the no-dig specification and extent of the areas of the parking areas to be constructed using a no-dig specification where possible. Details shall include relevant sections through them. Methodology and detailed assessment of root pruning should also be submitted, if required.
- A specification and plan for protective fencing to safeguard trees during both demolition and construction

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/CP13 of the Brighton & Hove City Plan Part One and SPD06:Trees and Development Sites.

11. Prior to the commencement of the development of Site A (including demolition and all preparatory work) a pre-commencement meeting shall be held on site and attended by the developer's appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority (LPA) to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed OR that all tree protection measures have been installed in accordance with the approved tree protection plan. The development shall thereafter be carried out in accordance with the approved details or any variation as may subsequently be agreed in writing by the LPA.

Items to be discussed:

- a. Induction and personnel awareness of arboricultural matters
- b. Identification of individual responsibilities and key personnel
- c. Timing and methods of site visiting and record keeping, including updates
- d. Procedures for dealing with variations and incidents.
- e. The scheme of supervision.

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 / CP13 of the Brighton & Hove City Plan Part One and SPD06:Trees and Development Sites.

12. Within 6 months of the commencement of development of Site A, landscaping details shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping details shall be implemented accordingly in the first planting season after completion or prior to the occupation of the College extensions, whichever is the sooner. The details shall include the following:

- i) all hard and soft surfacing to include type, position, design, dimensions and
- ii) materials and any sustainable drainage system used;
- iii) a schedule detailing species, sizes and numbers/densities of all proposed
- iv) trees/plants including details of tree pit design, underground modular systems use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period; any use of these within the RPA's of retained trees should be specified, and
- iii) specifications for operations associated with plant establishment and maintenance that are compliant with best practise.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. Replacement planting shall be in accordance with the approved landscaping scheme submitted for this condition.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD15 of the Brighton & Hove Local Plan and CP12 and CP13 of the Brighton & Hove City Plan Part One.

13. Within 6 months of the commencement of development of Site A, details of the perimeter gates and fencing and any other boundary treatments at scale 1:20, including their height, design, materials and durability, including lockable gates and designed to inhibit climbing and graffiti where it adjoins a highway, shall be submitted to and approved in writing by the LPA. The boundary treatments shall be implemented and installed in accordance with the approved details prior to occupation of the development.

Reason: The perimeter gates and fencing will be prominent in the street scene and visible from the North Laine Conservation Area and are required to secure the open space and the college at night, therefore they need to be both functional and of an attractive appearance, to comply with policies QD15, HE6 and QD27 of the Brighton & Hove Local Plan and CP12, CP13 and CP15 of the Brighton & Hove City Plan Part One.

14. Within 6 months of the commencement of development of Site A, signage detailing the opening times of the open space shall be submitted to and approved in writing by the LPA. The approved signage shall be installed accordingly prior to the occupation of the extensions to the college building.

Reason: To comply with policies CP9 and CP13 of the Brighton & Hove City Plan Part One.

15. Within 6 months of the commencement of development of Site A, details of the mechanism(s) for preventing vehicles from entering the open space via Redcross Street, whilst allowing access to emergency vehicles, shall be submitted to and approved in writing by the LPA. The approved mechanism(s) shall be implemented accordingly prior to the occupation of the extensions to the college building.

Reason: In the interest of highway safety and to comply with policy TR7 of the Brighton & Hove Local Plan and policy CP9 of the Brighton & Hove City Plan Part One.

16. Notwithstanding the plans hereby approved, within 6 months of the commencement of development of Site A, a Cycle Parking Scheme providing a minimum of 118 secure cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority, and the approved scheme shall be implemented accordingly prior to the occupation of the extensions to the college building and maintained thereafter. The scheme shall include the allocation of cycle spaces for staff, residents and visitors, details of shower and changing room facilities within the college building, detailed drawings of cycle parking areas including types of stands, spacing between stands, and details of entrances to stores including opening assistance and security measures.

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 and SPD14: Parking standards.

17. No development above ground floor slab level of any part of the development hereby permitted on Site A shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- a) samples of all brick, grouting, render and tiling (including details of the colour of render/paintwork to be used)
- b) samples of all cladding to be used, including details of their treatment to protect against weathering
- c) samples of all hard surfacing materials
- d) samples of the proposed window and door treatments
- e) samples of all other materials to be used externally

Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.

18. No development above ground floor slab level of any part of the development hereby permitted on Site A shall take place until detailed section and gradient drawings of the open space and accessible parking area, demonstrating compliance with the requirements of the Ramped Access provisions of section 1.26 of Approved Document M Volume 2 ('Access to and Use of Buildings other than Dwellings') have been submitted to and approved in writing by the Local Planning Authority. Details shall include section drawings of the steps and

details of level access into the building and from the adjoining highways. The development shall be implemented in accordance with the approved details.

Reason: To secure safe, suitable and inclusive access for pedestrians to comply with Brighton & Hove Local Plan policies TR7, TR14, TR18 and City Plan Part One policies CP9, CP12 and CP13.

19. Prior to the occupation of the college extensions on site A a scheme for the storage of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details, and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan, policy CP8 of the Brighton & Hove City Plan Part One and Policy WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan.

20. Prior to the occupation of the college extensions a Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority which shall include –

- (i) details of the types of vehicles that will deliver to and service the site, their purpose, and the anticipated frequency of their movements
- (ii) details of how delivery and service vehicle movements will take place and be managed, including routes, where vehicles will wait to load/unload, how goods and containers will be conveyed between vehicles and building accesses without obstructing the highway or compromising safety for users of the highway, and details of actions that will be taken to secure compliance. Both deliveries and the measures to prevent unauthorised use of delivery and servicing areas shall thereafter be carried out in accordance with the approved Plan.

Reason: In order to ensure the safe operation of the development and to protect the amenities of nearby residents, in accordance with policies QD27 and TR7 of the Brighton & Hove Local Plan.

21. Within 6 months of the commencement of development of Site A, details of the photovoltaic panels on the roof of the building shall be submitted to and approved in writing by the Local Planning Authority and shall be installed accordingly prior to the occupation of the extensions to the college and maintained thereafter.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance and to comply with policies CP8 and CP12 of the Brighton & Hove City Plan Part One.

