

ITEM A

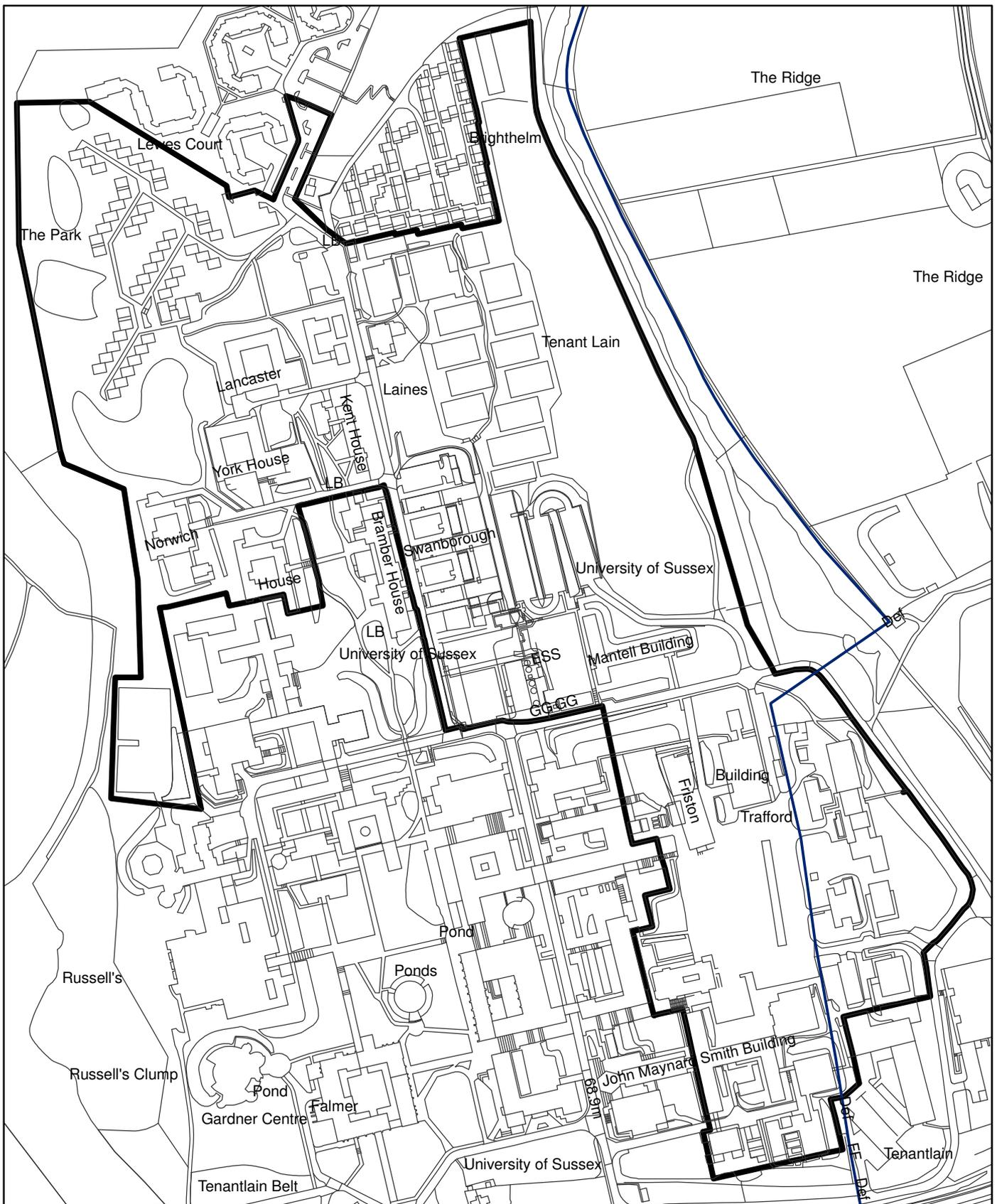
**University of Sussex, Refectory Road,
Brighton**

BH2013/04337

Outline application some matters reserved

25 JUNE 2014

BH2013/04337 University of Sussex, Refectory Road, Brighton.



