

PLANNING COMMITTEE

Agenda Item 9

Brighton & Hove City Council

No:	BH2011/00358	Ward:	HOLLINGDEAN & STANMER
App Type:	Full Planning		
Address:	Northfield University of Sussex Brighton		
Proposal:	Development of three halls of residence blocks to provide an additional 180 bedrooms of accommodation.		
Officer:	Anthony Foster, tel: 294495	Valid Date:	08/02/2011
Con Area:		Expiry Date:	31 May 2011
Agent:	Parker Dann, S10 The Waterside Centre, North Street, Lewes		
Applicant:	University of Sussex, Hastings Building, University of Sussex, Falmer		

This planning application is partially within the South Downs National Park (SDNP). Please look at the site plan attached to this report to see the boundary. Members should be aware that in making this decision they are also acting as agent to the SDNP for the small portion of the site within the National Park.

1 RECOMMENDATIONS

That the Committee considers and agrees with the overall reasons for the recommendation set out in paragraph 8 of this report and resolves that it is **MINDED TO GRANT** planning permission, subject to the completion of a Section 106 Agreement to secure a Habitat Creation and Management Plan for the site and the variation of existing Section 106 Agreements dated 6 August 2009 and 3 September 2009 pertaining to the site, the expiry of the publicity period with the receipt of no further objections raising new material planning considerations that are not addressed within this report and the following Conditions and Informatives:

Regulatory Conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
2. The development hereby permitted shall be carried out in accordance with the approved drawings nos. 4107APL001 Rev A, PL002 Rev A, PL003, PL004 Rev A, PL005 Rev A, PL006 Rev A, PL007 Rev A, PL008 Rev A, PL100 Rev A, PL101 Rev A, PL102 Rev A, PL103 Rev A, PL110 Rev A, PL150 Rev A, 3092LO_01A, 3092LO_02A, 3092LO_03A, 3092_LO04, received on 08/02/11, H15503P207P1, P208P1, 0709001HLSPE6305001-2P1, received on 14/2/11, drawing nos. 4107APL004 Rev C, 113 Rev C PL114 Rev C received on 25/3/11,

drawing nos. 4107APL111 Rev B, PL112 Rev B, PL120 Rev B, PL121 Rev A, H15503P220P1, P221P1, received 29/03/11 and drawing no. PL151 Rev B, 0709001HLGAE9001P1, received 30/03/11.

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

3. No construction works shall take place between sunset and sunrise from the 1 April to 31 October.

Reason: To minimise the potential disturbance to bats during construction and in the interests of maintaining the bio-diversity and ecological interest of the site and neighbouring SNCI and to accord with policy NC4 of the Brighton & Hove Local Plan and SPD11: Nature Conservation.

4. The development shall be carried out in accordance with approved plan nos. 0709001HLSPE6305001-2P1 and 0709001HLGAE9100P1. The scheme shall be available prior to the occupation of the development and retained to the satisfaction of the Local Planning Authority.

Reason: In the interests of maintaining the ecological interest of the site and neighbouring SNCI and the visual amenity of the South Downs National Park in accordance with policies QD25, NC3, NC6 and NC7 of the Brighton & Hove Local Plan.

5. Prior to the commencement of development on site a Construction Environment Management Plan shall be submitted and approved in writing by the Local Planning Authority. The works on site shall be carried out in strict accordance with the approved plan thereafter.

Reason: To ensure that the impacts caused during the construction period are managed and mitigated in accordance with the Environmental Statement.

6. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.

7. BH11.01 Landscaping / planting scheme.

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

8. All planting, seeding or turfing comprised in an approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and 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, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

9. The development hereby approved shall be carried out in accordance with the details set out in the Flood Risk Assessment Supplementary Report dated August 2009.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policy SU3 of the Brighton & Hove Local Plan

10. The development hereby approved shall be incorporate into the existing Campus wide Art strategy. The Strategy should be updated in agreement with the Local Planning Authority and be carried out in accordance with the approved details.

Reason: To create and enhance local distinctiveness and enhance the appearance of the development to comply with policy QD6 of the Brighton & Hove Local Plan.

Pre-Commencement Conditions:

11. Unless otherwise agreed in writing by the Local Planning Authority, no non-residential development shall commence until:

a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the development will achieve an BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' for all non-residential development have been submitted to the Local Planning Authority; and

b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' for all non-residential development has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

12. Construction of the biodiversity roof shall not be commenced until full details of the roof have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section,

construction method statement and the proposed seed mix. The scheme shall then be carried out in accordance with the approved details.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy QD17 of the Brighton & Hove Local Plan.

Pre-Occupation Conditions:

13. No less than 4 bat hibernation boxes in total shall be fixed to the external walls of the proposed new buildings as detailed on plan no. 4107APL006 Rev A. The boxes shall be made available for use prior to the occupation of the development and retained to the satisfaction of the Local Planning Authority.

Reason: In the interests of maintaining the bio-diversity and ecological interest of the site and neighbouring SNCI and to accord with policy NC4 of the Brighton & Hove Local Plan.

