

<u>No:</u>	BH2016/01001	<u>Ward:</u>	HOLLINGDEAN & STANMER
<u>App Type:</u>	Full Planning		
<u>Address:</u>	East Slope Refectory Road University of Sussex Brighton		
<u>Proposal:</u>	Demolition of existing buildings and redevelopment to 'East Slope' to create a mixed use six storey building comprising entertainment and assembly venue, bar, meeting space, ancillary office space, flexible retail floorspace (A1, A3, A4) and 249 student bedrooms with associated landscaping and bicycle storage.		
<u>Officer:</u>	Kate Brocklebank Tel 292454	<u>Valid Date:</u>	21/04/2016
<u>Con Area:</u>	Adj Stanmer Park	<u>PPA:</u>	22 September 2016
<u>Listed Building Grade:</u>	Within the Setting of Grade II* and Grade I listed buildings		
<u>Agent:</u>	TP Bennett, 1 America Street London SE1 0NE		
<u>Applicant:</u>	University of Sussex & Balfour Beatty Student Accommodation, C/O TP Bennett 1 America Street London SE1 0NE		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to the University of Sussex campus which occupies around 100 hectares of parkland at Falmer, at the foot of the South Downs National Park. The campus sits within a valley with the A27 to its south. The South Downs National Park climbs to the north and east of the campus. To the west lies Stanmer Park, which is a Grade II registered historic park and garden.
- 2.2 The University was designed by Sir Basil Spence in the 1960s and was the first of seven new post war universities in the country. Sir Basil Spence prepared the masterplan in 1959 and the first buildings were ready for occupation in 1962. Ten of the University's original buildings have been listed, all of which are based around Fulton Court (nine at grade II* and Falmer House at grade I). These determine the general character, architectural tone and presence of the campus. Similarly, the landscape, designed by Spence in consultation with Dame Sylvia Crowe, plays an equally important role to the buildings in setting the tone and character of the campus. The listed buildings, which essentially form the core of the campus, have a very high degree of architectural significance in their careful

contextual design and materials and historic significance in relation to the campus as a model of educational organisation.

- 2.3 The University's boundary lies predominantly within the local planning area of Brighton & Hove City Council although a small area in the south eastern corner of the site (part of Phase 2/Academic Area) falls within Lewes District Council.
- 2.4 The application site occupies a central location on the East Slope of the campus and is formed of large areas of hard standing (car parking) along with portions of existing residential blocks nos. 21-32 and the existing East Slope Bar all of which are to be demolished.

3 RELEVANT HISTORY

BH2013/04337 Outline application with some matters reserved for demolition of existing buildings and construction of new buildings providing new academic facilities (D1) circa 59,571sqm, 4,022no new student accommodation bedrooms (C1) and new mixed use building circa 2,000 sqm, providing (A1, A3, A4, C1 and D1) uses, incorporating new pedestrian, cycle, vehicular and service routes, landscaping, new parking, upgrading of related infrastructure and associated works. Matters for approval include layout, access and scale. Matters reserved are appearance and landscaping. (*Layout subsequently reserved at appeal*) Appeal allowed 30 July 2015.

BH2012/00485 Construction of one 4 storey and one 3 storey halls of residence blocks to provide additional 148 bedrooms of accommodation. Approved 15/08/2012

BH2011/00358: Development of three halls of residence blocks to provide an additional 180 bedrooms of accommodation. Approved 14 June 2011.

BH2009/02210: Reserved Matters application pursuant to outline approval BH2008/01992 for construction of halls of residence comprising 798 student bedrooms arranged in 14 blocks, reception building, bicycle storage, visitor and disabled car parking. Reserved Matters to be determined include appearance and landscaping. Approved 15 December 2009.

BH2009/02205: Construction of single storey water tank and storage building and single storey reception/facilities building to serve the halls of residences approved under application BH2008/01992. Approved 19 November 2009.

BH2008/01992: Construction of halls of residence comprising 798 student bedrooms arranged in 14 blocks, reception building, bicycle storage, visitor and disabled car parking. Approved 7 September 2009.

Concurrent application:

BH2016/01004 Reserved matters application for approval of appearance, landscaping and layout in relation to 'Phase 1 - East Slope' development which includes 1,868 student bedrooms and ancillary accommodation, pursuant to outline approval BH2013/04337 (Demolition of existing buildings and construction

of new buildings providing new academic facilities (D1) circa 59,571sqm, 4,022no new student accommodation bedrooms (C1) and new mixed use building circa 2,000 sqm, providing (A1, A3, A4, C1 and D1) uses, incorporating new pedestrian, cycle, vehicular and service routes, landscaping, new parking, upgrading of related infrastructure and associated works). *Under consideration.*

Pre-Application Consultation:

The applicant has been actively engaged in pre-application consultation with the Local Planning Authority prior to submitting the application.

4 THE APPLICATION

4.1 Planning permission is sought for the erection of a six storey building to create:

- a new building containing 3,803 sqm for a bar, event, assembly and office space for a new student union facility on ground and first floor level,
- 391 sqm of flexible retail floorspace (A1, A3 and A4),
- 249 student bed spaces in flatted accommodation on upper floors,
- 168 bicycle storage spaces for staff and residents, and;
- Associated landscape and amenity spaces.

5 PUBLICITY & CONSULTATIONS

5.1 **External**

Neighbours: None received.

5.2 **Environment Agency:** Comment:

No objection with the imposition of suggested conditions regarding contaminated land, piling and to secure a construction method statement.

5.3 The proposed development site does not appear to have been the subject of past industrial activity which poses a risk of pollution to controlled waters. We are however, unable to provide detailed site-specific advice relating to land contamination issues at this site and recommend that you consult with your Environmental Health / Environmental Protection Department for further advice.