**Brighton & Hove
City Council**



Scale: 1:4,000

<u>No:</u>	BH2013/04337	<u>Ward:</u>	HOLLINGDEAN & STANMER
<u>App Type:</u>	Outline Application Some Matters Reserved		
<u>Address:</u>	University of Sussex Refectory Road Brighton		
<u>Proposal:</u>	Outline application with some matters reserved for demolition of existing buildings and construction of new buildings providing new academic facilities (D1) circa 59,571sqm, 4,022no new student accommodation bedrooms (C1) and new mixed use building circa 2,000 sqm, providing (A1, A3, A4, C1 and D1) uses, incorporating new pedestrian, cycle, vehicular and service routes, landscaping, new parking, upgrading of related infrastructure and associated works. Matters for approval include layout, access and scale. Matters reserved are appearance and landscaping.		
<u>Officer:</u>	Sue Dubberley Tel 293817	<u>Valid Date:</u>	03 January 2014
<u>Con Area:</u>	Adjoins Stamner	<u>Expiry Date:</u>	25 April 2014
<u>Listed Building Grade:</u>	n/a		
<u>Agent:</u>	Parker Dann Ltd, S10 The Waterside Centre, North Street, Lewes BN7 2PE		
<u>Applicant:</u>	University of Sussex, Department of Estates and Facilities Management, Hastings Building, University of Sussex, Falmer BN1 9RJ		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

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

PLANNING COMMITTEE LIST- 25 JUNE 2014

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

- 2.3 The application includes the demolition of four residential 'quads', all the of the housing at Park Village and on the East Slope, and the academic buildings which surround the existing science car park in the south eastern part of the site, adjacent to the perimeter road.
- 2.4 The University's boundary lies predominantly within the local planning area of Brighton & Hove City Council although a small area in the south eastern corner of the site falls within Lewes District Council.

3 RELEVANT HISTORY

BH2012/00485 Construction of one 4 storey and one 3 storey halls of residence blocks to provide additional 148 bedrooms of accommodation. (Revised plans and revised Environmental Statement). Approved 15/08/2012

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

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

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

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

4 THE APPLICATION

- 4.1 Permission is sought for the approval of an outline application with some matters reserved it includes demolition of existing buildings and construction of new buildings providing new academic facilities (D1) circa 59,571sqm, 4,022no new student accommodation bedrooms (C1) and new mixed use building circa 2,000 sqm, providing (A1, A3, A4, C1 and D1) uses, incorporating new pedestrian, cycle, vehicular and service routes, landscaping, new parking, upgrading of related infrastructure and associated works. Matters for approval include layout, access and scale. Matters reserved are appearance and landscaping.
- 4.2 The intention is that this Masterplan application will guide and set the framework for the reserved appearance and landscape matters.
- 4.3 An Environmental Statement has been submitted with the application as required under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

PLANNING COMMITTEE LIST- 25 JUNE 2014

4.4 The proposed development on the university campus comprises approximately 23.4ha in total and is spread across three areas of the campus, East Slope, West Slope and the Academic Area. The new residential blocks would be sited on the west and east slopes with the new academic buildings located in the south east of the campus.

4.5 The existing and proposed floorspace/bed spaces are summarised below:

	Existing	Proposed	Net Gain
C1 Student accommodation	1,492 beds	4,022 beds	2,530 beds
Academic Floorspace D1 Use class	16,537 sqm	59,571 sqm	43,034 sqm

4.6 An indicative phasing plan for the development anticipates a seven year build with the east slope development being built out first, followed by the academic buildings and finally the west slope development. The development would thus be phased as follows:

4.7 Phase 1 - East Slope development

There are 592 study bedrooms proposed to be demolished with 2000 study bedrooms proposed giving an increase of 1408 study bedrooms

4.8 The existing East Slope Housing and Mantell building would be demolished, and the eastern slopes developed beyond the existing development boundary. The development on East Slope would consist of student accommodation, with some social and ancillary spaces. A new road would run across the site and enable the existing main road, Refectory Road, to become primarily a pedestrian and cycle route. Most buildings would run parallel to the contours and would be spaced so as to create narrow pedestrian routes up the hillside between the buildings. The buildings would be arranged so that the tallest buildings would be near to the valley floor with the lower buildings to the edge of the campus and these peripheral buildings would have grass roofs. The existing East Slope car parking, currently arranged as a series of terraces, would be relocated to the eastern edge of the campus.