14. The development hereby permitted shall not be occupied until the cycle parking facilities shown on approved plan no 4107APL008 Rev A have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.

15. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plan nos. 4107APL007RevA and 4107APL150Rev A 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.

16. Unless otherwise agreed in writing by the Local Planning Authority, the non-residential development hereby approved shall not be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

17. Prior to first occupation of the development a Travel Plan (a document setting out a package of measures tailored to the needs of the site and aimed at promoting sustainable travel choices and reduce reliance on the car) for the development shall be submitted to the Local Planning

Authority. The Travel Plan shall be approved in writing prior to first occupation of the development and shall be implemented as approved thereafter. The Travel Plan shall include a process of annual monitoring and reports to quantify if the specified targets are being met, and the council shall be able to require proportionate and reasonable additional measures for the promotion of sustainable modes if it is show that monitoring targets are not being met.

Reason: To seek to reduce traffic generation by encouraging alternative means of transport to private motor vehicles in accordance with policy TR4 of the Brighton & Hove Local Plan.

18. A scheme detailing the provision of a disabled visitor parking space shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out prior to occupation of the development in strict accordance with the approved details and be retained as such thereafter.

Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.

Informatives:

1. This decision to grant Planning Permission has been taken:

- (i) having regard to the policies and proposals in the Brighton and Hove Local Plan set out below, including Supplementary Planning Guidance and Supplementary Planning Documents:

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR3	Development in areas of low public transport accessibility
TR4	Travel plans
TR7	Safe development
TR8	Pedestrian routes
TR11	Safe routes to school and school safety zones
TR12	Helping the independent movement of children
TR14	Cycle access and parking
TR15	Cycle network
TR18	Parking for people with a mobility related disability
TR19	Parking standards
EM19	University of Sussex
SU2	Efficiency of development in the use of energy, water and materials
SU4	Surface water run-off and flood risk
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
SU14	Waste management
SU15	Infrastructure
QD1	Design – quality of development and deign statements

PLANS LIST – 8 JUNE 2011

QD2	Design – key principles for neighbourhoods
QD4	Design – strategic impact
QD6	Public art
QD15	Landscape design
QD16	Trees and hedgerow
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD25	External lighting
QD26	Floodlighting
QD27	Protection of amenity
QD28	Planning obligations
HO19	New community facilities
NC3	Local Nature Reserves
NC6	Development in the countryside / downland
NC8	Setting of the Sussex Downs Area of Outstanding Natural Beauty

Supplementary Planning Guidance:

SPGBH4 Parking standards

Supplementary Planning Documents:

SPD03	Construction and Demolition Waste
SPD06	Trees and Development Sites
SPD08	Sustainable Building Design
SPD11	Nature Conservation

Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs)

PPS1	Delivering Sustainable Development
PPS5	Planning for the Historic Environment
PPS7	Sustainable Development in Rural Areas
PPS9	Biodiversity and Geological Conservation
PPG13	Transport
PPS25	Development and Flood Risk; and

(ii) for the following reasons:-

1. The application accords to relevant legislation and development plan policies, has a negligible impact on the South Downs National Park and will preserve strategic views and the character of the surrounding location. The scheme provides additional student housing which is required within the City. Adequate mitigation has been identified in the accompanying ES and can be achieved to protect and enhance nature conservation features and species on the site and the scheme can achieve an 'Excellent' BREEAM rating.
2. To discharge condition 8 of this permission, the applicant should note that a campus wide travel plan which incorporates and takes clear

account of this development could be acceptable.

3. It is noted that there is a presence of Low/Medium/Intermediate Pressure gas mains in the proximity of the site. No mechanical excavations are to take place above 0.5m of the Low and Medium pressure systems and 3 metres of the intermediate pressure system. The applicant where required should confirm the position of mains using hand dug trial holes.
4. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water's Network Development Team (Wastewater) based at Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, Hampshire. (Tel: 01962 858 688) or www.southerwater.co.uk.
5. The applicant is advised that details of the BREEAM assessment tools and a list of approved assessors can be obtained from the BREEAM websites (www.breeam.org). Details about BREEAM can also be found in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
6. The applicant is advised that new legislation on Site Waste Management Plans (SWMP) was introduced on 6 April 2008 in the form of Site Waste Management Plans Regulations 2008. As a result, it is now a legal requirement for all construction projects in England over £300,000 (3+ housing units (new build), 11+ housing units (conversion) or over 200sq m non-residential floorspace (new build)) to have a SWMP, with a more detailed plan required for projects over £500,000. Further details can be found on the following websites:
www.netregs.gov.uk/netregs/businesses/construction/62359.aspx and
www.wrap.org.uk/construction/tools_and_guidance/site_waste_2.html.

2 THE SITE

The application relates to an area of previously undeveloped land located to the west and north of the approved 'Northfield' outline development under Planning Permission reference BH2008/01992 and subsequent Reserved Matters application BH2009/02210. Works are nearing completion on the initial 'Northfield' outline development.