5.4 Where necessary we would advise that you seek appropriate planning conditions to manage both the risks to human health and controlled waters from contamination at the site.

5.5 **South Downs National Park Authority:** Comment.

There is not an objection in principle to either of the proposed developments; however we are concerned that the details, particularly concerning landscape design do not go far enough to ensure that the natural beauty and cultural heritage of the National Park is conserved and enhanced. As the campus is bisected by the Park boundary, we consider this is an important consideration, despite the development being outside of the Park itself. This is further heightened by the western slope of the campus being part of Stanmer Registered Historic Parkland (Grade II).

- 5.6 In order to overcome this concern, the SDNPA strongly advise that the landscape design should demonstrably create a tree'd/parkland structure of forest sized trees (not street tree lollipops) which is consistent with that of the original layout of the University campus. Whilst there are trees shown in the proposals these do not appear to have the equivalent canopy space and size as the original campus layout. It is considered that forest sized tree planting is an important aspect of any new development on the campus and should be secured as part of the schemes to ensure that the new development appears seamless with the existing campus when viewed from the SDNP at close and distant views. Further supporting information is sought to demonstrate how the development will seamlessly blend with the original campus and the principles of Dame Sylvia Crowe's landscape design.
- 5.7 **Historic England: Comment:**
Historic England provided advice on the outline application for the redevelopment of East Slope in 2014. No substantive issues were raised but the significance of the landscape setting of Sussex University was set out and the context this provides for the internationally important complex of highly graded listed buildings designed by Basil Spence.
- 5.8 The verified views have been considered and the impacts the taller development would have on the historic core of the campus and its wider downland setting. The new block would be located some distance from these key buildings as well as positioned on the valley floor within a central area of the proposed new residential blocks. As a result of this Historic England are content that it would not appear unduly prominent when viewed from the central historic core. Nor would it be overly prominent in more distant views where it would be seen against the backdrop of the new development on the slopes and still overtopped by trees on the ridge line.
- 5.9 Historic England are keen to ensure that this building also forms part of the overall coherent design approach for the wider masterplan proposals and that a similar architectural language is used throughout. High quality detailing and materials should be used matching those found in the original parts of the campus together with high quality hard and soft landscaping as this was a key aspect of Spence's original design.
- 5.10 The Spence designed Fulton Court as the communal heart of the campus. As this proposal will provide a new focal point within the campus it may therefore dilute Spence's original intention for the use and experience of this area. It is therefore recommend that new appropriate uses are found for the spaces vacated by the student union that will maintain the vitality and focus of activity at Fulton Court.
- 5.11 **County Archaeologist: Comment.** In the light of the potential for impacts to heritage assets with archaeological interest at this site, the area affected by the proposals should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features that would be disturbed by the proposed works to be identified and either preserved in situ or where this is

demonstrably not possible, adequately recorded in advance of their loss. Conditions are recommended to secure a programme of archaeological works and site investigation and post investigation assessment in accordance with the Written Scheme of Investigation.

- 5.12 **East Sussex Fire and Rescue:** Comment. Please ensure that access and facilities for the Fire and Rescue Service are provided in accordance with B5 of the Approved Document B Vol. 1 to the Building Regulations, Section 11: Vehicle Access, whereby there should be vehicle access for a pump appliance to within 45m of all points within each dwelling flat. When considering active fire safety measures for all types of premises, including residential and domestic buildings, East Sussex Fire & Rescue Service would recommend the installation of sprinkler systems.
- 5.13 **Southern Gas Networks:** Comment: On the mains record you can see our low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. The applicant should, where required confirm the position using hand dug trial holes.
- 5.14 Safe digging practices, in accordance with HSE publication HSG47 “Avoiding Danger from Underground Services” must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used.
- 5.15 **County Ecologist:** Comment: *Designated sites and Protected Species*
- The site of the proposed development comprises hard standing, buildings and small ornamental trees and is of relatively low ecological value.
 - Two low status bat roosts exist within buildings to be demolished. The works will therefore require a European Protected Species mitigation licence. Given the length of time that has elapsed since the last bat surveys (carried out in 2013) up to date surveys will be required to inform the licence application. Assuming the status of the roosts has not changed, the proposed mitigation for bats is considered appropriate. If updated surveys indicate a change in the status of the bat roosts, additional mitigation may be required.
 - Surveys undertaken in 2013 found no badger setts within the development site. Prior to commencement of works, further surveys should be undertaken to assess usage of the site by badgers. If the status of badgers on site has changed, a mitigation licence may be required.
 - The proposed mitigation for protected species and habitats as summarised in the Environmental Statement Addendum is considered appropriate. If other protected species are encountered during development, works should stop and advice should be sought from a suitably qualified and experienced ecologist on how to proceed.

Mitigation Measures/Enhancement Opportunities:

- The site offers opportunities for enhancement which will help the Council address its duties and responsibilities under the Natural Environment and Rural Community Act and the NPPF. Opportunities include the use of species of known value to wildlife within the landscaping scheme, and the provision of bat bricks within the building. Advice on plant species of value to wildlife can be found in the Council's SPD 11, Annex 7 Notes on Habitat Creation and Enhancement. Where possible, native species of local provenance should be used.
- 5.16 In summary, the proposed development should not have an adverse impact on biodiversity and can be supported from an ecological perspective. The site offers opportunities for biodiversity enhancements that will help the Council address its duties and responsibilities under the NERC Act and NPPF.
- 5.17 **Sussex Police:** Comment: The Student Union building serves many purposes that include; retail, bar, café, office, meeting rooms and accommodation. It will therefore be very important to segregate the residential aspect from the office, retail and public areas. It is noted that the accommodation has separate entrances. These are to have controlled access to the residents only. Security to the rest of the building is to be reflective and adequate to the end user's role and requirements.
- 5.18 **Southern Water:** Comment: The needs of the application cannot be accommodated without the development providing additional local infrastructure. The increased flows to the wastewater sewerage system would result in increased flooding in and around the existing area.
- 5.19 There do not appear to be any public surface water sewers in the vicinity to serve the development, alternative means is therefore required – this should not involve disposal to a public foul sewer.
- 5.20 Land uses such as general hard landscaping that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.
- 5.21 The applicant will need to ensure that arrangements exist for the long term maintenance of SUDS facilities.
- 5.22 The site is within a Source Protection Zone around one of Southern Water's public water supply sources and should be protected in accordance with the Environment Agencies advice.
- 5.23 Where necessary, public connection to the public sewer requires approval from Southern Water.
- 5.24 The applicant is advised that a wastewater grease trap is provided in the kitchen and maintained by the owner/operator.
- 5.25 Conditions relating to surface and foul water disposal are recommended.

5.26 **Sussex Police:** No comment.

5.27 **Lewes District Council:** No response received.

Internal:

5.28 **Sustainable Transport:** Comment:

Pedestrian Access

The proposed building is located centrally within the university campus. The main entrance to the development fronts directly onto Refectory Road and is fronted by a pedestrian plaza. Under the wider East Slope proposals it is intended that a new spine road through the site will enable Refectory Road to be downgraded to provide a route where pedestrian and cycle movements dominate. There are other pedestrian access points to the student residential development on the upper floors.

5.29 The Highway Authority note the applicant is proposing 12 timber tables and seating in front of the main entrance. The Highway Authority is of the view that these tables detract from the openness of the public space and could act as a potential barrier to pedestrian movement – relocation or rationalisation is recommended.

5.30 Cycle Parking

The applicant is proposing 168 cycle parking spaces as part of these proposals. These stands are located in two separate stores to the south of the student union. There appears to be separate staff and student stores. Further details should be secured via condition. The Highway Authority would also wish to see short stay cycle parking in the form of uncovered Sheffield stands to be located close to the main entrance of the student union building. These could be incorporated into the public realm and would provide an attractive and convenient parking space for cycles.

5.31 Disabled parking

The 8 disabled parking bays proposed which are identified for use by visitors to the development do not meet the Council's requirement to be fully accessible with clearzones to either side of the space.

5.32 These amendments can be secured via the suggested condition. This may result in the loss of some landscaping or a reduction in the number of spaces. The Highway Authority preference is for fewer fully accessible spaces rather than more inaccessible disabled parking spaces.

5.33 Car Parking

No car parking other than the aforementioned disabled bays are proposed. As part of the wider masterplan for the campus additional car parking is proposed – a 147 space car park is proposed, intended for mainly staff car parking. Disabled parking bays are designed into the layout for the remainder of the East Slope residences. Car parks are located throughout the campus for staff, visitors and students with mobility difficulties.

5.34 The Highway Authority has no objections to the proposed level of car parking.

5.35 Trip Generation/S106 Contribution

Whilst not evident in the submission the Highway Authority is aware that the University's intention is to broaden the scope of the events held at this expanded and enhanced venue and open the events out to the general public as well. Therefore the enhanced student union is likely to increase trips above existing levels with additional trips associated with the events held at the union and these are also likely to originate off-campus.

5.36 In light of this the Highway Authority would look for an appropriate level of contribution to ensure that the necessary infrastructure (e.g. bus stops, real time passenger information) is in place to ensure sustainable travel is an attractive and realistic option to and from the site.

5.37 The Highway Authority is aware that condition 24 of planning permission BH2013/04337 requires further details of pedestrian, cycle and public transport improvements and for these to be implemented prior to first occupation of phase 1 of the outline masterplan. The Highway Authority would look for a similar worded condition to be included on any permission granted for these proposals to ensure that the appropriate infrastructure is in place to accommodate for the demand generated by the student union. The inclusion of the condition will also ensure that the necessary infrastructure is in place for the student union should this be built prior to phase 1 of the outline masterplan.

5.38 Other issues

Construction - A Construction Environmental Management Plan (CEMP) should be sought.

Updated Travel Plan should be sought and should include but not be limited to:

- A commitment to provide retail public transport passenger information signs (bus and rail) in a prominent location within the student union.
- Measures to promote the sustainable travel to people attending events at the union.
- Details of car park management on event days.
- Details of delivery and servicing movements and how to reduce/consolidate these.

5.39 **Arboricultural services:** Comment:

Overall, the Arboricultural Section has no objection to the proposals in this application but would recommend that the tree planting element is drastically revised in terms of species selection as the current proposal is very poor and inappropriate.

5.40 **Environmental Health:** Comment:

This particular application is somewhat different to the usual densely built up context within the City which is characterised by varying land uses. The application site by comparison is relatively self-contained and does not have any obvious or immediate neighbours. The receptors are under the University's

control and there is little appetite to construct a building which is not capable of being used how it was intended.