4.9 Phase 2 - Academic Area

On the south eastern part of the campus the existing science car park would be redeveloped to create a new courtyard and new academic buildings with a net gain 43,034sqm of academic space. A series of building would be arranged around the north, east and south sides of the new courtyard with a covered walkway. A further building the John Maynard Smith building would be partially demolished and replaced with a new Life Sciences Building. To the east of this, a further new courtyard would be created with new buildings to the east and south of the courtyard. The existing car parking would be relocated to the eastern edge of the site, in a decked arrangement.

4.10 Phase 3 - West slope development

There are 900 study bedrooms proposed for demolition with 2022 study bedrooms proposed giving an increase of 1122 study bedrooms and 2000sqm of mixed use space.

PLANNING COMMITTEE LIST- 25 JUNE 2014

- 4.11 The existing Park Village Housing and Park Houses would be replaced by new residences and a new public square. The proposed development would consist mainly of student accommodation, with some social and ancillary spaces. A new public square is proposed along with a 6 storey building adjacent to the square which would have social facilities on the ground and first floor and residential on the other floors. To the west of this new square, the study bedroom blocks would be aligned with the contours of the site and as with the East Slope development the buildings would step up the hillside decreasing in height and those buildings closest to the edge of the campus would have grass roofs.
- 4.12 The blocks that would replace the existing Park Houses would be sited on the footprint of the existing buildings and would maintain their courtyard design as a reference to the buildings that made up the core of Spence's original design. Existing surface car parking would be relocated underneath the new square.
- 4.13 The development of the academic area straddles the site boundary between Brighton & Hove City Council and Lewes District Council and therefore an identical application has also been submitted to Lewes District Council. They will determine this part of the application.
- 4.14 The number of students at the University of Sussex is continuing to grow with current student numbers at 13,400 (December 2013) and the University Masterplan has forecasted the expansion of the student population to 18,000 by 2018.
- 4.15 The University of Sussex approved a Residential Development Program in 2005 which was subsequently updated in 2008. This sets out the university's overall ambition to accommodate 40% of its student population in university managed housing, on and off campus sites across the City. The university states that this would enable more private sector rented accommodation to be released for the wider local population and would reduce the potential problems of the loss of family housing to student HMO's and the over-concentration of the student population in certain locations in Brighton & Hove.
- 4.16 The Environmental Statement submitted with the application indicates that if the site was not developed it is considered that there would remain a poor quality residential building stock on campus, a shortfall in on-campus student accommodation and increased pressure for student housing in the locality. The ES also states that there will also remain a stock of poor quality academic buildings.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Nine (9)** letters of representation have been received from **46, 50 Mafeking Road, 49, 64, 68, 87 (plus one objection with no street number given) Ewhurst Road, 29 Saunders Park Rise, 33 Bevendean Road, 24 Middleton Rise: objecting** to the application for the following reasons:
- Increase in noise level, litter, cars, pollution and anti-social behaviour.
 - Too many students already.

PLANNING COMMITTEE LIST- 25 JUNE 2014

- Families are struggling to find affordable housing in the city and many are on the council housing list while students are taking family homes.
- Provision is for first year students only and does not make provision for accommodation needs for second and third year students.
- Second and third year students will be housed in already saturated communities near the universities, changing the character of the area and putting a further strain on local services. Increase in student intake after three years will be about 10,000.
- Will cause further inflation of house prices.
- Increase in traffic congestion.
- The Article 4 direction imposed on wards near to the universities will push the problem of over concentration of student housing to other wards.
- Permission should not be granted until there is a robust and independent study of the impact of additional students on the housing stock.

5.2 **CAG: Support:** Recommend approval subject to brick panels being displayed at the full application stage and a full archaeological investigation of the demolition sites. The group welcomes the continuation of use of red brick and mortar for the proposed buildings.

5.3 **Civil Aviation Authority: No objection.**

5.4 **County Ecologist: Support:** Provided the agreed mitigation measures are implemented, the proposed development is unlikely to have a detrimental impact on biodiversity and can be supported from an ecological perspective. The site offers opportunities for biodiversity enhancements that will help the Council address its duties and responsibilities under the NERC Act and NPPF.

5.5 **East Sussex County Council (transport) : Comment:** The submitted Transport Assessment relies heavily on a Transport Strategy that will be developed in detail prior to any detailed application which poses a risk to this County Council. It is accepted that there are very good public transport links with the University site and that these could be further enhanced however, this must be balanced against an already congested part of the road network.