A portion of the site is within the South Downs National Park and the larger portion is within Brighton and Hove City Council administrative area. The site is also located within Stanmer Historic Park/Garden. The University of Sussex campus contains many Grade I & II* Listed Buildings. Adjacent to the site is Lewes Court which comprises four blocks of three storey halls of residence.

The application site lies on west slope of the valley which rises towards the west and Stanmer. To the east of the site is the Tenant Lain & Moon Gate Woods Site of Nature Conservation Importance (SNCI). To the west further up the valley wall is Stanmer Park and Stanmer conservation area.

The site is accessed from the A27 slip road and through the main campus via Refectory Road. The site does not have any separate vehicular access.

3 RELEVANT HISTORY

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 – 15/12/2009.

BH2009/02205: Construction of single storey water tank and storage building and single storey reception/facilities building to serve the halls of residences approved under application BH2008/01992. Approved 19/11/2009.

BH2008/01992: Construction of halls of residence comprising 798 student bedrooms arranged in 14 blocks, reception building, bicycle storage, visitor and disabled car parking. Approved – 07/09/09.

4 THE APPLICATION

Planning permission is sought for the construction of three additional halls of residence blocks to provide an additional 180 bedrooms of student accommodation. These three blocks would be located at the western end of the existing development site. Each of the blocks would be three storeys in height and would be linked to the remainder of the site by extensions to the existing access roads and paved and landscaped areas.

The design approach for the additional blocks replicates the approach used in the original Northfield development. Each block having an 'L' shaped footprint and using the same palette of materials adopted for the other blocks currently under construction. The total floorspace proposed in this development would be 5,219 sq m (GEA).

The proposed buildings would be set down into the existing slope of the site through excavation. This is to minimise the visual impact of the additional development on the surrounding landscape, to avoid these buildings dominating the existing development on the site and to provide a step free access. The adjoining land upslope from the development and within the application site and existing construction site hoarding line would be modified using this excavated material to provide additional integration and screening from key viewpoints. These slopes will be created and managed as chalk grassland thereby bringing downland into the core of the development.

This additional development would bring the total number of bedrooms on the Northfield site up to 957 within 17 blocks of accommodation.

The application is supported by an Environmental Statement (ES) relating to Ecology, Transport, Landscape impact, Archaeological interest and Flood Risk matters. Therefore the development is defined as Schedule 2 Development under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

5 CONSULTATIONS

External

Neighbours: None received.

South Downs National Park : No Objection

Having considered the proposed development against the purposes and duty of the South Downs National Park (SDNP), the built development of the proposal would be constructed to levels and within the context of the existing development on the university land and as such would not be detrimental to the purposes of the SDNP. It would be in accordance with the saved policies of the Brighton & Hove Local Plan as well as Government policies PPS 1, 5, 7, 9, 13 and 25. Moreover, as no built development would take place on that part of the site that falls within the SDNP, subject to a S.106 agreement to ensure a biodiversity enhancement scheme and controlling conditions to ensure appropriate landscaping and boundary treatment all on the land with the SDNP boundaries. The area within the SDNP would benefit from appropriate landscaping and biodiversity enhancements that would 'conserve and enhance the natural beauty, wildlife and cultural heritage of the area'. As such and subject to the S.106 and above conditions, the SDNP raise no objection to the development.

Southern Water:

Additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to service the development. Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to drain to a specific location.

We request that should this application receive planning approval, the following condition is attached to the consent:

“To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688), or www.southernwater.co.uk.

Sussex Police:

As per previous comments relating to application ref. BH2008/01992 and BH2009/02210

“I am satisfied that the Design and Access Statement clearly demonstrates a commitment to adhere to the principles of Secured by Design.”

East Sussex Fire and Rescue:

It would appear from the deposited plans that the buildings will require dry rising mains installed in them to comply with the requirements for access for fire fighters under the Building Regulations. Whilst this requirement will be enforced at the Building Regulations Approval stage, the applicant should be made aware of this requirement at the earliest opportunity, in order that these facilities can be incorporated into the buildings' design at the most appropriate and cost effective time.

English Heritage:

The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Environment Agency:

The plans submitted for this development are acceptable and we therefore have seen no need to recommend any conditions. This is also based on our previous input into the initial scheme.

Southern Gas Networks:

Note the presence of our Low/Medium/Intermediate Pressure gas main in the proximity to the site. No mechanical excavations should take place above or within 0.5 m of the low pressure or medium pressure system and 3 metres of the intermediate pressure system. You should where required confirm the position of mains using hand dug trial holes.

UK Power Networks: No Objections

Landscape Architect:

Local Plan Policy EM19 seems to presume in favour of the sensitive development of this site for University use. The almost complete development under planning reference BH2008/01992 confirms this.

The addition of 3 more blocks to the 14 under construction and nearing completion would have a very marginal impact upon the surrounding landscape, especially from distance.

The landscape and habitat creation proposals are thorough, evidence based, and soundly thought out. The extension to the quantity of chalk downland locally is to be welcomed along with the lack of impact upon the adjacent LNR and SNCI.

