

<u>No:</u>	BH2018/02854	<u>Ward:</u>	Moulsecomb and Bevendean
<u>App Type:</u>	Full Planning Application		
<u>Address:</u>	41 And 42 Park Wall Farm Cottages, Station Approach, Falmer, Brighton		
<u>Proposal:</u>	Demolition of existing houses and erection of a 4 storey student accommodation building with 71no bed spaces and associated access arrangements, cycle parking, car parking and landscaping.		
<u>Officer:</u>	Eimear Murphy, tel: 293335	<u>Valid Date:</u>	12.09.2018
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	12.12.2018
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	
<u>Agent:</u>	Fletcher Rae, 5 Jordan Street, Manchester M15 4PY		
<u>Applicant:</u>	Teckton Student Living LTD, Landmark House, Station Road, Cheadle Hulme, Manchester SK8 7BS		

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 be MINDED TO GRANT planning permission subject to a s106 agreement on the Heads of Terms set out below and the following Conditions and Informatives as set out hereunder, SAVE THAT should the s106 Planning Obligation not be completed on or before the 29th May 2019 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 10 of this report:
- 1.2. S106 Heads of Terms
- A formal agreement with one of the City's Universities or other existing educational establishments including details of the student allocation mechanisms with occupancy restricted to students studying at the educational establishment
 - A contribution of **£6,500** toward the Local Employment Scheme
 - Construction Training and Employment Strategy including a commitment to using 20 percent local employment during the demolition and construction phases of the development
 - A Management Plan to include 24 hour on –site security, control of pedestrian and vehicular accesses, door entry and use of the communal areas

- Incorporation of a clause into any tenancy agreement prohibiting students from bringing cars to the site, other than a disability assistance vehicle for use by a person with mobility impairment
- A Travel Plan and a Residential Travel Information Pack to include a Move In/Move Out Strategy
- Developer Contributions of **£29,400** toward Sustainable Transport, in particular toward improved pedestrian and cycle routes serving the site including, but not limited to, the University sites and Lewes Road.
- Developer Contributions toward Open Space of **£85,451.07**
- Construction Environmental Management Plan (CEMP) – To be submitted and agreed prior to the commencement of works on site to include site waste management.

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	17008_PL001		12 September 2018
Existing Site Plan	17008_PL002	A	22 January 2019
Proposed Site and Ground floor Plan	17008_PL100	S	22 January 2019
Proposed 1 st to 3 rd Floor Plan	17008_PL101	M	22 January 2019
Proposed Roof Plan	17008_PL102	I	22 January 2019
Proposed Elevations Sheet 1	17008_PL200	I	22 January 2019
Proposed Elevation Sheet 2	17008_PL201	I	22 January 2019
Contextual Elevation	17008_PL202	A	22 January 2019
Proposed Sections	17008_PL300	G	22 January 2019
Typical Internal Room Layout_ Cluster Beds and Studios	17008_PL400	C	22 January 2019
GIA and Area Schedules	17008_PL500	A	22 January 2019
Visuals Sheet 1	17008_PL900	E	22 January 2019
Visuals Sheet 2	17008_PL901	C	22 January 2019
Drainage Details	51486/SK21		12 September 2018
Drainage Layout	51486/SK20		12 September 2018

LV Distribution + Containment Layout Roof Plan	8745-E06		12 September 2018
Roof Plant Layout – Solar Thermal	8745-M05		12 September 2018

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

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

3. No works shall commence on site until a full photographic of the building has been carried out to record the building internally and externally and submitted to Brighton and Hove City Council, together with marked up floor plans and elevations. This record shall be carried out by an archaeologist / building recorder or an organisation with acknowledged experience in the recording of standing buildings to professional standards and guidance, which is acceptable to Brighton and Hove City Council.

Reason: This pre-commencement condition is imposed because it is necessary to ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with Policy CP15 of the Brighton and Hove City Plan Part One

3. Other than demolition, no development above ground floor slab level of any part of the development hereby permitted 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 facing bricks including colour, tone and texture
- 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 treatment
- 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 QD14 and HE3 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.

5. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling 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.

6. The development hereby permitted shall not be occupied until a plan detailing the height, design, materials and type of all existing and proposed boundary treatments including access gates (and control mechanisms) have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments and gates shall be provided in accordance with the approved details prior to occupation of the development and shall thereafter be retained at all times.
Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with Policy QD27 of the Brighton & Hove Local Plan, Policies CP12 and CP13 of the Brighton & Hove City Plan Part One.
7. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policies CP8 & CP11 of the Brighton & Hove City Plan Part One.
8. No tree shown as retained on the approved drawings including T1 (Sycamore) and T4 (Wych Elm) shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority. 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.
Reason: To enhance the appearance of the development in the interest of the visual amenities of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development in compliance with policies QD15 of the Brighton & Hove Local Plan and CP12 and CP13 of the Brighton & Hove City Plan Part One.
9. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), the updated tree protection measures which includes T1(Sycamore), T4(Wych Elm) and the G2 (Hedge of hawthorn, goat, willow and elm) shall be implemented on site. An arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the AMS:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the

- areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- e) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
 - f) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
 - g) a specification for scaffolding and ground protection within tree protection zones.
 - h) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area, details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment
 - i) materials, fuels and waste as well concrete mixing and use of fires
 - j) Boundary treatments within the RPA
 - k) Methodology and detailed assessment of root pruning

The development thereafter shall be implemented in strict accordance with the approved details

Reason: To satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with SPD06 and Policy QD16 (Trees and Hedgerows) of the Brighton & Hove Local Plan.

10. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:
- 1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
 - 2) location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - a) permeable paving
 - b) tree pit design
 - c) underground modular systems
 - d) Sustainable urban drainage integration
 - e) use within tree Root Protection Areas (RPAs);
 - 3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
 - 4) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
 - 5) types and dimensions of all boundary treatments

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Unless required by a separate landscape management condition, all soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is

removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with SPD 06, QD 16 (Trees and Hedgerows).

11. Prior to the commencement of the development hereby approved (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. A letter of engagement will be required between the applicant and the chosen arboricultural consultant.

Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with SPD06 and Policy QD16 (Trees and Hedgerows) of the Brighton & Hove Local Plan.

12. Prior to occupation of the development hereby permitted, a scheme for landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be implemented in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. The scheme shall include the following:

- a) details of all hard and soft surfacing to include type, position, design, dimensions and materials and any sustainable drainage system used;
- b) a schedule detailing sizes and numbers/densities of all proposed trees/plants including details of tree pit design, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period;
- c) details of all boundary treatments to include type, position, design, dimensions and materials;
- d) detailed plan for the management of the communal open space including hard and soft landscape areas

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.

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. No development shall take place until an Ecological Design Strategy (EDS) addressing retention and protection of existing habitats during construction, enhancement of the site for biodiversity, and the provision of bird and bat boxes/bricks within the development, has been 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 ensure that any adverse environmental impacts of development are mitigated and compensated and to provide a net gain for biodiversity in accordance with Policy QD16 of the Brighton & Hove Local Plan and Policy CP10 of City Plan Part One.
14. The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.
- Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan and SPD14: Parking Standards.
15. The vehicle parking area(s) shown on the approved plans shall not be used otherwise than to provide for the parking of vehicles associated with the managed access moving in and out of students at an appointed time and shall be kept free at all other times in accordance with a Travel and Management Plan which shall be submitted to and approved in writing by Brighton and Hove City Council. The spaces shall not be used for any other purpose and shall be maintained to ensure their availability for such use at all appointed times.
- Reason:** To ensure that adequate parking provision is retained and to comply with policy CP9 of the Brighton & Hove City Plan Part One and SPD14: Parking Standards.
16. The development hereby permitted shall not be occupied until the extended crossover and access has been constructed.

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

17. The development hereby permitted shall not be occupied until a Delivery & Service Management Plan, which includes details of the types of vehicles, how deliveries servicing and refuse collection will take place and the frequency of those vehicle movements has been submitted to and approved in writing by the Local Planning Authority. All deliveries servicing and refuse collection shall thereafter be carried out in accordance with the approved plan.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with policies SU10, QD27 and TR7 of the Brighton & Hove Local Plan.

18. The development hereby permitted shall not be first occupied until the disabled car parking spaces shown on the submitted plans have been implemented and made available in accordance with the Travel and Management Plan for the management of the moving in and out of students at an appointed time and shall be kept free at all other times. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

Reason: To ensure the development provides for the needs of disabled staff and visitors to the site and to comply with policy TR18 of the Brighton & Hove Local Plan and SPD14: Parking Standards.

19. The wheelchair accessible student accommodation hereby permitted as detailed on drawing no. PL100S received on 22 January 2019 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. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

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.

20. Within 3 months of first occupation of the non-residential development hereby permitted a BREEAM Building Research Establishment has issued a Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM New Construction rating of 'Excellent' and such certificate has been submitted to, and approved in writing by, the Local Planning Authority.