5.6 On this basis do not wish to restrict the grant of consent subject to the following mitigation measures being secured:

- A transport contribution of £100,000, secured by a Section 106 agreement, that which will be used to implement capacity enhancements at the Falmer Interchange or will be used to introduce safety measures along the A27 eastbound, on the approach to the University – as a recommendation of the on-going Falmer Interchange Transport Study.
- A full Transport Strategy is worked up, in consultation with ESCC and/or BHCC prior to submission of any detailed application to build on the framework Transport Strategy.
- Travel Plan (amended to build on the success of the existing University Travel Plan) secured through the Section 106.
- Construction Traffic Management Plan secured through a relevant planning condition.

- 5.7 **East Sussex Fire and Rescue Service:** Comment. Insufficient information upon which to make comments.
- 5.8 **English Heritage:** English Heritage does not have any substantive issues to raise as regards this Masterplan for the long term future of Sussex University as far as they affect the internationally significant complex of buildings by Sir Basil Spence. It is however suggested that further information is sought to assess the impact of the development as seen from within the historic core of the campus. It is also recommended that the local authority, in determining this application and reserved matters as they come forward, pays due regard to the special interest of the campus as set out in the statement of significance below. The commissioning of additional AVRs to assess heritage impacts from within the historic nucleus of the campus, and the loss of the landscape setting. The imposition of appropriate recording conditions for the buildings to be demolished. There should be careful monitoring of future applications for detailed design to ensure appropriate scale, massing, materials, detailing and landscaping.
- 5.9 **Environment Agency:** No objection. The site lies within a sensitive area with regard to groundwater and is also a Source Protection Zone 1. Planning permission should only be granted subject to conditions relating to site investigation, piling and drainage. Without these, the proposed development would pose an unacceptable risk to the environment.
- 5.10 **Highways Agency:** No objection.
- 5.11 **Natural England:** No objection. Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes. Therefore having reviewed the application Natural England does not wish to comment on this development proposal.
- 5.12 **South Downs National Park Authority:** Comment. Would prefer the new buildings being modulated in form to breakdown the mass and bulk of the buildings and help to reduce the overall mass on the setting of the National Park; appropriate external material should be considered that would respect the relationship with the National Park. It is noted that the roofs of the new accommodation buildings would have green roofs; it would be better if the roofs of all buildings adjacent to the boundary of the National Park had green roofs; perhaps further dialogue with the South Downs National Park would be helpful for suggestions as to appropriate 'living' roof planting that would compliment the natural flora and fauna of the National Park and in turn help with biodiversity and respect the special qualities thereof both from immediate and wider impacts.
- 5.13 Any necessary external lighting should be kept to an absolute minimum and be of a standard to prevent night time light spill and glow; in addition, preferably there should be no roof lights and/or light emission from elevations of buildings that face the boundaries of the SDNPA, where internal lighting could be detrimental to the darker areas of the National Park.

PLANNING COMMITTEE LIST- 25 JUNE 2014

5.14 **Southern Water:** No objection. Exact position of public water main must be determined and if there is a need to move the water apparatus this is to be agreed with Southern Water. An informative is recommended to ensure the applicant enters into a formal agreement to provide the necessary sewerage infrastructure required to service this development. There are no public surface sewers in the area to serve the development. Alternative means of draining surface from the development are required. Alternative means of draining surface from the development are required.

5.15 **Southern Gas Networks:** Comment: A plan showing pipes owned by SGN is included for information.

5.16 **UK Power Networks:** No objection.

Internal:

5.17 **Arboriculturist:** No objection. Loss of in excess of 450 trees which is to be regretted, however, the majority of trees and woodland areas are to be retained.

5.18 Overall, the Arboricultural Section has no objection to the proposals in this application subject to suitable conditions regarding protection of retained trees and landscaping being attached to any consent granted.

5.19 **Environmental Health:** Support. The issues with the potentially contaminated land report may be dealt with using a condition. In line with other major developments it would also be good practice to apply a discovery strategy to deal with any unexpected findings during the construction stage. CEMP and conditions regarding operational noise and odour control also required.