The green roof treatment to the buildings will, if successful, further minimise the visual impact of the buildings as well as providing additional habitat. Sedum roofs often dry out after 2/3 years so there is a concern that the oversown sedum treatment may be short lived and not be fully fit for purpose, and that a slightly deeper root run might provide a more effective substrate on which to establish a chalk downland type flora.

The contour drawings show the contours clearly generated in a CAD software package. It should be ensured that these are suitably rounded off in reality to reflect the natural curves of the surrounding downland.

With this proposed development, the University reaches its boundary with the National Park and is just short of the limit of its land ownership. Now is the time to consider the relationship between its own landscape and that of the National Park. It is essential that the abruptness of the character change between them is softened, and that a buffer zone or transitional area results.

This could be easily achieved with more generous planting of parkland groups outside the development boundary but still within University site ownership. This is implied in Land Use Consultants' Landscape and Visual Impact Assessment at paragraph 4.8.1 which suggests that parkland clumps '*may extend outside the site to provide linkage with Stanmer's historic landscape*' and also stresses the importance of avoiding accentuating the site boundary.

Together with the removal of fence lines wherever possible, as called for in the Historic Landscape Survey and Restoration Plan, a softened transitional edge to the northern end of the University estate with linked copses in the 18th style would enhance the parkland character and reduce the visual impact of the built development, provide ecological connectivity between the woodlands on either side of the valley, whilst accommodating contemporary uses, as called for in the same document.

The nature conservation improvements are likely to benefit wildlife in the area through increased area and improved general connectivity, along with the improved visual experience, and importantly the liveability of the site. Research now confirms the benefits of contact with nature for mental and physical health.

East Sussex County Council Archaeology:

Although this application is situated within an Archaeological Notification Area, this site was subject to archaeological evaluation as part of the previous application. The results showed the site to have a low archaeological potential and therefore I do not believe that any archaeological remains are likely to be affected by these proposals.

Internal:

Ecologist:

Initial Comments received 10/05/11

The application fails to adequately address planning policy regarding nature conservation enhancement and if possible I recommend deferral, pending further discussion with the applicant.

This application comprises the construction of student accommodation on a greenfield site of 2.12 hectares adjacent to and partly within the South Downs

National Park. Local Plan policies QD 17 ('Protection and Integration of Nature Conservation Features') and NC 7 (South Downs Area of Outstanding Natural Beauty) are relevant with regards to the nature conservation aspects of the development proposal.

Policy NC 7 (which also applies to the National Park under supporting paragraph 7.40) contains a presumption against development within the National Park. The new National Park Authority should therefore be consulted. Developments which are permitted under the policy should 'demonstrate positive environmental enhancements' including the integration of nature conservation features.

Policy QD 17 addresses nature conservation features outside protected sites. It also requires the provision of nature conservation enhancement as part of development schemes. Further detail is provided under SPD 11 and particularly Annex 6, which quantifies the amount of nature conservation features new developments are expected to provide.

In the case of this application, the total site area is 2.12 hectares. The Environmental Statement submitted in support of the application includes an assessment of the existing ecology of the site and environs and describes the ecological measures proposed to mitigate for the development. I agree with the ES that the impact of Northfield Phase 2 on existing habitats and species is unlikely to be significant beyond those already identified as part of Phase 1. However in my view the impact on new nature conservation features agreed under Phase 1 is ecologically significant.

In my view for the purposes of assessing this planning application it is appropriate to treat the agreed chalk grassland creation area (and other features agreed under Phase 1) as if it had already been created. Indeed this is the approach taken in the original ES.

By my calculations the application fails to meet the requirements of Local Plan Policies QD 17 and NC 7 in that inadequate nature conservation enhancement measures are proposed. There are substantial opportunities available for both off and on site mitigation, and this shortfall is therefore difficult to understand. Certainly Revision E of the ES does not appear to correctly apply the calculation of the nature conservation enhancement required. If possible I therefore recommend deferral of this application, pending a meeting with the applicant to discuss the options available and to gain clarification from the applicant on their position with regards to nature conservation enhancement measures.

Subsequent Comments received 11/04/2011

These comments should be read in conjunction with my previous comments of 10th May. Following those comments, the applicant has submitted a revised habitat enhancement scheme (Rev 4) and has revised the ES (Rev G). These latest amendments now address planning policy requirements with respect to

nature conservation.

Objection withdrawn. Recommend the S106 agreement to secure habitat enhancement and ongoing management as a part of Northfield Phase 1 is amended to incorporate the changes detailed in the documents referred to above, so that a single legal agreement addresses all the nature conservation aspects of both the Northfield developments.

Planning Policy:

The general principle of this proposal is supported by Policy EM19 however the site boundary extends beyond the EM19 allocation and into the South Downs National Park. The key regard is the impact on the National Park.

Design and Conservation:

Initial comments received 14/03/2011

The addition of the two residence blocks to the north-west (blocks 16 and 17) is not considered to have any impact on the significance of any heritage assets, the setting of the National Park or the landscape generally (subject to confirmation of the National Park boundary in relation to the development). However the scale and massing of block 15, to the south west, as currently proposed is considered to have a significant harmful impact in keys views from the area of the nearby publicly-accessible ridge line. More information is also needed on the impact of depositing and shaping the excavated soil on the site.