22. Within 6 months of the commencement of development of Site A, a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration shall be submitted to and approved in writing by the Local Planning Authority. The buildings should be designed to achieve standards in line with, WHO guidelines for Community Noise (1999), BS8233 Sound Insulation and Noise Reduction in Buildings(2014) and BB93 (2014) Acoustic Design in Schools. 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. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:2014. Any external plant is to be free from any low frequency tones that are likely to attract complaints. A scheme of testing to be carried out post construction but prior to occupation to demonstrate that the standards are met. 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 policies SU10 and QD27 of the Brighton & Hove Local Plan.

23. Within 6 months of occupation of the extensions to the college building a BREEAM Building Research Establishment Post Construction Review Certificate confirming that the development has achieved a minimum BREEAM New Construction rating of Very Good, shall submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy CP8 of the Brighton & Hove City Plan Part One.

24. Access to the flat roof over the extension hereby approved at Site A shall be for maintenance or emergency purposes only and the flat roof shall not be used as an amenity area.

Reason: In order to protect nearby neighbours from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

25. The barrier to the disabled parking area at the vehicular entrance shall remain permanently open when the adjacent open space is open.

Reason: In order to prevent vehicles entering the site from causing unnecessary obstruction within the highway, in the interest of highway safety.

26. Prior to the occupation of the extensions to the college building:

- (i) the on-site car park for 3 accessible parking spaces accessed from Pelham St shall have been completed and made available; and
- (ii) a Car Parking Management Plan detailing, inter alia, how the spaces will be allocated amongst staff and students and the car park managed, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the facilities shall be maintained and managed in accordance with the approved plans and Car Park Management Plan.

Reason: In order to ensure that the parking is managed in line with the principles of CP9 of the City Plan Part One and SPD14 and that appropriate facilities for mobility impaired drivers are secured to comply with Brighton & Hove Local Plan Policy TR18.

27. Prior to the occupation of the extensions to the college building, a noise management plan (NMP) for Site A shall be submitted to and approved in writing by the Local Planning Authority, which shall include:

- a) restrictions on plant and equipment operation,
- b) restrictions on events and the use of amplified music or public address systems (within the building and the open space), and
- c) the opening times of the café/restaurant.

The aim of the plan should be to avoid noise nuisance during the day and should provide that during opening hours of the open space, security staff will patrol the public outdoor space and take steps to minimise noise nuisance. The approved NMP shall be implemented and maintained accordingly.

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

28. The car park approved on Site A shall be used for parking by staff, student and visitors who are blue-badge holders for the purpose of accessing the site only.

Reason: In order to ensure that the parking is managed in line with the principles of CP9 of the City Plan Part One and SPD14 and that appropriate facilities for mobility impaired drivers are secured to comply with Brighton & Hove Local Plan Policy TR18.

29. Threshold drainage: No part of the site A development hereby approved shall discharge surface water onto the public highway unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interest of public safety and to comply with Brighton & Hove Local Plan policy TR7.

30. Within 6 months of the commencement of development of Site A, details of all doors to the college building, demonstrating accessible, level and automated opening entrances, shall be submitted and approved in writing by the Local Planning Authority. The approved details and doors shall be installed accordingly prior to the occupation of the extensions to the college building.

Reason: To secure safe, suitable and inclusive access for pedestrians to comply with Brighton & Hove Local Plan policies TR7, TR14, TR18 and City Plan Part One policies CP9, CP12 and CP13, and SPD14: Parking standards.

31. The open space and car park on Site A hereby permitted shall not be open or in use except between the hours of 7am and 10pm.

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

32. Where life safety plant is included on Site A, the operation and testing should minimise any impact on either site users or adjacent residents. Audible external tests may take place between the hours of 8am & 6pm once per month on a weekday for up to an hour.

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

33. No deliveries or refuse collections shall take place on site A except between the hours of 7am and 7pm on Mondays to Saturdays and not at any time on Sundays or Public Holidays.

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

34. External lighting for site A should be designed and positioned to:

- Be the minimum required to perform the relevant lighting task;
- Minimise light spillage and pollution;
- Include landscaping/screening measures to screen illuminated areas in environmentally sensitive areas, and

- Avoid dazzle or distraction to drivers on nearby highways.

Any external lighting designs must have reference to both horizontal and vertical illuminance to account for the varied sensitive receptors on and around the site. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light (2011,) for zone E, or similar guidance recognised by the council. The Delta Green report (Revision P2 23rd), July 2018 lighting design specification is to be installed and certification on completion provided, by a competent person to show that the lighting installation complies with guidance to produce no nuisance to adjacent receptors. The main lighting to be extinguished and minimum safety lighting to be provided between the hours of 10pm and 7am.

Reasons: To protect the amenity of future occupants and/or neighbours and to protect wildlife and to comply with policies SU9, QD18, QD25 and QD27 of the Brighton & Hove Local Plan.

35. The Site A building shall only be used for D1 education provision only with ancillary restaurant/café uses as shown on the approved plans and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and the education aspirations for the City and to comply with policies HO20 and QD27 of the Brighton & Hove Local Plan.

SITE B

36. The development of Site B must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

37.a) Details of the reserved matters of Site B set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

- (i) appearance;
- (ii) internal layout, and
- (iii) landscaping.

b) The reserved matters shall be carried out as approved.

c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

38. Prior to the demolition of buildings on or the decanting of students from Site B, the development hereby approved on Site A, including the internal and external alterations hereby approved, shall be completed and ready for occupation.

Reason: To ensure the continuity of provision of college facilities and to comply with policy CP21 of the Brighton & Hove City Plan Part One and policy HO20 of the Brighton & Hove Local Plan.

39. No development, including demolition and excavation, shall commence until a Site Waste Management Plan for Site B, confirming how demolition and construction waste will be recovered and reused on site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Plan.

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

40. a) Prior to commencement of development on Site B including demolition, a full asbestos survey of the premises, undertaken by a suitably qualified specialist shall be submitted in writing to the local planning authority for approval.

