

# Planning Committee

Date: **20 May 2020**

Time: **2.00pm**

Venue **Skype Meeting**

**\*Please Note:** In response to current Central Government Guidance it is envisaged that this meeting will be “virtual”, webcast live and accessible by skype. Public Speaking and engagement opportunities will be available.

Members: **Councillors:** Hill (Chair), Littman (Opposition Spokesperson), C Theobald (Group Spokesperson), Childs, Fishleigh, Janio, Mac Cafferty, Miller, Shanks and Yates

Conservation Advisory Group Representative

Contact: **Shaun Hughes**  
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# AGENDA

## 134 PROCEDURAL BUSINESS

**(a) Declaration of Substitutes:** Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

### **(b) Declarations of Interest or Lobbying**

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

- (d) All Members present to declare any instances of lobbying they have encountered regarding items on the agenda.

**(c) Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.*

## 135 MINUTES OF THE PREVIOUS MEETING

Minutes of the meetings held on 22 April 2020 and 06 May 2020 are to follow.

## 136 CHAIR'S COMMUNICATIONS

## **137 PUBLIC QUESTIONS**

**Written Questions:** to receive any questions submitted by the due date of 12 noon on 14 May 2020.

## **138 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS**

Please note that in recognition of the current Covid 19 pandemic and in response to Central Government Guidance alternative arrangements have been put into place to ensure that Committee Members are able to familiarise themselves with application sites in those instances where a site visit is requested.

## **139 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS**

*Please note that the published order of the agenda may be changed; major applications will always be heard first; however, the order of the minor applications may be amended to allow those applications with registered speakers to be heard first.*

### **MAJOR APPLICATIONS**

A BH2020/00011 - West Slope, University of Sussex, Falmer - Full Planning **1 - 88**

### **MINOR APPLICATIONS**

## **140 TO CONSIDER ANY FURTHER APPLICATIONS IT HAS BEEN DECIDED SHOULD BE THE SUBJECT OF SITE VISITS FOLLOWING CONSIDERATION AND DISCUSSION OF PLANNING APPLICATIONS**

Please note that in recognition of the current Covid 19 pandemic and in response to Central Government Guidance alternative arrangements have been put into place to ensure that Committee Members are able to familiarise themselves with application sites in those instances where a site visit is requested.

### **INFORMATION ITEMS**

## **141 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE **89 - 90****

(copy attached).

## **142 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES**

None for this agenda.

## **143 APPEAL DECISIONS**

None for this agenda.

Members are asked to note that plans for any planning application listed on the agenda are available on the Brighton and Hove City Council website at: <http://www.brighton-hov.gov.uk>

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested. Infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

### **FURTHER INFORMATION**

For further details and general enquiries about this meeting contact Penny Jennings, (01273 291065, email [penny.jennings@brighton-hove.gov.uk](mailto:penny.jennings@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

### **WEBCASTING NOTICE**

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Therefore, by entering the meeting room and using the seats in the chamber you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured, they should sit in the public gallery area.

### **ACCESS NOTICE**

The Public Gallery is situated on the first floor of the Town Hall and is limited in size but does have 2 spaces designated for wheelchair users. The lift cannot be used in an emergency. Evac Chairs are available for self-transfer and you are requested to inform Reception prior to going up to the Public Gallery. **For your own safety please do not go beyond the Ground Floor if you are unable to use the stairs.**

Please inform staff on Reception of this affects you so that you can be directed to the Council Chamber where you can watch the meeting or if you need to take part in the proceedings e.g. because you have submitted a public question.

### **FIRE / EMERGENCY EVACUATION PROCEDURE**

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- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.



# **ITEM A**

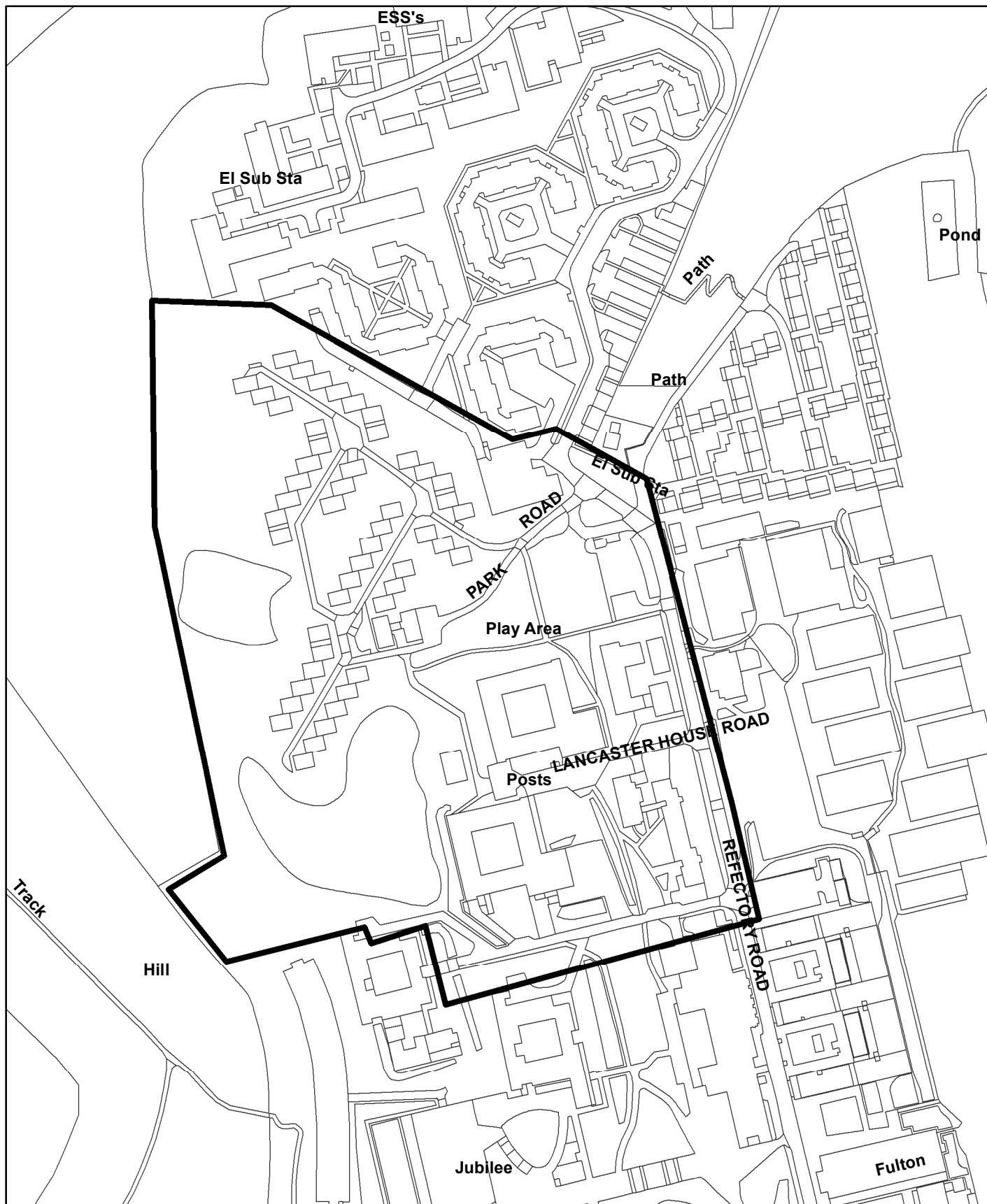
**West Slope, University of Sussex  
BH2020/00011  
Full Planning**

**DATE OF COMMITTEE: 20<sup>th</sup> May 2020**





# BH2020 00011 - West Slope, University Of Sussex



N



Scale: 1:2,500



<b><u>No:</u></b>	<b>BH2020/00011</b>	<b><u>Ward:</u></b>	<b>Hollingdean And Stanmer Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>West Slope University of Sussex Lewes Road Falmer Brighton BN1 9RH</b>		
<b><u>Proposal:</u></b>	<b>Demolition of Park Village, Lancaster, York, Kulukundis and Kent Houses (total of 852 bed spaces) and health centre and erection of 23no buildings ranging from 1 to 6 storeys comprising new student residences (total of 1899 bed spaces including 20 family units) and ancillary uses including new health &amp; well-being centre, Pavilion Library, retail and restaurant/cafe together with new focal landscaped space, wider landscaping and tree planting and improved pedestrian access.</b>		
<b><u>Officer:</u></b>	Henrietta Ashun, tel:	<b><u>Valid Date:</u></b>	31.12.2019
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	31.03.2020
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	Mr C Wojtulewski Suite S10 The Waterside Centre North Street Lewes BN7 2PE		
<b><u>Applicant:</u></b>	University of Sussex And Balfour Beatty C/o Parker Dann Ltd Suite S10 The Waterside Centre North Street Lewes BN7 2PE		

## 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 20<sup>th</sup> August 2020** the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 13.1 of this report:

### **S106 Heads of Terms**

#### Artistic Contribution

- Commissioning and installation of an Artistic Component to the value of £98,389 within the development in public view or in the immediate vicinity of the site. This could comprise an 'uplift' in the value of public realm provision to incorporate an artistic component.

#### Employment:

- Submission of an Employment & Training Strategy to secure the use of at least 20% local construction labour

- A financial contribution of £122,940 towards the Local Employment Scheme

Habitat Creation and Landscape Management Plan

Travel Plan

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
To be added to the Additional Representations List			

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 development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the programme.

**Reason:** To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policy HE12 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

4. The development hereby permitted shall not be brought into use until the archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation approved under condition 3.

**Reason:** To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policy HE12 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

5. No development, including demolition, shall take place until the Construction Environmental Management Plan (CEMP) submitted (Balfour Beatty, 10th December 2019) is approved in writing by the Local Planning Authority. The CEMP shall include:

- (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 to ensure that residents are 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 disturbance to neighbours regarding issues such as noise and dust management vibration site traffic and deliveries to and from the site;
- (v) Details of hours of construction including all associated vehicular movements;
- (vi) Details of the construction compound;
- (vii) A plan showing construction traffic routes.

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

**Reason:** To protect amenity, manage highway safety and waste throughout development works and to comply with policies QD27, SU9, SU10 and TR7 of the Brighton & Hove Local Plan, policy CP8 of the Brighton & Hove City Plan Part One, and WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Supplementary Planning Document 03 Construction and Demolition Waste.

6. Asbestos containing materials (ACM) within the existing buildings are a contaminant of concern. Any desk top study and site investigation must fully incorporate ACM into the conceptual site model with any significant risks and pollutant linkages noted and risk assessed.
  - a) Prior to commencement, a full asbestos survey of the premises in accordance with HSG264, undertaken by a suitably qualified specialist shall be submitted in writing to the local planning authority for approval. And if any asbestos containing materials are found, which present significant risk/s to the end user/s then
  - b) A report shall be submitted to the local planning authority in writing, containing evidence to show that all asbestos containing materials have been removed from the premises, particularly areas to form private dwellings and taken to a suitably licensed waste deposit site.

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

7. Prior to the commencement of development, no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified all previous uses and potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.

A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

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

8. Prior to the development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

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

9. The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

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

10. 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 a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

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

11. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the

risks to controlled waters. The development shall be carried out in accordance with the approved details.

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

12. Piling and investigation boreholes using penetrative methods shall not be carried out other than with the written consent of the local planning authority. 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 referential 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.

13. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the development.

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

14. Prior to the commencement of the development all details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The scheme shall be implemented in accordance with the approved details.

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

15. The development hereby permitted shall not be commenced (including demolition and all preparatory work) until agreed protection measures are in place and retained throughout the construction process. The fences shall be erected in accordance with British Standard BS5837 (2012) Trees in relation to design, demolition and construction – Recommendations and in accordance with The Environmental Partnership Arboricultural Impact Assessment Appendix C Arboricultural Method Statement dated 10/12/2019. Protective measures shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

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

Hove Local Plan and CP12 and CP13 of the Brighton & Hove City Plan Part One and SPD06: Trees and Development Sites.

16. Prior to the commencement of the development, details of all tree protection monitoring and site supervision by a suitably qualified tree specialist (where arboricultural expertise is required) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.  
**Reason:** As this matter is fundamental to protecting the trees which are to be retained on the site during construction works in the interest of the visual amenities of the area and to comply with policies QD16 of the Brighton & Hove Local Plan and CP12 and CP13 of the Brighton & Hove City Plan Part One and SPD06: Trees and Development Sites.
17. 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 brick, render and tiling (including details of the colour of render/paintwork to be used)
  - b) samples of all cladding to be used, including details of their treatment to protect against weathering
  - c) samples of all hard surfacing materials
  - d) samples of the proposed window, door and balcony treatments
  - e) samples of all other materials to be used externally The development shall be carried out in accordance with the approved details.
- Reason:** To ensure a satisfactory appearance to the development and to comply with policies QD14 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.
18. No development above ground floor slab level of any part of the development hereby permitted shall take place until the submission of supporting evidence of the durability and weathering of the proposed scored render has been submitted to and approved in writing by the Local Planning Authority.  
**Reason:** To ensure a satisfactory appearance to the development and to comply with policies QD14 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.
19. Notwithstanding the plans submitted, no development above ground floor slab level shall commence until a scheme detailing the design of internal streets and spaces has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The submitted scheme shall include full details of the following:
- I. Geometry and layout, including dimensions and visibility splays
  - II. Pavement constructions and surfacing, kerbs and edge restraints
  - III. Levels and gradients
  - IV. Lighting



- V. Drainage
- VI. Street furniture
- VII. Trees, other planting, growing media and planting aids
- VIII. Traffic signs and road markings;

If the scheme proposes that any areas are shared between pedestrians and vehicles or where recommendations in Guidance On the Use of Tactile Paving Surfaces are not met then relevant disabled user groups (and/or national organisations representing them) shall be engaged as part of the design development process and the submitted scheme shall include both of the following:

- A Participative Inclusive Design Statement. This shall: explain the engagement undertaken with disabled user groups during the design development process; record their views and suggestions on the different options; and explain how these have shaped the submitted design proposals and other management plans. Where it has not been considered possible to accommodate views and suggestions in the submitted proposals and plans then the reasons for this shall be detailed.
- An Equality Assessment. As a minimum this shall identify and explain: each adverse impact arising from the proposals for different protected character groups; how these are known (which may be from appropriate consultation/engagement, research or guidance relevant to the protected character groups impacted); the alternatives considered to avoid or minimise these impacts; and, where some residual adverse impact remain, the objective justifications for why complete avoidance is not considered possible and why the scheme should nonetheless be considered acceptable.

The approved scheme shall be implemented prior to first occupation of the residential development and thereafter shall be retained.

**Reason:** In the interest of highway safety, inclusivity, sustainability, quality design, the historic environment and public amenity and to comply with policies TR7, TR11, TR12, TR14, TR15, TR18, SU3, SU5, QD1, QD2, QD3, QD14, QD20, QD25, QD26, QD27 and HE6 of the Brighton & Hove Local Plan and SA6, CP7, CP9, CP12, CP13 and CP15 of the Brighton & Hove City Plan Part One, and National Planning Policy Framework paragraphs 108-110.

20. No development above ground floor slab shall take place until full details of all new door(s) and window(s) and their reveals and cills including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority.  
**Reason:** To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.
21. No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the PV panel arrangement have been submitted to and approved in writing by the Local Planning

Authority. The details shall include a roof plan, cross section, and details of materials. The roof shall then be constructed in accordance with the approved details and shall be retained as such thereafter.

**Reason:** To ensure that the development contributes to sustainability objectives and the visual amenity of the streetscene in accordance with CP18, CP12 and CP15 of the Brighton and Hove City Plan Part One.

22. No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the construction maintenance and irrigation programme of the green roofs/green screens have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement, the seed mix, and a maintenance and irrigation programme. The roofs shall then be constructed in accordance with the approved details and shall be retained as such thereafter.

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

23. No development above ground floor slab level of any part of the development hereby permitted shall take place until the location and details of swift boxes, swift nest bricks and bee bricks have been submitted to and approved in writing by the Local Planning Authority. The details shall be implemented in accordance with the agreed details and thereafter retained as such.

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

24. No work shall take place above ground floor slab level of any part of the development hereby approved until:

- a) Evidence has been submitted to the local planning authority that the development is registered with the Building Research Establishment (BRE) under BREEAM and a Design Stage Assessment Report showing that the development will achieve a BREEAM rating of:
  - o 'Excellent' for the multi-residential student accommodation development and,
  - o "Very Good" for the Library, Healthcare and Retail elements of the development against the BREEAM Shell and Core assessment, and:
- b) A BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of overall:
  - o 'Excellent' for the multi-residential student accommodation development and,
  - o "Very Good" for the Library, Healthcare and Retail elements of the development against the BREEAM Shell and Core assessment has been submitted to, and approved in writing by, the local planning authority. A completed pre-assessment estimator will not be acceptable.

It is expected that the fit out of the Library, Healthcare and Retail elements of the development will meet the “excellent” BREEAM standard when fitted out.

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

25. The development hereby permitted shall not be first occupied until a scheme for the fitting of odour control equipment and sound insulation thereto, has been submitted to and approved in writing by the Local Planning Authority. Note that odour control measures can increase fan noise and this should be taken into account during design phase. The measures shall be implemented in strict accordance with the approved details prior to the first occupation of the development and shall thereafter be retained as such.

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

26. The development hereby permitted shall not be first occupied until:
- (1) 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.
  - (2) The predicted illuminance levels have been tested by a competent person to ensure that the illuminance levels agreed in part 1 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, impact on the International Dark Sky Reserve and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.

27. Prior to first occupation of the development hereby approved details of the proposed Access Facilitation Pruning (see BS5837:2012) shall be submitted to and approved in writing by the Local Planning Authority. The approved tree pruning works shall be carried out in accordance with BS3998:2010. Due to the importance of elm trees to the City of Brighton and Hove (Brighton and Hove City Plan - Policy QD16 3.70) and home to the National Elm Collection, and to help elm disease management in the City, elm trees must be pruned between the dates 1st October to 31st May.

**Reason:** To avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with SPD 06, QD 16 (Trees and Hedgerows).

28. Prior to first occupation the development the landscaping scheme by shall be implemented as hereby approved.

**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.

29. Notwithstanding plans hereby submitted, prior to first occupation, details of secure and inclusive cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. This should include a cycle parking scheme management plan. The approved facilities 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 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.

30. Notwithstanding plans hereby submitted, the development hereby permitted shall not be occupied until the disabled parking shown on the approved plans have been fully implemented and made available for use. The disabled parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

31. Prior to the first occupation of the development hereby approved a Delivery & Service Management Plan, which includes details of the types of vehicles, how deliveries will take place and the frequency of deliveries shall be submitted to and approved in writing by the Local Planning Authority. All deliveries 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 polices SU10, QD27 and TR7 of the Brighton & Hove Local Plan.

32. Prior to the first occupation of the development hereby approved a Move In / Move Out Strategy, which details how the moving in and out of students at the start and end of terms will be co-ordinated and managed shall be submitted to and approved in writing by the Local Planning Authority. All student move in and out 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 polices S10, QD27 and TR7 of the Brighton & Hove Local Plan and CP21 of the City Plan Part One.

33. 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

34. All ecological measures and/or works shall be carried out in accordance with the details contained in the Environment Statement, Chapter 7 and Appendix 7.1 (LUC December 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

**Reason:** To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified in accordance with Policy CP10 of the Brighton & Hove City Plan Part One.

35. All approved hard surfaces 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.

36. The accessible dwelling(s) hereby permitted as detailed on the approved drawings shall be provided as specified.

**Reason:** To ensure satisfactory provision of homes for people with disabilities to comply with policy HO13 of the Brighton & Hove Local Plan.

37. No tree shown as retained on the approved drawings shall be cut down, uprooted, destroyed, or damaged in any manner during the development 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.

38. Due to the importance of elm trees to the City of Brighton and Hove and home to the National Elm Collection, to help with elm disease (formerly

known as Dutch Elm Disease) management within the City, elm trees must be pruned between the dates 1st October to 31st May.

**Reason:** To safeguard these species from the impact of the development in accordance with policies QD16 of the Brighton & Hove Local Plan and CP10 of the Brighton & Hove City Plan Part One

39. No servicing (i.e. deliveries, collections, servicing, etc) shall occur except between the hours of 07.00 and 19:00 hrs, with the exception of emergency call outs.