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

21. None of the student rooms/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.
22. Prior to first occupation of the development hereby approved, details of the solar and photovoltaic array referred to in the Sustainability Checklist and shown on Drawing No. 17008_PL102 Rev I received on 22 January 2019 shall be submitted to and approved in writing by the Local Planning Authority. The solar and photovoltaic array shall then be installed in accordance with the approved details.
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.
23. Prior the commencement of development details of approved in writing by Brighton & Hove City Council and shall be implemented prior to the first occupation of the soundproofing of the party ceilings, floors and walls between student rooms including communal areas, shall be submitted to and 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.
24. The development hereby permitted shall not be first occupied until
 i) details of external lighting, which shall include details of; levels of luminance, predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent receptors, hours of operation and details of maintenance have been submitted to and approved in writing by the Local Planning Authority.
 ii) the predicted illuminance levels have been tested by a competent person to ensure that the illuminance levels agreed in part1 are achieved. Where these levels have not been met, a report shall demonstrate what measures have been taken to reduce the levels to those agreed in part i).
 The external lighting shall be installed, operated and maintained in accordance with the approved details and thereafter retained.
Reason: To safeguard the amenities of the area, to reduce light spillage and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.
25. No development including demolition shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, inter alia:
 (i) The phases of the Proposed Development including the forecasted completion date(s) ;
 (ii) A commitment to apply to the Council for prior consent under the Control of Pollution Act 1974 and not to Commence Development until such consent has been obtained;

- (iii) A scheme of how the contractors will liaise with local residents, businesses and elected members to ensure that they are all kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme);
- (iv) A scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise, dust management, vibration, site traffic, parking by staff and contractors and deliveries to and from the site;
- (v) Details of hours of construction including all associated vehicular movements;
- (vi) Details of the construction compound, including the proposed location, design and construction of vehicular accesses to this from the highway, associated measures to manage local traffic movements around this (including those by pedestrians and cyclists) and any associated on-street restrictions and other measures necessary to minimise congestion on the highway and permit safe access by site vehicles;
- (vii) A plan showing construction traffic routes
- (viii) A scheme to minimise congestion, delays and disturbances to traffic and public transport services in the vicinity of the site owing to staff and contractor car parking and site traffic. This will include the identification of areas for staff and contractor parking. The scheme shall be informed by 16 hour parking stress surveys of the streets and public car parks in the vicinity of the site. These shall be carried out in accordance with the Lambeth methodology and shall be conducted on one neutral weekday and one Saturday, with the survey extent, dates and times to be agreed in advance with the Council;
- (ix) An audit of all waste generated during construction works.

The construction shall be carried out in accordance with the approved CEMP.

Reason: As this matter is fundamental to the protection of amenity, highway safety and managing waste throughout development works and to comply with policies QD27, SU9, SU10 and TR7 of the Brighton & Hove Local Plan, policy CP8 of the City Plan Part One, and WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 an Supplementary Planning Document 03 Construction and Demolition Waste.

26. No development, including demolition and excavation, shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.

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.

27. The development hereby permitted shall not exceed ground floor slab level until a written scheme has been submitted to the local planning authority for approval which demonstrates how and where ventilation will be provided to each student unit and communal living areas within the development including specifics of where the clean air is drawn from and that sufficient acoustic protection is built into the system to protect end users of the development. The approved scheme shall ensure compliance with Building Regulations as

well as suitable protection in terms of air quality and shall be implemented before to occupation and thereafter retained.

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

28. The development hereby permitted shall not commence until full details of existing and proposed ground levels (referenced as Ordnance Datum) within the site and on land and buildings adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, in addition to comply with policy QD27 of the Brighton and Hove Local Plan and CP12 of the Brighton and Hove City Plan Part One.

29. Other than demolition works and works to trees, the development hereby permitted shall not be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: As this matter is fundamental to the acceptable delivery of the permission to prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policy SU3 of the Brighton & Hove Local Plan.

30. The development hereby permitted shall not be occupied until details showing the type, number, location and timescale for implementation of the compensatory bird and bat boxes and/or bricks has been submitted to and approved in writing by the Local Planning Authority. This shall include a minimum of boxes as advised by the County Ecologist including types. The scheme shall then be carried out in strict accordance with the approved details and thereafter retained.

Reason: To safeguard these protected species from the impact of the development and ensure appropriate integration of new nature conservation and enhancement features in accordance with policies QD18 of the Brighton & Hove Local Plan and CP10 of the Brighton & Hove City Plan Part One and SPD11: Nature Conservation and Development.

31. Other than demolition works, no development above ground floor slab level of any part of the development hereby permitted shall take place until details of the proposed green walling and maintenance and irrigation programme have been submitted to and approved in writing by the Local Planning Authority. The walls shall thereafter be constructed, maintained and irrigated in accordance with the approved details.

Reason: To ensure that the development contributes to ecological enhancement on the site and visual amenities in accordance with policy CP8 and CP10 of the Brighton & Hove City Plan Part One.

32. Other than demolition works and works to trees, details of the sustainable reuse and recycling of water as referred to in the Sustainability Checklist shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved details.

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.

33. Within three months of the date of first occupation a Travel Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be fully implemented in accordance with the approved details.

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

34. Before first use or occupation of the development hereby approved, a Management Plan relating to the access gates, entrance doors including cycle store and 24 hour on-site security, the moving of receptacles to the bin store loading area, use of the communal lounge and communal living areas, shall be submitted to and approved in writing by the Local Planning Authority. The use shall thereafter be managed in accordance with the approved Management Plan.

Reason: To ensure the provision of satisfactory management measures for a safe and secure development and to comply with Policies CP12 and CP21 of the Brighton & Hove City Plan Part One.

35. Other than demolition works and works to trees, no development above ground floor slab level of any part of the development hereby permitted shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved details.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to comply with policies SU4 of the Brighton & Hove Local Plan and CP11 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 that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the MCHLG website (www.communities.gov.uk).
3. To be read in conjunction with Condition 9:
The following British Standards should be referred to:
 - a) BS: 3998:2010 Tree work – Recommendations
 - b) BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations
4. To be read in conjunction with Condition 10:
The following British Standards should be referred to:
 - a) BS: 3882:2015 Specification for topsoil
 - b) BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
 - c) BS: 3998:2010 Tree work – Recommendations
 - d) BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
 - e) BS: 4043:1989 Recommendations for Transplanting root-balled trees
 - f) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
 - g) BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
 - h) BS: 8545:2014 Trees: from nursery to independence in the landscape – Recommendations
 - i) BS: 8601:2013 Specification for subsoil and requirements for use
5. To be read in conjunction with Condition 11:
The following British Standards should be referred to:
 - a) BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations
6. To be read in conjunction with Condition 13: Details of proposed species mixes, provenance, and the location of the proposed works on site is required. The EDS is required to provide more information about the timetable for implementation and management. This should also include details of the management of hedges (which should be cut in late winter and on alternative sides not just simply managed outside the bird nesting season. Details should be included of the green including species of plants. The applicant is advised to review the proposed bird boxes as three bird boxes targeting common species is not supported and should target house sparrows, starlings and/or swifts. Consideration should be given to woodcrete boxes.
7. To be read in conjunction with Condition 16: New/extended crossover: The planning permission granted includes a vehicle crossover which requires alterations and amendments to areas of the public highway. All necessary costs including any necessary amendments to a Traffic Regulation Order (TRO), the appropriate license and application fees for the crossing and any costs associated with the movement of any existing street furniture will have

to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. The crossover is required to be constructed under licence from the Head of Asset and Network Management. The applicant is advised to contact the Council's Streetworks Team (permit.admin@brighton-hove.gov.uk 01273 290729) for necessary highway approval from the Highway Authority prior to any works commencing on the adopted highway to satisfy the requirements of the condition.

8. BREEAM: The applicant is advised that details of the BREEAM assessment tools and a list of approved assessors can be obtained from the BREEAM websites (www.breeam.org).
9. To be read in conjunction with Condition 30:
Birds: The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting wild birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March – 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.
Bats: The applicant is advised of the possible presence of bats on the development site. All species of bat are protected by law. It is a criminal offence to kill bats, to intentionally or recklessly disturb bats, damage or destroy a bat roosting place and intentionally or recklessly obstruct access to a bat roost. If bats are seen during construction, work should stop immediately and Natural England should be contacted on 0300 060 0300.
10. The applicant is advised that no mechanical excavation is allowed within 3 metres either side of the Southern Gas Networks pipeline. Vehicle crossings over the pipeline should be kept to a minimum and must be crossed at 90 degrees. The crossing will require the agreement of Southern Gas Networks (SGN) and may require design and calculations, as evidence to prove there is minimal added stress to the pipeline. Method statements must be agreed before works commence.

The pipeline is of prime importance to gas supplies of this area. It is essential that the applicant complies with the restrictions detailed below and in the SGN/W1/SW/2 in order to protect plant and equipment and for the safety of the applicant's operatives. A SGN representative must be contacted before any works commence. Further guidance/restrictions are detailed below:

1. No mechanical excavation is allowed within 3 metres each side of the pipeline.
2. No plant or storage of equipment shall be made within any easement strip.
3. If any metallic pipes or cables are being laid in proximity to gas pipelines then interference testing will be required, the cost of which to be borne by the promoter of the works. A minimum clearance of 600mm is required.
4. All precautions stated in publication SGN/WI/SW2 (Safe Working in the Vicinity of High Pressure Gas Pipelines) shall be fully complied with in all respects. Acceptance of SGN/WI/SW2 shall be acknowledged by the

- responsible site person signing and returning the form Appendix A (back page) to the SGN representative contacted in (7).
5. No thrust boring shall take place within 3 meters of the pipeline.
 6. All planting within the easement strip should comply with 'Notes for Guidance on Tree Proximity'.
 7. Before commencing work on site you must contact SGN's Pipeline Maintenance Section on the number above at least three days before work commences. A Southern Gas Networks representative will then contact you to arrange to visit site. Details of working near to high-pressure gas pipelines can then be discussed.
 8. Pipeline sections that are planned and agreed by SGN to be permanently covered (i.e. by road surface) will require a coating survey. SGN will repair any indicated coating defects free of charge. The survey costs will be borne by the promoter of the works. Prior to any surface cover cathodic protection coupons and reference cells will require installation at no cost to SGN.
 9. This pipeline is cathodically protected and as such has test cables located in test posts, were these to be lost through this work we would look to you for remedial action at no cost to SGN.
 10. Intrusive construction methods will require an agreed method statement prior to work starting.
 11. Any extended period of SGN site supervision may incur charges to the applicant. These will be charged based on visiting times, materials and occurrences. The Applicant will be informed when these come into effect and be invoiced direct.
 12. Any piling or boreholes within 15 metres of the pipeline may require vibration monitoring. No piling or boreholing must take place within 3 metres of the pipeline.
11. Southern Water advises:
- (a) The Applicant is advised that there should be no excavation, mounding or tree planting should be carried out within 7 metres of the public water trunk main without consent from Southern Water.
 - (b) No new soakaways should be located within 5 metres of the water trunk main.
 - (c) All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.
 - (d) Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.
 - (e) The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
 - (f) Initial investigations indicate that Southern Water can provide foul and surface water sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

- (g) A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read through our New Connections Services Charging Arrangements documents which has now been published and is available to read through on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>.
 - (h) Please note that surface water peak discharge rate from the proposed development must not exceed 5l/s as previously agreed.
 - (i) "A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".
 - (j) The site lies within Source Protection Zone 1, approximately 60 metres East from the Falmer Wells and sensitivity of the public water abstraction.
12. As the site is within SPZ1, it will limit activity on the site, such as no chemical storage. Positive drainage is required off-site for all foul and surface water, (car park), drainage, utilising ductile iron, or similar, pipework. The only soakaways allowed are purely for roof drainage. Approved construction method statements are required to prevent spillages of contaminating material entering the aquifer. As a further back-up, contractors, who should be made fully aware of the sensitive nature of the site by the new owners of the land, should carry out an assessment of the risks involved in laying and connecting sewers within an SPZ1. Any significant risks thus identified should be properly managed by liaising with both the regulator, (EA), and the abstractor, (SW), in order to fully comply with the Groundwater Protection Policy.