If any asbestos containing materials are found, which present significant risk/s to the end user/s then

b) A report shall be submitted to the local planning authority in writing, containing evidence to show that all asbestos containing materials have been removed from the premises and taken to a suitably licensed waste deposit site.

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.

41. Prior to the commencement of development on Site B, in line with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS 10175:2011+A1:2013 - Investigation of Potentially Contaminated Sites - Code of Practice, the following shall be submitted to and approved in writing by the Local Planning Authority:

(a) 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 BS 10175:2011+A1:2013;

and if notified in writing by the local planning authority that the results of the site investigation are such that site remediation is required then,

(b) 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 a scheme shall include nomination of a competent person to oversee the implementation of the works.

AND

(c) The development permitted shall not be occupied or brought into use until a written verification report by a competent person required and approved under the provisions of (a) and (b) that any remediation scheme 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 the verification report shall comprise:

- i) built drawings of the implemented scheme;
- ii) photographs of the remediation works in progress;
- iii) certificates demonstrating that imported and/or material left in situ is free from contamination.

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.

42. The development hereby permitted on Site B shall not be commenced (other than demolition works and works to trees) until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods as per the recommendations of the Sustainable Drainage and Flood Risk Assessment received on 10th August 2018 has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented and maintained in accordance with the approved detailed design and management and maintenance plan.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to comply with policy SU3 of the Brighton & Hove Local Plan.

43. If during development of Site B, 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 obtained written approval from the Local Planning Authority for a method statement to identify, risk assess and address the potential contaminants.

Asbestos containing materials (ACM) within the ground and buildings are a contaminant of concern. Any desk top study and site investigation must fully

incorporate ACM into the conceptual site model with any significant risks and pollutant linkages noted and risk assessed.

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.

44. Notwithstanding the plans hereby approved, no development shall take place on Site B until both:

- (i) details of car and motor cycle parking facilities which shall incorporate 10 or more accessible parking spaces, 2 or more motorcycle parking spaces, and no more than 16 parking spaces overall; and
- (ii) a Car Parking Management Plan which details how parking spaces will be allocated, secures accessible parking spaces for disabled residents or workers, details how rapid charging points are to be made available (including bringing the passive provision into use)

have been submitted to and approved in writing by the Local Planning Authority. The parking shall thereafter be implemented, managed and maintained in accordance with the approved details and plan with no parking occurring on-site other than in the approved locations.

Reason: In order to secure parking facilities for mobility impaired people to comply with Brighton & Hove Local Plan policy TR18 and SPD14: Parking Standards and to ensure that parking is provided and managed in line with the principles of CP9 of the City Plan Part One and SPD14.

45. Within 6 months of the commencement of development on site B a cycle parking scheme shall be submitted to and approved in writing by the Local Planning Authority which shall include: number of spaces for residents and visitors, types of stands, detailed layouts of stores and other parking areas including spacing between stands, and details of entrances to stores including opening assistance and security measures. Thereafter the cycle parking facilities shall be implemented, managed and maintained in accordance with the approved Scheme.

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 and SPD14: Parking standards.

46. Prior to the commencement of development on Site B, an ecological design strategy (EDS) addressing enhancement of the site for biodiversity shall be submitted to and approved in writing by the local planning authority. The EDS shall include the following:

- a) purpose and conservation objectives for the proposed works;
- b) review of site potential and constraints;
- c) detailed design(s) and/or working method(s) to achieve stated objectives;
- d) extent and location /area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures;
- j) details for disposal of any wastes arising from works.

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

Reason: To provide a net gain for biodiversity in line with Section 40 of the Natural Environment and Rural Communities Act 2006 and paragraphs 170 & 175 of the National Planning Policy Framework 2018.

47. Within 6 months of the commencement of development of Site B a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration shall be submitted to and approved in writing by the Local Planning Authority. The buildings should be designed to achieve standards in line with ProPG guidance for new housing, and BS8233 Sound Insulation and Noise Reduction in Buildings(2014). 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. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:2014. Any external plant is to be free from any low frequency tones that are likely to attract complaints. A scheme of testing to be carried out post construction but prior to occupation to demonstrate that the standards are met. 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 policies SU10 and QD27 of the Brighton & Hove Local Plan.

48. Prior to the occupation of the residential properties on site B a scheme for the storage of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details, and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan, policy CP8 of the Brighton & Hove City Plan Part One and Policy WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan.

49. Hedges or shrubs within the planting areas fronting onto Cheapside shall be pollution tolerant species (that can cope with nitrogen, dust and salt) and have an ongoing maintenance strategy. It is advisable that roadside green plants are established after the majority of construction vehicle movements have passed.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to help reduce the local effects of air pollution and to comply with policies QD15 and SU9 of the Brighton & Hove Local Plan and CP12 and CP13 of the Brighton & Hove City Plan Part One.

50. External lighting for Site B should be designed and positioned to:

1. Be the minimum required to perform the relevant lighting task.
2. Minimise light spillage and pollution.
3. Include landscaping/screening measures to screen illuminated areas in environmentally sensitive areas.
4. Avoid dazzle or distraction to drivers on nearby highways.

Any external lighting designs must have reference to both horizontal and vertical illuminance to account for the varied sensitive receptors on and around the site. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light (2011,) for zone E, or similar guidance recognised by the council. Certification on completion of the lighting installation is to be provided by a competent person to show that it complies with guidance to produce no nuisance to adjacent receptors.

Reason: To protect the amenity of future occupants and/or neighbours and to protect wildlife and to comply with policies SU9, QD18, QD25 and QD27 of the Brighton & Hove Local Plan.

51. Within 6 months of commencement of the development of Site B, a scheme shall be submitted to the Local Planning Authority for approval to provide that the residents of the development, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit. The approved scheme shall be implemented before occupation.

Reason: This condition is imposed in order to allow the Traffic Regulation Order to be amended in a timely manner prior to first occupation to ensure that the development does not result in overspill parking and to comply with policies TR7 & QD27 of the Brighton & Hove Local Plan and CP9 of the Brighton & Hove City Plan Part One and SPD14: Parking Standards.

52. Threshold drainage: No part of the site hereby approved shall discharge surface water onto the public highway.

Reason: In the interest of public safety and to comply with Brighton & Hove Local Plan policy TR7.