- 5.41 Initial concerns have already been taken on board and incorporated into the design strategy. It is acutely recognised that students and more specifically, their living accommodation will be in close proximity to commercial uses with the potential to impact sleep and restful internal conditions. Environmental Health have been assured that the University and Arup have set stringent mitigation measures to ensure that the site is capable of being both built and used as it is intended. This includes technical design to improve the soundproofing of the building facades and a box in a box style design to prevent the onward transmission of noise from the nightclub.
- 5.42 Conditions for the use of external amenity are not considered strictly necessary and that it is the role of the University/applicant to police and exercise control over external areas.
- 5.43 Similarly, the necessity of a condition regarding plant is also queried given the distance to the nearest residents who are outside the control of the applicant/University.
- 5.44 Given the former uses on the site a condition relating to contaminated land is recommended.
- 5.45 **Sustainable Drainage: Comment:**
A condition to secure detailed design for the maintenance and management of surface water drainage system is recommended.
- 5.46 The Lead Local Authority requires the following, as a minimum, in order to discharge the aforementioned condition:
- 5.47 Section 3 & 4 of the University of the Sussex Falmer Campus, East Slope Residences Reserved Matters Application Site Drainage Strategy (March 2016) – Job No 245844-00 describes the proposed SuDS and Surface Water Drainage for the site.
- 5.48 The applicant needs to demonstrate, in accordance with the [non-statutory technical standards for the design, maintenance and operation of sustainable drainage systems](#), that the proposed drainage system,
- will be able to cope with both winter and summer storms for a full range of events and storm durations;
 - is designed so that flooding does not occur on any part of the site for a 1 in 30 year rainfall event; and
 - poses no risk to people or property for all events greater than the 1 in 30 year up to the 1 in 100 year plus climate change.

- 5.49 In addition, the applicant will need to confirm which soakaways will remain and which will become redundant.
- 5.50 **Heritage: Comment:**
The Proposal and Potential Impacts: The proposal has been subject to constructive pre-application discussions. It is considered in principle that this site is an appropriate one within the campus for the new communal facility provided by the student union and this would enable the student union to move out of the grade I listed Falmer House. The current student union use of Falmer House has a harmful impact on the listed building through the intensity of use and through the provision of unsympathetic signage.
- 5.51 The proposal is for a tall building, partly to provide a legible focus for the communal facility, but the site lies on the valley floor alongside the primary north-south route through the campus and is therefore a suitable location for a local landmark building. Furthermore, the proposed building would be only marginally taller than the existing Bramber House on the opposite side of the road to the south. Bramber House does not have an unduly obtrusive visual impact on the campus and is not seen from within the heart of the original campus amongst the listed buildings. The submitted views demonstrate that the proposed building would not intrude on any key views across the campus, whilst in the long view looking north along Refectory Road it would relate well in scale and building line to Bramber House and the recent Swanborough Blocks.
- 5.52 However, the approved masterplan included for a six storey (plus basement) building at the north end of Refectory Road, on West Slope, that was intended to be the social hub and local landmark. It would be inappropriate to have two such buildings within the campus, and therefore this application should be subject to a condition that no building on West Slope should exceed 5 storeys in height.
- 5.53 The proposed design of the building reflects the original Spence design approach in terms of massing, flat roofs, elevation proportions, fenestration and materials, but in a contemporary and stripped down form, and the extensive use of red Sussex brick and characteristic concrete-effect banding are very welcome. The proposed segmental arched vaults beneath the new access road are a particularly welcome feature that would help to integrate this new public open space into the main north-south route through the campus and echo the use of such features around public space and routes on the original campus. Samples of materials will need to be approved by condition, unless submitted as part of the application.
- 5.54 The proposed hard landscaping uses a suitably restrained palette of materials, including large element concrete paving slabs as were used by Spence in the more formal pedestrian routes of the original campus. *However, there is concern over the proposed use of tarmac for the main public space on Refectory Road, which would not be sufficiently distinguished from the road surface. The original public spaces on the campus use large element concrete slabs and these should be used for the very prominent hard surface here.*

Details of elements such as handrails to steps, bollards, fixed seating, cycle racks and litter bins will need to be agreed by condition.

5.55 As shown in the submitted documents and verified views, the proposed development would cause no harm to the setting of the listed buildings and there would be negligible impact on the setting of the conservation area or the setting of the registered park and garden.

5.56 Sustainability: Comment:

A BREEAM progress report has been submitted as Appendix 8 to the Environmental Statement Addendum. This indicates that the scheme has targeted an 'excellent' BREEAM score. 'Excellent' standard require a score of 70%. Currently the scheme is targeting 71.79% and have a potential to achieve 75.83 %. This provides a safe margin and provides reassurance that the standard is achievable.

5.57 A Building Energy Statement has also been submitted. This shows that the fabric performance shown by thermal values and airtightness is designed to significantly improve on minimum standards expected through Building Regulations.

5.58 The east slope residences and student union building will be connected to the university's existing district heat network via plate heat exchangers. Heat is provided by gas based combined heat and power plant and is considered to be low carbon heat. Renewable energy will be provided via solar photovoltaic panels which will be installed on Building 1.

5.59 Other positive approaches that address policy CP8 include:

- Natural ventilation
 - Energy efficient lifts
 - Mechanical ventilation with heat recovery in Building 1
 - LED lighting
- A Site Drainage Strategy has also been submitted setting out the design objectives that all surface water to be infiltrated to ground with no discharge to watercourses or public sewers.

5.60 SUDs measures included in the strategy include green roofs specified for Block 4E and 5.

5.61 Public Art: Comment:

To make sure the requirements of local planning policy are met at implementation stage, it is recommended that an 'Artistic Component' schedule be included in the section 106 agreement.

5.62 This is arrived at after the internal gross area of the development (in this instance approximately 11546 sqm) is multiplied by a baseline value per square metre of construction arrived at from past records of Artistic Component contributions for this type of development in this area. This includes average construction values taking into account relative infrastructure costs. It is suggested that the Artistic Component element for this application is to the value of £30,000.

5.63 Economic Development: Support:

City Regeneration supports this application as the additional student accommodation will lessen the pressure on the city's wider housing needs.

5.64 If approved, an Employment and Training Strategy will be required, with the developer committing to using an agreed percentage of local labour. It is proposed for this development that the minimum percentage of 20% local employment (where appropriate) for the demolition and construction phases is required and full liaison with the Local Employment Scheme Co-ordinator is requested at an early stage to avoid any delays in site commencement.