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1. The site is located within the development boundary for the city, to the south side of the A27 adjacent to Falmer Station. It is positioned between the A27 dual carriageway and the railway line with access from Station Approach, a partly private road that also serves Falmer Railway Station and the station carpark. Beyond this and to the south is the University of Brighton Falmer Campus. The University of Sussex campus is to the north of the A27. The station is located to the west, a stadium car park to the east and there are a small number of residential properties located towards the west on the opposite side of Station Approach, beyond which is Stanmer Court which is purpose-built student accommodation.
- 2.2. The site currently comprises a pair of unoccupied semi-detached flint cottages that are unoccupied and boarded up. These are positioned to the back of the site with the main gardens being to the north and the access to the east side of Station Approach. Apart from the boundary to the east, the remaining boundaries are defined by existing vegetation and trees.
- 2.3 The buildings are not listed or located within a Conservation Area. The South Downs National Park is located to the north, across the A27. The site is also

outside of the Stanmer Estate which is a Grade II registered park and garden located to the north west and on the opposite side of the A27.

- 2.4 Access to the SDNP is available via the path network and underpass that runs beneath the A27. This also serves as a pedestrian and cycle link for those attending the University. It is within a Nature Improvement Area. It is in close proximity to Special Policy Area DA3 – Lewes Road Area of the City Plan Part One which highlights the need to enhance the offer for Higher Education students studying at the city's two universities.
- 2.5 In addition to Falmer Station the nearest bus stop for south and west bound travel is located approximately 2 minutes on foot either continuing along Station Approach or via the A27. The bus stop for those travelling to the east is located on the opposite side of the A27 and is accessed via the underpass and footpath network within the University grounds. Pedestrian traffic also moves across the railway pedestrian bridge to the west beyond the station entrance to the underpass.
- 2.6 This application seeks planning permission for the demolition of the existing cottages and their replacement with a new 4 storey building comprising 71 student rooms including 55 cluster beds, 15 Studio apartments and 1 Disabled Unit. The building also includes a main reception, communal areas on all floors, bicycle storage, waste and recycling storage and a substation. It represents a revision to the previously withdrawn scheme which proposed a larger building and 90 student bedrooms.
- 2.7 The main differences include a reduction in the overall number of student rooms from 90 to 71; revisions to the layout within the site; a lesser footprint including its overall depth and width; alterations to windows; use of materials and detailing including the provision of signage to the elevations facing the A27(north) and Station Approach (west); the relocation of the disabled bay and pedestrian access.
- 2.8 The most recent set of amended plans indicate that the building would stand to a height between 13.2 and 14.2 metres due to the slope of the land. The elevation facing Station Approach to the west would measure approximately 18.4 metres in length. To the east side facing the stadium car park it would be approximately 19.74 metres in length. The southern elevation would measure approximately 32.33 metres and the northern elevation facing the A27/Falmer Hill would be approximately 32.2 metres.
- 2.9 The attached cycle store would be single storey standing to a height of 2.97 metres with green screening walls. The bin store would be positioned alongside in a fenced area open above.
- 2.10 It is proposed that the elevations would be comprise three tones of brick varying between a darker red/brown to a lighter tone to create a variegated appearance across the elevations, a dark brick coloured base, a dark string course above the top floor windows and a dark capping stone to the top of the parapet. Windows are shown with dark recessed frames with a vertical emphasis and a variation in the size of those to the north and south elevation. In order to alleviate the flat appearance of the brick elevations, sections of the

elevations would also contain expressed flat pilasters rising from the ground to fourth floor stopping below the height of the parapet.

- 2.11 A reduced footprint retains a greater distance between the northern elevation and the site boundary with the A27/Falmer Hill and would provide an improved relationship with existing trees. This would remove the conflict between the disabled parking bay and recycling bin loading bay and allow for the retention of Tree T1 (Sycamore) and T4 (Wych Elm) as well as the existing mixed hedgerow to the northern part of the site.
- 2.12 The roof has been designed to accommodate the installation of mounted solar technologies with the Sustainability Checklist suggesting Solar Photovoltaics over 64sqm.
- 2.13 Four carparking spaces are provided in total including a disabled bay. The purpose of the parking bays is to accommodate students moving in and out of the accommodation, not for permanent parking. Storage for 56 cycles is shown. Due to concerns regarding pedestrian movement, the gated pedestrian access has been separated from the gated vehicular access. It siting has been revised to encourage safer movement across Station Approach to the pavement on the opposite side of the road and onward movement to the pedestrian footbridge, footpath links to the bus stops on the A27 and the underpass to Sussex University and Stanmer Park.
- 2.14 The supporting documents/statements include Planning; Design & Access Statement, Transport Assessment; BREEAM Ecology (New Construction Assessment); Sustainability Checklist Air Quality Assessment; Noise Impact Assessment; Preliminary Ecological Appraisal and Building Inspection (Ecology/Biodiversity including bats, reptiles, badgers); Flood Risk Assessment; a Tree Survey and Landscaping.
- 2.15 Additional information has been submitted to address secured by design, fire protection/escape, refuse storage and collection, and cycle stands/storage issues.

3. RELEVANT HISTORY

- 3.1. Pre-application advice had been sought for the development of the site for 62 student bedspaces involving a part 3 and part 4 storey building in 2015 under reference BH2015/ENQ/00432. At that time, it was advised inter alia, that:
 - As the cottages had been vacant for some time and the need for student accommodation in the city, the overall benefits of the scheme would outweigh the loss of the two houses;
 - The site is considered to be appropriate for student accommodation;
 - The site is close to City Plan Policy Area DA3 where higher education improvements are sought for Lewes Road.

Further discussions occurred during 2016 in relation to a building of 4 storeys providing 91 student studio rooms with the advice that the footprint of the building was too large for the site. The need for a formal agreement with an educational establishment would be required to satisfy Policy CP21; a

Transport Statement would be required to demonstrate that overspill can be accommodated in the vicinity; a Move In/Move Out Strategy would be required to demonstrate how the development would facilitate access at the beginning and end of term time (including a loading/unloading area) as well as noise/vibration; ecology and land contamination assessments.

- 3.2. Additional consultations followed in mid 2017 prior to the submission of a formal application advising on further reductions to footprint and height.
- 3.3. **BH2017/02943:** Demolition of existing houses and Erection of a 3 and 4 storey student accommodation building with 90no rooms and associated cycle parking, car parking and landscaping. Withdrawn 19/12/17

4. REPRESENTATIONS

Forty six (46) letters have been from local residents but also persons from further afield. These relate to the original submission and raise objections for the following reasons:

Principle

- The site is not currently identified as suitable for development of purpose built student accommodation
- Area already over-populated with student accommodation
- Unacceptable loss of family homes

Heritage

- No heritage or archaeological impact assessment has been provided
- Existing cottages are attractive, should be retained, renovated and reused either as family homes or student accommodation
- Cottages should be listed and their loss resisted
- Form part of the farming and architectural history of the area, historic value should be preserved

Design, Scale, Mass, Character

- Inappropriate for the site and setting / too urban
- Does not fit in with the Victorian Railway Station and its cottages
- Aesthetically inappropriate and poor block-line design
- Prison-like
- Inappropriate modern materials
- Will cause more harm to character
- In appropriate height
- Overdevelopment

Residential Amenities

- Detrimental effect on residential amenity through:
- Overshadowing
- Overlooking
- impact on privacy
- will restrict views
- creation of additional noise

- student accommodation will be affected by noise from the A27

Movement (Pedestrian and Vehicular) / Safety and Parking

- Will result in an increase footfall particularly when football matches are on
- Increased traffic generation adding to existing congestion including when students move in and out
- Increase in the risk of accidents occurring
- Inadequate on-site parking
- Local roads are not able to cope at the beginning and end of the academic year

Biodiversity/Ecology

- Adverse impact on biodiversity
- Potential impact on bats noting report states Moderate roosting for bats and a license
- Queries regarding the protection of Great Crested Newts

Other Points

- Light pollution is already high
- Questions if there is a covenant regarding development

- 4.1. **The Regency Society:** No objection. Whilst there is no objection in principle to demolition of the existing buildings they should be replaced with a more sympathetic development. Proposals are unattractive and can be viewed from the South Downs National Park.
- 4.2. **The Royal Society for the Protection of Birds:** Comment. If permission is to be granted urge that 4-6 swift nest boxes/bricks are incorporated given their rapid decline in population.
- 4.3. **South Downs Society:** Comment. Concerns are expressed in relation to the impact on the setting and landscape character of the National Park: light spill and need to protect the dark night sky; building materials to be locally distinctive and accord with the landscape and setting of the Park; could generate additional traffic flow through the Park.