5.20 **Heritage:** Support. The principle of an overall masterplan for the future development of the campus is very much welcomed and the replacement of much of the post-Spence development on the east and west slopes to the northern part of the campus is also welcomed in principle. The application presents an opportunity to substantially alter the layout of the campus and the form of the built development on the east and west slopes so that it respects and reflects the principles established by Spence. The application is successful in this respect as much as it can be given the quantum of development proposed. The extended campus would have an urban low-to-mid rise character rather the current suburban, low rise character. This would be a very significant change. However, it is noted that layout is a reserved matter and given that this is crucial to the 'in principle' appropriateness of the masterplan, it is considered that layout should be one of the matters for approval

5.21 It is considered that there would be no significantly harmful impact on the setting of the National Park, the setting of Stanmer Park as a Grade II registered park or the setting of the Stanmer Conservation Area. But it is not currently possible to assess whether there would be any harm to the setting of the ten listed buildings on the University campus and further views need to be submitted from points in and around Fulton Court. Sir Basil Spence designed the campus for just 800 students, although within ten years numbers had increased to 3,000. The masterplan is looking to provide teaching and living accommodation for 18, 000 by 2018. This huge increase in numbers will necessarily have impacts not only on the setting of listed buildings, but the way in which they are used, and new development must be carefully planned

PLANNING COMMITTEE LIST- 25 JUNE 2014

to respect, and not overwhelm the composition and setting of the campus as envisaged by Spence.

- 5.22 **Comment on additional visuals received:** Satisfied that there would be no significant harm to the setting of the ten listed buildings on the University campus
- 5.23 **Planning Policy: Support:** The current application is welcomed. The university is seeking to maximise the universities' own campus land for both academic floorspace and residential accommodation. It is considered to comply with adopted and emerging policies. The proposal is also considered to be supported by the aims of the Student Housing Strategy 2009-2014. Clarification is appreciated regarding the anticipated growth of the university and how further expansion will be accommodated in the future.
- 5.24 **Public Art: Support:** To make sure the requirements of Policy QD6 are met at implementation stage, it is recommended that an 'artistic component' schedule be included in the section 106 agreement. It is suggested that the public art element for this application is to the value of £15 000.
- 5.25 **Sustainability: Support:** The proposals have substantially addressed local sustainability policy; many positive measures have been incorporated into the proposed scheme. The following issues should be addressed by the applicant or could be resolved by the use of planning conditions:
- Previously undeveloped land is expected to deliver a slightly higher performance in energy and water, demonstrated by the achievement of 70% in the energy and water sections of a BREEAM 'excellent score'. It is recommended that the applicant be encourage to deliver this on the sites identified as previously undeveloped. This could be secured by condition.
 - There is currently a commitment to incorporate renewables and the specific technologies will be identified through a Renewables Assessment. The commitment to install renewables on the University site form part of the University's overall commitment to reduce carbon emissions in their Carbon Plan. This provides confidence that renewables will be incorporated into the scheme, but it is recommended that this work be undertaken and submitted prior to commencement.
 - Because of the proposed loss of a significant number of trees from the site 450-460, further planting of 450 trees is proposed. It is recommended that incorporation of fruit tree/orchard planting be explored. This would complement intentions for biodiversity enhancements within the application; the Universities existing work on sustainable food procurement; and the Sussex University Student Union's expressed interest in fruit tree planting.
 - Local Plan Policy SU2 asks that schemes explore provision for composting, but there is currently no composting proposed.
- 5.26 **Sustainable Transport: Support:** The transport aspects of the application are acceptable in particular the strengthening of the proposed transport strategy. Provided that the transport strategy is implemented it is considered that there will not be a significant number of extra car trips and it is noted that the University has a good track record of implementing effective travel plan measures. It is therefore considered

that as there will be negligible extra car trips there is no justification for requiring a contribution for highway works.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
Brighton & Hove Local Plan 2005 (saved policies post 2007);
East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) is a material consideration.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove 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
TR14	Cycle access and parking
TR15	Cycle network
TR18	Parking for people with a mobility related disability
TR19	Parking standards
EM19	University of Sussex

PLANNING COMMITTEE LIST- 25 JUNE 2014

SU1	Environmental impact assessment
SU2	Efficiency of development in the use of energy, water and materials
SU4	Surface water run-off and flood risk
SU5	Surface water and foul sewage disposal infrastructure
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
SU16	Production of renewable energy
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – effective and efficient use of land
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
QD27	Protection of amenity
QD28	Planning obligations
HO6	Provision of outdoor recreation space in housing schemes
HO13	Accessible housing and lifetime homes
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas
HE11	Historic Parks and Gardens
HE12	Scheduled ancient monuments and other important archaeological site
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

Supplementary Planning Documents (SPD)