53. None of the residential units hereby approved shall be occupied until each residential unit built has achieved an energy efficiency standard of a minimum of 19% CO2 improvement over Building Regulations requirements Part L 2013 (TER Baseline).

Reason: To ensure that the development is sustainable and makes efficient use of energy to comply with policy CP8 of the Brighton & Hove City Plan Part One.

54. None of the residential units hereby approved shall be occupied until each residential unit built has achieved as a minimum, a water efficiency standard of not more than 110 litres per person per day maximum indoor water consumption.

Reason: To ensure that the development is sustainable and makes efficient use of water to comply with policy CP8 of the Brighton & Hove City Plan Part One.

55. The reserved matters application required by Condition 38 shall include details of an acoustic report which contains details of how the Residential Buildings submitted at all storeys and all facades will be glazed and ventilated in order to protect internal occupants from road traffic noise and meet the "good" levels in British Standard 8233. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

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

56. The reserved matters application required by Condition 38 shall include a daylight and sunlight report which shall contain details of the levels of daylighting and sunlighting to all habitable windows in the buildings and to all external areas on Site B in accordance with the BRE Site Layout Planning for Daylight and Sunlight A Guide to Good Practice and BS8206-2:2008 Lighting for Buildings Part 2: Code of Practice for daylighting.

Reason: To provide adequate levels of daylight and sunlight for the future occupiers of the buildings and to inform the landscaping scheme and to comply

with policies QD27 of the Brighton & Hove Local Plan and policies CP8, CP10, CP13 and CP14 of the Brighton & Hove City Plan Part One.

57. The reserved matters application required by Condition 38 shall include a Delivery and Servicing Management Plan which shall include - (i) details of the types of vehicles that will deliver to and service the site, and the anticipated frequency of their movements (ii) details of how delivery and service vehicle movements will take place and be managed, including routes, where vehicles will waiting to load/unload how goods and containers will be conveyed between vehicles and building accesses without obstructing the highway or compromising safety for users of the highway, and details of actions that will be taken to secure compliance.

Reason: In order to ensure that the safe operation of the development and to protect the amenities of nearby residents, in accordance with policies QD27 and TR7 of the Brighton & Hove Local Plan.

58. The reserved matters application required by Condition 38 shall include details of the ventilation system for the properties that front onto Cheapside including external flues and plant equipment and demonstrating that the ground and first floor windows of the properties that front onto Cheapside within the residential development (Site B) shall be hermetically sealed.

Reason: In order to minimise exposure to pollution for future occupiers of the residential development with frontage onto Cheapside, to safeguard the visual appearance of the development and nearby heritage assets, and to comply with policies SU9, QD27, HE3 and HE6 of the Brighton & Hove Local Plan and CP12, CP13 and CP15 of the Brighton & Hove City Plan Part One.

59. The reserved matters application required by Condition 38 shall include an energy and sustainability report that shall include scoping the use of renewable energy technology and green roofs or walls at the development.

Reason: In order to meet sustainability objectives, and to comply with policies DA4, CP8 and CP10 of the Brighton & Hove City Plan Part One.

60. Any Ultralow NOx boilers within the development shall have NOx emission rates of <30 mg/kwh.

Reason: To safeguard the amenities of the local residents and minimise air pollution and to comply with policies SU9 and QD27 of the Brighton & Hove Local Plan and policy CP8 of the Brighton & Hove City Plan Part One.

61. At least 50% of all parking spaces shall be provided with electromotive charging points that are electromotive ready.

Reason: To encourage travel by more sustainable means and seek measures which reduce fuel use, NOx, particulate and greenhouse gas emissions,

particularly given the nearby AQMA, and to comply with policy SU9 of the Brighton & Hove Local Plan, policy CP9 of the Brighton & Hove City Plan Part One and SPD14: Parking Standards.

62. HGVs used for demolition and construction of the development shall be minimum euro-VI emission standard.

Reason: To safeguard the amenities of the local residents and minimise air pollution and to comply with policies SU9 and QD27 of the Brighton & Hove Local Plan.

63. At least 5% of the dwellings on Site B shall be completed in compliance with Building Regulations Optional Requirement M4(3)(2b) (wheelchair user dwellings) prior to first occupation and shall be retained as such thereafter. All other dwelling(s) hereby permitted shall be completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) prior to first occupation and shall be retained as such thereafter.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

64. During the construction phase, the developer shall comply with Stage IIIB of EU directive 97/68/EC for NO_x emissions limits from non-mobile construction machinery in accordance with DfT guidance Improving Air Quality Reducing Emissions from non-road mobile machinery.

Reason: to avoid emission impacts on high levels of nitrogen dioxide recorded in the vicinity of London Road (A23 general traffic northbound)

65. Within 6 months of the commencement of development on Site B, details of the gated accesses to the development shall be submitted to and approved in writing by the LPA. The vehicular access gates shall be set a minimum of 6 metres into the site from the carriageways in order to prevent obstruction in the road by vehicles waiting to enter the site. There should be separate gates for pedestrian access.

Reason: To ensure the safe operation of the highway and pedestrian safety, and to protect the visual amenities of the locality, and to comply with policies TR7 and QD5 of the Brighton & Hove Local Plan and policies CP9 and CP13 of the Brighton & Hove City Plan Part One.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on

this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

2. The applicant is advised to consider the security recommendations made by Sussex Police in their response to this application dated 14th September 2018.
3. The applicant should note that any grant of planning permission does not confer automatic grant of any licenses under the Licensing Act 2003 or the Regulation (EC) No. 852/2004 on the Hygiene of Foodstuffs, Article 6(2). Note that where there is a difference between the operating hours allowed for licensable activities and the hours granted under planning permission the shorter of the two periods will apply.