5.65 Also, if approved, in accordance with the Developer Contributions Interim Technical Guidance, City Regeneration requests a contribution through a S106 agreement for the payment of £ 69,040 towards the council's Local Employment Scheme.

5.66 **Planning Policy: Comment:** The 249 student bedrooms referred to in this application are not in addition to those permitted through outline approval BH2013/04337. The numbers have been redistributed across the whole site and remain within the parameters, and no policy concerns are therefore raised with regard to the student accommodation element of this proposal.

5.67 The proposed retail provision will serve the specific local demand created by the university and alternative off-campus locations are therefore not considered to be appropriate. In this instance, a sequential test as required by national policy and Policy CP4 is considered an unnecessary exercise.

5.68 The proposed entertainment and assembly venue, and meeting space are considered to be community facilities. Policy HO19 of the Local Plan is therefore relevant. The proposal is considered to comply with the requirements of this policy and no concerns are raised.

5.69 **City Clean: No comment.**

6 MATERIAL CONSIDERATIONS

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

6.2 The development plan is:

- Brighton & Hove City Plan Part One (adopted March 2016);
- Brighton & Hove Local Plan 2005 (retained policies March 2016);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
- East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.

- 6.3 The National Planning Policy Framework (NPPF) is a material consideration.
- 6.4 Due weight should be given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.
- 6.5 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
DA3	Lewes Road Area
CP2	Sustainable economic development
CP4	Retail provision
CP7	Infrastructure and developer contributions
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP11	Flood risk
CP12	Urban design
CP15	Heritage
CP18	Healthy city
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
SU3	Water resources and their quality
SU5	Surface water and foul sewerage disposal infrastructure
SU9	Pollution and nuisance control
SU10	Noise Nuisance
QD15	Landscape design
QD16	Trees and hedgerows
QD18	Species protection
QD27	Protection of amenity
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas
HE11	Historic park and gardens
HE12	Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Guidance:

SPGBH4	Parking Standards
SPGBH15	Tall Buildings
	Guidance on Developer Contributions

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD11	Nature Conservation & Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the acceptability of the principle of the development and its impact on the outline approval (BH2013/04337), along with design and heritage impact, sustainability amenity and sustainable transport.

Principle:

- 8.2 The current application falls within the area defined as East Slope/Phase 1 of a three phased development with outline approval for access, use and scale secured under planning application BH2013/04337 (allowed at appeal). East Slope/Phase 1 gained approval for student accommodation with a total of 2,000 study bedrooms to be constructed (a net gain of 1,408) along with social and ancillary spaces. Matters relating to layout, landscaping and appearance were reserved and are being considered under a concurrent application BH2016/01004.
- 8.3 When the original outline masterplan was conceived there were no plans to relocate the student union within the masterplan area, in addition, the tallest (6 storey) building was proposed to be located within the West Slope/Phase 2 development area.
- 8.4 This application has been submitted as a stand-alone full planning application for technical reasons on the basis that it falls outside the scope of the approved outline scheme in relation to scale, specifically height as 6 storeys is taller than the approved scale parameter for this area of the site, and the use as the approved outline masterplan did not contain the student union and performance space element. Although this application would, if approved, result in a stand-alone permission, it is inextricably linked to the outline (BH2013/04337) and the two schemes will operate as a single development within Phase 1.
- 8.5 The 249 student bedspaces proposed as part of the scheme do not represent an increase over the total number approved under the outline application (4,022) the number of beds has simply been redistributed across Phases 1 and 3 - the residential phases of development and are therefore acceptable.
- 8.6 The relocation of the student union from elsewhere in the campus is acceptable in land use terms as it represents an ancillary use which would be expected on a campus such as Sussex University. The flexible retail floorspace as noted by Planning Policy will serve the specific local demand created by the University and alternative off-campus locations are therefore not considered appropriate. Further, a sequential test as required by national policy and City Plan Policy CP4 *Retail Provision* is also considered unnecessary in this instance and the principle of this element of the development is therefore considered acceptable.

Design and heritage:

Heritage impact:

- 8.7 The principle of relocating the social hub/student union as proposed is supported by Heritage and will also lead to the student union being able to vacate the existing grade I listed Falmer House building which is located outside the masterplan area to the southern end of the main campus. The current use is noted as having a harmful impact on the listed building through the intensity of use and through the provision of unsympathetic signage.
- 8.8 The verified views submitted with the application demonstrate that the proposed development would cause no harm to the setting of the listed buildings and there would be negligible impact on the setting of the conservation area or the setting of the registered park and garden at Stanmer.

Tall building:

- 8.9. The proposed building is 6 storeys in height and as such represents a tall building as defined by SPGBH15 – Tall Buildings and a Tall Buildings Statement has been submitted in support of the proposal. As noted by Heritage the building is actually only marginally taller than the existing adjacent building Bramber House which is located on the other side of Refectory Road – the main north south spine road on campus. The siting is also on the valley bottom and as such the building will create a new local landmark building in a suitably prominent location to act as a way finder without appearing unduly obtrusive or intruding on any key views across the campus. In longer views the building will relate well in scale and building line to Bramber House and the recent Swanborough Blocks.
- 8.10 As previously noted, the masterplan approved under the outline application (BH2013/04337) included a tall building (6 storeys plus basement) at the north end of Refectory Road within the 3rd Phase/West Slope and was intended to operate as a landmark and social hub for the campus, close to the approved hub building two other buildings were approved at 6 storeys. As noted by Heritage, it would be inappropriate to have several buildings on campus at 6 storeys competing for precedence at this end of the campus and as such it is recommended that a clause is imposed on this permission to ensure that no building within Phase 3/West Slope exceeds 5 storeys in height.