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

40. The commercial uses (supermarket, café, bar, etc) hereby permitted shall not be carried out, open to customers or noisy plant in use except between the hours of 07:00 and 23:00 on Mondays to Sundays, including Bank or Public Holidays.

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

41. No sound reproduction or amplification equipment (including public address systems, tannoys, loudspeakers, etc.) which is audible outside the site boundary shall be installed or operated on the site.

**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.

42. The Party Ceilings, Floors and Walls between the residential units and residential/non-residential shall be designed to achieve airborne and impact sound insulation values of at least 5dB better than that required by Approved Document E performance standards. The residential unit should meet the internal noise level standards of BS8233:2014 and World Health Organisation Night Noise Guidelines.

**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.

43. The development shall be carried out in accordance with the details within the submitted Site Waste Management Plan dated 18 November 2019, Revision 1, Balfour Beatty

**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.

44. No burning of demolition/construction waste materials shall take place on site.

**Reason:** to protect the amenity of local residents from smoke, ash, odour and fumes to comply with policy QD27 of the Brighton and Hove Local Plan

45. Students of the approved development (except those that are eligible for a blue badge) shall be not be permitted to park on the application site.

**Reason:** To ensure that the development does not result in unreasonable overspill parking and to comply with policies TR7 & QD27 of the Brighton & Hove Local Plan and CP9 of the City Plan Part One

46. The development shall be carried out in accordance with the details, mitigation measures and recommendations specified in the West Slope Residents Environmental Statement December 2019 and Statement of Conformity April 2020.

**Reason:** to comply with policies QD15, QD16, QD18, QD27, SU9, SU10 and TR7 of the Brighton & Hove Local Plan, policy SA5 CP8, 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 applicants should be aware that whilst the requisite planning permission may be granted, this does not preclude the Environmental Protection department from carrying out an investigation in line with the provisions Environmental Protection Act 1990, should any complaints be received with regards to noise from the premises.
3. The applicants are 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 – 30<sup>th</sup> 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.
4. The applicants are reminded that, under the Wildlife and Country Side Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting birds activity on site during this period and has shown it is absolutely certain that nesting birds are not present.
5. The applicants are 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.

6. The applicants are 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.
7. The applicants are advised that the details of external lighting required by the condition above should comply with the recommendations of the Institution of Lighting Engineers (ILE) 'Guidance Notes for the Reduction of Light Pollution (2011)' or similar guidance recognised by the council. A certificate of compliance signed by a competent person (such as a member of the Institution of Lighting Engineers) should be submitted with the details. Please contact the council's Pollution Team for further details. Their address is Environmental Health & Licensing, Bartholomew House, Bartholomew Square, Brighton, BN1 1JP (telephone 01273 294490 email: [ehlpollution@brighton-hove.gov.uk](mailto:ehlpollution@brighton-hove.gov.uk) website: [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk)).
8. The applicants are advised that accredited energy assessors are those licensed under accreditation schemes approved by the Secretary of State (see Gov.uk website); two bodies currently operate in England: National Energy Services Ltd; and Northgate Public Services. The production of this information is a requirement under Part L1A 2013, paragraph 2.13.
9. The applicants are advised that a formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel 0330 303 0119), or [www.southernwater.co.uk](http://www.southernwater.co.uk)
10. The applicants are advised that this planning permission does not override the need to obtain a licence under the Licensing Act 2003. Please contact the Council's Licensing team for further information. Their address is Environmental Health & Licensing, Bartholomew House, Bartholomew Square, Brighton BN1 1JP (telephone: 01273 294429, email: [ehl.safety@brighton-hove.gov.uk](mailto:ehl.safety@brighton-hove.gov.uk), website: [www.brighton-hove.gov.uk/licensing](http://www.brighton-hove.gov.uk/licensing)).
11. You are advised in accordance with 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 the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas pipes.



Please contact The Safety Admin Team at SGN Tel: 0800 912 1722 and the Dig Safely pages on [sgn.co.uk](http://sgn.co.uk)

12. You are advised in accordance with Natural England guidance to use an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.
13. Due to the desirability of cut elm branches and timber to adult elm bark beetles the Council seeks that all pruned elm material is correctly disposed of. In addition, all elm logs/timber is removed from the Brighton and Hove area or are taken to the Water Hall elm disposal site to be disposed of free of charge. Please call the Arboricultural team on 01273 292929 in advance to arrange this.
14. Crime prevention measures could be evidenced by a Secure By Design Developers Award Certificate or equivalent
15. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.
16. Swift bricks can be placed on any elevation, but ideally under shade-casting eaves. They should be installed in groups of at least three, at a height above 5m height, and preferably with a 5m clearance between the host building and other buildings or obstructions. Where possible avoid siting swift bricks above windows or doors. Where swift bricks are not practical due to the nature of construction, alternative designs of suitable swift nest boxes should be provided in their place.
17. The applicants are advised that the disabled car parking spaces should be designed in accordance with Department for Transport produced Traffic Advisory Leaflet 5/95 Parking for Disabled People. This requires a 1.2m clear zone to both sides of the bay.
18. The applicant is advised that it is expected that the amended cycle scheme to be secured via condition 29 will include the following, amongst other things:
  - a. Cycle parking must be secure, convenient, accessible, well lit, well signed, near the main entrance, by a footpath/hardstanding and wherever practical, sheltered
  - b. Spacing and aisle widths of Sheffield stands should be minimum of
  - c. At least 5% of cycle spaces should account for large bikes
  - d. Appropriate routing, signing and management (i.e. to indicate if cyclists are required to dismount when approaching/leaving the store)
  - e. Safe and inclusive access to cycle stores so that cyclists have mounted access to within a few metres of the entrance to stores.

19. The applicant is advised that it is expected that the amended street design scheme to be secured via condition 19 will include the following, amongst other things -
  - Marked pedestrian priority routes for pedestrian so that people can safely reach the doors without fear of conflict or obstruction with vehicles notwithstanding the rest of the external space being shared with cyclists and occasional vehicles.
  - Measures to prevent vehicles other than cyclists, delivery and service vehicles and emergency vehicles from accessing the potentially shared area and prevent indiscriminate parking
  - Safe and inclusive access to cycle stores so that cyclists have mounted access to within a few metres of the entrance to stores.
  
20. The applicant is advised that it is expected that the amended street design scheme to be secured via condition 19 will include the following, amongst other things –
  - a) Provision for delivery and servicing vehicles, including controlled means of access, signing and marked bays as outlined in the TA and supplementary TNs
  - b) Flexibility to permit timed student drop-off and collection vehicle movements, under management, during year start and end move in / out periods
  - c) Management measures for both activities listed above, whilst needing to be different, will be essential to ensure that the shared areas can still function safely during periods when servicing (infrequent but regular) and move-in / move-out (frequent but irregular) activities occur

## **2. SITE LOCATION & APPLICATION DESCRIPTION**

- 2.1. The site is located to the west of the village of Falmer and measures 6.6 hectares. The site forms part of the wider University of Sussex Campus (94 hectares) which comprises a mix of residential and academic buildings interspersed within open spaces and is located in the north-western extent of the campus.
  
- 2.2. The campus sits within a valley with the A27 trunk road to the south of the site, beyond which is the Brighton and Hove football stadium, the American Express Community Stadium (AMEX). Falmer Station is in close proximity and is located on the south of the campus. The site lies directly adjacent to the South Downs National Park (SDNP) on the western boundary. Stanmer Park, to the west, lies within the SDNP and is a Grade II Registered Park and Garden which also forms part of Stanmer Park Local Nature Reserve. Further west is Stanmer Village Conservation Area and Stanmer Village Local Geological Site.
  
- 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 University falls within Lewes District Council.

- 2.4. The topography of the site is relatively level on the eastern side then the land levels rise from the south-eastern boundary at approximately 68 AOD to 89 AOD along the north-western boundary. This results a flat area to the east of the site (known as the valley floor) and a sloping area to the west (known as the western perimeter).
- 2.5. The site currently accommodates the Park Village student residences, Lancaster House, York House, Kulukundis House, Kent House, the University's health centre and ancillary facilities including car parking and areas of open space.
- 2.6. 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. Outside of the application site, to the south within the University grounds is one Grade I and nine Grade II\* listed buildings (Falmer House is listed Grade I whilst the Meeting House, Library, Arts A and B building, Mathematical and Physical Sciences building, Chichester building, Engineering building and the Gardner Arts Centre are all listed Grade II\*). 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.
- 2.7. The application site is bound by Lewes Court and Northfield student residences to the north and north east. Refectory Road is located to the east and provides access to the southern end via Norwich House and Lancaster House. Further east, beyond Refectory Road are the Brighthelm residences and the newly constructed East Slope residences. To the south of the site is Norwich House, Essex House and Bramber House; and to the west is a new woodland plantation (Jubilee Woodland), open grassland, minimal hedge planting and scrub. This area forms part of the South Downs National Park.
- 2.8. The site also accommodates a number of mature trees and to the south-west of the application site is an area of woodland. To the east beyond the East Slope Purpose Built Student Accommodation is the Tenant, Lain and Moon Site of Nature Conservation Importance.
- 2.9. The University currently has 18,250 students with an on-campus population of 19,000 (including the Institute of Development Studies and the joint medical school with the University of Brighton).

### **3. THE APPLICATION**

- 3.1. The proposed development comprises the following:

- Demolition of Park Village, Lancaster, York, Kulukundis and Kent Houses and health centre
  - Erection of 23 buildings ranging from 1 to 6 storeys comprising new student residences
  - Ancillary uses including:
    - Health & well-being centre (1,346 sq.m to replace existing)
    - Pavilion Library (1,771 sq. m)
    - Supermarket (800 sq.m)
    - Restaurant/cafe (604 sq.m)
    - Reception/facilities management for West Slope (653 sq.m)
  - New focal landscaped space (North Court)
  - Wider landscaping and tree planting
  - Improved and new pedestrian accesses.
- 3.2. The existing 852 bed spaces will be replaced by new build residential accommodation providing 1899 bed spaces, providing a net increase of 1047 bed spaces.
- 3.3. The Purpose Built Student Accommodation (PBSA) is provided in 3 main residential typologies as follows: Villas (on the western edge), Town Houses and Clusters (within some of the 'North Court' buildings). Family housing is also provided.
- 3.4. 'Clusters' & 'Villas'
- -Represent 75.1% of the PBSA provision
    - 6-8 rooms per cluster
  - En-suite
  - 12.6 sq.m (minimum)
  - Communal area for each cluster including kitchen/living/dining
- 3.5. 'Townhouses' (buildings 3, 4, 5, 10, 11, 14, 15 & 16) (23.5%)
- Represent 23.5% of the PBSA provision
    - 12-13 rooms per townhouse
  - 10.6 sqm per room
  - Shared bathroom pods approximately 2.5 sq.m
  - Communal areas in each townhouse including a kitchen, eating area, living area
- 3.6. Family Two-bedroom flats (building 2)
- 20 units
  - 70 sqm (minimum) self-contained unit with two single bed spaces
  - At ground level a large family room is provided along with associated cycle storage, plant rooms and recycling.
  - There is a lift to provide access for wheelchairs users and also buggies
  - A dedicated 'play area' is provided adjacent to the building
- 3.7. In addition to the 3 main room types

- 6 emergency studios are also proposed.

Car Parking:

- 3.8. 22 parking spaces for the PBSA comprising:
- 10 for family accommodation (including 2 accessible parking bays)
  - 12 accessible parking bays
- 3.9. 6 parking spaces for the non-residential uses
- 2 accessible spaces
  - 2 visitor spaces for the Health Centre
  - 2 accessible spaces for the supermarket
- 3.10. 1 ambulance bay

A further break down of accessible parking spaces only within the site

- 12 PBSA
- 2 family units
- 2 supermarket/retail
- 2 health centre

- 3.11. Cycle parking
- 481 secure cycle spaces are proposed for the PBSA
  - 200 Sheffield cycle stands dispersed on the site

Amended Plans:

- 3.12. Amended plans were received which make the following minor changes/clarifications:
- Shift in the footprint of buildings to provide larger root protection areas for trees and further retention of 6 trees
  - Removal of 1 floor of PBSA and provision of additional healthcare space (resulting in a loss of 22 PBSA bedspaces) to building 23
  - Fenestrational changes to the elevations of building 23 and slight increase in height
  - Increase in height of library within the centre of the site to accommodate lift overrun and plant enclosure set back from the main facade
  - The infilling of proposed recessed areas within the Pavilion library to provide more study space
  - A minor increase in the ground floor footprint of building 24 to accommodate a laundrette
- 3.13. The minor nature of the amendments given the context of the site and scale of proposals were considered not to require re-consultation. Moreover, the proposed changes did not materially increase the scale of the proposals or increase the impact on adjoining or nearby occupiers.

- 3.14. A Statement of Conformity for the Environmental Statement has been submitted following the above minor changes and it concluded that findings of the 2019 Environment Statement for all topics remain valid.
- 3.15. The Environmental Statement included a section with a Landscape Visual Impact Assessment. The proposed views in the Landscape Visual Impact Assessment demonstrated the 'maximum development envelope parameters'. These views have been updated to show the 'actual' proposed development. As such, these views demonstrate a lesser impact and smaller scale development.
- 3.16. However, the County Landscape Architect., South Downs National Park Authority and the South Downs Society have been given the opportunity to review/accurate views in the Local Visual Impact Assessment in light of their initial comments.

Environmental Statement:

- 3.17. An Environmental Statement (ES) accompanies the planning application and sets out the findings and conclusions of the Environmental Impact Assessment (EIA), which was undertaken for the proposed development to assess the impacts and scope for reducing them. The EIA has been undertaken in line with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 3.18. The proposed development is classified as an 'urban development project' under paragraph 10 (b) of Schedule 2 of the Regulations, and an EIA has been carried out to accompany the planning application as the scale of the development proposals are such that they are likely to have significant impacts on the environment.
- 3.19. The ES reviews the impact on the Landscape and Visual Amenity (through the LVIA), Ecology, Water Resources and Flood Risk, Traffic and Transport, Noise, Air Quality, Archaeology and Cultural Heritage and Socio-Economics.

#### **4. RELEVANT HISTORY**

- 4.1. BH2020/00751 Provision of new allotments incorporating erection of boundary fencing, 15no raised garden planters, polytunnel, shed, standpipe and recycling/compost area, received 6<sup>th</sup> March 2020 – decision pending.
- 4.2. July 2019 A formal Scoping Opinion in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as to the scope and content of an Environmental Statement proposed to be submitted to the LPA for the proposed redevelopment of the West Slope, University of Sussex Campus, Falmer. In summary, the proposed content of the ES was broadly considered acceptable as set out in the Scoping Report.

- 4.3. BH2018/02370 Erection of single storey building to house new pump room and standby generator with associated landscaping, which included upgrades to and re-routing of below ground level cold water mains within the campus, and construction of a new water booster set pump room and generator. Approved on the 19<sup>th</sup> December 2018.
- 4.4. BH2018/02148 Replacement of existing boiler flues and associated plant to provide improvements to the capacity of the University Energy Centre to cover the increasing District Heating load arising from the campus as new developments are brought forward. Approved 29<sup>th</sup> October 2019.
- 4.5. BH2018/02620 Erection of 2 single storey detached high voltage switch rooms, new access track & landscaping, required to upgrade to the high voltage electricity supply involving an upgrade to the main intake substation and its associated internal switchgear and a third incoming cable. Approved 20<sup>th</sup> December 2018.
- 4.6. BH2016/0581 Planning permission was granted for the refurbishment of the existing Genome Centre building and erection of a new Life Sciences building (D1) (14,910 sqm) over four floors plus basement with associated access, servicing and landscaping. Approved on the 3rd March 2017.
- 4.7. BH2016/03040 Planning permission was granted for the erection of a 4-storey carpark with associated landscaping and improved pedestrian and vehicle access. A section 73 application was subsequently approved on the 4th October 2017, reference BH2017/02105 to enable the substitution of approved drawings to allow for a revised structural design to the building that includes minor changes to its design, scale and footprint. Approved 17 November 2016.
- 4.8. BH2016/1001 A full planning application was approved for a mixed use six storey building on 'East Slope' 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, This scheme is currently being constructed together with 'East Slope'-Phase 1 of the 2013 Masterplan. Approved 20th July 2016.
- 4.9. BH2016/1004 Consent was subsequently granted for Reserved Matters for 'East Slope'- Phase 1, in relation to the approved 2013 Masterplan BH2013/04337. On completion, this consent will provide 1,868 student bedrooms and ancillary accommodation - an overall net gain of 1,500 student accommodation units. Approved 9th August 2016.
- 4.10. BH2013/04337 Outline planning consent was approved for a masterplan on the wider University site for the extension and redevelopment of existing built development to provide additional academic floorspace, student residential accommodation and supporting facilities and infrastructure together with associated landscaping, for the provision of 2022 student residential

bedspaces and 2,000 m<sup>2</sup> of A1, A3, A4, C1, and D1 uses, on East Slope-Phase 1, West Slope- Phase 2 and Academic Buildings- Phase 3 (Matters for approval include layout, access and scale. Matters reserved were appearance and landscaping. (Layout was subsequently reserved at appeal). This scheme was allowed at appeal on the 30th July 2015.

- 4.11. June 2015 The Council made a Tree Preservation Order (TPO) in respect of the whole of the University of Sussex campus at Falmer. The appellant objected to the TPO on 26 June 2015 on the grounds that: it was not expedient to make the Order; that it was not made in the interests of public amenity; and, that the TPO was not selective. On 7 July the Council revoked the TPO as “it is an Area Order but was not made in circumstances of an emergency nature and is therefore contrary to National Planning Practice Guidance (Guidance).
- 4.12. BH2012/00485 Construction of one 4 storey and one 3 storey halls of residence blocks to provide additional 148 bedrooms of accommodation at land north of Lewes Court. Approved 15/08/2012.
- 4.13. BH2011/00358 Development of three halls of residence blocks at Northfield to provide an additional 180 bedrooms of accommodation. Approved 14 June 2011.
- 4.14. 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.
- 4.15. 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.
- 4.16. BH2008/01992 Construction of halls of residence comprising 798 student bedrooms arranged in 14 blocks, reception building, bicycle storage, visitor and disabled car parking north of Lewes Court, Northfields. Approved 7 September 2009.
- 4.17. *Minor applications, approval of details, variation of conditions have also been submitted on the site.*

Pre-Application History:

- 4.18. The applicant entered pre-application discussions with BHCC development management department resulting in 4 separate pre-application meetings. This formed part of a Planning Performance Agreement (PPA).
- 4.19. In summary the applicants were provided with the following advice:



*‘The site has a number of constraints and opportunities which have been fully considered through the evolution of the scheme thus far. The principle of the development on the site is acceptable and would provide much needed student accommodation within the City; the layout of the scheme has improved significantly and may be considered appropriate subject to the resulting impact on landscape, ecology and transport, which is yet to be fully assessed. In addition, the Local Planning Authority fully supports the principle of the submission of a ‘full’ detailed planning application on the site’.*

#### Design Review Panel(s)

- 4.20. The applicants attended three (3) separate Design Review Panels between August and November 2019 and have successfully sought to address of the key and detailed considerations.

#### **Summary of feedback:**

- 4.21. The Design Review Panel acknowledged the exemplary approach of the applicant team, the consistently positive direction of travel and recognised the ‘significant improvements’ in terms of the fluency with the landscape and architectural context. Further work was suggested in relation to the variation of building heights, informal uses of the ground floor openings the integration of the downland context, and the architecture of the Social Hub; which has been undertaken and/or explored within the final development proposals.

#### Pre-application presentation to Planning Committee

- 4.22. A presentation to members of the Council’s Planning Committee took place in November 2019. A summary of the feedback provided to the applicant by the Planning Committee Members is as follows:
- The scheme is generally welcomed the scheme and considered it was an improvement to the 2013 masterplan, which was allowed at appeal.
  - The mix of different housing types to cater for a variety of students with different needs, was well-received.
  - Concern was expressed regarding the loss of trees on the site.
  - The redevelopment should not detrimentally impact upon the retained listed and non-listed buildings.
  - The setting of the South Downs National Park should be protected through the development proposals.
  - The proposed material palette would complement and respect the existing campus and the redevelopment of the East Slope, which is currently being constructed.
  - A robust a detailed sustainability/energy strategy for the proposed scheme should be provided

#### Consultation with the SDNP

- 4.23. The applicants held a Meeting with the Link Planning Officer of the South Downs National Park Authority in September 2019 during the pre-application process and another following the submission of the application in March 2020.