Subsequent Comments received 11/04/2011

The proposed stepping down in the roofline of building 15 is very welcome in breaking up the massing of the building and it is considered that this makes a significant improvement in its impact on the key views from the area of the ridge to the south-west, as shown in the revised CGIs.

With regard to the re-profiling of the land, it is noted that this will take place largely within the National Park boundary. However, it would not significantly affect the overall contours of this slope and would not harm the appearance of the National Park, subject to full implementation of the submitted landscaping plan.

Sustainable Transport:

Approve subject to suggested conditions relating to:

- The provision of a disabled visitor parking space
- The provision of cycle parking
- An updated Travel Plan
- The provision a Construction Environmental Management Plan

Sustainability:

The site should be achieving BREEAM Residential 'Excellent' and 60% in energy and water.

Public Art:

The existence of an agreed public art strategy is welcomed given that it is designed to direct any contributions arising from Adopted Local Plan Policy QD6 within the relevant university site(s) towards implementation of the strategy itself.

With regards to compliance with Local Plan Policy QD6 it is suggested that the public art element for this application is to the value of £13,000. The final contribution will be a matter for the case officer to test against requirements for S106 contributions for the whole development in relation to other identified contributions which may be necessary.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR3	Development in areas of low public transport accessibility
TR4	Travel plans
TR7	Safe development
TR8	Pedestrian routes
TR11	Safe routes to school and school safety zones
TR12	Helping the independent movement of children
TR14	Cycle access and parking
TR15	Cycle network
TR18	Parking for people with a mobility related disability
TR19	Parking standards
EM19	University of Sussex
SU2	Efficiency of development in the use of energy, water and materials
SU4	Surface water run-off and flood risk
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
SU14	Waste management
SU15	Infrastructure
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD4	Design – strategic impact
QD6	Public art
QD15	Landscape design
QD16	Trees and hedgerow
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD25	External lighting
QD26	Floodlighting
QD27	Protection of amenity
QD28	Planning obligations
HO19	New community facilities

NC3	Local Nature Reserves
NC6	Development in the countryside / downland
NC8	Setting of the Sussex Downs Area of Outstanding Natural Beauty

Supplementary Guidance Notes (SPGs)

SPGBH4	Parking standards
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Supplementary Planning Documents (SPD)

SPD03	Construction and Demolition Waste
SPD06	Trees and Development Sites
SPD08	Sustainable Building Design
SPD11	Nature Conservation

Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs)

PPS1	Delivering Sustainable Development
PPS5	Planning for the Historic Environment
PPS7	Sustainable Development in Rural Areas
PPS9	Biodiversity and Geological Conservation
PPG13	Transport
PPS25	Development and Flood Risk

7 CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Insofar as the SDNPA has currently no adopted planning policies of its own in place the determination of the application, in its entirety, will be in accordance with the Council's Local Plan and other policy documents set out in section 6 above.

Part of the site is in the SDNP, and in commenting on the application, the SDNPA has to have regard to the purposes of the National park in commenting on the application. As an adjoining authority, BHCC also has to have regard to the purposes of National Parks in determining the application. Those purposes are set out in section 5 of the National Parks and Access to the Countryside Act 1949 and are as follows:-

- (a) conserving and enhancing the natural beauty, wildlife and cultural heritage of National Parks, and
- (b) promoting opportunities for the understanding and enjoyment of the special qualities of National Parks by the public

This duty is imposed by section 11A of the 1949 Act which also provides that if it appears that there is a conflict between those two purposes, the determining authority shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.

The extent to which the application complies with these statutory purposes is considered below.

The main considerations of this application relate to the principle of the proposed development and impact on neighbouring amenity, the impact of the development in terms of design and scale on the surrounding landscape and the suitability of the layout. The proposed access arrangements and related highway implications, ecology, landscape design and sustainability are also assessed.

The submitted ES has been fully assessed and the methodologies employed are considered to be sound. The ES details the potential impacts of the development upon Ecology, Transport, Landscape, Archaeological interest and Flood Risk matters. The impacts of the proposed development are considered to be appropriately mitigated as detailed within the ES.

Background

The University recently reviewed its Strategic Plan for Residential Development. Their overall ambition to accommodate 40% of its student population in University managed housing which they believe in turn, enables more private sector rented accommodation to be freed up for the wider local population and reduces the potential problems of loss of family housing to student houses in multiple occupation and the over-concentration of the student population in certain locations in Brighton and Hove.

The review identified that despite the Northfield development being commenced, the University will fall short of meeting its target of 40%. At present, University-managed accommodation will provides circa 4,250 bed spaces with the completion of the Northfield development. Projections have indicated that the shortfall is expected to be circa 350 bed spaces in 2012 rising to circa 450 in 2016.