Design and landscaping:

- 8.11 The overall design and appearance of the building is considered to compliment and strengthen the Spence design approach in a contemporary and stripped down form. The use of red Sussex brick and characteristic concrete-effect banding is also welcomed by Heritage.
- 8.12 The public spaces and routes echo the Spence principles which are embodied within the historic core of the campus with the use of segmental arched vaults beneath the new access road for example representing a strong connection to the original Spence design concept.
- 8.13 The applicant has built a mock-up part of the proposed façade on site including a full size window, brick slips, concrete base, render and concrete-effect band with Spence inspired textured detailing. The Heritage officer has considered the detail

and is content with the brick slip and mortar detail along with the texture/pattern of the render/concrete-effect render and the window and aluminium colour however the final colour for the render, concrete and concrete-effect render are sought by condition, along with the hard landscaping details, to ensure the appropriate finish is achieved.

- 8.14 Through colour render is proposed on each of the buildings and with the aim of reducing the likelihood of streaking discoloration from rain water, the buildings have been design to include aluminium 'U' shaped metal gullies which will throw the water away from the elevation rather than allow it to run directly down the face of the building. The same gullies are proposed within the areas of brickwork on the buildings and this method is fully supported to help ensure the buildings maintain their appearance.
- 8.15 The proposed hard landscaping uses a suitably restrained palette of materials, including large elements of concrete paving slabs as were used by Spence in the more formal pedestrian routes of the original campus. However, there is concern over the proposed use of tarmac for the main public space on Refectory Road, which would not be sufficiently distinguished from the road surface. As such, amended details to secure concrete pavers are recommended to be secured by condition along with additional hard landscaping details - handrails to steps, bollards, fixed seating, cycle racks and litter bins.
- 8.16 The Arboricultural Section have considered the detail of the landscaping scheme and have sought an updated planting schedule to address concerns regarding species selection for replacement trees to ensure more native species are integrated into the landscape design.

Impact on Amenity:

- 8.17 The application site is centrally located within the campus and neighbouring uses are therefore located a considerable distance from the site and are therefore unlikely to be adversely affected by matters such as noise disturbance from the use.
- 8.18 The site will be surrounded by student accommodation, including on the upper floors of the building and as such the scheme has been carefully designed to ensure that stringent mitigation measures are integral to the construction of the development to ensure the uses can all function whilst still achieving restful internal conditions for the residential accommodation. This includes technical design to improve the soundproofing of the building facades and constructing the nightclub in a box within a box to prevent the onward transmission of noise. As noted by the Environmental Health Team, the self-contained nature of the campus with no immediate neighbours the University are strongly incentivised to ensure the building is built to an appropriate standard to protect amenity and create a suitable residential environment for their students.
- 8.19 In addition and with reference to the above, two large areas of external amenity space are proposed which include extensive areas of seating and will be used in connection with the residential accommodation as well as the union. It is not

considered necessary to condition hours of use for these areas given the inherent desire from the University to maintain suitable levels of amenity for the students and the fact that no neighbouring residents off campus are likely to be affected. These issues are considered to fall within the remit of the overall management of the campus rather than needing to be controlled via planning condition.

Ecology:

- 8.20 The application site which forms only a small portion of the overall East Slope development area has relatively low ecological value as it is largely formed of hardstanding with small portions of three buildings and some ornamental trees.
- 8.21 Badger activity has been identified across the majority of the masterplan area, although no Setts have been identified within the development area. Given the level of activity previously identified it is considered appropriate to condition to secure measures to protect badgers from being trapped in open excavations and/or pipe and culverts.
- 8.22 In addition, the East Slope Bar (to be demolished to facilitate this development) was identified as having high bat roosting potential during the course of the outline application however no roosts were identified when last surveyed (2013). Given the length of time that has elapsed since the previous survey and the high potential for roosting it is considered necessary to condition that further surveys are undertaken prior to demolition to ensure no new roosts are found. With the above conditions imposed, the specific ecology issues relating to the application site are considered to be adequately addressed.

Environmental Impact:

- 8.23 The development does not as a stand-alone application constitute EIA development having consideration of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 as it falls below the threshold of both schedule 1 and 2 development. This application, as previously mentioned is however inextricably linked to the overall outline scheme (BH2013/04337) and Phase 1/East Slope in particular. As such, addendums to the original Environmental Statement (ES) have been submitted in support of the application and the application has been advertised as EIA development accordingly.
- 8.24 The addendums to the ES are considered to sufficiently cover the aspects which differ from the outline application (in relation to height and use in particular) and as such the overall environmental impacts of the development have been fully considered and addressed accordingly.

Sustainable Transport:

- 8.25 Overall the Sustainable Transport Team are satisfied with the submission subject to the inclusion of conditions to secure details of cycle parking, disabled parking and improvements to sustainable transport infrastructure along with securing an updated Travel Plan and Construction Environmental Management Plan.

- 8.26 The student union use did not form part of the original masterplan and is likely to host events which will be open to the wider community/off-campus to attend; this therefore represents an uplift in trips when compared to the outline approval. In light of this the Highway Authority would look for an appropriate level of contribution to ensure that the necessary infrastructure (eg bus stops, real time passenger information) is in place to ensure sustainable travel is an attractive and realistic option to and from the site. As such a similar condition to condition 24 on the original outline permission (BH2013/04337) is recommended to secure details of pedestrian, cycle and public transport improvements and for these to be implemented prior to first occupation in order to ensure that the appropriate infrastructure is in place to accommodate the demand generated.
- 8.27 It is noted that pedestrian access to the union building would be somewhat disrupted by the proposed seating and tables adjacent to the entrance, in addition the location of the cycle parking is queried and further consideration is recommended to ensure they are in the most appropriate location to ensure the best uptake. Further, the proposed disabled parking layout does not meet the Council's recommended standards which require access on both sides of the space. As such, amendments to the entrance area, cycle parking details and amended disabled parking layout are also recommended to be secured by condition in order to address these issues.