#### Statement of Community Involvement

- 4.24. The Localism Act requires pre-application consultation on certain types of planning applications made in England. As such the following consultation events have been held by the applicants:
- 4.25. 45 sessions were held between April 2019 and November 2019 for the following groups:
- The University's Estates Team
  - The University's specialist consultants
  - The University's Housing Team
  - Student Union representatives
  - Student groups
- 4.26. On the 14<sup>th</sup> January 2020 the applicants held a briefing on campus and the following groups were invited:
- MPs
  - Local Action Team Chairs
  - Brighton and Hove City Councillors
  - Falmer Parish Councillors
- 4.27. A public exhibition was also held in the foyer of Jubilee Library in Central Brighton over a period of nine (9) days in January 2020-February 2020, and the design team were in attendance on certain days to answer questions.

### **5. REPRESENTATIONS**

- 5.1. The scheme was submitted on the 13 January 2020 and a 21-day consultation was undertaken which completed on the 3 February 2020.
- 5.2. Site notices were erected on the 14 January 2020 in relation to the Environment Statement and proposed development. Press notices were published on the 20 January 2020 & 24 January 2020.
- 5.3. Certificate C of the Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14 was signed on the basis that all reasonable steps were taken to find all the owners of the site, to no avail. As such a Notice of the application was published in the Brighton and Hove Independent newspaper on the 3<sup>rd</sup> January 2020.
- 5.4. **Nine (9)** letters have been received from adjoining occupiers objecting to the proposed development for the following reasons:
- Design/Appearance
- Not in keeping with original design
  - Inappropriate height
  - Overdevelopment
  - Adverse effect on listed buildings

- Demolition non-listed buildings
- Erosion of main Spence buildings
- Urban/too dense
- Unsustainable

#### Landscape

- Loss of trees
- Detrimental to South Downs
- Out of keeping with Spence's vision

#### Transport

- Disabled parking is insufficient

#### Amenity

- Timescale, noise and disturbance due to demolition and construction

#### Use

- Net loss of family housing
- Increase in the student population
- Lack of study space for existing students and east slope inhabitants

#### Other considerations

- Park Village houses are adequate
- Park Villages are the most affordable accommodation on campus
- Gentrification of campus
- Discrimination to students with a lesser loan and working classes
- Increase in student population

## **6. EXTERNAL CONSULTTEES:**

6.1. **Brighton and Hove Archaeological Society:** No comment

6.2. **CCG:** No comment

6.3. **City Clean:** No comment

6.4. **County Archaeologist:** No objection

The information provided is satisfactory and identifies that there is a risk that archaeological remains will be damaged. Nonetheless it is acceptable that the risk of damage to archaeology is mitigated by the application of planning conditions which are outlined in this response.

6.5. **County Ecologist:** Comment

Surveys were carried out in accordance with best practice and are sufficient to inform appropriate mitigation, compensation and enhancement. Provided the recommended mitigation, compensation and enhancement measures are

implemented, the proposed development can be supported from an ecological perspective.

**6.6. Country Landscape Architect: Support**

Updated comments:

Further to the site visit with the design team and with the benefit of the updated visualisations the following comments have been provided.

1. The proposed adverse impact on the visual amenity of Stanmer Park and the SDNP would be restricted to a limited area around the Observatory. The Jubilee woodland plantation would in a relatively short time screen the southern three residential blocks in these views, as illustrated in the photomontage image. It is recognised that the blocks have been orientated and spaced to help reduce the massing and visual impact. The proposed green roofs and muted building colours would further mitigate the visual impact of the blocks.
2. The modifications to the layout of building blocks to ensure retention of the more important trees is welcomed. The trees in the north west corner of the site will provide immediate mitigation and help to break up the visual impact of these blocks.
3. The overall masterplan which retains important trees throughout the site area and provides a green corridor through the campus with visual links to the surrounding downland would provide an opportunity to enhance the landscape character and visual amenity of the campus.
4. In conclusion, it is acknowledged that the development would have some adverse impacts on the SDNP and Stanmer Park and that these impacts can to some extent be mitigated. It is recommended that the application can be supported subject to the full mitigation measures being implemented.

Summary of Initial comments:

- 6.7. The proposal would not comply with NPPF Section 15 policies for conserving and enhancing the natural environment. This is with particular reference to Paragraph 170 which requires planning policies and decisions to contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan). The proposals would not comply with paragraph 172: Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

**6.8. Conservation Advisory Group: Support**

The Group unanimously recommended APPROVAL and made the following additional comments:

- 6.9. With knowledge of the past Outline application for the site the Group felt that this proposal is an improvement with regard to the treatment of the spacing relationship to the nearby listed buildings.
- 6.10. The proposed scheme would not visually adversely effect the nearby Grade ii\* and Grade II buildings.
- 6.11. No objection to the demolition of Park Village, Lancaster, York, Kulukundis and Kent Houses, and the health centre.
- 6.12. There was some concern over the possible lack of tree screening in the winter months, when seen from Stanmer Park approach drive after entering past the lodges. Though the Group felt that the proposals did not adversely impact on the Stanmer Park CA.
- 6.13. **East Sussex County Council: No objection**  
The authority does not wish to raise any highway objection to this application. It is acknowledged that this proposed student village replacement/extension intends to be car free, and already has in place a strong sustainable transport ethic in place with intention to reinforce the current travel trends.
- 6.14. **Environment Agency: No objection** subject to conditions.
- 6.15. **Fire Brigade: No comment**
- 6.16. **Highways England: No objection**  
Offer no objection on the basis that the development will not materially affect the safety, reliability and/or operation of the strategic road network in this location and its vicinity.
- 6.17. **Historic England: No objection**  
The proposed buildings are likely to have little or no visual impact on either the highly graded Spence buildings, Stanmer Park Registered Park and Garden or the Conservation Area. The Spence buildings are at sufficient distance from the new buildings and screened by other 1960s buildings, which are to be retained. Despite the loss of part of the 1960s campus, the listed buildings will retain their coherence as a set of specially-designed academic buildings in a designed landscape. The local topography means that Stanmer Park will be screened from the development by a wooded ridge. Therefore, in our view, there will be little or no harm to the heritage significance of designated heritage assets.
- 6.18. **Lewes District Council: No comment.**
- 6.19. **Natural England: No objection**  
Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

- 6.20. **National Casework Unit:** No Comment
- 6.21. **RSPB:** Comment  
The incorporation of 'swift bricks' are recommenced as a condition.
- 6.22. **South Downs National Park Authority:** Comment  
Additional comment:
- 6.23. We are grateful for the amendments which show that a light, parapet edge is not proposed for the buildings on the western side of the site. The visualisations demonstrate that the overall dark colour of these buildings will draw the eye less than a lighter colour would, but confirmation that there will not be a contrasting lighter parapet edge is welcomed, as is additional tree planting around this side of the site.
- 6.24. We understand the university is carrying out a project to investigate disease-resistant elm trees. There would be a good opportunity here to link in with our own elm (and other disease affected tree) planting project (Trees For the Downs). This might include opportunities for characteristic tree planting in the wider Parkland.
- 6.25. Given the scale of this development there is a real opportunity to look at grassland habitat improvements beyond the roofs of the buildings. For example, the amenity grassland would benefit from marginal planting that could produce links throughout the campus without compromising the use of the core amenity space. As part of the SDNPA's Bee Lines project, and in order to make the University a better place for students, staff and wildlife, the University could look to develop a selection of native and locally sourced flowering plants that would provide pollen and nectar sources right across the flowering season, to support pollinators as they emerge throughout the year. To select the right mix for the site, we would suggest that rather than generic commercially sourced wildflower seeds, the SNDPA's Rangers can provide contacts of contractors for locally sourced wildflower seeds and can give advice on planting areas, etc.
- 6.26. Finally, there may be an opportunity (if this is not already the case) for the University as a landowner to link up with The Aquifer Partnership (formerly the Brighton ChaMP for water), which is a collaboration of organisations that are working together to protect Brighton and Hove's chalk aquifer and the drinking water it provides.

Initial comment:

**Landscape, Ecology and Visual Impacts**

- 6.27. The site is in a sensitive position on the edge of the South Downs National Park and the Grade II registered parkland of Stanmer Park. The visualisations provided within the LVIA had raised concerns in terms of the impact upon views from a number of viewpoints both within and looking towards the National Park. The applicants have been able to clarify that

these visualisations were a "worst case" scenario based on maximum parameters, and that the more detailed visualisations within the Design and Access Statement provide a more accurate indication of the scheme as submitted. These detailed visualisations do not include every viewpoint originally identified in the LVIA and we have requested further examples - notably VP6 - the view from B2123 The Drove looking northwards to the site across Falmer.

- 6.28. We are concerned at the extent of expansion and intensification of this transitional site on the edge of the city and National Park. However, we are aware that there have been previous permissions for a similar quantum of development on the site. Therefore, whilst we maintain these concerns, we would wish to make the following detailed comments in the event that the intended number of accommodation for 1921 bed spaces is accepted by the City Council.
- 6.29. From the initial data provided we have some concerns at the scale, height and mass of the buildings proposed. Development around the campus has tended to respect contour lines, but in recent years this has resulted in building heights and density increasing. A particular concern is the buildings proposed for the western edge of the site (B01, B02, B06, B07, B09 and B13), which would preferably be reduced in height by a storey. This would assist in terms of creating a more transitional edge and in views across the site from within the SDNP/historic parkland, including increasing the visual benefits of the intensive green roofs as the current proposals may only allow limited oblique views. Reducing heights on the western edge may result in higher buildings within the central part of the site if the same number of units are to be sought. This will potentially affect other views towards the site from within the SDNP such as from The Drove. Nevertheless, the creation of a more transitional edge to the development remains our key priority.
- 6.30. In attempting to fit with the original concept of Sir Basil Spence, the tones and texture of external materials do not raise particular concern with the exception of the colour of the parapets (tops and internal edges) of the westernmost buildings, which visualisations indicate would be a light/white colour. A darker colour would provide a better blend between the terracotta coloured walls and the green roofs.
- 6.31. The inclusion of extensive green and intensive downland roofs are welcomed. The applicants have confirmed that at this stage there is no need for additional services or equipment on these roofs, other than a single point for access/ventilation on each, and we would wish to see these roofs kept clear of clutter. There may be an opportunity for the University to develop a green roof monitoring case study which could be used as a best practice study for similar green roof proposals in the future.
- 6.32. In order to better break up the elevations facing out of the site, climbing plants (or cascading plants from the green roofs) could also be considered.

With regard to tree planting, we agree that the focus is best placed upon seeking to maintain the character through keeping and supplementing trees within the site, with the focus being on the size of specimens of new trees rather than wholesale screening planting. We would also be interested in opportunities for continuing tree planting into the wider University estate, including within the SDNP.

- 6.33. The SDNPA would also encourage a Landscape and Ecology Management Plan be conditioned or secured through a legal agreement. We understand similar was applied to the East Slope redevelopment, but we would encourage this to cover management of the whole University estate, including the Jubilee woodland and other assets within the National Park. Concern is raised at the extent of expansion and intensification of this transitional site on the edge of the city and National Park. However, there have been previous permissions for a similar quantum of development on the site.

### **Lighting**

- 6.34. The South Downs National Park is a designated International Dark Sky Reserve and dark skies and tranquillity are a special quality of the National Park which need to be protected. Paragraph 180(c) of the NPPF 2018 outlines that development should limit the impact of light pollution on intrinsically dark landscapes and nature conservation.
- 6.35. Although located outside of the National Park, the proposed development has the potential to impact on the dark night environment of the National Park through contribution to upwards sky glow, and also through potential visual impacts of new light sources in the wider landscape. Dark Night Skies within and outside of the SDNP also have an importance in terms of tranquillity and perceptual quality of landscapes.
- 6.36. The applicants have already engaged with us regarding our Dark Night Skies considerations, and the initial comments of our Dark Night Skies Officer.
- 6.37. In general, the adoption of E2 zoning is welcomed and the proposed luminaries will satisfy those requirements, particularly the upward light component which is of critical importance to dark skies. All of the notional luminaires would satisfy the ULR component for this E2 zone.

### **Understanding and Enjoyment of the National Park**

- 6.38. As outlined at the start of this response, the second purpose of designation of the National Park is to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. The University already provides students with opportunities to access and enjoy the surrounding National Park, with a range of public rights of way, permissive routes, and open access land available for students to use. The SDNPA would encourage the new development to maximise opportunities for links through to these from the campus, but also for consideration of



contributions to be made towards the upkeep and maintenance of these routes. Opportunities could also be explored for interpretation about the SDNP within the site for staff, students and visitors.

- 6.39. **Sussex Gardens Trust: Objection**  
The Trust has deep concerns regarding the siting, height and unrelieved bulk of the proposed 'villas' along the western boundary of the campus site, and their negative impact on the open Stanmer parkland landscape.
- 6.40. The Trust considers the proposed 'villas' will create an unacceptably hard prominent urban edge, when viewed from the adjacent downland ridge. It is of the opinion that design modifications are required if the stated ambition to create "small cluster buildings along the western edge boundary with the park to enable a greater sense of integration with the character of the wider landscape" is to be satisfactorily delivered. A reduction in the height of the 'villas', greater spacing, and some further cutting into the hill side should be explored and tested and fully illustrated photomontages from viewpoints 2 and 3 produced.
- 6.41. As submitted the development is, in the opinion of the Trust, harmful to the setting of the grade II Stanmer Park registered park / garden and more could be done to mitigate this harm. The Trust therefore objects to the proposal.
- 6.42. **South Downs Society: No comment**
- 6.43. **Stammer Preservation Society: No comment**
- 6.44. **Sussex Police: Comment**  
A number of measures have been recommended in an attempt to reduce the opportunity for crime and the fear of crime in relation to security measures, perimeter fencing, lighting and layout.
- 6.45. **SGN: Comment**  
A request for safe digging practices.
- 6.46. **Southern Water: Comment**  
The proposed development would lie within a Source Protection Zone and close to an Adit to the Falmer Water Supply Works around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water will rely on your consultations with the Environment Agency to ensure the protection of the public water supply source.
- 6.47. Southern Water can provide a water supply to the site. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer.
- 6.48. **The Garden Trust: No comment**

## 7. INTERNAL CONSULTEES

### 7.1. **Arboriculture:** Support

The applicant has provided a comprehensive Arboricultural Impact Assessment provided by The Environment Partnership, comprising a Tree Survey and Method Statement. The survey identifies 228 individual trees, of which 97 have been proposed for removal. Although Arboriculture regrets the necessity to remove such a significant proportion of tree coverage, it is noted the applicant has attempted to retain wherever possible, all high value trees on site. With the specified replacement planting of 223 trees conditioned within the landscaping consent, this will help to mitigate the proposed removal.

### 7.2. **Air Quality:** Comment

As with other major University developments we would require agreement from transport regarding the vehicle contribution from the development to the Lewes Road arm of the local Air Quality Management Area namely:

- The dual carriageway running parallel with Coombe Terrace
- Lewes Road between the Vogue Gyratory and the Elm Grove Junction
- Hollingdean Road

7.3. If trip contributions to these road links are less than 100 for a representative day Monday-Friday, Saturday or Sunday a detailed air quality assessment is not required.

### 7.4. **Children and Young Persons Trust:** No comment

### 7.5. **City Neighbourhood Coordinator:** No comment

### 7.6. **City Parks:** No comment

### 7.7. **Environmental Health:** Comment

13 conditions have been recommended in relation land contamination and noise mitigation.

### 7.8. **Heritage:**

#### Statement of Significance

The University of Sussex 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. Eight 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, essentially 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.

- 7.9. The campus has a clearly legible grain on a north-south and east-west grid. This is reinforced by a set of emphatically imposed compositional axes. The principal north-south axes are those through Falmer House to the 'tuning fork', the north-south Science Service Road and Refectory Road. Running perpendicular to these two are the routes past Pevensy, Chichester and Boiler House Hill. There is a clear hierarchy and flow of external spaces and a similar hierarchy of building forms, with a consistent and limited palette of materials – local red/orange brick, exposed shuttered concrete (especially for hollow segmental arches), extensive glazing and mostly flat roofs behind parapets but with copper for feature roof elements. The immensity of the Spence buildings is described in the Brighton Pevsner Architectural Guide as 'Roman'. They were built to a grid plan, centred on Fulton Court, and Spence's predisposition for grand axial views is apparent in the primary north-south road over which the buildings bridge.
- 7.10. The Spence campus is a prime example of a development successfully integrated with its landscape. Spence had a firm grasp of the site's three dimensional qualities, particularly the swell of the valley slopes and the dense tree belts and perimeter woods. Spence's proposals rely on a stripped down language of elevations and controlled grass levels and banks, which are offset by more natural backdrops and existing intervening tree screens carefully integrated with his buildings. This approach proved to be not only appropriate and achievable but also lasting in that the original design intent is still clearly evident. His use of existing trees is impressive, particularly for its time when trees were equally likely to be considered impediments to development. In Fulton Court the dense tree belt with its clean stems and raised canopy echo and reinforce the rhythm of the built elevations with their colonnades and vertical grouping of windows. His strong views on building heights were also partly the result of his desire for trees to over-top his buildings, not vice versa. The many adventitious views under and through the voids in his buildings also served to reinforce awareness of their surroundings, especially of trees, woodland and the more distant downs.
- 7.11. The campus when first built was largely non-residential. However, following an accelerated building programme to provide 3,000 places, the University built four residential quads c1965, These included Lancaster and York (the others being Essex and Norwich). York and Lancaster were designed by Geens, Cross and Sims 'in consultation with Sir Basil Spence', whilst Norwich and Essex were designed by H. Hubbard Ford . The architectural vocabulary is very much 'Spence at Falmer': brick fins, heavy board-marked concrete parapets, vaulted over each entrance, and courtyards. Kent House followed in 1971-72 and is much plainer with minimal use of concrete. Kulkundis was added to the rear of Kent in the late 1970s to provide accessible accommodation. Norwich House has regrettably been altered by

the 'top hat' addition of a pitched roof. These buildings have some significance (especially York, Lancaster and Essex) but due to distance, topography and landscaping these buildings make only a modest positive contribution to the setting of the core of listed buildings and that contribution is primarily through Essex House.

- 7.12. Later development on the eastern and western valley slopes and to the north end of the campus (particularly for residential accommodation) regrettably departed greatly from Spence's principles - the hierarchy, building forms and materials - to the detriment of the original core campus and Spence's vision. Park Village residential accommodation was developed in 1969, to the design of Hughes, Lomax & Adutt, in a very different architectural vocabulary of staggered 3 storey detached houses with stairwell links between and pitched roofs. They are of little significance and make no contribution to the setting of the listed buildings. The 1990s Health Centre building detracts from the campus.
- 7.13. The University 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. The register entry summarises this as "an 18th century landscape park on the Sussex Downs, surrounding an early 18th century country house, with informal gardens and pleasure grounds. Charles Bridgeman advised on the layout in the 1720s, in conjunction with the architect Nicolas Dubois, who built the house". The park's setting is largely rural downland with the urban fringe housing estates of Brighton adjacent to the south and south-west. The University campus occupies the former south-east corner of the park. Due to topography and the presence of ancient woodland the University campus has very limited inter-visibility with the registered park.
- 7.14. Stanmer Conservation Area occupies much of the registered park area and contains a significant number of listed buildings, particularly within Stanmer village, but also including the grade II listed Lower Lodges. The Stanmer Conservation Area Character Statement does not identify any key views from within the conservation area towards the University or vice versa and there is little or no visual inter-relationship between the listed buildings within Stanmer Park and the University campus.
- 7.15. The council's Urban Characterisation Study categorises the Universities neighbourhood as 'suburban downland fringe'.

Revised and updated comments:

- 7.16. The previous concerns with regard to the height of the five 'villa' blocks on the western edge of the site have been significantly allayed by the revised views based on the final heights and footprints, which include some small but welcome spacing amendments arising from tree root protection zones. The

revised and accurate submitted view Viewpoint 2 shows that the scale and visual prominence of these 4/5 storey blocks would not be unduly harmful from a landscape perspective, particularly once the woodland tree planting of Jubilee Wood gradually matures and with the additional tree planting now proposed. With regard to the previous concern about the height of the social hub building (Building B08) in relation to the surrounding tree canopy height, it has now been demonstrated that the height of this building AOD would be generally similar to the canopy heights of the surrounding trees that are to be retained.