2. SITE LOCATION

- 2.1 The application site comprises a 1.18 hectare site which contains Pelham Tower and car park on the west side of Pelham St (Site A) and Cheapside, York, and Trafalgar buildings on the east side of Pelham St (Site B). The site is in use by Greater Brighton Metropolitan College (GBMET) for educational purposes.
- 2.2 Pelham Tower is a 1960's block which is 12 storeys and has a surrounding three storey podium which measures approximately 51 metres by 56 metres. Pelham Tower is accessed through a glazed entrance directly from Pelham Street. The materials are brick with steel window frames. The surface car park to the south is accessed from Whitecross St and is surrounded by metal fencing. It accommodates 118 car parking spaces which are allocated to staff.
- 2.3 The buildings on Site B vary in height up to 3 or 4 storeys, which is more akin to 5 or 6 storeys residential because of the large floor to ceiling heights. They are mostly faced in red brick and a glazed entrance connects the Cheapside and Trafalgar buildings on the Pelham St frontage. There is vehicular access from Cheapside through an undercroft. The three significant buildings on this site, Trafalgar, Cheapside and York were developed between 1893 and 1938 as part of the school which occupied the site and have been supplemented by workshops, halls, 'temporary' classrooms and storage sheds.
- 2.4 Site A is bounded by Whitecross St to the west, Cheapside to the north, Pelham St to the east and Redcross St, 1 and 2 Whitecross St, 87-97 Trafalgar St, and 1 and 2 Pelham St to the south. Site B is bounded by Pelham St and The Sanctuary and The Foyer residential blocks to the southwest, Cheapside to the north, 8-31 York Place and St. Peter's House to the east, and the college's Gloucester building, no.5 Trafalgar Ct, and Trafalgar Ct to the south.
- 2.5 An arched entranceway of brick with limestone spacers is present at 15 York Place, close to the eastern boundary of Site B. It has three sections in the crenelated cornice, separated by brick buttresses and with a stone moulding above the arch. The archway has an ornate gate which is locked preventing access to Site B.

- 2.6 The site is in a highly accessible sustainable location: it is approximately 350 metres walking distance from Brighton Station, immediately to the north of the North Laine shopping centre and within 100m of the London Road shopping centre which lies to the northeast. The site is also close to some main bus routes including the Lewes Road and Preston Road bus routes from York Place and City Centre bus routes from Trafalgar St and Brighton Station. The site lies within Development Area 4 (DA4) of the City Plan Part One (CPP1). Valley Gardens Conservation Area bounds Site B to the east and North Laine Conservation Area bounds both sites to the south.

3. PURPOSE OF THE APPLICATION

- 3.1 The application submissions provide a summary of the College's estates strategy and the purpose of this application, which is relevant in terms of viability considerations and to understand the need for the sale of Site B to enable the development of Site A, and what the development of Site A is intended to deliver.

Greater Brighton Metropolitan College (The MET) was formed in 2017 from the merger of City College Brighton and Hove and Northbrook College Sussex. The merger was an outcome of the Government's Area Review process, designed to ensure that colleges could continue to deliver education and skills to their local communities whilst remaining financially viable. The MET has committed to retaining its five main campuses. Four of these, West Durrington and Broadwater in Worthing, Shoreham Airport, and the East Brighton Campus in Wilson Avenue, have received significant recent investment. The Central Brighton Campus on Pelham Street, however, has suffered from a number of failed schemes over the past 25 years, primarily because they were overambitious, reliant upon government funding that has fallen away, and is in need of significant investment if it is to continue to meet the education, training and skills needs of the City and City Region.

- 3.2 The College has reviewed all options to update and make its facilities fit for purpose on the Pelham Campus. The MET is not able to borrow money on a long-term basis to support any redevelopment, as bank finance was maximised at the point of merger. A detailed options analysis was completed which shows that the most cost effective approach is to retain and refurbish the existing tower, while addressing and updating the existing facilities, rather than to build entirely new facilities or to relocate. In addition to the tower, the College utilises a number of other buildings located on the East side of Pelham Street (the Cheapside/Trafalgar complex) which are unfit for purpose, have poor energy performance and cannot be economically improved. Although their floor to ceiling heights are high, they are not high enough to provide mezzanine floors in a conversion and would be inefficient and costly to convert to another use.
- 3.3 On this basis, a scheme has been developed to sell the Cheapside/Trafalgar complex, which will raise proceeds towards the extension of the college building on Site A into the car park, and the consolidation of the college buildings onto one site. There would be an overall net loss of college floorspace but no fewer staff or students at the site, achieved by a more efficient layout and fit for

purpose facilities within the extended and refurbished college building. Proposals include a new Centre for Creative and Digital Industries and a 'shop front' for the service industry curriculum, with ground floor access to hair and beauty services and a café.

- 3.4 The College has secured a £5m grant (growth fund) from the LEP (Local Enterprise Partnership), which is the maximum amount available, but this alone is not enough to cover the cost of the Site A proposals. The Viability Report submitted with the application advises that even with the £5m grant and the expected proceeds from the land disposal (Site B), the cost of the Site A proposals would not be covered and there would still be a deficit. Therefore the refurbishment of the existing tower (Pelham Tower) and podium will be limited by this financial position and even the maximum possible receipt from the sale of Site B will not allow for a full refurbishment of the tower, or to undertake work to improve the exterior of the building.
- 3.5 The College plans to undertake this work as a later phase (or phases), aligned with potential future funding opportunities or once a proportion of its existing debt has been paid down.
- 3.6 A concurrent application has been submitted by the College for the conversion of the locally listed Gloucester Building from education use into 2no. 3bed residential units immediately to the south of this application site.

4. APPLICATION DESCRIPTION

- 4.1 The application is a hybrid application (full application for Site A and outline application for Site B).
- 4.2 Site A proposals (Full):
External alterations: Additional and larger windows, a new entrance and canopy are proposed for the publicly accessible restaurant on the corner of Cheapside and Whitecross St.
- 4.3 Internal alterations are proposed to the ground floor, 1st, 2nd, 3rd, 5th, 9th and 10th floors.
- 4.4 3 storey extensions on the south side of the college building on the existing surface car park, to provide 2957sqm additional floor space to the existing college (D1 use):
 - Eastern wing comprises seven hair and beauty salons, storage, WC's and offices
 - Western wing comprises flexible art studios and ICT suites
 - Central atrium and slot creates the new main entrance to the college building and reception area with circulation above to the two wings and café
- 4.5 The existing main pedestrian entrance to the building on Pelham St is to be closed and would provide an emergency exit only. A secondary pedestrian entrance into the building is proposed from Pelham St where the Pelham St extension joins the existing building. The existing vehicular access into the

building from Pelham St is to be retained and refuse collection would continue to take place at this location.