Sustainability:

- 8.28 The proposal has addressed the requirements of sustainability policy CP8 well and there is a clear commitment to achieve BREEAM 'excellent' with preparatory work having been undertaken to ensure this standard is achievable and the detail submitted demonstrates that there is a good margin for this to be achieved.
- 8.29 The University currently operates a district heating network which will be extended to the new development. Renewable energy will be provided via solar photovoltaic panels. Other measure integrated into the scheme include: natural ventilation, energy efficient lifts, mechanical ventilation with heat recovery, LED lighting, fabric performance above minimum national standards, green roofs and solar control glazing. The development has been design to achieve a high standard of accommodation and with the imposition of conditions to secure BREEAM 'excellent', connection to district heating and securing photovoltaic panels will adequately address the requirements of policy CP8.

9 CONCLUSION

- 9.1 The proposed development is of a high standard of design and will integrate well with the overall masterplan and the original Sir Basil Spence design concept without causing harm to the setting of adjacent listed buildings, the Stanmer Park Conservation Area or the South Downs National Park. The development will achieve a BREEAM 'Excellent' rating, will adequately protect amenity and with the imposition of suggested conditions will not have an unacceptable impact on the highway network.

10 EQUALITIES

10.1 The topography of the site is very challenging however step free access has been integrated into the scheme to provide safe access across the site for those with mobility issues.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

S106 Heads of Terms

- Public Art - £30,000
- Minimum 20% local employment
- Local Employment Scheme - £69,040
- Construction Environmental Management Plan
- Travel Plan

Regulatory Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
- 2) The development hereby permitted shall be carried out in accordance with the approved drawings listed below.
Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Existing Site Plan – Proposed Red Line	A10656-TPB-B1-XX-DR-A-1060	P01	18 March 2016
Zone 01 - Buildings B1 - Level 00 Plan - North	ESR-TPB-01-00-DR-A-1040	P03	18 March 2016
Zone 01 - Buildings B1 - Level 00 Plan - South	ESR-TPB-01-00-DR-A-1041	P03	18 March 2016
Zone 01 - Buildings B1 - Level 01 Plan	ESR-TPB-01-01-DR-A-1040	P03	18 March 2016
Zone 01 - Buildings B1 - Level 02 Plan	ESR-TPB-01-02-DR-A-1040	P03	18 March 2016
Zone 01 - Buildings B1 - Level 03 Plan	ESR-TPB-01-03-DR-A-1040	P03	18 March 2016
Zone 01 - Buildings B1 - Level 04 Plan	ESR-TPB-01-04-DR-A-1040	P03	18 March 2016

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Zone 01 - Buildings B1 - Level 05 Plan	ESR-TPB-01-05-DR-A-1040	P03	18 March 2016
Zone 01 - Buildings B1 - Roof Plan	ESR-TPB-01-06-DR-A-1040	P03	18 March 2016
Zone 01 - Buildings B1 - Sections & Elevations	ESR-TPB-01-XX-DR-A-2040	P03	18 March 2016
Zone 01 - Buildings B1 - East & West Elevations	ESR-TPB-01-XX-DR-A-3040	P03	18 March 2016
Zone 01 - Buildings B1 - North & South Elevations	ESR-TPB-01-XX-DR-A-3041	P03	18 March 2016
Zone 01 - Buildings B1 - Elevations	ESR-TPB-01-XX-DR-A-3042	P03	18 March 2016
Hard Landscape General Arrangement Plan	D2190 L-P-210	01	18 March 2016
Planting Schedule	D2190 L-P-310	03	14 July 2016
Soft Landscape General Arrangement Plan	D2190 L-P-311	01	18 March 2016

- 3) Prior to any demolition commencing on site, further ecological surveys shall be undertaken to establish if there have been any changes in the presence and/or abundance of bats. Where the survey results indicate that changes have occurred that will result in impacts not previously addressed in the approved scheme BH2013/04337, the original approved ecological measures shall be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Works shall then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: The matter is fundamental to the acceptable delivery of the permission to safeguard these protected species from the impact of the development in accordance with policies QD18 of the Brighton & Hove Local Plan and CP10 of the Brighton & Hove City Plan Part One.

- 4) No development shall commence until a drainage strategy detailing the proposed means of foul water disposal and an implementation timetable, has been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: The matter is fundamental to the acceptable delivery of the permission to ensure adequate foul sewage drainage/treatment is available prior to development commencing and to comply with policy SU5 of the Brighton & Hove Local Plan.

- 5) No development 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 detailed design prior to the building commencing.
Reason: The matter is fundamental to the acceptable delivery of the permission 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.
- 6) No hedgerow, tree or shrub shall be removed from the site between 1st March and 31st August inclusive without the prior submission of a report to the local planning authority which sets out the results of a survey to assess the nesting bird activity on the site and describes a method of working to protect any nesting bird interest. The report must first be agreed in writing by the local planning authority and development shall be carried out in accordance with the approved details.
Reason: To safeguard these protected species from the impact of the development in accordance with policies QD18 of the Brighton & Hove Local Plan and CP10 of the Brighton & Hove City Plan Part One.
- 7) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
Reason: To ensure that any contamination identified during the construction works is fully characterised and assessed and to comply with policy SU11 of the Brighton & Hove Local Plan.
- 8) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
Reason Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater in accordance with policy SU3 of the Brighton & Hove Local Plan.
- 9) No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of the render and concrete used in the external surfaces of the development, including the colour, have been

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submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policy CP12 of the Brighton & Hove City Plan Part One.