- 7.17. The revised views, based upon the building final heights and footprints, satisfactorily demonstrate that the proposed development of West Slope would have minimal impact on the setting of the listed buildings that form the core of the original campus. In the view from the Library steps (viewpoint H3 in the LVIA) it is now confirmed that the development would not be visible, even with the slightly increased height of building B23.
- 7.18. The impact on the registered park and garden of Stanmer is considered by the LVIA to be negligible. It is agreed that the key views that contribute to the significance of Stanmer Park are inward looking ones, relating to the designed landscape within the valley, and that surrounding woodland has always provided a screen to the downland landscape beyond. However, this is not to say that Stanmer Park has existed in isolation from the surrounding landscape, which both provided productive farmland for the Stanmer estate and afforded impressive long views of the Downs, as from the ridge near Viewpoint 2. But this view has already been compromised by the University campus. From Viewpoint 4 (the bridleway south of St Mary's Farm) it has now been satisfactorily demonstrated that the West Slope development (and notably the 'villa' blocks on the western edge) would not intrude significantly on the open expanse of the Park, above and between the Northfield development. It is therefore considered that overall the proposed West Slope development would not have a harmful impact on the setting of Stanmer Park.
- 7.19. Materials will be critical in ensuring that the West Slope development integrates well within the historic campus and with the new East Slope development, whilst forming a distinct identity for legibility purposes. Durability and weathering of materials will also be an important factor. The terracotta and concrete combination of materials proposed for the 'villas' are considered to be acceptable, subject to samples. But there remain some concerns about the scored render finish proposed for the upper storeys of the townhouses; it is still not clear how this material will weather and if the rough texture would unduly attract staining, mosses, lichens etc. This would need to be subject to a condition. In respect of the more 'monumental' North Court, these buildings would have the clearest and closest relationship with the historic campus buildings, as well as with East Slope. The use of 'dusty pink' terracotta textured cladding for the upper floors is considered to be acceptable in this respect (subject to samples) and the amendment to

concrete at ground floor has satisfactorily overcome previous concerns about contextual reference. The roof-top plant is now shown as dark green in colour and this would be acceptable. It is though disappointing that the windows would be dark grey rather than white or off-white to better reflect the Spence architectural language. There is still less information on the main cladding material proposed for the Library Pavilion, in terms of colour/finish, but in principle it is considered that, as a feature building, a paler contrasting finish is appropriate.

- 7.20. With regard to the hard landscaping materials, it is disappointing that “principles and considerations” set out in the Landscape Material Sample Palette document do not include contextual reference to the original palette of materials on the Spence campus, particularly in respect of the area around the North Court suite of buildings on the valley floor. Square grey large concrete slabs, as used by Spence and also on the East Slope development, would have been more appropriate than the rather generic large concrete planks proposed, for those areas not subject to vehicular traffic.

### **Conditions**

- 7.21. Approval of materials samples.(including hard landscaping) and submission of supporting evidence of the durability and weathering of the proposed scored render.

### Initial comments:

- 7.22. The principle of redeveloping the West Slope for greater residential accommodation was established through the masterplan outline permission approved under BH2013/04337. This application has been subject to pre-application advice and It is considered that the proposals have generally evolved positively as a result of the pre-application process, but some significant concerns remain.
- 7.23. It is acknowledged that given the quantum of development proposed, which reflects the outline masterplan, the density of the West Slope as proposed is greatly in excess of the current situation and the spacing and height of buildings would result in the extended campus as a whole having an urban mid-rise character rather the current suburban, low to mid-rise character. This would be a very significant change in a sensitive context adjacent to the National Park and the registered park and garden. However, following on from the approved outline masterplan, this application presents an opportunity to substantially alter the layout of the West Slope and the form of the built development there so that it better respects and reflects the principles, hierarchies and relationship with the landscape established by Spence. In many respects this application would successfully achieve that and there are many commendable elements to the scheme that represent an improvement over the masterplan, including the careful integration of landscaping into the development approach.

- 7.24. There would nevertheless, as proposed, be some harmful impact on the setting of designated heritage assets, specifically on the setting of the grade II\* listed Arts A and Arts B buildings and on the setting of the grade II registered park and garden of Stanmer Park. Outstanding concerns in these respects relate to the height of the ‘villas’ and social hub along the western edge of the site and the height of the North Court development at the southern end where visible from the Library steps. The harm would be less than substantial in each case under the terms of the NPPF but must nevertheless be given great weight in decision making.
- 7.25. There are also outstanding concerns about the appearance and likely weathering of some of the materials proposed for some of the buildings and for the hard landscaping, which it is considered have not paid sufficient respect to the original materials of the Spence campus.

**Relevant Design & Conservation Policies and Documents**

- 7.26. The NPPF and NPPG. Historic England GPA Note 3. City Plan Part 1 policies SA5, CP12 and CP15. Local Plan policies QD15, QD16, HE3, HE6, HE11 and HE12. SPD06 Tree and Development Sites. SPGBH15 – Tall Buildings. The Stanmer Conservation Area Character Statement.

**The Proposal and Potential Impacts**

- 7.27. The principle of redeveloping the West Slope for greater residential accommodation was established through the masterplan outline permission approved under BH2013/04337. That permission included the demolition of Lancaster York, Norwich and Essex Houses (as well as Park Village) but the retention of Kent House. This application has been subject to pre-application advice and It is considered that the proposals have generally evolved positively as a result of the pre-application process.
- 7.28. It is acknowledged that, given the quantum of development proposed, which reflects the outline masterplan, the density of the West Slope as proposed is greatly in excess of the current situation and the spacing and height of buildings would result in the extended campus as a whole having an urban mid-rise character rather the current suburban, low to mid- rise character. This would be a very significant change in a sensitive context adjacent to the National Park and the registered park and garden. However, following on from the approved outline masterplan, the application presents an opportunity to substantially alter the layout of the West Slope and the form of the built development so that it better respects and reflects the principles, hierarchies and relationship with the landscape established by Spence.
- 7.29. In these respects the general layout and building footprints of the proposed development are considered to be appropriate; the complete retention of the copse in the south-west corner, as well as the group of trees along the north boundary, together with the continuation of the central green corridor through North Court to link with the ancient woodland, would be very positive elements in helping to ensure that the original campus concept of buildings

within the downland landscape is continued. The new North Court space is a very welcome element as a 'twin' to Fulton Court to the south and the permeability of the buildings at ground floor level here would also reflect the original Spence approach to buildings such as Falmer House and Arts A. The open undercrofts are welcomed and the clear link from North Court through to the new public space on East Slope would suitably help to integrate the two slope developments. The retention of important trees and tree groups is very welcome and the proposed physical and visual connectivity between the core of the site and the surrounding downland is also positive. The Pavilion Library building would be a welcome circular feature building akin to the Meeting House at Fulton Court.

- 7.30. The incorporation of green roofs on all the slope buildings, including downland grassland green roofs on the 'villas', is very welcome. The detailed and site-sensitive approach to the landscaping, which has been integrated into the built development from the start of the design process, is very much welcomed. The proposals have sought to retain as many high category trees, and important groups of trees, as possible and propose substantial new tree planting of an appropriate character, including Elm trees. In all these respects, it is considered that the application represents a clear improvement over the layout and form of development approved under the masterplan. Pedestrian routes up the slope include the Spence approach of generous flights of steps (as well as accessible routes). However, hard landscaping materials should be kept simpler and better respond to the Spence palette of materials, particularly on the valley floor around North Court. Smooth concrete slabs rather than the small element blocks proposed should be used on all pedestrian-only spaces and paths, whilst colours should be limited to varying shades of grey.
- 7.31. A significant number of buildings exceed the threshold height of 18m under the council's tall buildings policy and this is not a tall buildings area. They generally do not exceed this threshold by a significant degree and are not substantially greater than some existing buildings such as Bramber House. It is also acknowledged that the East Slope development (under construction) also has some taller blocks. Nevertheless, the heights of the proposed buildings are at the very upper limit of what is appropriate for this sensitive context, given the important relationship between building heights and tree canopy height that was established by Spence's original vision for the campus. The siting of the taller buildings on the valley floor flanking the North Court is appropriate and mitigates their height. There are, however, some concerns with regard to the height of the five 'villa' blocks on the western edge of the site, given their close proximity to the boundaries with the National Park and the registered park and garden. The masterplan proposed only 3 storey blocks here, further from the site boundary. Whilst the spacing of these blocks has been improved during the pre-application process, the submitted view Viewpoint 2 nevertheless shows the scale and visual prominence that these 4/5 storey blocks would have, forming a hard boundary despite the retention of the mature Beech trees, when seen from



the SDNP and the registered park and garden. The variations in the parapet heights and orientation of the five 'villas' are not so readily apparent in this view. It is acknowledged that once the woodland tree planting of Jubilee wood gradually matures then the trees would obscure much of this built development in this (and similar) views. But the two northernmost 'villas' (Buildings B01 and B06) would not be so obscured and these are the most prominent ones. There is also some concern about the height of the social hub building on the slope (Building B08). This building would be 23.8m in height and the maximum tree canopy height on the site is 20-21m, so this building would most clearly depart from Spence's approach that the trees should over-sail the buildings.

- 7.32. The loss of Lancaster and York houses, which have some significance as non-designated heritage assets, was previously accepted under the approved outline masterplan and this application retains the similar Essex House (which was to be demolished under the masterplan) and this is the closest of the early residential quads to the listed core of the campus. This change from the masterplan is welcomed. The buildings to be demolished have been subject to Level 2 recording, which has been submitted with the application and which is considered to be sufficient.
- 7.33. In most cases the proposed development of West Slope would have minimal impact on the setting of the listed buildings that form the core of the original campus. However, in the view from the Library steps (viewpoint H3 in the LVIA) the development would rise above the distinctive roofline of the grade II\* listed Arts B. It is considered that this would cause clear harm to the setting of Arts A and B; this conclusion varies from the conclusion of negligible impact reached by the LVIA. The intrusion above the roofline appears to stem from Building B23 and could probably be avoided by reducing the height of the building by one storey at its southern end.
- 7.34. The impact on the registered park and garden of Stanmer is also considered by the LVIA to be negligible. It is agreed that the key views that contribute to the significance of Stanmer Park are inward looking ones, relating to the designed landscape within the valley, and that surrounding woodland has always provided a screen to the downland landscape beyond. However, this is not to say that Stanmer Park has existed in isolation from the surrounding landscape, which both provided productive farmland for the Stanmer estate and afforded impressive long views of the Downs, as from the ridge near Viewpoint 2 as discussed above. In addition, from Viewpoint 4 (the bridleway south of St Mary's Farm) the West Slope development (and notably the 'villa' blocks on the western edge) would intrude on the open expanse of the park above and between the more low-key Northfield development, though the green roofs proposed in this area of the site would mitigate that impact. It is therefore considered that overall the proposed West Slope development would have clear impact on the setting of Stanmer Park and that this impact would be moderately harmful.

7.35. Materials will be critical in ensuring that the West Slope development integrates well within the historic campus and with the East Slope development, whilst forming a distinct identity for legibility purposes. Durability and weathering of materials will also be an important factor. The materials proposed for the 'villas' are considered to be acceptable, subject to samples. But there are some concerns about the combed render finish proposed for the townhouses. It is not clear how this material will weather and if the rough texture would unduly attract staining, mosses and lichens etc. It is further considered that the ground floor should either be a red/orange brick or fairfaced concrete, not pale brick which has no local precedent, in order to make some reference to the original materials. In respect of the more 'monumental' North Court, these buildings would have the clearest and closest relationship with the historic campus buildings, as well as with East Slope. The use of 'dusty pink' terracotta textured cladding for the upper floors is considered to be acceptable in this respect (subject to samples) but It is disappointing that the proposals do not incorporate any concrete; as a minimum it is considered that the ground floors should be faced in concrete, including the fascia band above the columns. The roof-top plant is shown as grey but a material that instead imitates weathered copper would be more appropriate. There is less information on the main cladding material proposed for the Library Pavilion, in terms of colour/finish, and so further details and sample will be required to fully assess this, but in principle it is considered that, as a feature building, a contrasting finish is appropriate.

7.36. **Planning Policy: Support**

Summary- The principle of the redevelopment of the site primarily for new PBSA has therefore been accepted through outline planning application BH2013/04337 approved on appeal by decision dated 30th July 2015. The provision of 1,069 net additional PBSA bedspaces is broadly in line with the permitted outline scheme and is strongly supported.

7.37. A number of ancillary retail, community and educational uses are proposed to serve the new development and the wider campus, and no objections are raised to these aspects of the development. Although located outside of the defined retail centres set out in City Plan Policy CP4, the proposed 800sqm supermarket retail provision will serve the specific local demand created by the university and the on-campus residents and alternative off-campus locations are therefore not considered to be appropriate.

7.38. No concerns are raised with regard to the provision of the ancillary community facilities and the requirements of Local Plan Policies HO19 and HO21 are considered to be met.

Main Comment:

7.39. The redevelopment of the majority of the application site has been identified in the University of Sussex campus masterplan since 2013. It was also identified within the outline planning application BH2013/04337 for campus development submitted to the Council in December 2013 and approved on

appeal by decision dated 30th July 2015. Reserved matters relating to Phase 1 (East Slope) of that development were approved in August 2016 and that part of the development is now under construction and partly complete.

- 7.40. The principle of the redevelopment of the site primarily for new PBSA has therefore been accepted.

#### **DA3 – Lewes Road Development Area**

- 7.41. The application site is located within the Lewes Road Development Area identified in City Plan Policy DA3. One of the key local priorities as set out in this policy is the sustainable redevelopment and expansion of the University campuses avoiding adverse impact upon the setting of the South Downs National Park and the delivery appropriate accommodation for students. The proposed development is in line with this objective.

#### **Purpose Built Student Accommodation (PBSA)**

- 7.42. The provision of 1,069 net additional PBSA bedspaces is broadly in line with the permitted outline scheme and is strongly supported. Given that there is no intention to correspondingly increase student numbers, the development should result in a welcome easing of demand from University of Sussex students for private rented sector accommodation elsewhere in the city in off-campus locations.
- 7.43. City Plan Policy CP21 relates to PBSA and sets out a number of criteria which must be satisfied for a proposal to be acceptable. The on-campus location is ideal for PBSA as students are able to walk to classes (criterion 2). No concerns are raised with regard to the other criteria 6 as the University of Sussex is the developer, and the site is not allocated or identified for general housing (criterion 7). Criteria relating to the design and appearance of the development are for the case officer to determine.
- 7.44. Although it holds limited weight at present, Draft City Plan Part Two Policy DM8 relates to PBSA developments and indicates the council's direction of travel on this policy issue. Part (a) to provide predominantly cluster units and the proposed housing mix, incorporating 75% 8-bed cluster flats is therefore supported as these are likely to represent a more affordable type of accommodation. The provision of family units is a welcome addition to the mix of accommodation provided. Regard should be had to the other criteria in the policy.
- #### **Retail**
- 7.45. The application site lies outside of the defined retail centres set out in Policy CP4 of the City Plan. The policy states that new retail development outside of these centres will be required to address the tests set out in national policy. NPPF paragraph 24 sets out how a sequential test should be applied to applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan.

- 7.46. The proposed 800sqm supermarket retail provision will serve the specific local demand created by the university and the on-campus residents and alternative off campus locations are therefore not considered to be appropriate. In these specific circumstances, a sequential test as required by national policy and Policy CP4 is considered an unnecessary exercise.

### **Community Facilities**

- 7.47. The proposed development includes a number of other ancillary use as follows:
- Pavilion Library: 1,525 sqm (GIA)
  - Reception/facilities management for West Slope: 653 sqm
  - Health and Well-being Centre: 871.58 sqm (GIA)
  - Restaurant/Café: 604 sqm (GIA)
- 7.48. Saved Local Plan Policy HO21 states that proposals for (or which include) residential uses will be expected to demonstrate that a suitable range of community facilities will be provided to meet the realistic, assessed needs of residents, consistent with the scale and nature of the development proposed. The proposed uses are in accordance with this policy.
- 7.49. The library in this case acts as both a community facility to serve the campus population and an appropriate expansion of the educational facilities. Its provision is therefore supported by Policy HO21 as well as City Plan Policy CP2 which states that “appropriate expansion plans for... higher and further education establishments are supported. It is also in line with Policy SA6 ‘Sustainable Neighbourhoods’ which encourages existing education and community organisations to provide local communities with a greater range of services and facilities for learning and training.
- 7.50. The Health and Well Being Centre will replace the existing health centre on the application site that will be demolished as part of the proposals. The provision of a larger, modern facility to serve the large campus population is also supported by Policy HO21.
- 7.51. Policy HO19 also relates to new community facilities and supports the provision of new community facilities where a number of criteria are satisfied. No concerns are raised with regard to this policy.

### **Restaurant/Café**

- 7.52. As the proposed restaurant/café is 604sqm in size, Local Plan Policy SR12 applies. This policy states that new cafés, restaurants, bars or public houses or extensions to such facilities with a total resultant public floorspace in excess of 150 sqm will be permitted provided they meet a number of criteria. Exceptions to this policy may be permitted provided that any customer floorspace in excess of 150 sqm (as shown on approved plans) is for service to seated customers only in the manner of a restaurant or café.

7.53. It seems likely that this exception criteria is satisfied but this should be confirmed by the case officer. In any case, similarly to the retail provision discussed above, the restaurant will serve the specific local demand created by the university and the on-campus residents and is unlikely to cause a nuisance.

#### **Biodiversity**

7.54. Policy CP10 requires developments to provide adequate up-to-date information about the biodiversity which may be affected; to conserve existing biodiversity and provide net gains for biodiversity wherever possible. Part 2j) of Policy CP8 requires development proposals to enhance biodiversity. The views of the County Ecologist should be taken into account in determining compliance with these policy requirements.

#### **Waste Management**

7.55. Policy WMP3d of the Waste and Minerals Plan requires development proposals to minimise and manage waste produced during construction demolition and excavation. 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<sup>1</sup>. Policy WMP3d also requires applicants to demonstrate how the durability of the construction has been maximised.

7.56. A development of scale will produce significant quantities of construction, demolition and excavation waste, and an outline Site Waste Management Plan has been submitted. The ambition of diverting 96% of construction and demolition waste from landfill is welcomed.

7.57. 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. The location of bin stores are indicated on the submitted plans

#### 7.58. **Public Health – Comment**

The application using the HIA checklist, which is being developed by BHCC. The application seems to meet the suggested requirements for most of the areas covered by the checklist.

#### 7.59. **Regeneration: Support**

City Regeneration has no adverse comments regarding this application. City Regeneration acknowledge that the demolition of Park Village, Lancaster, York, Kulukundis & Kent Houses will mean disruption to the existing health centre, however this will be rebuilt along with other ancillary uses including Pavilion Library, retail and restaurant/café. The new development would provide further employment to the university, which City Regeneration would support.

7.60. City Regeneration requests a contribution through a S106 agreement for the sum of £122,940 towards the council's Local Employment Scheme.

7.61. **Sports Facilities:** No comment

7.62. **Sustainable Drainage:** No comment

7.63. **Sustainable Transport:** Objection  
Summary

This is the second response on this application. In the first response, dated 6th March 2020, we identified that the application was unsuitable for determination at that time due to a lack of information provided which was necessary to assess the potential impacts of the proposals, noting that this is a requirement of NPPF para 111.

7.64. A Technical Note, dated 19th March 2020, has since been provided. This is welcomed and responds to the majority of requests for further information. Details contained within the Technical Note were discussed via a conference call meeting with the applicant team on 24th March 2020 and it was agreed that the remaining information would be provided. As such, an updated version of the Technical Note was provided on 6th April 2020.