- 4.6 The public areas of the college building and all teaching areas are proposed to be wheelchair accessible and to comply with Building Regulations Part M and Disability Discrimination Act requirements.
- 4.7 A large array of photovoltaic panels (PV panels) are proposed on the roof of the extensions and all plant equipment would be within plantrooms in the building or on the roof which is proposed to have a 1100mm parapet around its perimeter. Access to the roof for maintenance is provided via the stair core at the northern end of the Whitecross St extension, which extends up to roof level.
- 4.8 BREEAM rating of 'Very Good' is targeted for the college building.

The elevations of the extensions are a modern take on the existing college building, designed to sit sympathetically next to it. The existing building is orange brick, aluminium curtain walling and UPVC windows. Tall vertical fins and deep window reveals are proposed for the extensions to reflect the vertical cladding system on the existing building and to provide solar shading and easy maintenance. A brick finish of dark to pale greys is proposed with dark grey aluminium windows and cladding with either a PPC or anodised finish. A 3 storey fully glazed curtain wall system is proposed to the main entrance between the extensions to create a welcoming entrance and provide natural light into the existing building. The Whitecross St extension is proposed to have larger areas of glazing than the Pelham St extension as the art studios within it require more natural light than the hair and beauty salons within the Pelham St extension. The windows on the Whitecross St extension reach down to almost pavement level to provide natural light to the art studios in the ground floor, which is set a few metres below the pavement level.
- 4.9 Open Space: A combination of hard and soft landscaping between the college extensions and up to the southern boundary of the site, incorporating removal of vehicular access and provision of stepped access from Whitecross St, level access for pedestrians and cyclists from Redcross St, and new vehicular access for 3 disabled spaces from Pelham St, as well as stepped and ramped access for pedestrians from Pelham St. The Design & Access Statement advises that pedestrian and vehicular areas of the site are intended to be laid to maximum 1:20 gradients in order to avoid any additional steps or ramps across the site. The two existing sycamore trees along the southern boundary are to be retained. 118 spaces for cycles are proposed in two secure and covered cycle stores accessed from Redcross St, and in the form of Sheffield stands within the open space and on the pavement on Whitecross St. The Design & Access Statement mentions that accessible shower facilities, changing rooms and lockers are to be provided within the college building, however these are not labelled clearly on the proposed plans.
- 4.10 Site B proposals (Outline):

Outline application with all matters reserved except access, external layout and scale, for the demolition of all buildings on the site (York, Trafalgar and Cheapside buildings) and the erection of up to 135 residential units (C3 use).

To clarify, the external layout refers to the footprint of the buildings and the size and position of the buildings and external areas, as set out on the site plan, and this is to be assessed in this outline application. The floor plans submitted are indicative only and subject to revision at Reserved Matters stage. Should any subsequent Reserved Matters application alter the indicative number or mix of units from the submitted accommodation schedule, items such as housing mix, trip generation and s106 contributions would need to be reviewed.

4.11 Access:

The existing vehicular access from Cheapside is to be repositioned approximately 5m further west and widened to give two-way access to the site with separate pedestrian access either side. This access would provide private access to the 16 parking spaces, and would also allow pedestrian and cyclist access for the residents and visitors. Refuse collection would take place on Cheapside. A new vehicular access is proposed from Pelham St slightly to the north of the entrance to the open space proposed on the other side of Pelham St at Site A, which would allow access and a turning area for servicing and deliveries, including refuse collection vehicles. There would be a physical separation between the two vehicular accesses although they would be connected by an undercroft pedestrian link. There would be no vehicular access from Trafalgar Court. The site is intended to be private access only and gated at all three entrances to the site on Cheapside, Pelham St and Trafalgar Court. There would be separate pedestrian gates alongside the vehicular accesses onto Pelham St and Cheapside.

4.12 Cyclists and pedestrians (residents and visitors only) would have step-free access from and to all three entrances to the site and details of the entrance gates would form part of a reserved matters application.

4.13 Layout:

The largest of the blocks is perimeter block in an L shape on the corner of Cheapside and Pelham St which would be set back to provide 2 metre wide pavements on both the Cheapside and Pelham St frontages. Soft landscaping is proposed between the building frontages and the pavements and 1m high railings are indicated to separate these planting areas from the pavements. 3 entrances to the flats are proposed from the public highway on Pelham St and the rest of the entrances are accessed from within the site. To the rear is a parking area, indicated to provide 16 spaces, of which 9 are disabled. Secure and segregated cycle parking is proposed within the lower ground floor of this block, accessed from the parking area. Soft landscaping is proposed around the parking bays and trellises with climbing plants are proposed over some of the car and cycle parking areas.

4.14 Cycle parking is proposed in a mix of Sheffield stands, two-tier racks and individual cycle lockers across the site local to each building core at a rate of 1 no. space per dwelling and 1 per 3 no. dwellings for visitors.

4.15 Refuse stores would be provided at ground floor level within communal bin stores for refuse and recycling for each block.