5. CONSULTATIONS

External

- 5.1. **Brighton and Hove Archaeological Society:** Comment. Falmer is a site of archaeological interest with finds from both the Mesolithic and Bronze Age periods. The BHAS would suggest the County Archaeologist is consulted for his recommendations.
- 5.2. **Highways England:** No objection on the basis that the applicant has agreed that:
1. The tenancy Agreement will include wording that prohibits students from bringing cars to the site and its surrounding area other than a disability assistance vehicle for use by a person with mobility impairment;

2. The potential for overspill parking at the start and end of term will be governed by a Management Plan with an arrival and departure strategy, which will need to be agreed by the Local Planning Authority, who shall also consult Highways England; and
 3. A Construction Management Plan will be provided, which will need to be agreed by the Local Planning Authority, who shall also consult Highways England.
- 5.3. **South Downs National Park:** No objection in principle. States that: The application site has the potential to impact upon the setting of the National Park with the proposal constituting a building of significant scale. Brighton and Hove City Council should satisfy themselves that design and scale of the building has taken account of its potential impact upon the landscape character of the National Park (no landscape assessment appears to have been undertaken to inform the design), includes measures to minimise light spill to protect the dark night skies of the National Park and, finally, utilises materials that are locally distinctive enhancing the character of the setting of the National Park.
- 5.4. **Southern Water:** Comment. Initial investigations indicate that South Water can provide foul and surface water sewerage disposal to service the proposed development. Exact position of the public water main must be determined on site by the applicant before the proposed layout is finalised. A formal application for connection to the public sewerage system is required to service this development. Recommends advice / informatives.
- 5.5. **Sussex Police:** Comment. The proposed accommodation is located close to the busy A27 Lewes to Brighton Road and also the Falmer Railway Station entrance. Also nearby is the Amex Football Stadium with a large movement of people at various event times with occasional incidents of public order and antisocial behaviour centred mainly in the vicinity of the Falmer railway station.

The proposed development will also be located nearby other student accommodation to the south of it and Sussex University on the opposite (west) side of the A27 trunk road. Points to note and accommodate include:

- Access control will be an essential element in controlling unauthorised access to vehicle and pedestrian accesses
- The main perimeter vehicle and pedestrian gates must have controlled access and be certified to LPS1175 Issue 7 SR1.
- Public areas should be kept separate from private areas.
- The two metre high paladin weldmesh vehicle gates and pedestrian access gates together with the paladin perimeter fencing around the west and north side of the development will help provide a secure environment for the students.
- Gates must be fitted so that they cannot be lifted off their hinges, and in such a way as to prevent aids to climbing over or gaining access underneath.

- recommend that the wooden boundary fence on the east side of the development, and the brick wall on the south side of the development when both repaired also have their heights matching the 2 metre high paladin fencing to also help deter climbing.
- Suggest fitting wooden trellis where applicable to increase the height. This would provide additional security for all the back bedroom windows on the ground floor.
- recommend the hedgerow planting around the east and southern sides of the perimeter must be dense to help deny pedestrian access through it, as well as provide screening
- External entry doors, ground floor windows or any other easily accessible or vulnerable windows to the accommodation building are to conform to LPS 1175 Issue 7 SR2 specifications and have controlled access.
- Regarding the main entrance to the building, curtain walls and window walls must be installed according to manufacturer's instructions.
- Postal arrangements for the building are through the wall, external or lobby mounted secure post boxes with postal arrangements for students receiving mail formulated with the reception staff or concierge.
- Minimum lighting specifications should include dusk to dawn low energy, vandal resistant switched lighting around the external entrance and internal foyer. Stair wells and stair cases should also be fitted with either dusk to dawn lighting or movement activated switched lighting.
- SBD asks for 'compartmentalisation' internally to create a safe and secure communal environment for residents occupying blocks of multiple flats, bedsits or bedrooms, to reduce the opportunity for antisocial behaviour by restricting access to all areas and floors of the building to all residents including an access control system including from the central core, lift and stairwells where each student is assigned access to the floor on which their room is located via the use of a proximity reader, swipe card or key or door sets on each landing and can prevent unauthorised access to the corridor where their room is located. The application of such is a matter for the specifier.
- Corridor doors should be fitted with vision panels.
- Additional internal features and controls are advised including doors, lighting
- The separate secure cycle store must have movement activated lighting installed and a front door accredited to PAS 24:2016 and which is lockable. A swipe card or keyed mortise lock to BS 3621 would be suitable together with a door closer to ensure it automatically closes for security and that it is not possible to enter or exit with a bicycle without a door key or code. The bicycle store should be fitted with a controlled access door fit for purpose.
- Due to the potential large number of bicycles likely to be stored, and in order to reduce the opportunity for theft of a bicycle or equipment from them, I recommend that the bicycle store is divided into two separate compartments, with a floor to ceiling barrier such as weld mesh, each with its own access controlled door.
- Consideration should be given to any potential CCTV ensuring that the lighting is commensurate with the CCTV equipment.

Note: The Agent has confirmed that all points will be addressed and implemented within the scheme. In the second consultation response it was

stated that there were no major concerns with the proposal but additional measures to mitigate against any identified local crime trends should be considered and re-refers to the earlier consultation as all matters remain extant including that CCTV should be a consideration.

- 5.6. **Scottish Gas Networks:** Comment. Initially SGN stating that there are high pressure pipelines in the vicinity of your proposed work area. Although initially raising an objection due to the presence of high pressure pipelines in the vicinity of the proposed work area, it has been indicated that the gas pipeline will not be affected by the proposal. A list of restrictions are presented and the developer will be required to contact SGN before any works commence.
- 5.7. **UK Power Networks:** Comment. A supply line crosses the site. Advice is provided in respect of excavation and work where supply lines are present.
- 5.8. **Network Rail:** No objection. Recommends advice and informatives regarding construction, safeguard, future maintenance, drainage, containment and prevention of trespass.

Internal:

- 5.9. **Planning Policy:** Support. This application follows the withdrawal of a previous application and now proposes 71 units as opposed to 90 and 1,449 sqm ancillary residential areas to be managed by the development management company. It proposes the loss of 2,222 sqm of gross internal residential floorspace provided by the two vacant semi-detached dwellings that are in a dilapidated state, empty and unmaintained for some years.

The loss of two family homes is regrettable given the lack of interest from marketing, a number of factors, cumulatively, justify an exception to LP Policy HO8 in this instance given:

- The need for additional Purpose Built Student Accommodation (PBSA) in the city, to enhance the offer high quality student accommodation;
 - To reduce the pressure on the private rented sector and free up family-sized homes which have increasingly been used as HMOs for students, but are in high demand due to the shortage of social and affordable housing for families generally.
 - The dwellings are currently vacant and appear to have been so for some time;
 - Close proximity of the site to two university campuses and excellent sustainable transport links making it a very suitable location for a PBSA development.
 - The overall benefits of the scheme would outweigh concerns over the loss of two houses and an exception to this policy is justified.
- 5.10. The site is well positioned in relation to the two university campuses as well as having good public transport and highway links. The land is surrounded by

the A27, the Brighton to Lewes railway line, the American Express Football Stadium and the University of Brighton.

5.11. Proposals for PBSA development are supported City Plan Policy CP21 subject to compliance with seven criteria set out in the policy. No concerns are raised from a planning policy perspective for the reasons set out below.

- Criteria (1), (2) and (5) are for the case officer to assess.
- The site is very well positioned in relation to two university campuses as well as having good public transport and road links, and no concerns are therefore raised with criterion (3)
- The Planning Statement indicates that a Management Plan will be in place which will restrict the right of students to use private vehicles and will control traffic demand during the main arrival and departure periods, satisfying criterion (4)
- No evidence has been provided to demonstrate compliance with criterion (6) which requires schemes to demonstrate that they have entered into a formal agreement with one of the city's two Universities or other existing educational establishments.
- The applicant has stated that a nominations agreement is forthcoming with Study Group. Details of this formal agreement should be required by condition.
- The site is not identified as a potential housing site through a site allocation or in the SHLAA and no concerns are therefore raised with criterion (7).

5.12. The Study Group will be responsible for management and maintenance of the premises and the application form says 5 FTE jobs will be created, which would be welcomed by City Regeneration. The development will bring indirect economic benefits, if approved, for nearby shops, cafes.

In addition the following is advised:

- requests the submission of an Employment and Training Strategy a month prior to commencement, highlighting how the development will provide opportunities for employment and training for local people
- if approved, in accordance with the council's *Developer Contributions Technical Guidance, City Regeneration requests a contribution of £6,500 through a S106 agreement, towards the delivery of the council's Local Employment Scheme. The contributions are based on the number of student accommodation units.
- considers a Management Plan to restrict the right of students to use private vehicles, controlling traffic demand during the main arrival and departure periods meet criterion 4 of Policy CP21.
- A Site Waste Management Plan appropriate for the scale of the development should be required by condition.
- Facilities for efficient management of waste is required.

5.13. **Arboriculture: Objection.** Notes a total of nine trees and three hedges are proposed to be removed including a healthy elm tree (T4) and sycamore (T1)

which are visible from the A27 and users of the railway line. These are worthy of protection by a tree preservation order and should be retained. and protected during the proposed development. In addition to the G2 Hedge of (hawthorn, goat willow and elm) as it is healthy, in good condition and will provide an important visual and sonic screen to the very busy A27 road adjacent to the site. If minded to approve, conditions are recommended in respect of:

- Hard and soft landscaping
- Excavations
- Protection of trees

- 5.14. **Amended Plan Comments:** No objection and recommends conditions. Welcomes the retention of T1 and T4; suggest the three new trees are of a larger specification; the soft landscaping space should be increased to soften the development and improved landscaping with greater detail. Conditions are recommended.
- 5.15. **County Archaeologist:** Comment. Notes that the requirements of Policy 189 of the NPPF has not been met. The proposed development is of archaeological interest due to the demolition of the a mid-19th century building, possibly being the Stations Masters House. Although not designated, it is of local archaeological and historic interest and will require recording by an archaeological contractor prior to demolition. Considers that it is acceptable that the risk of damage to the archaeology is mitigated by the application of planning conditions. Conditions are recommended in respect of a programme of archaeological works
- 5.16. **County Ecologist:** No objection. Recommends approval subject to conditions. Provided the recommended mitigation measures are implemented, the proposed development is unlikely to have a detrimental impact on biodiversity and can be supported from an ecological perspective. A European Protected Species mitigation licence is required. Opportunities for enhancement of the site for biodiversity include the provision of a green wall, wildlife boxes and the use of species of known wildlife value within the landscaping scheme.
- 5.17. **Additional Comments:** Recommends a condition requiring a more detailed Ecological Design Strategy as the recent submission is too vague and unspecific. It should include details of proposed species mixes, provenance, and the location of the proposed works on site is required. More information is also required about the timetable for implementation and management. No information is provided about the green wall. It is stated that the hedges either side of the access will be allowed to form an archway or that elms will be planted either side and allowed to form a continuous canopy. It is not clear which option will be implemented. The EDS states that three bird boxes will be provided, all of which target common species. This is not supported. All boxes should be woodcrete if possible and should target species of local conservation concern e.g. house sparrows, starlings and/or swifts.