7.65. Unfortunately, whilst some of the previous issues have been addressed, based on the information currently available we would object for an in-combination number of reasons including the following:

- Lack of cycle parking and related design issues: The amount of cycle parking proposed (481 spaces) is significantly below the minimum policy requirement of 1477 spaces for 1921 residential units (shortfall of 996 spaces or 75%). Whilst the applicant has set out a case for why this might be deemed reasonable within the campus environment of the university, not enough evidence has been provided to support this, and requests for further information have not yet been adequately responded to. There has also been no provision made for adapted bikes which adversely impacts those that are disabled. Furthermore, the plans submitted are not in accordance with quality and design standards. The aisle widths between the Sheffield stands is unacceptable meaning that bikes will be inaccessible. See also below about some related issues in respect to how the stores themselves will be reached. The proposals are therefore contrary to policy TR14/SPD14, CP12/13 and NPPF paragraphs 108 and 110.
- Number of disabled parking spaces: The amount of disabled parking proposed is significantly below the minimum requirement of 66 spaces. 5 additional disabled parking spaces are to be provided as part of the West Slope development which is a shortfall of 61 spaces. The applicant has reasoned that this can be shown to be adequate given the relationship between the number of existing blue-badge holders and the number of existing bedrooms on site (i.e. across all existing campus

accommodation). However, no information has been provided on the number of wheelchair accessible units within that existing accommodation and therefore the relationship between the proposed number of spaces and potential demand cannot be assessed. The provision of a sufficient amount and suitable design of disabled car parking is necessary to comply with NPPF par 110(b) and policy TR18/SPD14 of Brighton & Hove Local Plan. Here it should be noted that applications for off-site PBSA development frequently argue that their own under-provision of blue-badge spaces can be justified as most people who may require them have a right to accommodation on campus and will prefer to locate there.

7.66. There are further aspects of the proposals that also remain unsatisfactory or less than ideal. However, these are distinguished from the above by the fact that we are able to recommend conditions or obligations to resolve them. Instances include the following:

- Cyclist access: There is currently insufficient information to determine whether cyclists will be able to access stores safely and conveniently. The revised layout still appears to indicate that cyclists would be required to dismount and push their cycle through pedestrian / landscaped areas to reach cycle stores, which in practice it is not expected would happen, with cyclists most likely to continue to ride through these areas. This would impact negatively on vulnerable people including older pedestrians and those with sight and mobility difficulties and is therefore contrary to NPPF para 110b and does not meet the requirements of policies TR14, CP12 and DA3.
- Equality Assessment: the scheme includes large areas of shared spaces. This raises concern due to conflict between cyclists travelling to/from the proposed bike stores and vulnerable pedestrians, and how inappropriate access and parking by other vehicles within the area can be prevented. However, no Equality Impact Assessment or Participative Inclusive Design Assessment has been included. National inclusive design guidance is also clear that the shared surface arrangements should be developed through special engagement with disability organisations due to their problematic nature. No evidence of such engagement has been provided. There is concern over cyclist access and conflict between pedestrians, particularly those that are visually impaired. It is therefore contrary to NPPF paragraphs 108 and 110 and policies CP12 and CP13.

7.67. Whilst it would be preferable for these to be addressed before determination to avoid the need for conditions, if necessary, we are content that they can be resolved through various Plans Notwithstanding conditions to secure additional information and revised proposals post-Planning.

7.68. Positive aspects of the proposals that require no further attention include the following:

- Proposed trip generation; and

- Delivery and servicing arrangements.

7.69. Key matters that have been considered include:

- Overall, reductions in vehicle and public transport trip generation are predicted (as a result of more students living on campus) mostly off-set by a significant increase in walking (assumed to be internal campus trips)
- Sustainable transport contribution of £60,637.50 to be allocated towards: cycling improvements on Kings Gate Road, bus stop improvements on University Way, A27 and Kings Gate Road, and bike share/electric bike scheme.
- A student move in/out management plan is required. This can be secured by condition.

Main comment

7.70. In the first response, dated 6th March 2020, we reviewed the Transport Assessment (TA) and associated materials and identified that the application was unsuitable for determination at that time due to a lack of information provided. Subsequent to this, a Technical Note (TN1) has been submitted which was dated 19th March 2020 and a further updated version of the same note (TN2) was then provided dated 3rd April 2020 – references within our response below refer to the respective version of the TN, where relevant.

7.71. A wider masterplan was approved in 2015 under application BH2013/04337. That scheme comprised 4,022 student accommodation bedrooms, 59,571sqm of academic facilities and 2,000sqm of A1, A3, A4, C1 and D1 uses. Since that application, there have been further applications for different sites within the masterplan, including:

- BH2016/01004 – Reserved matters application for the East Slope of the campus which will provide an overall net gain of 1,500 bed. This was approved in August 2016.
- BH2016/01001 – full application for Site 1 of the East Slope which will provide an additional 249 beds.

7.72. The proposed scheme currently being considered relates to two areas previously considered as part of the masterplan, including North Court and West Slope. The current application is however, for an alternative scheme and does not therefore form part of the masterplan. The current scheme proposes the demolition of the existing student accommodation (852 bed) to be replaced with new student residences (1921 bed) and ancillary uses (3,800sqm).

**Site Access**

**Pedestrian and mobility/visually impaired access**

7.73. Pedestrian access to the site will be provided from all frontages to the development site. There will be a variety of people using the landscape and public realm associated with the West Slope including students, staff, visitors, service providers, public transport and emergency vehicles.



7.74. The original TA states that level access cannot be achieved for all users due to topography constraints. Therefore, buildings will include a lift access to overcome the changes in levels. Having reviewed the submitted plans, some of the buildings do not appear to have lifts as part of the design proposals. Clarification on this point was requested. TN2 includes an Appendix E 'Equality Impact & Lifts' with further details regarding this, under the heading 5.4 Accessibility which states all accessible bedrooms provided above ground floor will be located close to lifts, which following our review, is considered to be acceptable.

### **Cyclist access**

7.75. As part of the 1st response, it was advised that the position of the proposed cycle stores and access to these needed to be reviewed to ensure that cyclists can ride up to the store (rather than having to dismount). The revised layout still appears to indicate that cyclists would be required to dismount and push their cycle through pedestrian / landscaped areas to reach cycle stores, which does not meet the requirements of our TR14 cycling policy or comply with DA3 principles. Also, this does not follow the principles of inclusive design as, in practice, cyclists are likely to ride through pedestrian areas. This would impact negatively on vulnerable people including older pedestrians and those with sight and mobility difficulties, contrary to NPPF para 110b. The supplementary TNs provide some further information on this point including a plan showing existing cycle parking provision. However, limited further information is provided about the proposed provision and how these stores will be accessed as set out as bullet points at Section 15 as follows:

- B1-B18: Accessed directly from spine routes
- B20: Accessed from north via Park Village Road
- B22: Accessed from east Refectory Road
- B24: Accessed from west Norwich House Road

7.76. The above is not considered to be sufficient to demonstrate how safe and inclusive access to the cycle stores has been incorporated into the design. However, the TNs state that it is envisaged [by the applicant] that cycle access arrangements including signage and associated management could be secured by an appropriately worded planning condition. However, this would not be sufficient to address access needs of cyclists as set out in policy as cyclists would have to dismount and wheel their bikes a long distance. Therefore, we require amendments to the landscape proposals which we would like to review prior to determination. As such, we will require a cycle parking scheme condition in a Plans Notwithstanding format to allow alterations to the design proposals to be secured post planning, as well as the associated management plans. In addition, a Street Design Condition in a Plans Notwithstanding format should also be secured to allow necessary changes to the landscape proposals for access and inclusivity reasons.

### **Public transport (bus and rail)**

- 7.77. Public transport accessibility is to remain unchanged as part of this proposal. We previously confirmed that we have no objections on this point as part of our earlier response.

**Delivery and service vehicle access**

- 7.78. Servicing, including emergency service access, will be undertaken from the existing internal road network. The operational impact of delivery and servicing activities, including details of further information presented in the TNs, is discussed in the Operational Impact section later within this response.

- 7.79. As part of our earlier response, we requested clarification on the refuse vehicle specification as there appeared to be different versions used on the masterplan and RSA tracking drawings. The applicant has since confirmed that the campus is served privately in respect of refuse collections and that the smaller of the two vehicles applied is the correct one. The use of a larger design vehicle for some of the swept path analysis does not therefore affect the outcome of the analysis. This clarification is appreciated and is accepted.

**Car, van and motorcycle access**

- 7.80. We identified through our earlier response that whilst proposals that would omit a physically separated footway altogether can be considered, this would have adverse impacts for some vulnerable people and therefore should be defaulted to in the first instance. As such, supporting information was requested to demonstrate that other equality compliant arrangements had been considered and to set out the reasons why these were not feasible. This should be provided via an Equality Assessment (EqA). In addition, since shared surface were proposed then, to comply with national inclusive design guidance, disabled groups and organisations should be engaged during design development for input and to shape the proposals. A Participative Inclusive Design (PID) statement providing details of that process, feedback, design response and reasoning should also be provided.

- 7.81. In response to this request TN2 includes an Appendix E 'Equality Impact & Lifts' which has been extracted from the original Design and Access Statement and therefore does not provide the additional details we sought. As such, the EqA and PID information remains outstanding and our concerns about the shared streetscape continue. The latter include conflict between cyclists and vulnerable pedestrians, and how inappropriate access and parking by other vehicles within the area can be prevented.

- 7.82. We continue to seek the previously requested information before determination (and/or alternative design proposals that avoid the issues we have raised). However, though it is far from ideal, this could in extremis be addressed via a Street Design Condition in a Plans Notwithstanding format (along with other conditions). We should stress however that ultimately this may require substantial changes to the current landscape proposals –

potentially alongside changes to the location of things like internal cycle stores to minimise areas of conflict.

## **Parking**

### **Cycle parking**

- 7.83. The applicant has proposed to provide cycle parking at 25% provision for West Slope (i.e. 481 secure spaces for 1921 residential units). The TA contends that this provision has been informed by surveys undertaken as part of earlier Travel Plans which are reported to demonstrate that 81% of students on campus do not cycle.
- 7.84. In our earlier response, we identified that existing trends in cycle use should not be used as the sole basis for determining future provision. Whilst we acknowledged that the campus nature of the development makes it different to many other development sites, and we might therefore consider a reduction in cycle parking, this would need to be underpinned by strong evidence.
- 7.85. Further information was provided in TN1 about the use of cycle parking facilities on East Slope. This information identified that c10% of the cycle parking was used at the time of the survey, whereby those facilities were provided at a ratio of 50%. Whilst that additional information was useful and welcomed, we explained through the 2nd clarification meeting that the location, type and quality of cycle parking all contribute towards utilisation, not just quantity. As such, we asked the applicant to provide further details of the proposed type and quality of the cycle parking facilities. Some further details have been provided in TN2 which are helpful, however, the detail is still not sufficient i.e. images of types of cycle parking have been provided, but it has not been set out what types would be provided in each location and how this would be broken down across the development. In terms of absolute numbers, our standards require that a minimum of 1,477 cycle parking spaces are provided for the proposed scheme, whereas the applicant is proposing 481, which comprises a shortfall of 996 spaces. The current evidence is therefore still not considered to be sufficient for the current significantly sub-standard quantities of parking to be considered acceptable at this time.
- 7.86. Turning now to matters of quality and design. The applicant has confirmed that the proposed cycle spaces are to be in the form of Sheffield stands located in bikes stores. However, having reviewed the submitted plans we still have the following design concerns that need to be addressed to ensure that cycle parking is policy compliant.
- Provision is needed for adapted bikes, this should account for at least 5% of provision. As it stands there is currently no provision for adapted bikes.
  - The width to the side of the stand will vary as follows depending on the type of bike the stand will provide for.
  - 0.45m for conventional bikes

- 1.2m for adapted bikes and 2.2m if wheelchair access is needed to them (so that users can transfer from their wheelchair to the stand). However, the additional 1m in the latter case may be within an aisle if the stand is located at the end of the row, providing the aisle is at least 2m wide (2.5m if located close to a main entrance or other busy area).
- 1.5m for oversized bikes (e.g. cargo bikes).
- The aisle width between Sheffield stands is currently too narrow and should be  $\geq 2$ m wide, clear of the zone that parked bikes will take up. This is necessary both to allow bikes to be wheeled into stands and for users to pass each other when pushing their bikes.

7.87. In view of all of the above and for the purposes of this response, the current cycle parking proposals cannot be considered acceptable. We therefore require that the applicant reviews the proposals. To help inform this process, we are mindful that the applicant has presented some existing survey data and that the campus nature of the development does potentially afford some weight in considering the overall provision. As such, we may accept an uplifted level of cycle parking provision at 75% (noting 25% is currently proposed) providing that it can be demonstrated the proposed facilities and design of them is of a very high quality, bearing in mind that quality in itself can be a very considerable component to the use of cycle parking.

7.88. As changes to cycle parking are likely to result in changes to building layout, this cannot be secured by condition and should be provided prior to determination. As it stands the proposed cycle parking is not policy compliant as required by SPD14, Brighton & Hove Local Plan policy TR14 and NPPF para 110(b). Therefore, as the proposal currently stands, we deem this as contributing to an in-combination case for refusal, along with other things listed in this response.

7.89. In the event that committee were minded to approve, a plans notwithstanding condition should be attached. However, even allowing for any such condition it is anticipated that the cycle parking provision would still fall short of an entirely acceptable scheme and a significant shortfall in supply would remain.

#### **Disabled/blue-badge holder parking**

7.90. In our earlier response, we noted that the West Slope development will result in a net increase of 5 accessible spaces being provided on site. A further 22 accessible spaces are to be provided as part of the East Slope development.

7.91. The development is underproviding in the number of disabled spaces by 61 spaces. We noted that the campus nature of the development site is relatively unique and that the site essentially operates as a small town. We considered that this potentially afforded some weight in considering a reduction in disabled parking in this instance. However, we requested further evidence to allow us to consider any potential under-provision in disabled parking. In the supplementary TNs the applicant has advised that there are currently 16 blue badge holders living on campus (comprising 5,500

bedrooms). Applying this ratio would indicate a demand for the additional accommodation of 7 accessible spaces, with the application materials demonstrating that sufficient capacity is already available to accommodate these users with surplus in supply. The additional information provided is welcomed and potentially allows this point to be addressed. However, the existing number of accessible units and disabled occupants within that accommodation also needs to be confirmed to understand the true relationship between units and spaces.

- 7.92. As it currently stands, this would contribute to an in-combination reason for refusal. The provision of a sufficient amount and suitable design of disabled car parking is necessary to comply with NPPF par 110(b) and SPD14 and policy TR18 of Brighton & Hove Local Plan. However, we will be happy to review this recommendation if the further information we have requested is provided before determination.

#### **General car and motorcycle parking**

- 7.93. As noted in our earlier response, no additional parking spaces are proposed for general parking which is in line with what was approved under the extant permission BH2013/04337. Students who live on the campus are not permitted to park on campus and this will continue for residents at West Slope.

#### **Operational impact Deliveries and servicing**

- 7.94. Within the supplementary TNs, the applicant has provided details of a servicing survey undertaken at the Northfields site (which is broadly consistent with the wider trip generation survey methodology). The survey data, when applied to the proposals, indicates that the development would generate in the order of 44 servicing trips per day (slightly more than indicated initially in the TA). The findings of the survey are acceptable, and the further details provided including the hourly breakdown of the results are appreciated.
- 7.95. The servicing data has then been applied by the applicant, to estimate the number of servicing bay facilities which will be required by the development. This indicates a minimum of 3 servicing bays, with 4 proposed by the applicant plus two further large vehicle bays associated with the supermarket. Whilst the method for this capacity assessment does not follow the approach we recommended in our earlier response, from the information provided and from our own assessment, we agree that the proposed quantum of servicing bays is considered to be sufficient. This can be secured by delivery and servicing plan condition.

#### **Student move in/move out plans**

- 7.96. As noted in our earlier response, the TA states that a management and booking system regime will be implemented as per the existing student residential accommodation on campus. The TN provides further details of the

strategy in place which is welcomed. This includes online housing induction, timeslot booking system, 1-hour unloading parking arrangements and management. It is understood that vehicles would be permitted to park within the shared / public realm areas for one hour, on arrival for unloading (subject to having pre-booked a time slot) during a three-day weekend period at the start of the academic year. Marshalls and on-site management oversee these arrangements. We would expect a similar system to be in place at the end of the year, when residents move out. Therefore, the details provided for the start of term are accepted in principle however we will look for an updated management plan to be submitted to reflect the end of year arrangements, and we will secure these arrangements by condition. It is also worth noting that other concerns we have raised regarding the shared streetscape, depending upon how they are addressed in any permitted scheme, may also need to be reflected in this management plan.

### **Equality**

- 7.97. The Equality Act 2010 places a range of duties on the Council. Amongst others these require decision makers to be aware of the potential impacts of its decisions, at the point when they take them, on people with characteristics that are protected by the Act. There must be a reasonable evidence base for this. If there are likely to be any negative impacts then, amongst other things, the decision maker must be satisfied that there is a reasonable 'objective justification' for these.
- 7.98. For the benefit of decision makers, we set out below those aspects of the proposals that are likely to have negative impacts in respect to transport. We also consider if there is a reasonable objective justification for these in transport terms. Where there is not, then decision makers will need to be satisfied that a suitable objective justification exists for non-transport reasons. Note that we do not consider planning policy in this section.
- Provision of cycle parking for adapted bikes;
  - Shared surface proposals in some areas; and
  - Level issues (although we accept that this has been addressed through the design, including through the provision of lifts).
- 7.99. Those with disabilities requiring access to car and cycle parking in close proximity to the development therefore have the potential to be adversely affected by the proposals, as the current layouts do not afford easy direct access in all cases. The shared areas may introduce additional conflicts between user groups and there does not appear to be plausible objective justification for this. This can be a significant issue for the safety and confidence of those with a visual impairment and could for example contribute to anxiety, deterring individuals from using these areas and accessing facilities, and ultimately could contribute to some individuals choosing not to locate to the UoS Campus. Therefore, we have requested further amendments to the design of the scheme to address this. Given the shared surface proposals in some areas, and other non-standard aspects of design, we have also requested a full assessment of equality impacts and

evidence of design engagement with disability groups/organisations to shape this and satisfy advice in national inclusive design guidance.

- 7.100. TN2 provides additional information which includes at Appendix E 'Equality Impact & Lifts', which is welcomed however further information has been requested to be secured by condition.

#### **Highway Works**

- 7.101. As stated in our earlier response, none of the internal roads within the campus are highways. Therefore, none of the proposed works will require a S278 agreement.

#### **Construction/Demolition management**

- 7.102. Whilst both a Construction Environmental Management Plan (CEMP) and Demolition Environmental Management Plan (DEMP) are needed, the main consultee required would be Highways England (HE). BHCC roads are less likely to be impacted as it is likely access will be via the HE network. When a plan is submitted, we would only wish to agree the traffic routing/management aspect to ensure this.

#### **Travel Plan**

- 7.103. An updated University Travel Plan has been submitted in support of this application. Whilst the updated travel plan includes lots of useful measures, the draft travel plan submitted is slightly outdated and is based on 'emerging proposals'. Furthermore, Travel Plan monitoring surveys should be undertaken to TRICS Level 3 SAM standard using TRICS® accredited data collection contractors. Therefore, we require the travel plan to be updated and this should be secured by S106.

#### **Section 106 Contributions (inc. Sustainable Transport Contribution)**

- 7.104. Within the first response we provided initial details of the sustainable transport contribution which we would likely require in respect of the proposed development. Within the TNs, the applicant has stated that an overall net reduction in trips associated with the University is expected, as some residents are expected to re-locate from off-site locations to the campus. Whilst this is accepted, those off-site properties will continue to exist and therefore generate trips. The proposed accommodation on the campus is therefore additional. Overall it will result in an increase in trip generation even though it is acknowledged that the external element of this trip making may be limited. The applicant accepted this justification at our 2nd clarification meeting and within TN2 has indicated that they expect the maximum off-site trip generation to comprise 7% of the total trip generation. Table 5.8 of the TA suggests the total trip generation would result in a net increase of 5,775 person trips.
- 7.105. Having reviewed this justification, the analysis is accepted, and we therefore request a sustainable transport contribution in accordance with the council's Guidance on Developer Contributions as follows:

- 7.106.  $5775 \text{ (person trips)} * £200 \text{ (contribution value)} * 0.75 \text{ (reduction factor)} * 7\% \text{ (off-site trip factor)} = £60,637.50$
- 7.107. This should be allocated towards the following:
- Additional Bike Share Hubs to feed into the bike share scheme including the potential provision of electric bikes;
  - Improvements to walking and cycling network and facilities including but not limited to the remarking of cycle routes on Knights Gate Road/B123 roundabout; and
  - Bus stop improvements including RTPI on but not limited to University Way, A27, Kings Gate Road
- 7.108. This is in order to provide for sustainable and safe access to the site and cater for the increase in trips in accordance with Brighton & Hove City Plan Part One policy CP7.