- 4.16 From the Pelham St vehicular access an east-west 'street' would be formed with 6 storey blocks either side, connected to the parking area to the north and the courtyard and Trafalgar Court to the south via pedestrian undercrofts, and terminated by a 5 storey block at the eastern end with an undercroft that would provide a physical link to the gate at 15 York Place. However, as this link is not within the site ownership there would be no guarantee of access to York Place and cannot therefore be secured through this application. The 'street' would be mainly for pedestrian use and only used by servicing and delivery vehicles. No parking spaces are proposed in this area. Some trees are proposed alongside this street and soft landscaping/planting beds are proposed between the street and the residential blocks to provide defensible space and privacy to ground floor windows. Additional planting is proposed around the entrance gates and fencing.
- 4.17 To the south of this street is proposed a communal garden roughly square in shape with some trees and lawn areas, accessed by an undercroft from the 'street' or from Trafalgar Court. A terrace of 4 no. 3 storey houses is proposed at the southern end of the site which would front onto this communal garden.
- 4.18 Private areas of amenity space are proposed in the form of balconies and areas of shared green space of approximately 1,181sqm. Detail of landscaping is a reserved matter that would be assessed in a separate reserved matters application, however the location and amount of soft landscaping (layout) can be secured through this application.
- 4.19 The internal layout of the development (the stair cores and room layouts) is indicated but is a reserved matter that would be assessed in a separate reserved matters application.
- 4.20 The outline proposal is for up to 135 dwellings, however the accommodation schedule would provide 131 dwellings, with the following mix of room sizes: 8no. studios, 56no. 1 beds, 60no.2 beds and 7no. 3 beds. It is confirmed in the Design & Access Statement and the Accommodation Schedule that all the units would meet the Nationally Described Space Standards minimum for each unit size:
37sqm Studios
50sqm 1 beds (2 person)
61sqm 2 beds (3 person)
70sqm 2 beds (4 person)
86sqm 3 beds (5 person)
The accommodation schedule also states that 6 of the units are proposed as wheelchair accessible. This would represent 4.58% of 131 units or 4.44% of 135 units. The remainder of the dwellings are proposed (in the Design & Access Statement) to meet Part M(4)2 of the Building Regulations Approved Documents, which would be wheelchair adaptable.
- 4.21 Scale:
The development proposed ranges from 2.5 to 6 storeys. The 2.5 storey block is the terrace of 4 houses at the southern end of the site and the top floor is within

a pitched roof; the block to the north opposite the gate at 15 York Place is 4.5 storeys with the top floor within a pitched roof facing York Place and the Valley Gardens conservation area. The block to the west of this block is proposed as 5 storeys and the blocks fronting onto Pelham St and Cheapside are at 6 storeys with the top (5th floor) recessed, and reaching full 6 storey height with recessed balconies either side of the Pelham St access and on the Cheapside/Pelham St corner.

- 4.22 The detailed design of the elevations and roofs (the 'appearance') of the development is a reserved matter that would be assessed in a separate reserved matters application.

However, the submissions provide an indicative appearance that incorporates the extensive use of brick in the elevations. On the Pelham St and Cheapside frontages the ground floor is raised by some 450mm from street level to provide a defensive space and privacy and space for the cycle stores at the rear.

- 4.23 A 'Screening Request' was submitted to the Council which determined that the development would not be Environmental Impact Assessment development. The following documents, in addition to the normal planning application submissions have been submitted in support of the application:

Education Justification Statement
Design and Access Statement
Viability Assessment
Statement of Community Involvement
Heritage Assessment
Transport Assessment and Framework Travel Plan
Landscape Design (Site A)
Arboricultural Assessment and Survey
Lighting Strategy/ Assessment
Sustainability Statement
Energy Statement
Biodiversity Appraisal and Checklist
Daylight, Sunlight and Overshadowing Assessment
Noise Assessment
Air Quality Assessment
Flood Risk Assessment and Drainage Strategy
Archaeological Statement
Contaminated Land Statement and Ground Investigation

5. RELEVANT HISTORY

BH2018/02608: Gloucester Building application for change of use and conversion of existing educational floorspace (D1) to create 2no. three bedroom flats (C3) incorporating alterations to boundary walls, access, landscaping & associated works. Under Consideration

BH2013/01600: Hybrid planning application comprising: Phase 1: Full planning application for erection of an 8 storey (ground plus 7) College building of 12,056 sqm and ancillary accommodation (use class D1), with associated access, infrastructure and, public realm improvements and landscaping. Phase 2a: Full

planning application for demolition of Pelham Tower and erection of a 10 (ground plus 9) storey building of 12,647 sqm to provide 442 student residential units and ancillary accommodation (sui generis use class), with associated access, infrastructure, public realm improvements and landscaping. Phase 2b: Outline planning consent for the demolition of York, Trafalgar and Cheapside Buildings, and the erection of up to 125 residential units (use class C3) (access, layout and scale). Approved 11/04/2014

BH2008/02376: Application for outline planning permission for the redevelopment of the site for a mixed use scheme including the demolition of Pelham Tower and other associated buildings. (Phase 1) for the erection of a 14,237sqm new City College campus and ancillary uses (Class D1) and associated access. (Phase 2) additional college space and (Class D1), student accommodation (Class C1), youth hostel (sui generis), café with ancillary gallery space (Class A3), employment space (Class B1) GP Clinic (Class D1), residential use (Class C3), infrastructure and landscaping works and associated access. Access, appearance, landscaping, layout and scale to be determined for (Phase 1). Access, layout and scale to be determined for (Phase 2). Planning Committee resolution to Mind to Grant 18/03/2009. Finally disposed of by the LPA 21/09/2011.

BH2004/03312/FP: Construction of new three-storey teaching facilities on site of existing surface car park (Pelham Street West) with link to existing main college building (Pelham Tower) and, via first floor bridge link over Pelham Street, with Trafalgar and Cheapside Buildings, together with hard and soft landscaping to new college square and remaining car park. Demolition of York Building and Library and various other single storey structures on Pelham Street east site and construction of 1 and 1 1/2 storey workshops for College use and 13 live/work units, change of use of Gloucester Building to form 2 no. residential studios and refurbishment of remaining College buildings. Approved 30/06/2005.

5.1 PRE-APPLICATION ADVICE

The applicant went through an extensive pre-application consultation with Officers and presented to Members and the Southeast Design Review Panel.