- 5.18. **County Landscape Architect:** Approve subject to conditions. If permitted the proposed development would need to incorporate suitable landscape mitigation measures to ensure that it would meet the design requirements of the NPPF. This would include appropriate design details for external works and planting schemes.

Site Context: There are views into the site from vehicles moving past on the A27 and from Station Approach. These views are partially screened by tall scrubby vegetation on the boundaries of the site. There are more open views across the site from the railway and the Brighton University campus to the south. These views need to be considered in the context of other development along the road corridor.

Brighton Urban Characterisation Study (January 2009): Places the site in the Suburban Downland Fringe Character Area, a compact, low rise self-contained campus development with a strong landscape focus. The finer grained assessment identifies the site and surrounding area as the University Neighbourhood Space neighbourhood area. The character of the site is influenced by the presence of the A27 on one side and the railway to the other side. The Amex stadium and its car parks do dominate this part of the neighbourhood area. This document divides the neighbourhood into two character areas and the site falls within area a) below:

- a) The Universities: compact, low rise self-contained educational campuses on the edge of the Downs, with mixed late 20th century building styles and a strong landscape focus.
- b) Waterworks: a small 'island' of water company commercial buildings between the A27 and the railway line

Existing vegetation: The existing tall native vegetation which forms the boundary between the road and the various developments along the southern side is important in having a softening effect and retaining the impression of a green corridor. This is identified in the tree survey as a group of native shrubs including elm suckers. There is a semi-mature elm tree within this group which would appear to be worthy of retention due to the contribution it makes to local landscape character.

Potential Landscape and Visual Impacts and Mitigation Measures: A high quality student accommodation building on this site would not be out of character with the local townscape setting. It is stated on the landscape masterplan that the proposed development would retain the vegetation along the boundary with the A27. The group of trees on this boundary do contribute to the green corridor along the A27 and it is noted that the wych elm is categorized as B class for the contribution that it makes to the local landscape. Retention of this tree would be important in helping to integrate the proposed development into this setting. The tree survey would not appear to have been updated to ensure the proposed retention of these trees.

If minded to grant permission, it is recommended that the following should be considered by condition:

- Retention and positive management of the trees and shrubs on the boundaries of the site.
- three proposed *Malus sylvestris* (crab apple) trees on the north eastern corner of the building are substituted with an ultimately taller and more compact species of tree.
- a green wall is proposed to cover the elevations of the bin store and plant room. The precise details and specification for this would need to be provided by condition along with an ongoing management and a cycle of plant replacement.
- plain brick elevations for the proposed building are bland and austere. If the proposed development were to be permitted some consideration would need to be given to creating variety in the brickwork with the use of mixed bricks colours, textures and detailing

Conclusion and Summary Recommendations: It is recommended that the principle of a high quality development on this site could be supported. Should the planning authority be minded to support the application it is recommended that full consideration is given to the detailed design and landscape treatments as outlined above.

5.19. **Waste Management: Comment.** Policy WMP3d of the Waste and Minerals Plan requires development proposals to minimise and manage waste produced during construction demolition and excavation. A Site Waste Management Plan appropriate for this scale of development should be required by condition. Paragraph 49 of the National Planning Practice Guidance provides guidance on what could be covered in the SWMP in order to meet the requirements of the policy. Policy WMP3e of the WMP requires proposals for new development to identify the location and provision of facilities intended to allow for the efficient management of waste, e.g. location of bin stores and recycling facilities.

5.20. **Heritage:** Do not wish to comment.

5.21. **Private Sector Housing: Comment.** Expresses concern with Means of Escape in case of fire, there appears to be only 1 stairway for the building to be vacated. It is unclear from the plans if there is adequate fire suppressions system in place to alleviate these concerns.

An updated Fire Report has been provided to address the concerns raised.

5.22. **Environmental Health: No objection.** Approve with suggested conditions to address

- Construction Environmental Management Plan (CEMP)
- Acoustic and noise report
- Contamination
- Time restrictions on communal areas/services
- Restrictions on service and delivery times
- Sound proofing

- Mitigation measures in respect of acoustics and ventilation
- Control of lighting and luminance

5.23. **Environmental Health: Air Quality:** Approve with conditions. Advises an informative be added that air or ground source heat pumps and photovoltaics are definitely preferred to combustion on site.

5.24. **Sustainability:** Approve providing above ratings are achieved. Standard BREEAM condition to be added. Notes that the information provided in the sustainability checklist is encouraging but that it is difficult to comment further when no context or narrative is provided regard the sustainability solution (including energy strategy) for the development. As a major development the scheme is expected under City Plan Part One Policy CP8 to achieve BREEAM 'Excellent'.

A sustainability checklist has been submitted, however no further information (such as sustainability or energy strategy) has been documented. This makes it difficult to comment at length on the proposals. The scheme offers:

- EPC Rating - A
- BER - 20.8
- TER - 27.3
- Green wall - 50 sqm
- BREEAM - Excellent
- Solar thermal
- Air source heat pump: 258kW
- Solar PV
- Cycle parking: 56 spaces

Although encouraging, no further clarification or technical calculations (e.g. BREEAM pre-design information/BER/TER calculations/system operating conditions/monitoring procedures etc) have been provided, nor any information on how the proposals address parts 2d, e, g, j, m, n, o, p of CP8.

Given its proximity to DA3, which makes explicit reference to the potential for future district heating networks, it would significantly strengthen the application were it to consider the potential for a future connection. Given the proposed ASHP energy solution, this should not be too onerous - perhaps as little effort as identifying a potential pipe run.

5.25. **Flood Risk Management Officer:** Comment. Recommends conditions are imposed. Largely agrees with the flood risk assigned to the site with the exception of groundwater flood risk. Comments include:

- Applicant should be aware that there was a flooding incident approximately 50m north-east from the site on the A27 in 2006 which was likely caused by surface water flooding.
- Sustainable Drainage Systems SPD show the site located in an area defined as 'groundwater levels are between 0.025m and 0.5m below the

ground surface'. In intrusive site investigation at a later design stage will determine the GW level.

- Agrees with assumptions regarding existing surface water drainage
- Queries some existing and proposed calculations
- A drainage layout drawing shows 3 no. attenuation tanks with hydrobrakes but are not mentioned in the FRA and require confirmation that they are no longer being put forward as an option as there is no other information other than a detailed design drawing only showing 1 no. of the tanks.

5.26. **Sustainable Transport:** No objection in principle but express concerns/require additional information/amended plan. Recommends conditions.

- Recommends that Highways England is consulted as the proposed development is accessed via the A27 and the station access which is not adopted by Brighton & Hove City Council.
- Recommends further details are provided on pedestrian access arrangements and provided prior to determination including a pedestrian footway connecting the proposed pedestrian access to the existing pedestrian infrastructure on Falmer Hill.
- Where footways of a suitable standard cannot be provided wholly within the applicant's land, confirmation of the necessary agreements with adjacent land owners will be necessary.
- A sustainable transport S106 Agreement is recommended to mitigate the impacts of the development and provide for sustainable travel to the development.

Pedestrian access - no pedestrian access to the site. Applicant has proposed to provide a pedestrian access to the south of the vehicular access. As the majority of the trips to the site will be pedestrian movements, suitable and safe pedestrian access is required (BHCC CPP1 Policy CP9 and BHC LP Policy TR7). Issues include:

- The current lack of pedestrian footways leading to the site;
- No pedestrian crossings to allow safe crossing to and from the site;
- No tactile paving or dropped kerbs, which would ensure safe and convenient access for users of all abilities; and
- Poor quality, disconnected pedestrian infrastructure at the junction of Station Approach and the A27.
- widening the pedestrian access to the south falls outside the applicant's control
- no safe route for pedestrians connecting to existing pedestrian infrastructure on Falmer Hill
- proposed pedestrian route would not comply with NPPF, paragraph 108
- site layout does not provide safe pedestrian route to the site especially as the student accommodation caters for disabled users
- suggested that further investigation is undertaken to ascertain whether a footpath to the east of Station Approach as shown in application no. BH2017/02943 could be implemented.

- Station Approach is not a public highway so could not be secured through a S278 Agreement. The development should not be occupied until plans have been submitted to and agreed in writing and constructed in full

Vehicle Access: No objection from a highway perspective. Highways England should be consulted.

Car parking should be provided at a maximum of 0.25 spaces per bedroom. 4 car spaces are provided which meets maximum standards. The management plan should be secured by condition or as part of a S106 agreement if consent is granted. This is detailed within the Travel Plan and Measures section.

Disabled Parking: SPD 14 requirements are not met. SPD14 indicates that the minimum disabled parking requirements is 1 space per wheelchair accessible unit plus 50% of the minimum parking standard for ambulant disabled people and visitors.

Cycle Parking: 56 bicycle parking spaces are provided which meets the minimum standards.