First Comment:

**Summary**

- 7.109. Whilst some aspects of the proposal are deemed acceptable such as the proposed travel forecasts for the site. Unfortunately, the application is currently unsuitable for determination due to insufficient information from which to assess the likely significant impacts of the proposals as required by National Planning Policy Framework (NPPF) paragraph 111. These include:
- Details of how the delivery and servicing trips have been forecast is required, along with a demand versus supply assessment. It is recommended that a Poisson distribution calculation is undertaken in this regard, with a  $\geq 95\%$  confidence
- 7.110. Further details are also required on the following matters to ensure compliance with NPPF paras 108-110 and other local policy. These should address the following:
- Assessment of equality impact and – if shared surfaces and other non-standard design element are proposed – evidence of design engagement with disability groups/ organisation per Manual for Streets and other national design guidance
  - Details of cycle access arrangements to/from the cycle stores, including access routes within and to/from the West Slope development area
  - The level of proposed cycle parking to be increased and further evidence to be to justify the level of provision. In addition, further details of the type and layout of the proposed cycle parking is required
  - Further details to justify the level of proposed disabled car parking, including demand for and location of spaces. In addition, further details of the layout of the proposed disabled parking is required including necessary amendments
  - Details of the student drop-off / pick-up management strategy are required



7.111. Further information should be submitted within 4 weeks to address concerns. We will wish to be formally consulted should it be. Conditions and obligations will be recommended in a future response after sufficient information is provided.

7.112. **Sustainability Team: Support**

Carbon dioxide emissions from building

- The BER and TER figures provided show emissions approximately 20% below Target Emissions Rates although this is not explicitly an objective of the energy statement. However, this is only achieved by including a large contribution from solar photovoltaics to be installed elsewhere on the campus.

Building fabric:

- U-values: walls 0.2 W/m<sup>2</sup>K; Floor 0.18; Roof 0.15; glazing u-value 1.6
- Air permeability 5 m<sup>3</sup>/hm<sup>2</sup> @50Pa

Renewable energy

- Around 1,500m<sup>2</sup> photovoltaic panels will be installed on roofs of the North Court buildings. These PVs shall feed into the buildings they are installed on and the site-wide electrical distribution network that will provide a carbon offset and energy reduction to the site.
- No other form of renewable energy is considered.

Heating and ventilation

- The heating for West Slope will be provided by existing gas CHP and boilers in a centralised Energy Centre on campus. Heat will be delivered to the buildings via a medium temperature hot water district heating system.
- The building's HVAC systems will be designed based on the results of the thermal modelling. All thermal comfort conditions within the building will conform to good practise CIBSE guidelines.
- Analysis of how the buildings will respond to future climate scenarios will use CIBSE TM52 and TM59 methodology and relevant industry standard

Lighting

- Energy efficient LED light fittings, responsive to daylight, with automatic and zonal control to reduce energy use

Green walls / roof:

- Provision of both intensive and extensive green roofs. The green roofs are to be intensive downland grass green roofs for the Villa types and extensive specialist mix green roofs for the town houses.
- Planting 200 new trees to replace some that are felled
- desire to incorporate fruiting trees and resident planting and herb beds, into the family unit gardens

Water:

- All dwellings will achieve water efficiency standard of 110 l/person/day
- Efficient sanitary ware/ low flow fittings and grey water recycling system will be specified (as already used elsewhere on campus).

BREEAM

- 7.113. The current proposal from the BREEAM Assessor is to carry out:
- 1 Similar Buildings BREEAM assessment against BREEAM 2018 Multi Residential Institutions (Long Term Stay), targeting Excellent
  - 3 BREEAM 2018 Shell & Core assessments for the Library, Healthcare and Retail elements of the development, targeting Very Good with an aspiration of Excellent when fitted out.

Main comments

- 7.114. The proposed reduction in carbon emissions from the buildings is, overall, adequate to meet the BREEAM target. This will be achieved in part by passive building measures including reasonably efficient building fabric and providing heating and hot water from the existing campus district heat network.
- 7.115. It is recommended that in the next phase of design, greater attention is paid to passive building measures which could further enhance the energy efficiency of the buildings and keep energy bills down for the residents who will be on low incomes.
- 7.116. The proposal for a green roofs and new trees will help to enhance biodiversity in the area.
- 7.117. The BREEAM proposals are acceptable. It is acknowledged that it is difficult to achieve the “Excellent” rating for Shell and Core building types, as some of the credits cannot be met until the buildings are fitted out. It is expected that agreements with future occupants of the buildings will include meeting the targets needed to achieve the Excellent rating.
- Efficient sanitary ware/ low flow fittings and grey water recycling system will be specified (as already used elsewhere on campus).

BREEAM

- 7.118. The current proposal from the BREEAM Assessor is to carry out:
- 1 Similar Buildings BREEAM assessment against BREEAM 2018 Multi Residential Institutions (Long Term Stay), targeting Excellent
  - 3 BREEAM 2018 Shell & Core assessments for the Library, Healthcare and Retail elements of the development, targeting Very Good with an aspiration of Excellent when fitted out.
- 7.119. The proposed reduction in carbon emissions from the buildings is, overall, adequate to meet the BREEAM target. This will be achieved in part by passive building measures including reasonably efficient building fabric and

providing heating and hot water from the existing campus district heat network.

- 7.120. It is recommended that in the next phase of design, greater attention is paid to passive building measures which could further enhance the energy efficiency of the buildings and keep energy bills down for the residents who will be on low incomes.
- 7.121. The proposal for a green roofs and new trees will help to enhance biodiversity in the area.
- 7.122. The BREEAM proposals are acceptable. It is acknowledged that it is difficult to achieve the “Excellent” rating for Shell and Core building types, as some of the credits cannot be met until the buildings are fitted out. It is expected that agreements with future occupants of the buildings will include meeting the targets needed to achieve the Excellent rating.
- 7.123. **Artistic Component: Support**  
It is suggested that the Artistic Component element for this application is to the value of £98,389.

## **8. MATERIAL CONSIDERATIONS**

- 8.1. 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
- 8.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016)
  - Brighton & Hove Local Plan 2005 (retained policies March 2016);
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006)
  - Shoreham Harbour Joint Area Action Plan (adopted Oct 2019)
- 8.3. 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.

## **9. POLICIES**

### **The National Planning Policy Framework (NPPF)**

### **Brighton & Hove City Plan Part Two-**

- 9.1. Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy.

- 9.2. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications but any greater weight to be given to individual policies will need to await the outcome of the Regulation 19 consultation. The council will consider the best time to carry out the consultation after the coronavirus (Covid-19) restrictions are lifted.

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
DA3	Lewes Road Area
SA4	Urban Fringe
SA5	The Setting of the South Downs National Park
SA6	Sustainable Neighbourhoods
CP1	Housing delivery
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
CP13	Public streets and spaces
CP15	Heritage
CP16	Open space
CP17	Sports provision
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
TR18	Parking for people with a mobility related disability]
SU3	Water resources and their quality
SU9	Pollution and nuisance control
SU10	Noise Nuisance
QD5	Design - street frontages
QD15	Landscape design
QD16	Trees and hedgerows
QD18	Species protection
QD21	Allotments
QD25	External lighting
QD27	Protection of amenity
HE12	Scheduled ancient monuments and other important archaeological sites
HO5	Provision of private amenity space in residential development

HO13	Accessible housing and lifetime homes
HO19	New community facilities
HO21	Provision of community facilities in residential and mixed use schemes
EM4	New business and industrial uses on unidentified sites
SR5	Town and district shopping centres
SR6	Local centres
SR7	Local parades
SR12	Large Use Class A3 (food and drink) venues and Use Class A4 pubs and clubs)
HE3	Development affecting the setting of a listed building
HE6	Development within or affective the setting of conservation areas
HE10	Buildings of local interest
HE11	Historic Parks and Gardens
HE12	Scheduled ancient monuments and other important archaeological sites
SU3	Water resources and their quality
SU5	Surface water and foul sewerage disposal infrastructure

Supplementary Planning Guidance/Planning Documents:

SPD14	Parking Standards
SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD11	Nature Conservation & Development
SPGBH15	Tall buildings

Further Guidance:

Developer Contributions Technical Guidance (March 2017).

## 10. CONSIDERATION & ASSESSMENT

- 10.1. The main considerations in the determination of this application relate to the principle of the development, impact of the development on the character and appearance of the locality and heritage assets and South Downs National Park, neighbouring amenity, landscaping and trees, sustainable transport impacts, and contribution to other objectives of the development plan.

Planning Policy Context and Principle of Development:

- 10.2. The principle of the redevelopment of the site for new Purpose Built Student Accommodation (PBSA) been accepted through outline planning application BH2013/04337 approved on appeal by decision dated 30th July 2015, referred to as the '2015 Masterplan'. The provision of 1,047 net additional PBSA bedspaces on the application is broadly in line with the permitted outline scheme and is strongly supported by the Council's Policy Team. Reserved matters relating to Phase 1 (East Slope) of that development were approved in August 2016 and that part of the development is now under construction and partly complete.

- 10.3. The site is located within the developed area and falls within Policy DA3 'Lewes Road Area' of the City Plan Part One (CPP1) 'Student Accommodation', which seeks to promote and enhance the role of the area for higher education in Brighton & Hove by supporting proposals which improve further and higher education provision. The proposed development seeks to develop and enhance part of the existing University campus in harmony with implemented consents. Policy DA3 also stipulates the need for the Council to work in partnership with the Universities to achieve the Policy objectives.
- 10.4. Since the approval and part implementation of the 2015 Masterplan scheme the University have reflected on this consent, following the lessons learnt from the East Slope residences, and the need to maximise the potential of the site sensitively. The University is seeking to maximise the potential of the site in order to accommodate student residential accommodation and potential academic floorspace. In addition, the University seek to rebalance the distribution of academic activities across campus. Which would also include mixed use spaces and facilities and improved access across the site. As such, the University have worked in partnership with the LPA to develop the proposed scheme and are seeking 'full planning' permission for the redevelopment of the with an improved layout.
- 10.5. As advised by the Policy Officer, a key local priority of this policy is for the sustainable redevelopment and expansion of the University campuses avoiding adverse impact upon the setting of the South Downs National Park and the delivery appropriate accommodation for students. As such, the proposed development is in line with the objectives of Policy DA3.
- 10.6. Policy CP21 demonstrates the Council's commitment to increasing accommodation demands from students and to create mixed, healthy and inclusive communities. As such the Council will support the provision of additional PBSA.
- 10.7. The proposal would result in a net increase in 1046 additional bed spaces which is strongly supported by BHCC Policy Team in compliance with Policy DA3 and Policy CP21 of the adopted CPP1. The provision of a PBSA redevelopment is therefore supported in principle on this site, subject to the detailed assessment as set out below.
- Uses
- 10.8. Proposed ancillary retail, community and educational uses are proposed to serve the new development and the wider campus and no objections are raised by the Policy Team to these components of the development.
- 10.9. Policy CP2 (Planning for Sustainable Economic Development) requires the council to positively and proactively encourage sustainable economic growth to support appropriate expansion plans of higher and further educational

establishments. Furthermore, Policy SA6 (Sustainable Neighbourhoods) encourages existing education and community organisations to provide local communities with a greater range of services and facilities for learning and training. The proposed PBSA and ancillary mixed uses adhere to the provisions of Policies CP2 and SA6.

Retail (part of building 24)

- 10.10. The proposed supermarket retail provision would serve the specific local demand created by the university and the on-campus residents and alternative off campus locations are therefore not considered to be appropriate. In these specific circumstances and as advised by the Policy Team, a sequential test is considered an unnecessary exercise.

Restaurant/café (part of building 24)

- 10.11. The proposed restaurant/café is 604sqm in size and therefore Local Plan Policy SR12 (Large Use Class A3 (restaurants and cafes) applies. Policy SR12 states that new cafés, restaurants, bars or public houses or extensions to such facilities with a total resultant public floorspace in excess of 150 sqm will be permitted provided they meet a number of criteria. However the criteria noted is not relevant to the proposed development. However, as stipulated within Policy SR12 and as advised by the Policy Team, exceptions to this policy may be permitted on the basis that service is provided to seated customers in the manner of a restaurant or café; which would be largely the case in this instance.

- 10.12. Furthermore, there are no other similarly large venues in the vicinity which could cause a cumulative effect of people dispersing into the area at the same time. The restaurant/café would serve the specific local demand created by the University and the on-campus residents and is unlikely to cause a nuisance. University Regulations are in force to negate any undue noise or disturbance. The provision of a restaurant/café is supported by the Policy Team and is considered acceptable.

Library (building 19)

- 10.13. The Pavilion Library will provide a series of modern spaces for social meeting, research and learning. Saved Local Plan Policy HO21 (Provision of Community Facilities in Residential and Mixed-Use Schemes) states that proposals for/or which include residential uses will be expected to demonstrate that a suitable range of community facilities will be provided to meet the realistic, assessed needs of residents, consistent with the scale and nature of the development proposed.

- 10.14. As advised by the Policy Team, the library is both a community facility to serve the campus population including the students of the proposed development and an appropriate modern expansion of the educational facilities within the campus. Its provision is therefore supported by Policy HO21 and CP2.

#### Health Centre (building 23)

- 10.15. The Health and Well Being Centre would replace the existing health centre on the application site that would be demolished as part of the proposals. The provision of a larger, modern facility to serve the large campus population in terms of their physical and mental health by providing a doctor's surgery, dentist and counselling services is also supported by Policy HO21. A larger facility is required to meet the needs of the enlarged student population which would negate the need for extra resources outside of the campus which is supported by and meets the requirements of Policy HO19 (New Community Facilities). The health facilities in the existing centre would remain until the construction of the new health centre is completed which is considered appropriate.
- 10.16. A Health Impact Assessment was not required on the basis that site does not form part of a strategic site allocation. Nevertheless, the scheme meets the suggested requirements for most of the areas covered by the checklist as advised by the Public Health Team.
- 10.17. The proposed uses would provide ground floor active frontages; which would lie within a notable open space adjacent to student accommodation, creating a well-functioning sustainable neighbourhood and new student quarter. It is also acknowledged that the proposed new uses would also provide employment opportunities for students on campus and those and within the locality and would create a further economic benefit locally and within the wider area.
- 10.18. Overall, the proposed ancillary uses are supported by the Council's Policy Team and comply with Policies CP2, SA6, HO19, HO21 of the CPP1 and SR12 of the Local Plan.

#### **Purpose Built Student Accommodation (PBSA):**

- 10.19. The proposed development would not have an impact on the student numbers or growth, rather the intention of the University is to have more students living on campus, as originally planned. The existing Park Village residences are not fit for purpose, dilapidated and fail to meet modern day living and sustainability standards.
- 10.20. Policy DM8 of the Draft City Plan Part Two (CPP2) is also of relevance. Whilst this policy currently does not hold full statutory weight, it indicates the direction of travel with regard to the planning policy framework and should be given due consideration. Policy DM8 of the draft CPP2 is intended to supplement adopted policy CP21 and sets out the detailed requirements for the quality of accommodation for PBSA. Of note, PBSA should provide predominantly cluster units; bedrooms of a sufficient size for living and studying; communal living space; cooking and bathroom facilities; and acceptable daylighting to all habitable rooms.

#### Unit Mix & Typologies



10.21. The University have proposed three main housing typologies (cluster rooms, townhouses and family accommodation) to cater for a variety of student housing needs and requirements. Circa 75.1% of the units proposed are cluster rooms within the 'North Court' buildings and villas on the 'West Slope', which are the preferred unit type due their layout and accord with Policy DM8 in the emerging CPP2. In addition, en-suite rooms are prioritised by the University's Housing team due to their yearly demand.

#### Quality of Accommodation

10.22. The student rooms within the clusters and townhouses are capable of accommodating a desk, bedspace and storage with room sizes in accordance with Policy DM8, varying from 12.5 sqm and 10.6 sqm. The applicants have also demonstrated that the size of the rooms are also driven by the need to maintain comparable rents for similar accommodation within the campus. It is considered that the room sizes are sufficient, and the living, cooking and bathroom facilities are commensurate in size to the number of occupants.

10.23. The family units are fully self-contained and at 70 sq.m per unit comply with the minimum space standards set out in the Nationally Described Space Standards for two-bedroom apartments and are considered acceptable. The family units would provide 40 bed spaces, which is a net loss of 2 bed spaces from the current sub-standard family accommodation.

10.24. Semi-private and communal spaces are proposed for the inhabitants of the PBSA comprising the following:

- Semi-private amenity areas- linear terraced gardens (to the rear of some PBSA), play area (adjacent to the family accommodation), and food growing opportunities;
- Communal amenity areas-garden courts, social hub 'break-out' area, communal sports area and a roof garden/plaza within the Pavilion library.

10.25. It is considered that a high-standard of internal and external amenity provision is proposed for the students.

10.26. The separation distances between the proposed and existing nearby buildings are sufficient to prevent overlooking and additional provisions such as privacy screening are proposed on ground floor habitable room windows within the West Slope area. Moreover, proposed and existing trees are sited within a reasonable distance away from proposed habitable room windows.

#### Accessible Housing

10.27. 5% of the housing would be designed to meet the needs of disabled students, representing the unique and specific current and future needs on site. 2% of these dwellings are proposed for wheelchair users; and 3% for ambulant disabled students with flexibility to meet any specific needs of blind, partially sighted, neurodivergent or deaf students. It is observed that currently there is no accessible housing on site.

- 10.28. It should be observed that affordable housing is not a requirement of Policy CP21 and policy DA3. Nevertheless, it is noted that the University aims to provide a range of campus accommodation of a good standard that meets differing student expectations and budgets; the University reviews rent levels for all campus housing every year and discusses them with the Students' Union; and the University will continue to have ongoing discussions and engagement with its student population more widely about affordable accommodation on its campus.
- 10.29. Overall, proposed accommodation meets high-quality modern standards in terms of ventilation, daylight and sunlight. suitable layouts, décor; catering for a range of needs in accordance with Policy CP21 of the CPP1 and emerging Policy DM8 of the draft CPP2.

**Visual Impact:**

- 10.30. A Landscape and Visual Impact Assessment (LVIA) which forms part of the ES was submitted with the application and sets out 9 key views which were agreed with the County Landscape Architect and LPA prior to submission. These were also the key views included in the assessment of the 2015 Masterplan. The LVIA concludes that the effects of the proposed development on the character of the wider SDNP will be minor adverse in the long term.

The Western Boundary

- 10.31. The view from to the western boundary from the South Downs National Park (SDNP) is identified as one of the most sensitive views, referred to as 'Viewpoint 2: The observatory, Stanmer Park'. The visualisations provided within the LVIA had raised concerns with relevant consultees concerning the proposed impact from view points mainly from the SDNP.
- 10.32. However, the views provided in the LVIA are *worst-case scenario* based on the maximum parameters for the development, which show the development a few metres higher and a few metres wider. These views have since been updated with views of the development as actually proposed.
- 10.33. Following, this clarification the County Landscape Architect advised that 'the proposed adverse impact on the visual amenity of Stanmer Park and the SDNP would be restricted to a limited area around the Observatory. The Jubilee woodland plantation would in a relatively short time screen the southern three residential blocks in these views'. The County Landscape Architect also acknowledges that '...the blocks have been orientated and spaced to help reduce the massing and visual impact. The proposed green roof and muted building colours would further mitigate the visual impact of the blocks'.
- 10.34. The SDNPA recognise that the site has already been expanded and intensified through the part implementation of the approved masterplan and

other approved developments outside of the site. Notwithstanding the above, the SDNPA have suggested a number of mitigation measures to further soften the scheme including climbing plants and green roofs on the buildings facing the western boundary. The University own the portion of SDNP to the west of the site boundary (within the blue line) and propose to undertake a review of the existing planting scheme with the Landscape Architect along this edge. This will form part of the Habitat Creation and Landscape Management Plan to be secured by legal agreement.