At the time of the submission of the original outline planning application for Northfield the University had not anticipated the need for the additional accommodation now proposed. In the time since the submission, the demand for places at the University has increased faster than the University had expected and this demand does not appear to be slowing with undergraduate applications up 25% this year on top of a rise of 30% last year.

Principle of development

The application site straddles the boundary of The South Downs National Park and Brighton and Hove City Council. The majority of the site where built form is proposed is designated under Policy EM19 which is site-specific to the University and supports potential uses relating to the University, including residential. This area of the site falls under the control of Brighton and Hove City Council.

The area of the site which is to include the remodelling and landscaping of the western slope falls within the South Downs National Park. The remodelling the use of excavated material from the project being used to achieve the new landscaping. Policies NC6 and NC8 seek to ensure that there is a development does not greatly impact upon the setting of what was the Sussex Downs Area of Outstanding Natural Beauty, now the South Downs National Park and the surrounding countryside. The site is also allocated within Stanmer Historic Park and Garden which is afforded protection under Policy HE11.

There is no limit or indication given within policy EM19 for the level of accommodation to be placed upon the site, however the appropriate scale and layout of the development is heavily dependent upon the impact of the National Park, registered park and garden of special historic interest, the nearby listed buildings, the strategic views of the site, its landscape context, local characteristics of the area and the Stanmer conservation area.

Visual Impact

The original outline Northfield application was accompanied by a full environmental statement. Whilst it was concluded that there was a slight adverse impact upon the then surrounding AONB, Stanmer conservation area and Stanmer historic park/garden the LPA's opinion was that the impact was greater, "moderate adverse". The LPA considered at that time that the cumulative impact of the proposed development was not significant to warrant refusal given the designation of the site under policy EM19 and as the development would be seen against the backdrop of the existing university.

The Visual Impact Assessment contained within the ES which supports the application has been carried out in accordance with the Guidelines for Landscape and Visual Impact Assessment Second Edition (2002) prepared by the Landscape Institute and the Institute of Environmental Management and Assessment. The Assessment has been completed using desk top study and field survey methods.

The ES details the proposed development as a whole against the backdrop of the previously approved elements. In relation to the National Park the ES concludes that the proposed development would have a negligible effect as it would be perceived as an extension to the existing built development within the valley occupied by the University of Sussex. It is considered that the additional development proposed would have an impact which is considered to be adverse but negligible given that it would be viewed as a part of the pre-existing student campus.

In relation to the impact of the proposed development Stanmer registered Park/Garden the ES concludes that the three additional blocks proposed will not cause harm to the historic park landscape having regard to the context of the more significant development which is currently under construction

immediately to the east. It is considered that in the additional development proposed would have no impact upon the historic park as it would be viewed as a part of the pre-existing student campus. It is considered that the application adheres with the wider aims of policy HE 11 of the local plan.

The application site is visible from the eastern edge of the Stanmer Conservation Area, this is not identified within the conservation area character statement as an important view in defining the areas character. However it is from this view from the ridge that the site would be most readily visible to members of the public, the impact on the intervisibility between the site and Conservation Area is considered to be 'slight adverse'. However when viewed from within the conservation area the development would be seen against the backdrop of the existing University site and Northfield development from this vantage point, therefore the impact of the proposed development upon the Stanmer Conservation Area is considered to be negligible and in accordance with policy HE6 of the local plan. It is considered that the additional development proposed would have an impact which is considered to be adverse but negligible given that it would be viewed as a part of the pre-existing student campus.

As with the previously approved 'Northfield' outline application, the ES concludes that in relation to the cumulative visual impact of the development upon the National Park, Stanmer Registered park/garden, and Stanmer Conservation Area that there will be a negligible impact resulting from the development particularly when viewed against the backdrop of the existing University Campus and 'Northfield' outline development. It is considered that the additional development proposed would have an impact which is considered to be adverse but negligible given that it would be viewed as a part of the pre-existing student campus.

The proposed buildings would be located within the valley, with the taller elements of the development at the floor of the valley. The buildings relate appropriately with Lewes Court and the wider campus, whilst the use of managed recreation space to the west of the site is appropriate. The form and layout of the site, follows that of the original 'Northfield' outline development and is therefore considered acceptable.

The variations in the footprint, height, siting and roof design are welcome aspects of design in this location. The use of green roofs will be beneficial in blending the development into the landscape from longer views and as an ecological compensation for developing an existing greenfield site.

Local Plan policies QD1, QD2, and QD4 relate to the design quality of a development, the emphasis and enhancement of the positive quality of the local characteristics and the enhancement and preservation of strategic views.

Local Plan Policies NC6 and NC7 seek to ensure that development within the

defined Countryside and South Downs National Park is justified and respects the form, scale and character of the landscape.

The applicant has provided a comprehensive assessment of the site and its surroundings and justification for the design and layout of the proposed development based on the accommodation requirements and the site's attributes and constraints. The proposed buildings are of simple design and are identical in terms of design and choice of materials to the remainder of the Northfield site which is currently under construction. The proposed blocks would be 11.2m in height when measured from the proposed ground level.