BHLP 2006 Policy TR14 requires cycle parking to be secure, convenient, well lit, well signed and wherever practical sheltered. This is as shown in the proposal but cycle parking is provided within a two-tier system. The Highway Authority prefer the use of Sheffield Stands spaced in line with 'Manual for Streets' guidance but are not unacceptable and should be provided in line with the 'London Cycle Design Standards'. 5% of stands should cater for larger custom bikes. Visitor cycle parking spaces should be typically located externally and publicly accessible, in a well-lit area and preferably covered. If internal, they must be easy to find and access without assistance or approval from others. A condition is recommended.

Deliveries and Servicing: The proposed bin store is approximately 20 metres from the road and just within the Manual for Streets requirement (25m). However, the location of the Bin Store loading area would block the entry/exit of a vehicle parked in the disabled space. The bin loading area needs to be relocated but further details could be secured by a Delivery and Servicing Management condition.

Travel Plans and Measures: A Travel Plan is requested to promote sustainable transport to and from the site and should include a Residential Travel Information Pack with strong measures included and particularly targeted at the reduction of private car ownership to mitigate the potential impact of overspill car parking and its impact on the surrounding highway and transport network. This could include mitigation measures in respect of:

- contributions towards bus travel taster tickets or contributions towards the purchase of bikes
- promoting alternative, sustainable modes of travel including use of train, bus, coach and taxi
- allocated dates and times when permitted to move in and out with use of a secure room at ground floor level

- Information pack including details as well as location of nearby car parks/parking locations to enable parking prior to and after loading into the building at their specific time slot
- Additional staff at hand to assist

Both plans to be secured by condition or through the S106 Agreement.

Trip Generation/S106: It is anticipated that there will be an uplift in trips. The applicant has estimated vehicle trips only. The Highway Authority calculations using TRICS analysis was calculated at approximately 196 person trips would be undertaken each day. Developer Contributions indicated at £29,400 and will be allocated toward improved pedestrian and cycle routes serving the site including, but not limited to, the University sites and Lewes Road.

Note: The Applicant and Agent have identified that part of Station Approach does not fall within the ownership of Network Rail. Ownership has not been identified and therefore the Applicants unable to negotiate for footpath improvements as suggested outside the application site. The pedestrian access has been modified to a location where it encourages crossing to the pavement on the opposite side of the Station Approach. Disabled bays have been provided to accord with SPD14. The conflict between deliveries, waste collection and the use of the disabled bay.

5.27. **City Regeneration:** No adverse comments. S106 contributions required.

This new application proposes 71 no. units as follows:

- Cluster beds = 55
- Studio apartments = 15
- Disabled Studio apartments = 1

In addition, it proposes 1,449 sqm ancillary residential areas to be managed by the development management company.

The application proposes the loss of 2,222 sqm of gross internal residential floorspace. City Regeneration notes that the existing buildings (two vacant semi-detached residential dwellings) are in a dilapidated state having been empty and unmaintained for some years. Demolition of the two properties has been viewed as acceptable by BHCC taking into account the current condition, lack of interest from marketing and not in a specific identified area for development. The buildings will be replaced by much needed, high quality student accommodation.

Policy DA3 – Lewes Road Area of the City Plan Part One highlights the need to enhance the offer for Higher Education students studying at the city's two universities including access to suitable accommodation, freeing up family-sized homes which have increasingly been used as HMOs for students, but are in high demand due to the shortage of social and affordable housing for families generally. Brighton & Hove is home to two universities, with a total of over 35,000 students learning in the area and the number of students is increasing annually, with the British & Irish Modern Music Institute, the Study Group and a number of language schools adding to the overall student population. The residents of the accommodation are likely to be students

attending courses provided by The Study Group either at the University of Sussex Falmer campus or at the Brighton Study Centre (1 Billinton Way).

The site is well positioned in relation to the two university campuses as well as having good public transport and highway links. The land is surrounded by the A27, the Brighton to Lewes railway line, the American Express Football Stadium and the University of Brighton. The Study Group will be responsible for management and maintenance of the premises and the application form says 5 FTE jobs will be created, which would be welcomed by City Regeneration. In addition City Regeneration welcomes the indirect economic benefits the application, if approved, would have on nearby shops, cafes

In the event this application or any amended application is approved, an Employment and Training Strategy will be required to be submitted one month before site commencement (including demolition) which should include the developer's commitment to using an agreed percentage of local labour for any permanent or temporary opportunities. It is proposed for this development that the minimum percentage of 20% local employment for both the demolition (where appropriate due to the specialist nature of the works) and construction phase is required.

The council's Local Employment Scheme Co-ordinator is available to provide guidance in the production of the strategy and will be the council's key liaison during the life of the project with regards to monitoring of KPIs relating to employment and training. The strategy should be submitted one month in advance of site commencement and early contact with the council's Local Employment Scheme Co-ordinator is recommended to avoid any delays in site start and to negotiate the use of the developer contributions for training purposes, linked to the needs of the site. The CITB (Construction Industry Training Board) Client-Based Approach should be referred to as a guide in the preparation of the strategy in respect of expected outputs to be included, for a development of this size and value.

The formula applied to calculate the amount of developer contributions is as follows :

- Number of student units contribution per unit Total 71 At £100 = £7,100
- The sum of £7,100 would be subject to a reduction resulting from the existence of two dwellings, creating a net gain.
- The reduction is based on an assumption that these are 2bed dwellings as both the application and the Planning Statement indicated 'unknown' regarding this information.
- The sum applied also relates to 1 bed dwellings. The developer contribution applied to a 2 bed dwelling is £300, therefore the deduction would be $2 \times £300 = £600$. $£7,100 - £600 = £6,500$

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).
- 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) (2018)

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development
DA3 Lewes Road Area
CP1 Housing delivery
CP2 Sustainable economic development
CP5 Culture and tourism
CP7 Infrastructure and developer contributions
CP8 Sustainable buildings
CP9 Sustainable transport
CP10 Biodiversity
CP11 Flood risk
CP12 Urban design
CP13 Public streets and spaces
CP14 Housing density
CP15 Heritage
CP18 Healthy city
CP19 Housing mix
CP21 Student housing and Housing in Multiple Occupation

Brighton and Hove Local Plan (retained policies March 2016):

TR4 Travel plans
TR7 Safe Development
TR14 Cycle access and parking
SU9 Pollution and nuisance control
SU10 Noise Nuisance
QD5 Design - street frontages
QD14 Extensions and alterations
QD15 Landscape design
QD16 Trees and hedgerows
QD18 Species protection
QD27 Protection of amenity
HE6 Development within or affecting the setting of conservation areas
HE10 Buildings of local interest

- HE12 Scheduled ancient monuments and other important archaeological sites
- HO8 Retaining Housing
- SA5 The Setting of the National Park
- SA6 Sustainable Neighbourhoods

Supplementary Planning Documents:

- SPD03 Construction & Demolition Waste
- SPD06 Trees & Development Sites
- SPD11 Nature Conservation & Development
- SPD14 Parking Standards

8. CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the development including the loss of two existing units of accommodation, the proposed provision of student accommodation; the impact on the street scene, character and appearance of the area which includes the setting of the South Downs National Park and Stanmer Village Conservation Area; amenity for existing and new occupants; sustainability and sustainable transport, traffic generation, parking and pedestrian safety; landscaping; ecology/biodiversity and contribution to other objectives of the development plan.
- 8.2 Planning Policy
The City Plan Part 1 Inspector's Report was received in February 2016. The Inspector's conclusions on housing were to agree the target of 13,200 new homes for the city until 2030 as a minimum requirement. It is against this minimum housing requirement that the City's five year housing land supply position is assessed annually.
- 8.3 The Council's most recent land supply position was published in the 2017 SHLAA Update (February 2018) which showed a marginal surplus (5.0 years supply). However, the inspector for the recent planning appeal on Land south of Ovingdean Road (APP/Q1445/W/17/3177606) considered that the Council's delivery timescales for two sites were over-optimistic and concluded that there would be a five year supply shortfall of at least 200 dwellings. The Council's five year housing land supply figures are currently being updated as part of the annual monitoring process and an updated five year housing position will be published later this year. In the interim, when considering the planning balance in the determination of planning applications, increased weight should be given to housing delivery in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).
- 8.4 Principle of Development:
The principle of development in this case primarily relates to the loss of two existing residential units and their replacement with 71 student bedrooms on a site that has not been allocated for purpose-built student development. 'Saved' Policy HO8 of the Brighton & Hove Local Plan (2016) seeks to resist the net loss of existing residential accommodation unless the proposal is considered to represent an exception such as where the result would be a net gain in units of affordable housing.

- 8.5 Purpose-built student accommodation does not fall within the NPPF's definition of affordable housing but paragraph 61 sets out the national policy requirement for the provision of accommodation needed for different groups in the community which includes student accommodation.
- 8.6 The supporting information indicates that the two semi-detached dwellings have been vacant for several years and are in a dilapidated state. Despite having been marketed by GVA Grimley and Bilfinger, there was no significant interest in the premises for residential purposes. On that basis and although representing the loss two potential family homes, with the lack of interest expressed, cumulatively the proposals justify an exception to 'saved' Policy HO8 of the Local Plan.
- 8.7 The need for additional Purpose Built Student Accommodation (PBSA) in the city is recognised as well as the need to reduce the pressure on the private rented sector from the student population. The site is within Special Policy Area DA3 – Lewes Road Area where the main thrust for the strategy is to promote and enhance the role of the area for high education which includes the development of high quality accommodation for students.
- 8.8 The site is not identified as an allocation site but Policies DA3 and CP21 of City Plan Part One would support the provision of PBSA on this site. It is close proximity to the two main university campuses with good access to sustainable transport links making it a very suitable location for a PBSA development.
- 8.9 It would provide 71 no. student units with a mix as follows:
- Cluster beds = 55 (ranging from 13.18 – 13.77 sqm)
 - Studio apartments = 15 (ranging from 22.79 – 23.45 sqm)
 - Disabled Studio apartments = 1 (25.80 sqm)
- 8.10 Each room/unit would be provided with an ensuite. Typical room layouts demonstrate that in addition to a cabin bed (with storage beneath), a wardrobe, desk, wall units and low seat with drawers can be accommodated in the 'cluster beds.' The Studio apartments are shown as being capable of accommodating a small double bed, design, wardrobe, wall units or desk-mounted bookcase with drawers, two seater sofa and kitchenette. The accessible unit would be provided with an accessible shower room, space for a double bed, for a sofa and kitchenette. In addition, the ground floor includes a communal lounge and two living room areas. The floors above would also include two living room areas.
- 8.11 There are no specific standards for student rooms, it is considered that the room sizes are considered to be within an acceptable range. Although 55 cluster beds are provided, it has been demonstrated that they can provide a sufficient amount of sleeping, study and storage base for students. In any event, the provision of communal space with dedicated living rooms offsets that smaller size of the cluster beds. Together with the communal lounge and living areas, on the whole, the areas provided are considered to be sufficient to provide for needs of 71 students.