- 10.35. The Heritage Officer has advised that the scale and visual prominence of the 4/5 storey blocks on the western boundary would not be unduly harmful from a landscape perspective, particularly once the woodland tree planting of Jubilee Wood gradually matures and with the additional tree planting proposed.
- 10.36. Stanmer Park is identified in the HEDBA as a Grade II Registered Historic Park and Garden on the Historic England Register, much of which is within Stanmer Conservation Area. The impact on the registered park and garden of Stanmer is considered by the LVIA to be negligible. However, The Sussex Gardens Trust have objected to the proposed development and consider the development to be harmful from the western boundary of the site and setting of the Grade II Stanmer Park registered park and garden, and more could be done to mitigate this harm.
- 10.37. The Heritage Officer has commented that View 2 has already been compromised by the University Campus and advises that that overall the proposed West Slope development would not have a harmful impact on the setting of Stanmer Park. The County Landscape Architect considers that although there would be some adverse impact on Stamner Park, measures would mitigate the visual impact and therefore supports the proposed development. The Conservation Advisory Group consider that the proposals do not adversely impact on Stamner Park Conservation Area.
- 10.38. Taking the above into consideration, in conclusion it is considered that the proposed updated LVIA views and verified architectural views demonstrate that the buildings would be lower and less substantive and thus have addressed some of concerns through the evident reduction in height and mass. As such on balance it is considered that the proposed buildings on the western edge are acceptable. Mitigation measures recommended by the SDNPA and County Landscape Architect are recommended to secure a Habitat Creation and Landscape Management Plan by a legal agreement which will include the management of the landscaping on the western boundary which would assist in providing a transitional edge. In addition, further landscape measures are proposed within the scheme to further mitigate this impact. This would also address a concern raised by the Conservation Advisory Group over the possible lack of tree screening in the winter months, when seen from Stanmer Park approach drive.

10.39. It is considered that the scheme would have a degree of some adverse impact on the setting of Stanmer Park Registered Park and Garden. Paragraph 196 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The public benefit of the proposed development is the provision of fit-for-purpose PBSA to directly serve the needs of the students in the City, which would in turn provide cultural and economic long-term benefits locally and nationally. In this instance, the harm should be considered to be 'less than substantial' in the terms set out in the NPPF and thus is not considered so significant as to warrant the refusal of this application.

**Heritage:**

10.40. In considering whether to grant planning permission which affects a listed building or its setting the Council has a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Case law has held that the desirability of preserving a listed building or its setting must be given "considerable importance and weight".

10.41. Policy CP15 specifically relates to the protection and enhancement of heritage assets and the City's aim to conserve and enhance the historic environment will be in accordance with its identified significance, giving the greatest weight to designated heritage assets and their setting. The applicants have assessed the significance and potential impact on the heritage assets within the ES, DAS and have undertaken sufficient historic recording.

10.42. Historic England have advised that the proposed buildings are likely to have 'little or no visual impact on either the highly graded Spence buildings, Stanmer Park Registered Park and Garden or the Conservation Area'.

Demolition of non-heritage assets

10.43. As advised by the Heritage Officer, the loss of Lancaster and York houses, which have some significance as non-designated heritage assets, was previously accepted under the approved outline masterplan and this application retains the similar Essex House (which was to be demolished under the 2015 Masterplan), which is the closest of the early residential quads to the listed core of the campus. This change from the masterplan is welcomed by the Heritage Officer. The buildings to be demolished have been subject to Level 2 recording. No objection is raised by the Conservation Advisory Group.

10.44. Historic England consider that York House and Lancaster House should be considered non-designated heritage assets and their demolition would cause the highest degree of harm to their heritage significance. Albeit, Historic England raise no objection to the demolition of the buildings on the basis that adequate recording is carried out.

### Listed Buildings

- 10.45. Policy HE3 of the Local Plan states that development will not be permitted where it would have an adverse impact on the setting of a listed building. The Heritage Officer has advised that based upon the building final heights and footprints, the development would have a minimal impact on the setting of the listed buildings that form the core of the original campus. The Conservation Advisory Group consider that the scheme would not visually adversely affect the nearby listed buildings; and the layout would provide an improvement to the spacing and relationship with the listed buildings. Overall, the scheme would not have an impact on the setting of the Listed Buildings to the south of the site.

### **Design and Appearance:**

- 10.46. National and local policies seek to secure good quality design which respects general townscape and the setting of heritage assets and is a key aspect of sustainable development.
- 10.47. Policy CP12 on urban design states that development should comply with certain criteria. The keys points are set out below:
- High quality design
  - Creates a sense of place
  - Conserves and enhances the city's built archaeological heritage and settings
  - Achieves excellence in sustainable building design and construction
- 10.48. The design of the scheme has been prepared by a team of comprehensive design consultants following an extensive feasibility study, which also took into account the University's brief, parameters set by the 2015 campus masterplan and planning constraints.

### Masterplan design

- 10.49. The design of the proposed development is defined into two main areas; North Court (on the valley floor) and West Slope (along the western edge of the site):
- North Court is the new landscaped civic parkland, which can support various activities and surrounded by ground floor mixed-uses and residential clusters at upper levels.
  - West Slope provides the main residential area including the town houses, villas and family units.

### Design Review Panel Process

- 10.50. The applicants committed to and attended 3 separate design review panel sessions which resulted in altering the massing, scale, height and landscaping throughout the site. The main key requests from the design review panel were met through the provision of the following within the proposed scheme:

### West Slope

- A looser arrangement of buildings on the western edge
- Undulating building heights

### North Court

- A wider space to the north
- Openings at ground floor level
- Active uses at ground floor
- Open covered spaces linking to Student Square on East Slope

### General

- Retention of more trees
- Varying heights of buildings
- Provision of more routes through the site
- Enhanced accessibility through the site
- Enhanced landscaping through the site
- The identification of the Library and Social hub as special buildings
- A hierarchy of materials
- Incorporation of colour

- 10.51. The design of the scheme has evolved positively and continuously from the pre-application proposals which went through a number of iterations following the rigorous design review panel process. The applicants have demonstrated their commitment to providing a high-quality design and have sought to address concerns raised and advice given by the council at each stage.

### Layout, Siting, Height and Massing

- 10.52. Policy CP21(1) states 'high density developments will be encouraged but only in locations where they are compatible with the existing townscape'. The proposal includes 'tall buildings' for the purposes of policy CP12 of the CPP1 and therefore a Tall Building Statement as set out in SPGBH15 has been submitted. SPGBH15 defines 6-8 storey buildings as being 'midrise' in height. The policy guidance on tall buildings emphasises the importance of the design and it is possible for tall buildings to integrate successfully with their surroundings, if they are designed sensitively with regard to the local context.
- 10.53. The proposed building heights vary from 1-6 storeys in height. The maximum building heights identified for the West Slope site within the approved 2015 Masterplan Building Heights Parameter Plan ranged from 83 metres AOD to 94 metres AOD. The proposed development seeks to provide buildings ranging from approximately 73.65 AOD to 100.37 AOD; which extends the parameter heights and variation of heights somewhat throughout the site; although not substantially.
- 10.54. In the first instance, the proposed buildings are not substantially greater than some existing buildings and the emerging East Slope and the siting of the

taller buildings on the valley floor flanking the North Court mitigates their height.

- 10.55. It is acknowledged that the quantum of the development proposed is within the upper limits of what may be deemed acceptable on the site. However, taken into account the approved 2015 Masterplan, the scheme allows for an improvement to the layout, built form and landscaping, as advised by the Heritage Officer and the Conservation Advisory Group. The layout and grain of the development also complements the East Slope redevelopment. It is considered that the proposed buildings have been designed sensitively, are of a high-quality design and relate to their surroundings. As such the layout, siting, height and massing of the development is considered appropriate.
- 10.56. Given the mid-rise height of the buildings and siting, it is not considered that there would not be any issues with regards to the creation of a wind microclimate. More so, the height of the buildings are not dissimilar to existing buildings on the wider campus. In any case, the structural framing of the buildings has been planned to include an appropriate amount of lateral stability to resist high wind speeds and durable materials are also proposed.

#### The Pavilion library (building 11)

- 10.57. The Heritage Officer has advised that 'the Pavilion Library building would be a welcome circular feature building akin to the Meeting House at Fulton Court'. The massing of the building is aesthetically pleasing to the eye and allows permeability around the site.
- 10.58. The building provides a significant amount of academic and social space with extensive floor to ceiling heights and window seats around the interior. At roof level, a semi-enclosed roof garden plaza permits views onto the surrounding landscape.
- 10.59. The materials also differ to the rest of the site by way of white, concave opalescent terracotta panels, with vertical windows, the specific details are recommended to be conditioned.

#### The social hub (building 8)

- 10.60. The social hub is a notable character building within the 'West Slope' residential area to provide a breakout social space and interaction between the residential buildings. It also provides a laundrette with residential accommodation above. The building is taller than the surrounding buildings (as encouraged by the design review panel), standalone, and although the materials are similar, they would be provided in a differing colour and texture.

#### Detailing and Materials

- 10.61. Spence noted that the 'whole precinct should come out of the soil of Sussex' and the scheme has taken this approach by ensuring the materials respect

the existing geology. The colours echo the natural the leaves and verdant character of the area and a hierarchy of materials have been proposed.

- 10.62. The materials and elevations have been amended to reflect previous comments from the Heritage Officer and now better reflect the Spence design ethos, the surrounding verdant character whilst introducing colour and texture appropriately.
- 10.63. The building typologies have differences in their material palette which define each typology however all the materials used belong to the same 'family'. The broad approach to materials as outlined is considered to be appropriate and would complement the newly constructed development at East Slope and the existing campus to be retained. However, the Heritage Officer would like samples to be submitted and evidence on how the materials weather. Details and samples are required and are recommended to be conditioned.
- 10.64. The colour of the parapets of the western most buildings are provided in a darker colour to create a better blend with the SDNP as requested by the SDNPA.
- 10.65. The proposed design of scheme meets the criteria for Policies CP12, CP15 and CP21 of the CPP1 by providing a high-quality of design, creating a sense of place whilst conserving and respecting the heritage and sensitivities of the site. Furthermore, the scheme complements and respects the urban grain of the adjacent emerging East Slope development. In addition, the notable buildings are considered to stand-out positively and enhance the immediate and wider campus.

**Archaeology:**

- 10.66. Policy HE12 (Scheduled ancient monuments and other important archaeological sites) seeks to ensure development proposals preserve and enhance sites of known and potential archaeological interest and their settings. The site is set within an archaeological notification area and an Historic Environment Desk-Based Assessment (HEDBA) has informed the Archaeology and Cultural Heritage section of the ES.
- 10.67. It has been identified that the site is situated within an archaeologically sensitive area of Prehistoric, Romano-British and medieval activity; however this has been heavily impacted upon. As such the Country Archaeologist raises no objections but has recommended conditions for further investigation, which have been duly recommended.

**Trees:**

- 10.68. Policy QD16 requires applications for new development to accurately identify existing trees, shrubs and hedgerows and seek to retain existing trees and hedgerows. wherever feasible include new tree and hedge planting should be incorporated in to proposals.



- 10.69. The existing trees are not protected, however the University have historically been custodians to the trees on the site.
- 10.70. The proposed tree strategy is centred on an ethos which seeks to retain, relocate and replace. Where possible, all high value trees are proposed to be retained, including Elm and Memorial Trees. The proposed development seeks to minimise excavation and utilise the existing contours, which in turn would assist in protecting the high value retained trees.
- 10.71. A number of trees on the application site were agreed to be lost as part of the 2015 Masterplan outline application, however this scheme seeks to retain an additional 5 trees.
- 10.72. A robust tree survey and mitigation report has been carried out and 33% (95) of trees surveyed are to be removed (7 Category A trees, including 1 Elm tree; 49 Category B trees; 35 Category C trees including 4 Memorial trees; and 4 Category U trees) and 161 metres of hedgerow, to facilitate the development. Although this is regrettable, the proposed development seeks to replace and plant 223 trees within the landscaping scheme, which would also strengthen the connectivity to the ancient woodland. On the western slopes, the proposed planting strategy is focussed around 'Elms and Meadows' and seeks to reintroduce Elms onto the campus through disease resistant Elm tree planting, which is welcomed by the SDNPA. The tree removal and replanting strategy is supported by the Arboriculture Officer, who has surveyed the site.
- 10.73. The woodland copse area on the south-western extent of the site would remain in its entirety (the approved 2015 masterplan sought to erode part of this woodland). This woodland is a Habitat of Principal Importance under Section 41 of the NERC Act and will be retained and protected. The ES notes that the woodland has the potential to be enhanced by the appropriate management. The applicants have proposed a woodland path through this area to provide public access.
- 10.74. As observed by the Heritage Officer 'the proposals have sought to retain as many high category trees, and important groups of trees, as possible and propose substantial new tree planting of an appropriate character, including Elm trees. In all these respects it is considered that the application represents a clear improvement over the layout and form of development approved under the masterplan'.
- 10.75. The County Landscape architect advises that 'the overall masterplan which retains important trees throughout the site area and provides a green corridor through the campus with visual links to the surrounding downland would provide an opportunity to enhance the landscape character and visual amenity of the campus.'

- 10.76. Overall the verdant character of the campus would be maintained and the replacement strategy would assist in mitigating any tree loss. It should also be observed that the proposal seeks to retain more trees on the site than the 2015 Masterplan. In addition, a Habitat Creation and Landscape Management Plan is recommended to be secured by legal agreement.

**Landscaping/Public Realm:**

- 10.77. As observed by the Heritage Officer ‘the Spence campus is a prime example of a development successfully integrated with its landscape’. There are a number of key components proposed throughout the site as follows:

Green core

- 10.78. The green core is a linear landscape structure which extends from the north to the south and links the campus to ancient woodland, to the north outside of the campus. The green core had been eroded since the construction of the original Spence buildings and the proposed development seeks to re-establish this core. Laterally, landscaped areas and trees flow from the green core from east to west, in between the built form and into the SDNP. Re-establishing the green core is considered to be a key benefit of this proposal.

North Court

- 10.79. North Court is a new civic formal landscaped area to provide amenity for students all year round and comprises large open lawns, existing mature and proposed semi-mature trees. The space is proposed to be multifunctional and provides an immediate frontage to approved student centre on East Slope. As advised by the Heritage Officer, ‘the new North Court space is a very welcome element as a ‘twin’ to Fulton Court to the south’ and the permeability of the buildings at ground floor level here would also reflect the original Spence approach to buildings such as Falmer House and Arts A’. The ‘North Court’ is also used to describe area and buildings surrounding this space.

Green roofs

- 10.80. Three types of green roof are proposed on the buildings on the ‘west slope’ including intensive downland (2000 sq.m), extensive green roof (2300 sq.m) and extensive sedum (130 sq.m). It is considered that the variety of green roofs are acceptable and would contribute to the net gain in biodiversity throughout the site. The intensive downland green roofs would face the SDNP contributing to the setting of the SDNP and enhancing key views.

Amenity Areas

- 10.81. The existing student gardens on site were temporarily positioned on the West Slope during the construction of Jubilee Carpark in 2017. These student gardens would be lost from the West Slope to accommodate the redevelopment. However, the University have confirmed that these would be relocated elsewhere on campus and a planning application has recently been submitted. Nevertheless, the student gardens were within private ownership nor were they or available for the public. Significant provision is proposed for

outdoor amenity for the students, including food growing opportunities, which are considered sufficient.

#### Landscape Routes

- 10.82. The landscaping strategy provides and allows for formal and informal pedestrian routes and permeability throughout the site. The site is interconnected with the rest of the campus and has direct connections at ground floor level with the emerging East Slope development. As observed by the Heritage Officer, the open undercrofts are welcomed and the clear link from North Court through to the new public space on East Slope would suitably help to integrate the two slope developments.
- 10.83. The hard landscape material palette is recommended to be conditioned to ensure it reflects the Spence simple hard landscape approach.

#### Street furniture

- 10.84. A 'family of furniture' is proposed to work with the landscape proposals including litter recycling bins, seating, back rests, cycle stands. These are considered to work with the topography, complement the building and are relevant to the university setting.

#### Dark Sky Reserve

- 10.85. The South Downs National Park is a designated International Dark Sky Reserve. Paragraph 180(c) of the NPPF 2018 outlines that development should limit the impact of light pollution on intrinsically dark landscapes and nature conservation. The scheme is located outside of the SDNP, however it has the potential to affect the designation. As such a lighting scheme has been produced and duly reviewed by the Dark Night Skies Officer at the SNDPA. Generally, the proposed lighting scheme is acceptable and aims to contribute to a sense of place, safety and wayfinding whilst minimising the impact on wildlife and the Dark Skies Reserve. Nevertheless, a lighting scheme has been conditioned so the final details can be agreed.

#### Rights of Way

- 10.86. Paragraphs 98 and 170 of the NPPF highlight the important of public rights of way and access. One of the purposes of the SDNP is to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. The University currently provides and propose to continue to provide direct and through access into the SDNP by virtue of its open character and lack of boundary demarcation, so the SDNP is able to be enjoyed by the students, staff and passers-by.
- 10.87. In conclusion and as advised by the Heritage Officer, the scheme 'better respects and reflects the principles, hierarchies and relationship with the landscape established by Spence. Overall, it is considered that the landscape strategy is of a high-quality and sufficiently comprehensive to complement this unique historic parkland setting. Moreover, the relationship

between each building and surrounding landscape features are considered to significantly enhance the public realm.

**Ecology:**

- 10.88. Policy CP10 of the City Plan Part 1 sets out criteria for development to conserve, restore and enhance biodiversity and improve access to it.
- 10.89. The County Ecologist has reviewed the proposed development and though the site is not designated for its nature conservation interest, the adjacent the South Downs National Park, Stanmer Park Local Nature Reserve (LNR) and Local Wildlife Site (LWS or Site of Nature Conservation Importance) and an area of ancient woodland are adjacent to the western boundary. In addition, Tenant, Lain and Moon's Gate Wood LWS and an area of ancient woodland are located circa 64 metres to the east. However, given the protective measures proposed in the CEMP and a buffer provided, it is considered unlikely that the proposed development would have any impact on the protected specified or ancient woodland. Furthermore, the following have been identified in the ES and agreed to by the County Ecologist.
- There is no evidence of roosting bats
  - Trees that will be lost have low bat roost potential
  - There are limited opportunities for reptiles on site

Net Gain in biodiversity

- 10.90. The ES demonstrates that, with the exception of semi-natural broadleaved woodland to be retained, the site comprises habitats of low ecological value. Through planting species with wildlife value, native tree planting, green roofs and the provision of bird and bat boxes; the proposal would provide a net increase in bio-diversity. A condition is also recommended to incorporate swift and bee bricks within the development.
- 10.91. Overall, the proposal would provide a net gain in biodiversity in accordance with Policy CP10 of the CPP1.

**Impact on Amenity:**

- 10.92. 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. Policy CP21 of the CPP1 also requires PBSA not to have undue impact on residential amenity.

Overlooking & Loss of privacy

- 10.93. The site is relatively isolated and somewhat enclosed, and the nearest residential occupier is a substantial distance away. To the north of the is Lewes Court PBSA which is separated from the site by Lewes Court Road; to the east is East Slope PBSA, separated by Refectory Road; to the south is Norwich House Road; to the south-west is a woodland Copse; and on the western boundary is the SDNP and Jubilee Woodland. Therefore, it is

unlikely that the proposed development would directly detract from the amenities of the neighbouring occupiers.

#### Outlook/daylight & sunlight

- 10.94. The siting, height and separation distances afforded between the proposed units and emerging units within the East Slope and other buildings are adequate to ensure there would be no undue loss of daylight or sunlight.

#### Noise & Disturbance

- 10.95. Policy SU10 of the Local Plan requires proposals for new development to minimise the impact of noise on the occupiers of proposed buildings, neighbouring properties and the surrounding environment. The University's own regulations prevent amplified speech or music on land and within buildings under the control of the University of Sussex at Falmer. This will also relate to the proposed ancillary mixed uses. Notwithstanding the above, relevant noise control, hours of use and delivery/servicing conditions are recommended to mitigate any undue noise.
- 10.96. The construction has been planned over a 4-year period, with phased occupation, to minimise the disruption to the academic year.
- 10.97. The ES identifies a range of mitigation measures to address the noise and dust during the construction period through the submitted Construction Environmental Management Plan (CEMP) and concludes that the demolition and construction noise will result in a temporary moderate negative effects as a worst-case. The CEMP has been assessed by the Council's Environmental Pollution Team and is considered adequate. A condition has been recommended to ensure the construction activities would not impact on nearby residential occupiers and the highway network.
- 10.98. Overall the scheme complies with Policies QD27 and SU10 of the Local Plan.

#### **Accessibility:**

- 10.99. The existing levels and accessibility are a challenge across the site, with no consistent approach to steps or ramps. The scheme has been underpinned by an accessibility strategy pertaining to a network of step-free, accessible routes and providing lift access to connect levels in addition to stepped routes where necessary. It is considered that the proposal successfully achieves a relatively accessible environment without detrimentally affecting the natural physical setting.