Members were supportive in principle of the proposals to improve and expand the teaching facilities on Site A and the provision of new housing on Site B. However the net loss of college floor space and the wider estates strategy for the college would need to be explained within the application submissions to justify an exception to Local Plan policy HO20. The absence of purpose built student accommodation (PBSA) within the scheme would also need to be justified. Members advised that some residents may welcome the absence of student accommodation in the scheme as many objected to this in the previous scheme. In addition, the reduced scale of development on Site A would also be likely to be welcomed by local residents. Many Members were disappointed that the 12 storey tower is to be retained and requested more improvements to the tower and plinth. Members recommended less visible undercroft parking for both sites to provide more private amenity space and a better outlook for residents. Following Members' concerns over the step-in of the extension fronting onto Whitecross St and over the height of the tall building on site B, the plans were amended to reduce the height on Site B to maximum 6 storeys and

to bring forward the building line of the extension on Whitecross St. Members were also concerned that the Site B buildings could create a canyoning effect in Pelham St and questioned the useability of the balconies fronting onto Pelham St. Members welcomed the provision of public access to the open space on Site A and the potential for public access through Site B to York Place, although acknowledged that there are problems with crime in the local area and the need to secure the site at night-time. Members requested an open book viability assessment if policy complaint level of affordable housing was not offered. Some Members raised safety concern over potential shared spaces within the development. Members wanted to know proposals for the Gloucester Building. Green Roofs were requested. Members requested that contractors liaise with residents to reduce issues with construction noise and traffic. Car Club spaces and free residents bus passes were requested for the new occupants.

The pre-application proposals were reviewed by the SE Design Panel, who made the following comments, in summary:

Site A

- Existing building form is poor with little animation;
- Suggest exploring more comprehensive redevelopment of the site which could provide energy savings;
- Energy strategy is vague and BREEAM Very Good is under-ambitious given that the initial assessment showed just 2% short of Excellent rating;
- Need to clarify phasing of internal refurbishment;
- Not convinced of the layout with the entrance hidden between the wings - whilst the entrance would be more attractive, it would be a retrograde step in terms of urban form and legibility.
- The car parking should be reduced to just provide for blue-badge disabled cars and relocated away from in front of the Whitecross Street wing;
- Welcome the provision of the open space and understand why it needs to be secured at night, however, an alternative layout is suggested that improves natural surveillance and removes the need for it to be gated at night;
- The unattractive rear of Trafalgar St properties need to be better screened, by modest buildings or an attractive wall, rather than vegetation.

Site B

- Concern over the number of residential units proposed and whether an acceptable design can be achieved;
- The appearance of the residential blocks needs to be comparable to or of greater architectural quality than the existing education buildings;
- Not convinced of the south-angled balconies to Pelham St and the building's proposed height could be detrimental to the pedestrian experience of Pelham St;
- Supportive of the 3 entrances from Pelham St which will help activate this street;
- Suggest a more simple internal layout to provide more dual aspect units and more windows in south elevation of southernmost Pelham St block;
- Concern over the quality of shared amenity space and the arm of the Pelham St proposed to meet St Peter's House (which was removed through further round of pre-app);

- Whilst they support principle of creating pedestrian link to York Place, the developer needs to be sure that the gate at York Place will remain open; the route must be overlooked, the route's edges need to be secure and attractive, and calming measures in Pelham St should be explored. Without these items secured a gated community would be better solution and allow more flexibility in the layout and potentially more daylight/sunlight.
- 5.3 Officers requested justification for the absence of purpose built student accommodation (PBSA) as an exception to City Plan policy CP21 and justification for the net loss of academic floorspace. The principle of residential development on Site B was supported by Officers as a valuable contribution towards the Council's housing targets, and it was noted that the redevelopment of this site for up to 125 dwellings was granted outline consent in 2013.
- 5.4 Officers were disappointed that the proposals did not include the removal of the 12 storey Pelham Tower or more external improvements to the existing college building. However, it was acknowledged that many aspects of the scheme would improve the townscape and urban realm, including the new open space and the 3 storey extensions on Site A. The Heritage Officer welcomed the reduction in height of the residential scheme during the pre-application process and agreed that maximum 6 storeys would be likely to be acceptable in principle on the Pelham St/Cheapside frontage, subject to detailed design and submission of key views. The layout of the buildings on Site B was amended through the pre-app process to respond to Officer comments relating to creating vistas, high quality communal gardens, amenity, access, servicing and delivery, and air quality issues.
- 5.5 The proposals on Site A were amended to bring forward the extension closer to Whitecross St to strengthen the building line, and to create more glazing to help activate the street frontages, which were seen as positive changes by the Council. Officers advised that disabled spaces only would be acceptable and that the Sycamore tree in the southeast corner of the site should be retained given its size and quality and the lack of trees in the immediate site context.
- 5.6 During the course of the pre-app process, issues of existing anti-social behaviour in the local area were discussed with Officers and it was agreed that the open space on Site A would need to be secured at night time to prevent an exacerbation of the existing problems. Whilst this would reduce the permeability of the development, it was considered by Officers that this would be necessary.
- 5.7 For Site B, the College advised that they were unable to secure a right of way over adjacent land to connect the development to the gate at 15 York Place. Whilst disappointing in terms of the Council's aspirations to improve the permeability of Site B, Officers accepted that this link would not be currently achievable as neither the College nor the Council has control of the land that would provide this link. However, Officers encouraged the scheme to be designed to allow for this link to be opened up to the public in the future, by providing a physical link through the development from Pelham St to this link at 15 York Place.

- 5.8 Officers also sought changes to the layout to provide improved outlook and daylight for the new residents and to create larger, more consolidated green amenity areas. There were also discussions about how to secure the site if publicly accessible, particularly at night-time which is an ongoing problem in the vicinity of the site and not unusual in a city centre location such as this. Given that direct access through the site from Pelham St to York Place would not be achievable given the current situation outlined above, Officers considered that allowing public access through the remainder of the site would not improve the permeability of the local area. Through this process it was agreed that these problems could best be overcome by preventing public access into the site.
- 5.9 During the pre-application stage the college's Gloucester building, which is locally listed and the only college building within the Conservation Area and is located at the southern end of Site B, was excluded from the outline application proposals in recognition of the requirement for applications in conservation areas be in full detail, and a concurrent application for change of use of this Gloucester building from college D1 use to residential C3 use (2 flats) has been submitted.
- 5.10 The Council advised that should less than policy compliant (40%) level of affordable housing be proposed on Site B, a financial viability report should be submitted to justify this. The DVS provided advice at pre-application stage on the appropriate approach and methodology for the viability report.
- 5.11 Officers requested studies and analysis of existing pedestrian and vehicular movements around the site, in order to establish the footfall levels and to assess the suitability of the relocation of entrances at Site A. Due to the level changes across the open space, section drawings were also requested, to assist in providing a level or ramped, step-free access where possible.