- 8.12 Although dating from the mid -19th century, an approach to Historic England to consider the building for listing was rejected. The buildings are not identified on the Local List of Buildings of Interest. Nevertheless, the benefits to be derived from the provision of Purpose Built Student Accommodation (PBSA), high quality student accommodation, in this sustainable location, taking pressure of the existing supply of private family homes and putting the site to an optimal viable use carries material weight. In this instance, the benefits can be considered to be substantial and would outweigh the loss of the pair of buildings. The principle of the development is supported by Policies SS1, DA3 and CP21 of City Plan Part One.
- 8.13 Design and Appearance:
Policies SS1, CP12 and DA3 support the design of high quality sustainable buildings that respect the surroundings, make a positive contribution to the streetscene and embrace local distinctiveness through various means including the choice and use of materials as well as articulation and detailing of the elevations.
- 8.14 The building has evolved since its earlier iteration under application reference BH2017/02943 (withdrawn). As well as a reduction in the number of student rooms, the footprint, height and mass has been reduced. Although of a regular form, the design seeks to diminish the mass and flatness of the elevations by including recessed and projecting sections, rising flat pilasters and a framing effect to the recessed window openings, set in dark frames. The elevations facing Station Approach and the A27 are also stepped ensuring that the expanse of the respective elevations is lessened. The windows to main areas of the north and south elevations are staggered in contrast to the more regular stacked vertical arrangement.
- 8.15 The use darker bricks to the base, string course above the top floor windows and coping along with three brick colours variegated across the elevations assisted in enlivening the elevations. At the same time, this create a more interesting relief when viewed in close proximity and from the opposite side of the A27 and within the South Downs National Park.
- 8.16 Impact on the setting of the South Downs National Park,
The South Downs is a landscape of national importance. As set out above the application site is located within the setting of the SDNP. Policy SA5 requires proposals within the setting of the National Park (SDNP) to have regard to its impact. Development within the setting of the Park should be consistent with and not prejudice the Park's purposes and must respect and not significantly harm the Park and its setting and should have due regard to the Council's priorities for the South Downs where appropriate. This approach accords with the policy intent set out in the National Planning Policy Framework (2018) (NPPF) which emphasises the great weight that should be given to conserving the landscape and scenic beauty in National Parks.
- 8.17 Heritage Assets:
This area of the SDNP also includes the Stanmer Park Village Conservation Area and the Stanmer Park Registered Historic Park and Garden which, and according to the glossary of the NPPF are designated heritage assets. The

conservation area is designated and the statutory requirement for the protection of its special interest is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. The NPPF affords each the appropriate weight in its policy content.

- 8.18 The site is located within the Suburban Downland Fringe Character Area, a compact, low rise self-contained campus development with a strong landscape focus but is separated from the main downland fringe by the A27. Along with the railway station, the Amex Stadium and other built form, the character of area has more of built appearance where the landscape focus is not as strong as the north side of the A27.
- 8.19 There are views of the site from the north side of the A27 but are interrupted by the 4 lanes of carriageway, the slip road and crash protection barriers. The existing mature vegetation to the boundaries of the site, particularly to the north with the A27, filter views to and from the SDNP, conservation area and registered historic park and garden.
- 8.20 Due to diminishing levels of visibility and perception of the site, it is considered that it is capable of accommodating the proposed building without causing harm to the SDNP, the conservation area and registered historic park and garden. This includes those views where the site can be seen in conjunction with the designated areas and heritage assets without causing harm, particularly as the amended scheme would retain the two mature trees to the northern boundary and hedgerows. The design of the building along with the variegated brick colour and tone would be integrated into the wider landscape setting and the green corridor of that exists at presence. The development would therefore meet the statutory duties set out in the National Parks and Access to the Countryside Act 1949, the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF (2018) as well as Policies SA5 and HE6 of the 2006 Local Plan and Policy CP15 of City Plan Part One.
- 8.21 Historic England did not consider the mid-19th century cottages to be candidates for listing. Although not on the council's Local List, the County Archaeologist considers that they are of local interest and should be recorded pair of cottages are of local interest and should be recorded by an archaeological contractor prior to demolition. In this instance and having regard to the test of reasonableness, it is considered that as opposed to an archaeological recording of the pair of cottages that a condition should be imposed to require the photographic recording of the pair, internally and externally with corresponding marked up existing floor plans and elevations. The loss of the cottages when considered against the benefits that would be gained from the provision of PBSA outweighs their loss in the planning balance.
- 8.22 Landscaping and Trees:
The new development would cover a greater ground area than the existing pair of dwellings including its existing access road, internal footpath and parking spaces. Its reduced footprint and position on site has accommodated the retention to two key mature trees locate close to the northern boundary that contribute to the visual amenities of the area and its landscape character.

This 'green' character of the area and site is complemented by the inclusion of a green wall to cover the elevations of the bin store and plant room.

- 8.23 It is considered that the landscaping of the proposed development, including the retention of trees 1 and 2, management of the existing hedgerows, introduction of additional planting as well as the green wall and appropriate tree protection would satisfy the requirements of the County Landscape Officer and the council's Arboriculturist.
- 8.24 Further details regarding landscaping of the proposal can be secured through appropriate and relevant conditions and associated management through a S106 Planning Agreement.
- 8.25 Impact on Amenity:
Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.26 There are limited individual private units of accommodation within the vicinity of the site and proposed building. For example, Howard House which is on the opposite side of Station Approach is a Catholic Chaplancy visited by staff and students. Beyond this are two houses, one of which includes a hairdressing salon. Overall it is considered that levels of residential amenity would not be affected.
- 8.27 Environmental Health has commented that there should be a restriction on the use of communal areas. This has been considered but it would be difficult to control to enforce such a condition without being unduly invasive. Should noise emanating from the building arise and be to such an extent that it causes detriment, a noise abatement order can be served under the Environmental Health legislation.
- 8.28 Policy QD27 also seeks to ensure that future occupiers of the PBSA are also provided with appropriate standards of amenity. The siting of the building located between the A27 and the railway line, with Station Approach to one side and the carpark to the Amex Stadium to the other give rise for concern in respect of noise. Environmental Health have indicated that conditions be imposed requiring the submission of acoustic and noise reports, mitigation measures in respect of acoustics and ventilation, details of sound proofing, restrictions on service and delivery times. Through appropriate controls and inclusion of appropriate measures, it is considered that the occupants of the PBSA will be provided with high quality accommodation.
- 8.29 Although an area of open space is retained within the site, the development is required to contribute to Open Space provision within the city in accordance with Policy CP7 of City Plan Part One.
- 8.30 Sustainable Transport:
Policy CP9 of City Plan Part One seeks to ensure that development is directed into areas with good sustainable transport links and where measures

can be taken to secure accessibility improvements for all. It is accepted that the site is in a sustainable location, within walking distance of the two university campuses, Falmer Train Station and bus stops. The Transport Statement points out that the Universities and city can be accessed on segregated footways and cycle paths for most, if not all, of the routes. The bus stop which is approximately 110 metres to the west provides access to 6 bus routes which connect the site to all part of the city. The bus stop on the north side of the A27 provides access to the east. Services run 7 days per week with some services running for 24 hours each day. The statement also lists the distance from local amenities including health care, convenience store and post office and banking facilities.

- 8.31 Falmer Train Station is 50 metres from the site and provided direct services to Brighton, to Lewes and beyond. Services run approximately every 20 minutes during the day and every 10 minutes during peak hours.
- 8.32 Taking account of the nature of the use and potential for trips, the Transport Statement indicates that the applicant is agreeable to entering into a S106 Planning Agreement to provide a Management Plan to prevent students from bringing and keeping a vehicle at the site, to control times for moving in and out as well as drop-off/pick-up. With the appropriate controls, a Travel Plan that manages vehicular access to and from the site including servicing and waste collection would satisfy the requirements of Policy TR4 of the Local Plan and Policy CP9 of City Plan Part One.
- 8.33 Access – Vehicular and Pedestrian
No objections have been raised to the use and reconfiguration of the existing vehicular access off Station Approach to serve the new development. It would have a gated controlled entry system with access agreed in advance, the details of which would be set out in a Travel Management Plan. Concerns regarding conflicts between waste collection vehicles and disabled bays have been addressed with the submission of amended plans.
- 8.34 The pedestrian access has raised more concern but this is largely focussed on the fact that Station Approach is poorly served by the existing footpath network. It is understandable that the Applicant was requested to provide improvements to and new footpaths to provide safer movement to the station, the footbridge and underpass. However, the land including the first section of the Station Approach is not within the Applicant's ownership or control. Despite checking with Network Rail, the council and Land Registry, no owner has been revealed. Therefore, the position of the gated entrance slightly to the south of vehicular access, is considered appropriate as it would encourage a natural desire line to cross at a point where the pavement on the opposite side of Station Approach. This position would also be clear of the existing car parking spaces for the station, and would be afforded clear visibility in both directions to see vehicles entering Station Approach and leaving the station forecourt. The Transport Assessment and Supplementary Technical Note indicates that 'Formally segregated footways are not necessary to serve the development site' and that 'Station Approach is used by circa fifty vehicles per day. Manual for Streets explains 'that there is a self-limiting factor on pedestrians sharing space with motorists, of around 100 vehicles per hour. Above this, pedestrians treat the general path taken by motor vehicles as a

road to be crossed rather than a space to be occupy. The volume of traffic using Station Approach is well below this self-limiting factor.'