#### **Sustainable Transport:**

- 10.100. Policy CP21 (Student Accommodation) and Policy DM8 of the draft CPP2 require PBSA to be to be within a sustainable transport corridor, to be 'car-free', and cause no unacceptable increase in on street car parking.
- 10.101. Policy CP9 of the CPP1 seeks to promote sustainable modes of transport and cycling and walking in particular, to reduce reliance on the private car.

Local plan policy TR4 promotes the use of Travel Plans. Policy TR7 seeks to ensure highway safety. Development is expected to meet vehicular and cycle parking standards set out in SPD14.

- 10.102. Policy DM8 of the draft CPP2 requires PBSA development measures to promote access to sustainable transport to ensure occupants do not keep cars in the City.

#### Parking

- 10.103. The University operates a car parking policy where on-site car parking at the Falmer Campus is limited where only student's with 'exceptional circumstances' can park on campus.

- 10.104. The site is accessible directly from Lewes Road which is one of the main routes into the city and is identified as a sustainable transport corridor. Pedestrian access to the application site is currently via a number of routes including Refectory Road, Norwich House Road, Lancaster House Road and some dedicated footways leading from the north and south of the campus. The proposal seeks to improve the pedestrian access through:

- allowing cycle movements northbound on carriageway
- providing a dedicated cycle contraflow lane (to enable cyclists from the north of campus to navigate southbound towards a toucan crossing to the south of Bramber House connecting up to the existing campus cycle network)
- a shared surface cycle and pedestrian link will also be provided to the south-west of the junction
- a network of new pedestrian routes

- 10.105. The proposed development is car free and parking spaces are only provided for disabled occupants, family housing, and for the non-residential uses, which accords with the Campus wide strategy. There are a number of existing car parking areas which are proposed to be lost to form part of the development. This approach was established during the 2015 Masterplan, and will further reduce the parking spaces on site, enhancing the sustainable travel ethos of the University, which is underpinned by the existing and updated travel plan. This strategy has been agreed to by the Highways Authority.

- 10.106. An evidence-based approach is considered adequate when considering sustainable transport matters on the application site given the unique setting of the PBSA. More so, the University knows how the site operates and has provided evidence as such.

- 10.107. The applicant seeks to provide a total of 18 accessible spaces (12 x PBSA, 2 x family housing, 2 x supermarkets/retail and 2 x health centre) within the application site. At present there are 13 accessible spaces on site which would be removed to facilitate the development, resulting in an overall net gain of 5 accessible spaces. The Highways Authority have objected to the

proposal on the basis that the proposed accessible parking is insufficient and fails to meet parking standards.

- 10.108. The University has provided information to demonstrate that the current demand for the proposed development would be for 7 accessible spaces; however, 10 accessible spaces are provided, which would provide a buffer. The University have argued that currently, accessible parking bays within the campus are underutilised with a 42% peak occupancy. The University has committed to monitor usage and respond if demand exceeds supply. This is proposed to be secured by way of Travel Plan which includes a monitoring, reporting and delivery mechanism.
- 10.109. It is also proposed to provide 25% of cycle spaces for the proposed bed spaces equating to 481 secure spaces. In addition, 200 Sheffield cycle stands are also proposed for visitors. The Highways Authority object to the cycle parking provision on the basis that it represents a shortfall of 75%, and not enough evidence has been provided to support this shortfall.
- 10.110. The University have argued that the proposed cycle provision is based on the existing under-utilised cycle spaces and student travel surveys. The proliferation of underutilised cycle parking spaces has been witnessed during site visits and such evidence has also been provided. The majority of trips are generated on campus and modal share surveys demonstrate that 3% of trips are conducted by cycle, from student's resident on campus. Further, the application is proposing the enhancement of the existing routes and new pedestrian routes, which would further encourage walking on and around the site.
- 10.111. Of note, cycle parking in East Slope provides for 0.5 spaces for each bed space, and only 10% of the cycle spaces are utilised. Again, the University has committed to monitor usage and respond if demand exceed supply.
- 10.112. Taking into account the objections raised by the Highways Authority, it is considered that the development is not standalone PBSA as it provides mixed uses and thus it is not typical PBSA as per SPD14 standards. It is considered unnecessary to pursue this within the scheme on the basis that any additional parking spaces would be underutilised; and would unnecessarily negate from the public realm and landscaping which are fundamental components in the formation of the scheme. Whilst the concerns of the Highways Authority are duly acknowledged, the wider benefit of enhanced landscaping and retained trees are considered to outweigh the need for additional accessible and cycle parking facilities, which may not be required. However, should demand increase this can be adequately addressed.
- 10.113. It is clear from the Council's records and comments from statutory consultees that the University is committed to sustainable travel which has been demonstrated through their proactive approach and continuously updated

travel plans. It should be noted that a travel plan has been submitted with the application. In any case, as per the approved 2015 Masterplan scheme, should the Travel Plan demonstrate that further cycle parking and/or accessible parking is required, the applicants can seek further provision on site, without removing the built form or PBSA. It is recommended to secure a robust Travel Plan by way of a legal agreement which would include a monitoring, reporting and delivery mechanism which is considered appropriate to address the concerns raised by the Highways Authority.

#### Sustainable transport Contribution

- 10.114. The Highways Authority have advised that a sustainable transport contribution is required on the basis that 'the applicant has stated that an overall net reduction in trips associated with the University is expected, as some residents are expected to re-locate from off-site locations to the campus. Whilst this is accepted, those off-site properties will continue to exist and therefore generate trips. The proposed accommodation on the campus is therefore additional. Overall it will result in an increase in trip generation even though it is acknowledged that the external element of this trip making may be limited. The applicant accepted this justification at our 2nd clarification meeting and within TN2 has indicated that they expect the maximum off-site trip generation to comprise 7% of the total trip generation'.
- 10.115. A contribution of £60,637.50 is sought by the Highways Authority to be allocated towards the following:
- Additional Bike Share Hubs to feed into the bike share scheme including the potential provision of electric bikes;
  - Improvements to walking and cycling network and facilities including but not limited to the remarking of cycle routes on Knights Gate Road/B123 roundabout; and
  - Bus stop improvements including RTPI on but not limited to University Way, A27, Kings Gate Road.
- 10.116. The provision of mixed uses alongside the PBSA would decrease the amount of external trips out of the campus and increase the number of trips by foot within the campus. The proposed development seeks to take students from off-site residences into the new PBSA provision with mixed uses on site. Survey data has demonstrated that a total of 93% of trips recorded were walk trips remaining on campus.
- 10.117. Within the 2015 Masterplan, the quantum of development was similar to the current scheme, and no sustainable transport contributions were sought on the basis that any effect on the highway network or additional trips were considered to be negligible; and it was observed that the University had a good track record of implementing effective travel plan measures. This scheme improves the quality of accommodation sought, and the aesthetic quality of the development; as such and on the basis of previous permissions, it is not considered appropriate to seek a contribution as the development would likely have the same potential negligible impact on the



highway network. As such, it is considered that a contribution towards sustainable transport is not necessary in this instance.

- 10.118. Highways England raise no objection to the proposed development on the basis that the development would not materially affect the safety, reliability and/or operation of the strategic road network in this location and its vicinity.
- 10.119. East Sussex County Council also raise no objection on the basis proposed PBSA intends to be car free, and the University already has a strong sustainable transport ethic in place with intention to reinforce the current travel trends.
- 10.120. Other matters raised by the Highways Authority such as cycle parking details and street design are proposed to be secured by condition.

**Air Quality:**

- 10.121. The site is located adjacent to an Air Quality Management Area on Lewes Road. No significant residual effects were identified in the submitted ES due to air quality.
- 10.122. A significant amount of soft landscaping and tree retention and replanting is proposed and would have a positive impact on air quality.
- 10.123. The continued car-free ethos and sustainable transport modes in and out of the campus would also assist.
- 10.124. The sustainable measures, renewable energy sources and low carbon technologies proposed would also make a positive contribution to air quality.

**Sustainability:**

- 10.125. 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 a range of criteria around sustainable design features. 'Major' non-residential developments are expected to achieve BREEAM 'Excellent'.
- 10.126. In order to achieve this target, the following is proposed:
- Photo-voltaic panels installed on the roofs of the North Court buildings;
  - Passive design principles (reducing the need to heat and cool, lighting and high-performance fabric);
  - Heating provided by existing gas CHP and boilers in a centralised Energy Centre on campus;
  - Efficient mechanical and electrical systems;
  - Materials which have lower levels of negative environmental, economic and social impact across their supply chain (incl. extraction, processing and manufacture);
  - Locally sourced materials, where possible;
  - Metering systems

- Water conservation methods i.e. grey water recycling.

10.127. The buildings are also modelled using Virtual environment software, taking into account future climate change scenarios.

10.128. The targeted BREEAM level is 'excellent' for the PBSA components of the development and 'very good/excellent' for the shell and core of campus amenities (e.g. Pavilion Library and Health & Wellbeing Centre) with a target of 'excellent' for these spaces once fitted out. The Council's Sustainability officer has acknowledged that it is difficult to achieve the 'excellent' rating for shell and core building types, as some of the credits cannot be met until the buildings are fitted out. As proposed by the applicant it is expected that agreements with future occupants of the buildings will include meeting the targets needed to achieve the excellent rating. A suitable condition has been recommended to secure this provision.

10.129. The development is capable of meeting a BREEAM standard of 'excellent', which complies with Policy CP8.

**Other Considerations:**

Sustainable Urban Drainage / Flood Risk

10.130. Policy CP11 in the City Plan Part One sets out that the council will seek to manage and reduce flood risk and any potential adverse effects on people or property in Brighton & Hove, in accordance with the findings of the Strategic Flood Risk Assessment (SFRA). Policies SU3, SU5 and SU11 in the Local Plan relate to water resources and their quality, surface water and foul sewage disposal infrastructure and polluted land and buildings.

10.131. The site lies within Environment Agency Flood Zone 1 where there is a low probability of fluvial or tidal flooding and a Flood Risk Assessment has been carried out to demonstrate as such. The risk of surface water flooding has been mitigated by the use of Sustainable Urban Drainage Systems, including a site wide drainage system, green roofs and permeable paving.

10.132. The proposed development would lie within a Source Protection Zone and is close to an Adit to the Falmer Water Supply Works around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy.

10.133. The Environment Agency and Southern Water raise no objection to the scheme subject to conditions which have been recommended.

Security:

10.134. Policy CP12 seeks all development to incorporate design features which deter crime or disorder and the fear of crime. CP21 requires PBSA be safe and secure with a 24-hour security presence.

- 10.135. Sussex Police have commented on the proposed application and have no objection to the scheme but have recommended a number of measures. The applicants have also liaised directly with the Sussex Police and the following has been incorporated:
- Clearly defined routes
  - Overlooking onto outdoor areas
  - Clear lines of sight between building
- 10.136. CCTV, lighting measures, internal phones, electronic locking systems and other internal safety measures are also proposed and are considered adequate.

Waste:

- 10.137. The Site Waste Management Plan (SWMP) outlines the arrangements for waste management including waste storage and collection.
- 10.138. Policy WMP3d of the Waste and Minerals Plan requires development proposals to minimise and manage waste produced during construction demolition and excavation. 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<sup>1</sup>. Policy WMP3d also requires applicants to demonstrate how the durability of the construction has been maximised.
- 10.139. The Policy Team have reviewed the Site Waste Management Plan and consider that the ambition of diverting 96% of construction and demolition waste from landfill is welcomed.

Contamination:

- 10.140. A contamination report has been undertaken and due to the existing and previous uses of the site it is recommended that further desk-top report and site investigations are carried out as requested by the Environment Agency and Environmental Pollution team and suitable conditions are recommended.

Public Art:

- 10.141. To make sure that the requirements of Policies CP5, CP7 and CP13 are met at implementation stage, it is recommended that an Artistic Component schedule be included in the section 106 agreement for the sum of £ 98,389.

## **11. CONCLUSION**

- 11.1. Paragraph 11 of the NPPF makes it clear that planning application decisions should apply a presumption in favour of sustainable development.
- 11.2. Outline planning consent was granted for a similar quantum of development on the site, as such the principle of the development has been established. The site is also located within the Lewes Road Area under Policy DA3 which

promotes the provision of Further Education and PBSA, which is proposed. The development also meets the specific relevant provisions of Policy CP21 and draft Policy DM8 for PBSA.

- 11.3. The proposal will not increase the student population at the University, rather it would accommodate more students to reside within the campus. The provision of PBSA in this location is strongly supported and the creation of a new sustainable neighbourhood comprising a student 'quarter' supported by core mixed-uses accords with Local and National Planning Policies.
- 11.4. The proposed PBSA is located ideally within the Campus of the University of Sussex, and thus would have limited impact on the amenities of residential occupiers which are situated a substantial distance away from the site.
- 11.5. The proposed PBSA will provide a high quality, fit-for-purpose student residential accommodation, catering for a variety of different needs.
- 11.6. The layout of the buildings has vastly improved than that of the 2015 Masterplan layout.
- 11.7. The exceptional design-quality has evolved through a rigorous process of design review, in depth pre-application discussions and extensive community involvement and is considered to provide a 'new sustainable student quarter' which fits in well with the natural topography of the site and the urban grain of the adjacent emerging East Slope and existing buildings.
- 11.8. The landscape first approach has enabled Spence's design ethos to be respected, whilst providing the enjoyment of a parkland setting for the benefit of the students whilst continuing to provide a sense of place. The scheme creates a successful public realm through the series of useful spaces; which also bring relief to the built form.
- 11.9. The proposed buildings are sustainable and a net increase in biodiversity will be achieved across the site.
- 11.10. The site is well served by public transport and the creation of pedestrian networks will further enhance walking within the site. A car-free development within this location is in keeping with local and national Policies. A travel plan is recommended to frequently monitor and ensure demand for cycle parking and accessible parking is met on site.
- 11.11. The impact on the designated heritage assets have overall been protected. The loss of trees, loss of non-designated buildings, increased density and minimal impact on the setting of the SDNP (which will be mitigated), does not outweigh the substantial benefits of the development.
- 11.12. In conclusion, the city's educational establishments and their students make an important contribution to the economic and cultural life of the city. It is

considered that the benefits of the scheme outweigh the objections raised by the Highways Authority regarding the lack of cycle parking and accessible parking provision, which could be increased, if required. Overall, the proposed development would provide a wider benefit to the economy, research and academia within the City, wider region and nationally and thus complies with the NPPF and contributes towards meeting the objectives of City Plan Part One Policy CP1 and approval of planning permission is therefore recommended subject to the completion of a s106 planning legal agreement and to the conditions recommended above.

## **12. EQUALITIES**

- 12.1. Level access, accessible units and disabled parking spaces are proposed.

## **13. DEVELOPER CONTRIBUTION**

- 13.1. In the event that the 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 a financial contribution towards the provision of an artistic element required contrary to Policies CP5, CP7 and CP13 of the Brighton and Hove City Plan Part One and the City Council's Developer Contributions Technical Guidance.
  2. The proposed development fails to deliver a skills and employment strategy and in accordance with Policy CP2 of the Brighton and Hove City Plan Part One and the City Council's Developer Contributions Technical Guidance.
  3. The proposed development fails to deliver a contribution skills and employment contribution in accordance with Policy CP2 of the Brighton and Hove City Plan Part One and the City Council's Developer Contributions Technical Guidance.
  4. The proposed development fails to deliver a Habitat Creation Landscape Management Plan plan in accordance with Policies CP10 and QD16 of the Brighton and Hove City Plan Part One and the City Council's Developer Contributions Technical Guidance.
  5. The proposed development fails to provide adequate travel plan measures to encourage use of sustainable transport modes and therefore fails to address the requirements of Policies CP7 and CP9 of the Brighton and Hove City Plan Part



# PLANNING COMMITTEE

## Agenda Item 141

Brighton & Hove City Council

### **NEW APPEALS RECEIVED (23/04/20 – 06/05/20)**

#### **WARD**

#### **BRUNSWICK AND ADELAIDE**

#### **APPEALAPPNUMBER**

BH2019/02279

#### **ADDRESS**

Palmeira Mansions 29 Church Road Hove BN3 2FA

#### **DEVELOPMENT DESCRIPTION**

Change of use from offices (B1a) to form 1no two bedroom flat on lower ground floor, 1no two bedroom maisonette on ground & first floors, 1no one bedroom flat on second floor (C3), refurbishment of existing third and fourth floor maisonette, incorporating rooflights on front roofslope and provision of bin and bicycle store and outdoor space.

#### **APPEAL STATUS**

APPEAL IN PROGRESS

#### **APPEAL RECEIVED DATE**

24/04/2020

#### **APPLICATION DECISION LEVEL**

Delegated

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#### **WARD**

#### **BRUNSWICK AND ADELAIDE**

#### **APPEALAPPNUMBER**

BH2019/02280

#### **ADDRESS**

Palmeira Mansions 29 Church Road Hove BN3 2FA

#### **DEVELOPMENT DESCRIPTION**

Alterations to facilitate change of use from offices (B1a) to form 1no two bedroom flat on lower ground floor, 1no two bedroom maisonette on ground & first floors, 1no one bedroom flat on second floor (C3), refurbishment of existing third and fourth floor maisonette, incorporating rooflights on front roofslope and provision of bin and bicycle store and outdoor space.

#### **APPEAL STATUS**

APPEAL IN PROGRESS

#### **APPEAL RECEIVED DATE**

24/04/2020

#### **APPLICATION DECISION LEVEL**

Delegated

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#### **WARD**

#### **EAST BRIGHTON**

#### **APPEALAPPNUMBER**

BH2019/03129

#### **ADDRESS**

Flat 7 47 Eaton Place Brighton BN2 1EG

#### **DEVELOPMENT DESCRIPTION**

Replacement of single glazed, timber framed sash windows with double glazed, uPVC sash windows.

#### **APPEAL STATUS**

APPEAL IN PROGRESS

#### **APPEAL RECEIVED DATE**

29/04/2020

#### **APPLICATION DECISION LEVEL**

Delegated

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<b><u>WARD</u></b>	<b>HANOVER AND ELM GROVE</b>
<b><u>APPEALAPPNUMBER</u></b>	
<b><u>ADDRESS</u></b>	6 Franklin Road Brighton BN2 3AD
<b><u>DEVELOPMENT DESCRIPTION</u></b>	Appeal against
<b><u>APPEAL STATUS</u></b>	APPEAL IN PROGRESS
<b><u>APPEAL RECEIVED DATE</u></b>	29/04/2020
<b><u>APPLICATION DECISION LEVEL</u></b>	Not Assigned

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<b><u>WARD</u></b>	<b>HOVE PARK</b>
<b><u>APPEALAPPNUMBER</u></b>	BH2019/01355
<b><u>ADDRESS</u></b>	Villas Fleurs 7 Tongdean Road Hove BN3 6QB
<b><u>DEVELOPMENT DESCRIPTION</u></b>	Demolition of existing dwelling and erection of 1no 5 bedroom house (C3), incorporating domestic indoor pool and associate works.
<b><u>APPEAL STATUS</u></b>	APPEAL IN PROGRESS
<b><u>APPEAL RECEIVED DATE</u></b>	29/04/2020
<b><u>APPLICATION DECISION LEVEL</u></b>	Delegated

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<b><u>WARD</u></b>	<b>QUEEN'S PARK</b>
<b><u>APPEALAPPNUMBER</u></b>	BH2019/03619
<b><u>ADDRESS</u></b>	4 College Place Brighton BN2 1HN
<b><u>DEVELOPMENT DESCRIPTION</u></b>	Installation of front dormer and replacement windows to front elevation (part-retrospective).
<b><u>APPEAL STATUS</u></b>	APPEAL IN PROGRESS
<b><u>APPEAL RECEIVED DATE</u></b>	30/04/2020
<b><u>APPLICATION DECISION LEVEL</u></b>	Delegated

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<b><u>WARD</u></b>	<b>WESTBOURNE</b>
<b><u>APPEALAPPNUMBER</u></b>	BH2019/03140
<b><u>ADDRESS</u></b>	32 Hove Street Hove BN3 2DH
<b><u>DEVELOPMENT DESCRIPTION</u></b>	Erection of side and rear dormers, installation of 1no front rooflight, replacement roof and re-painting of elevations (retrospective). Erection of front boundary wall & pier and paving to front & rear gardens.
<b><u>APPEAL STATUS</u></b>	APPEAL IN PROGRESS
<b><u>APPEAL RECEIVED DATE</u></b>	30/04/2020
<b><u>APPLICATION DECISION LEVEL</u></b>	Delegated

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