Proposed blocks 16 and 17 to the north of the application site closely follow the size and form of the units which are currently under construction. Block 15 is slightly larger in overall size particularly along the upper section of the 'L' which faces east-west. Originally concern was expressed regarding the appearance of an elongated roof form of 37m within the views from the west. The applicant has amended the proposed roof form so that the roof now appears to be broken up and of similar size to the remaining units.

The more visible elevations of the site from the surrounding National Park are to be of brick and concrete banding to add visual horizontal visual separation to the elevations and aluminium rain screen panels of muted earthy colours. To add visual interest within the site areas of the inward facing elevations are finished in render.

The proposed roof slopes on the east-west axis which directly front the surrounding National Park are sedum roofs to ensure that the visual impact of the proposed buildings is reduced when viewed from within the surrounding AONB.

The materials for the proposed appearance of the development as detailed above are considered acceptable in terms of their design and impact upon the National Park in accordance with local plan policies QD1, QD2, QD4, NC6 and NC7.

Landscaping

The proposed landscaping seeks to minimise the impact upon the surrounding National Park. The proposed buildings are recessed into the topography of the land, and the majority of the landscaping and remodelling works are located within the South Downs National Park. The remodelling works would result in the increase in height of the adjoining landscape by a maximum 0.75m which will decrease the further up the slope the spoil is deposited.

The areas of land which are to be remoulded to the west of the site are to be maintained as clacaeous grassland similar to that which is already present within the downlands. Centrally landscaping is to be kept to more formal areas including mown grassed areas around the proposed buildings, tree

planting within the site and between the proposed buildings and areas of shrubbery fronting the main entrance to the proposed units.

In general the approach taken as part of the propose landscaping scheme to is considered to be acceptable, as the 3 additional blocks proposed would have a marginal impact upon the surrounding landscape, particularly form distance and against the backdrop of the existing Northfield development.

It is considered that landscape relationship with the proposed development and adjoining National Park needs to be softened resulting in the creation of a buffer zone or transitional area. This is implied within the submitted ES suggesting that parkland clumps *'may extend outside the site to provide linkage with Stanmer's historic landscape'*. Subject to this additional planting as detailed in the ES the scheme is considered appropriate and acceptable in accordance with policy QD15.

Ecology

The western boundary of the site is adjacent to the Stanmer Park Historic park and garden and the proposed Stanmer Park Local Nature Reserve. Part of the site itself is located within the South Downs National Park, this area is to be mainly used for landscaping and remodelling of the existing slope. The ES includes a comprehensive assessment of the potential impact of the development upon Ecology. This part of the ES has been modified to comply with the Council's own requirements as detailed in SPD 11.

The Ecologist confirms that the submitted Ecological Impact Assessment chapter is a good assessment and agrees with its value of the site and surrounding area. It is considered that a section 106 agreement setting out a revised Habitat Creation Plan and Management Plan for all ecological works on and off site should be secured prior to granting of planning permission.

The proposed mitigation includes the use of sedum roofs with enhanced bio-diversity modifications, the creation of Calcareous grassland, the provision of native woodland/scrub, the creation of wet meadow and the provision of 4no bat boxes. The culmination of these measures are considered acceptable and in accordance with SPD11.

Sustainable Transport:

The Councils Sustainable Transport officer has assessed the application and accompanying transport statement. The university roads are private and provide access directly onto the A27 and existing public transport services are good. The transport impact of the development is therefore expected to be very limited.

The ES submitted along with the application fully details the traffic and transport impact of the development in terms of car parking provision, public transport accessibility, trip generation and modal share of transport within the University campus.

The application proposes no additional parking over and above that which was proposed for the original 'Northfield' outline development. The original development provides 8 spaces in total. Four spaces for disabled residents and the remaining four for staff and visitors. This is considered acceptable as low parking provision is also consistent with the University's general policy of not providing on-site parking spaces for student residences and there are no nearby residential areas where student parking could be displaced.

There is no significant justification at this time for the proposed level of disabled parking provision. It is considered that availability and changes to disabled parking provision should be monitored as part of a Travel Plan process. There is no provision for disabled visitors' parking and one initial space should be provided for this by converting one of the general staff/visitors spaces to disabled visitors only. This can be secured by a suitably worded condition.

Sustainable transport contributions are usually sought for a development which generates additional trips, to support the increased pressure upon transport infrastructure. The development would involve an additional 180 students living on campus who would otherwise be living elsewhere and this should involve a reduction in the number of trips made off the campus. On this basis it is not considered justifiable to request a transport contribution.

The application proposes 88 cycle parking spaces, this is above the requirement as stated within SPG4. The Sustainable Transport Manager considers that the detailed specification of the parking proposed is contrary to policy TR14. This can be secured by a suitably worded condition.

There is an existing Travel Plan for the University. Policies with respect to the promotion of sustainable transport modes have strengthened since the development of the University. It is considered that the University should produce a new/updated Travel Plan prior to occupation of the development, with annual monitoring and empowering the Council to require proportionate and additional measures for the promotion of sustainable transport modes. It is considered that the requirement to produce a Travel Plan for this development could be incorporated into a campus wide plan if the university desired however there is no requirement to do so outside of this site on the basis of this development.