10) No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts have been submitted to, and approved in writing by, the local planning authority. The measures may include the creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of the working day; and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day. The scheme shall be implemented in accordance with the approved details. **Reason:** To safeguard these protected species from the impact of the development in accordance with policies QD18 of the Brighton & Hove Local Plan and CP10 of the Brighton & Hove City Plan Part One.

11) Notwithstanding the approved plans, prior to first occupation of the development hereby permitted, details of disabled car parking provision for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. 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 SPG4 guidance.

12) No work shall take place above ground floor slab level of any part of the development hereby approved until further details of additions and improvements on campus to pedestrian and cycle routes, bus stops, along with details of cycle parking for the students, staff and visitors to the development hereby approved have been submitted to, and approved in writing by, the local planning authority. These facilities shall be implemented and made available for use prior to the first occupation of the development permitted and shall thereafter be retained for that use at all times.

Reason: To ensure the development provides for sustainable travel to and from the site and to comply with policy TR14 of the Brighton & Hove Local Plan and CP9 of the Brighton & Hove City Plan Part 1.

13) (i) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:

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

and, unless otherwise agreed in writing by the Local Planning Authority,

- (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001;
- and, unless otherwise agreed in writing by the Local Planning Authority,
- (c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.

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

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

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

Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

14) i) No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

ii) The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.

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 HE12 of the Brighton & Hove Local Plan

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

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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.

- 16) The photovoltaic panels hereby approved shall be fully installed and operational prior to first occupation of the development and maintained as such thereafter.
Reason: To ensure that the development is sustainable and makes efficient use of energy and to comply with policy CP8 of the Brighton & Hove City Plan Part One.
- 17) Prior to first occupation, the development hereby approved shall be connected to University of Sussex's district heating system.
Reason: To ensure that the development is sustainable and makes efficient use of energy and to comply with policy CP8 of the Brighton & Hove City Plan Part One.
- 18) Notwithstanding the requirements of condition 19, unless otherwise agreed in writing by the Local Planning Authority the development hereby approved shall be carried out in accordance with the following approved schedule: brickwork – Celina Klinker, Cleaves, German – Sussex Red, mortar – Grout Mortar A – Buff, fenestration including windows and louvres: RAL 7015 (grey).
Reason: To ensure a satisfactory appearance to the development and to comply with policy CP12 of the Brighton & Hove City Plan Part One.
- 19) No development above ground floor slab level of any part of the development hereby permitted shall take place until a sample of the green rainscreen cladding material to the stair/lift tower, render and concrete used in the external surfaces of the development, including colour, along with details of the following hard landscaping features; hard surfacing/paved areas, handrails to steps, bollards, fixed seating and litter bins have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.
Reason: To ensure a satisfactory appearance to the development and to comply with policy CP12 of the Brighton & Hove City Plan Part One.
- 20) Prior to first occupation of the development hereby approved, the landscaping scheme detailed on drawing nos. D2190 L-P-210 and D2190 L-P-311 received on 18 March 2016 shall be updated in accordance with the planting schedule received 14 July 2016 and submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall then be fully carried out in the first planting and seeding season following the first occupation of the building or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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 of the Brighton & Hove City Plan Part One.

- 21) Notwithstanding the approved hard landscaping drawing D2190 L-P-210 received 18 March 2016, prior to first occupation details of the area of hardstanding and associated seating/tables adjacent to the main entrance to the building shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall then be carried out in accordance with the approved scheme and maintained as such thereafter.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to improve pedestrian access in accordance with policies QD15 of the Brighton & Hove Local Plan and policies CP9 and CP12 of the Brighton & Hove City Plan Part One.

- 22) The hard landscaping scheme hereby approved shall be implemented in accordance with the approved details prior to first occupation of the development.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policy CP12 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. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-

The proposed development is of a high standard of design and will integrate well with the overall masterplan and the original Sir Basil Spence design concept without causing harm to the setting of adjacent listed buildings, the Stanmer Park Conservation Area or the South Downs National Park. The development will achieve a BREEAM 'Excellent' rating, will adequately protect amenity and with the imposition of suggested conditions will not have an unacceptable impact on the highway network.
3. The applicant is advised to enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service

the development and should contact: Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

4. The applicant is advised that a wastewater grease trap should be provided in the kitchen and maintained by the owner/operator.
5. The applicant is advised in relation to condition 5 (surface water drainage) above that the applicant needs to demonstrate, in accordance with the non-statutory technical standards for the design, maintenance and operation of sustainable drainage systems, that the proposed drainage system,
 - will be able to cope with both winter and summer storms for a full range of events and storm durations;
 - is designed so that flooding does not occur on any part of the site for a 1 in 30 year rainfall event; and
 - poses no risk to people or property for all events greater than the 1 in 30 year up to the 1 in 100 year plus climate change.

In addition, the applicant will need to confirm which soakaways will remain and which will become redundant.

6. The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting 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.
7. The applicant is advised that badgers may be present on site. Badgers and their setts are protected under the Protection of Badgers Act 1992. It is a criminal offence to kill, injure or take badgers or to interfere with a badger sett. Should a sett be found on site during construction, work should stop immediately and Natural England should be contacted on 0300 060 0300.
8. The applicant is advised that there should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. The applicant should, where required confirm the position using hand dug trial holes to Southern Gas Networks. Safe digging practices, in accordance with HSE publication HSG47 “Avoiding Danger from Underground Services” must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used.
9. The applicant is advised in relation to condition 19 that the use of large concrete slabs similar to those utilised in the existing public spaces on the campus should replace the use of tarmac. In addition, the seating/tables location should be reconsidered to aid free pedestrian flow.

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