8.35 The Applicant has however, sought to provide a pedestrian access in a position that would encourage safer crossing of Station Approach, further away from the junction with the A27 and separate from the vehicular access. As such and having regard to the advice in Manual for Streets and quantum of vehicular movements, it is considered that the development would not increase or present danger to existing and additional pedestrians and cyclists using Station Approach. It is therefore considered that the proposal accords with the intentions of Policy TR7 of the Local Plan.

8.36 Vehicle and Cycle Parking:

Policy TR14 of the Local Plan requires all new development to provide sufficient access for cyclists in accordance with the parking guidance. Policy TR18 requires that developments provide for people with a mobility related disability. SPD14 'Parking Standards' set out the latest parking standards for the city. The standards require 0.25 car parking spaces per bedroom, short stay parking facilities based on 1 space per 10 bed spaces, one space per wheelchair accessible unit plus 50% of the minimum parking standards for ambulant disabled people and visitors. The standards also required servicing on-site for loading and unloading.

8.37 With this sustainable location in mind and having regard to TRICS data for a site in this location, the application includes the provision of 56 cycle parking spaces, 4 car parking spaces (1 of which would be a blue badge holder).

8.38 The development over provides for cycle parking but this is considered to be appropriate compensation given the fact that the occupants are more likely to travel by bus, train, bicycle and on foot as opposed to the private car. 4 car parking spaces, with 1 disabled bay it considered to be sufficient for a development that seeks to encourage sustainable modes of transport, particularly in this location. This is confirmed by the TRICS data submitted in the Transport Report. In addition, a management plan with controls similar to Varley Halls, Coldean restricting car usage and a Travel Plan controls would overcome concerns relating to increases in traffic generation and overspill parking. A management plan would allocate students a time slot when they can access the PBSA to load or unload. A student arrival and departure strategy can be secured through a planning condition and/or a S106 Planning Agreement.

8.39 Servicing:

Apart from moving in and out, the main servicing activity associated with the proposed development is considered to be that of the collection of refuse and recycling. Having addressed the conflict between the disabled bay, the bin collection area is now shown closer to the entrance. This location would accord with the requirement to be able to get within 25m of the storage point. In this case, the collection area would be within this parameter and would facilitate easier collection from the road and utilise the turning space at the end of Station Approach.

- 8.40 S106:
To comply with the Brighton and Hove Local Plan 2005 policy TR7, TR11 and TR12, Policy CP7 and CP9 of the City Plan Part One, the National Planning Policy Framework and the Council's Guidance on Developer Contributions the applicant is expected to make a financial contribution towards highway infrastructure in the vicinity of the site.
- 8.41 The Highway Authority indicates that a requirement for a S106 contribution of £29,400 towards pedestrian and public transport infrastructure improvements within the vicinity of the site.
- 8.42 Sustainability:
City Plan Policy CP8 requires that all new development achieves minimum standards for energy and water performance as well as demonstrating how the proposal satisfies an exhaustive range of criteria around sustainable design features. 'Major' non-residential developments are expected to achieve BREEAM 'Excellent'.
- 8.43 The application was accompanied by a BREEAM Ecology and New Construction Assessment that is more focussed on ecology and habitats. The Sustainability Checklist states that BREEAM 'Excellent' would be achieved and indicates inclusion of the following:
- materials for the build would be derived from local sources within a 50km radius
 - materials would have low embodied energy, offer enhanced durability
 - timber to be from sustainable sources
 - passive design measures have been incorporated
 - roof designed to accommodate the installation of mounted solar technologies including for hot water and energy
 - green walls are included
 - provision of water efficiency standard or 110/litres/person/day
 - incorporation of rainwater harvesting and greywater recycling
 - solar hot water
 - use of 6 x Air Source Heat Pumps
 - sustainable drainage
 - site waste management plan
- 8.44 Aside from a roof plan showing the area for siting of a solar array and whilst not objecting to the proposals, the Sustainability Officer considers that the information provided in the sustainability checklist is encouraging but is without clarification. In order to meet the requirements of Policy CP8 and to demonstrate that a rating of BREEAM 'Excellence' is achieved, suitable conditions are recommended.
- 8.45 Biodiversity:
'Saved' Policy QD18 indicates that the presence of protected species is a material consideration in planning decisions and requires that measures are required to avoid any harmful impact of a proposed development on such species and their habitats. Applicants are also expected to enhance habitats irrespective of the presence of species. Policy CP8 of City Plan Part One also

requires new development to improve to enhance biodiversity. Policy CP10 of City Plan Part One requires that development proposals conserve existing biodiversity protecting it from the negative and indirect effects of development and to improve the existing biodiversity of a site as well as protecting protected species. Where EU protected species are present, Applicants are required to acquire a license to undertake works and are limited to specific times in the calendar year for certain activities.

- 8.46 The Biodiversity report submitted with the application indicated that the buildings yielded secondary evidence of bats in the existing buildings including droppings and feeding remains. A semi-mature apple tree within the north eastern extent of the site was noted as containing suitable roosting features for bats and that bats would utilise the site for foraging and commuting due to the connectivity to off-site habitat along the railway embankment. Additional surveys revealed that a pipistrelle species was observed emerging from the lean-to building attached to No.42. Overall and following a third survey, it was considered that bat activity was low and the structures were not considered to provide features suitable for a roost of high significance. Nevertheless, as the proposed demolition of the buildings has the potential to negatively impact on bats through the loss of a roost, irrespective of its importance, mitigation measures are proposed.
- 8.47 Bats receive protection under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended) and European legislation. A European Protected Species Mitigation License is likely to be required from Natural England once planning permission is granted and before works can proceed and to complete any necessary mitigation.
- 8.48 A reptile survey involving 7 survey visits between April and May 2017 returned no records for the presence of reptiles. A badger survey revealed no evidence of setts or foraging, primary or secondary. As a precautionary approach to vegetation clearance in respect to breeding birds is recommended to minimise any adverse impacts on this species group. It was noted that the on-site hedgerow, scattered trees and shrubs provide suitable nesting opportunities for breeding birds.
- 8.49 The survey also revealed the presence of Japanese Knotweed at the time of the survey which is an invasive species. Although it is not illegal to have species listed under the Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), it is illegal to permit these species to spread and grow in the wild. The Biodiversity Report indicates that a Japanese Knotweed Management Plan (JKMP) is produced to guide the development process and control the spread of this invasive species in accordance with current legislation.
- 8.50 Due to the presence of nesting birds and bats, the report indicates that additional nesting and roosting opportunities could be installed in trees and/or incorporated into the design of the new building or through the use of boxes and/or bricks. Details will be required through conditions. The County Ecologist has also indicated that a more detailed Ecological Design Strategy is submitted.

Other Considerations:

- 8.51 Construction Environmental Management Plan
Due to the nature and scale of the development proposed and its location adjacent to the strategic road network, a Construction Environmental Management Plan is requested. This should include measures to mitigate the highway impact of the construction phase of the proposed building and should seek to ensure that construction traffic avoids peak hours.
- 8.52 Financial Contributions:
The financial Planning Obligations are set out at the beginning of this report and result in the need for a S106 Planning Agreement to be entered into. The contributions toward local employment and sustainable transport have been calculated and are based on the methodology set out in the Council's Developer Contributions Technical Guidance (March 2017) and based on the maximum amount of development proposed.
- 8.53 Conclusion
Given the close proximity of the site to the two university campuses and its sustainable location, the provision of 71 student bedspaces in a purpose built building would not only add to the much needed stock of accommodation for this sector but would also reduce pressure on the existing family housing stock which often become small HMOs.
- 8.54 Since the withdrawal of the previous application the footprint, scale, mass and appearance have been amended to produce a building that respects its context including the setting of the SDNP. This is also assisted by the retention of planting to the boundary with the verge to the A27 including 2 mature trees and hedgerows.
- 8.55 The revised design takes account of its presence and address to both the A27 and Station Approach and through the choice and subtle use of materials its appearance would be improved. Its mass would be further alleviated by the staggering of windows to sections of the main road facing elevations. Its vertical emphasis would be counterbalanced with the use of a darker brick base, the variegated pattern across the elevations, the dark string course and coping.
- 8.56 The design of the building, including space designations, internally and externally, has given due consideration to how it functions in terms of providing safe and secure access for vehicles, pedestrians and cyclists; parking for students moving in and out including disabled persons; refuse collection and having regard to movement patterns in the immediate area. As a result it is considered that and in conjunction with appropriate conditions and Travel and Management plans that the building and its use for student accommodation would not cause detriment to the immediate area, the amenities of existing dwellings, traffic flow or pedestrian movement.
- 8.57 The NPPF's presumption in favour of sustainable development means that development proposals that accord with the development plan should be approved without delay. In this instance it is considered that the proposal accords with the City Plan Part 1 and the Brighton & Hove Local Plan 2005, represents sustainable development and as such approval is recommended.

9. EQUALITIES

- 9.1 If overall considered acceptable conditions are proposed which would ensure compliance with Building Regulations Optional Requirement M4(2)(accessible and adaptable dwellings) and that 5 percent of the overall development would be built to Wheelchair Accessible Standards.

10. DEVELOPER CONTRIBUTIONS

10.1 S.106 Agreement

The contributions required would be allocated and spent as follows:

- Sustainable Transport
 - Improved pedestrian and cycle routes serving the site, including but not limited to, the University sites and Lewes Road
- Local Employment
 - 20% local employment during demolition and construction phases
- Open Space Contributions
 - outdoor amenity spaces including formal and informal areas for passive and active amenity

- 10.2 In the event that the draft S106 agreement has not been signed by all parties, the application shall be refused for the following reasons:

1. The proposed development fails to provide necessary sustainable transport infrastructure improvements in the vicinity of the site and therefore fails to address the requirements of Policies CP7 and CP9 of the Brighton and Hove City Plan Part One.