The Transport Assessment submitted within the ES refers to reviewing bus services near to the site. The campus is served by the number 25 Bus Route which has links to the east, west and centre of the city. The nearest bus stop for which is approximately 500m away, this is above the 400m acceptable maximum walking distance. The Transport Assessment refers to the intention of reviewing the possible extension of bus services to or near the site. However this involves no commitment and it is suggested that as part of the travel plan process an evaluation of the possible extension of bus services locally and the possible provision of new/ improved bus stops should be

carried out. In preparing this evaluation the applicants should consult the bus company

It is considered that a Construction Environment Management Plan is required for the development. This can be secured by a planning condition prior to the commencement to the development.

Sustainability

Policy SU2 seeks to secure development which is efficient in the use of energy, water and materials. The policy requires proposals to demonstrate how factors such as measures that seek to reduce fuel use and greenhouse gas emissions are incorporated, further guidance is contained within Supplementary Planning Document 08. Sustainable Building Design (SPD08) Particular regard is given to factors such as: daylight/sunlight, orientation, building form, materials, landscaping and the use of natural ventilation is also relevant.

A BREEAM pre-assessment has been carried out giving an indication that the scheme can meet Excellent standard (79.13) and at least 60% in the Energy and Water sections (60% and 75% respectively). The applicant is signing up to Considerate Constructors Scheme. The scheme will also meet Local Plan SU2 standards through passive design, reduction in carbon emissions, and use of renewables.

Sustainability has been given careful consideration and, subject to implementation conditions, the scheme is considered acceptable in this respect.

Flood Risk

The ES fully considers the potential flooding impacts of the proposal as required by PPS25. Policy SU4 relates to surface water run-off and flood risk and restricts development that would increase the risk of flooding and states that where appropriate conditions will be imposed in order to ensure that effective preventative measures are provided. The policy also refers to the use of 'green' or 'alternative' roofs as a measure to minimise surface water run-off. The application proposes a sedum roofs with enhanced bio-diversity modifications to be installed to west and north facing roof slopes. It should be noted that the site located within Flood Zone 1 and therefore at low risk to flooding. As stated within the ES potential sources of flooding in relation to the site are from overland flow flooding and failure of the urban drainage system.

A comprehensive Flood Risk Assessment and Supplementary report has been submitted with the ES which details flood risk management measures and also assesses off-site impacts, the application also contains foul and surface water details.

The Environment Agency have been consulted on the application and have raised no objection in principle given the findings and works which are

currently taking place on the adjacent 'Northfield' site. It is considered that the details submitted are appropriate.

Archaeology

The site is situated within an area of archaeological potential, areas in which the site is located are however archaeologically sensitive with records of Neolithic, Roman and Medieval finds in the surrounding area. The submitted ES considers the impacts of the development

The ES fully considers the potential impact of the proposal upon archaeological finds. The evidence is based on a desk-based assessment, an archaeological investigation in the form of a geophysical investigation and subsequent trial trenching. These works were approved and completed as part of the original 'Northfield' development. The areas of investigation cover the areas of built development proposed as part of this second phase of development.

The findings of these excavations recorded no archaeological features bar a single shard of coarse ware pottery. The overall results of the evaluation conclude that the archaeological potential of the site is low. The County's Archaeologist has reviewed the submitted information and raises no objection to the development on the basis of the archaeological works which have already taken place. It is therefore considered that the application adheres to Policy HE12 of the Local Plan.

Public art

The development is of a category and scale that would qualify to make a contribution towards public art under the terms of policy QD6. The suggested total for this development is calculated at £13,000. The original 'Northfield' outline development required a contribution of £65,000, this has been allocated toward a Campus Wide Art Strategy which has been agreed by the Council.

In discussions both the University and the Local Planning Authority have agreed that this development in isolation would not attract an additional contribution, given the monies already available for a public art strategy across the site.

South Downs National Park

As previously stated part of the development site falls within South Downs National Park, within which the proposed development consists of the re-profiling of the existing slope through the use of materials won from levelling the site upon which the proposed buildings will be built. The re-profiled land will be landscaped as part of the mitigating measures indicated within the ES.

The ES considers the potential impact of the development upon the National Park in terms of its visual impact, impact on ecology and landscaping. In terms of the potential impact and proposed mitigation it is considered that the ES

adequately addresses the concerns which are raised within and that the proposed development is in accordance with the purposes of the National Park as identified earlier. *This is the correct wording!*

8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The application accords to relevant legislation and development plan policies, has a negligible impact on the South Downs National Park and will preserve strategic views and the character of the surrounding location. The scheme provides additional student housing which is required within the City. Adequate mitigation has been identified in the accompanying ES and can be achieved to protect and enhance nature conservation features and species on the site and the scheme can achieve an 'Excellent' BREEAM rating.

9 EQUALITIES IMPLICATIONS

The proposed development is required to be fully DDA compliant to disabled students, staff and visitors alike, both internally and externally.