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

Brighton & Hove City Plan Part One (submission document)

CP15 Heritage
CP21 Student accommodation and houses in multiple occupation
DA3 Lewes Road
CP8 Sustainable buildings

The Brighton & Hove Student Housing Strategy 2009-2014

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the proposed development, the impact of the development in terms of scale on the surrounding landscape and the suitability of the layout. The proposed access arrangements and related traffic implications, amenity, ecology, and sustainability are also assessed.
- 8.2 An Environmental Statement (ES) has been submitted with this planning application. Prior to the submission of the planning application, a screening and scoping exercise was undertaken in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Environmental Statement has the component parts required by the 2011 Regulations and is considered acceptable. The following has been considered as part of the ES.
- Rationale and Alternatives
 - Planning Context
 - Ecology
 - Landscape & Visual Impact Assessment
 - Archaeology and cultural Heritage
 - Water Resources & Flood Risk
 - Traffic and Transport
 - Noise & Vibration
 - Socio-Economic
 - Cumulative Impacts
- 8.3 **Principle of development:**
The majority of the site where the new 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, teaching and research accommodation. In this respect the proposed increase in academic and residential buildings is considered to comply with policy. The University believe that their strategy will in the longer term release HMO's in the City for C3 residential. This view is acknowledged but this is not a consideration in assessing the application.
- 8.4 It is noted that 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 clearly heavily dependent upon the impact of the adjoining 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 and these issues are addressed below.
- 8.5 As there is currently no general policy to address the provision of student housing within the adopted Local Plan, it is therefore necessary to consider the proposal against emerging policy. The provision of student accommodation on this site is supported by Policy CP21 of the submitted City Plan; Part One which allocates the

PLANNING COMMITTEE LIST- 25 JUNE 2014

site for purpose built student accommodation on East Slope and the land adjoining for a net increase over the existing 592 bed spaces. Although the proposed scheme includes the West slope of the campus and 4,022 units would be created on campus, representing a net increase of 2,530 bed spaces on the East and West Slopes, the increase in purpose built student accommodation on the university campus is welcomed and considered to meet the aims of the City Plan.

8.6 **Layout and scale:**

Policies QD1, QD2, QD3, and QD4 require development to be of a high standard and to respect the character and appearance of their surroundings.

8.7 The outline application has been subject to extensive pre-application discussions. The principle of an overall masterplan for the future development of the campus is welcomed and the replacement of much of the post-Spence development on the east and west slopes to the northern part of the campus is also welcomed in principle.

8.8 Initially the application did not include consideration of the layout as the applicants wished layout to be a reserved matter, however following negotiations layout is now included as part of the application. This was considered to be essential in order to assess the impact on the listed buildings and the character of the campus.

8.9 The need to replace outdated student housing and the need to accommodate more students living on campus are acknowledged and accepted. The application presents an opportunity to substantially alter the layout of the campus and the form of the built development on the east and west slopes to the northern part so that it respects and reflects the principles, hierarchies and relationship with the landscape established by Spence. The Design and Access Statement clearly shows how the proposed masterplan for the university has sought to achieve this and it is considered that the application is generally successful on this respect or at least as much as it can be given the quantum of development proposed. The number of student bed spaces in particular means that the density of the campus as proposed is greatly in excess of the current campus and that the spacing and height of buildings, especially to the accommodation areas, would result in the extended campus having an urban low-to-mid rise character rather the current suburban, low rise character, which is a very significant change.

8.10 The Heritage Officer has stated that Spence is believed to have been greatly captivated by the dramatic topography of the site: steep valley sides framed by dense tree belts, and clusters of trees through the north-south spine of the site. It is this context about which he designed his arresting composition of buildings and public spaces, with advice from landscape architect Dame Sylvia Crowe. In spite of the monumentality of his designs, he was adamant that nothing should dominate the landscape and that trees should always overtop buildings. Green fingers were to steal into the campus between buildings, and views were meant always to be available of the trees within the campus and the landscape beyond. This was carefully facilitated by a consistency in the massing of buildings, which sit within the valley sides, and by the gaps and voids he very consciously designed into his buildings, most notably within the courtyard of Falmer House.

PLANNING COMMITTEE LIST- 25 JUNE 2014

- 8.11 In light of the aims of the original Spence design, the proposed layout was revised during the pre-application discussions to re-align the roadway, to introduce spacing between buildings and more off-setting of buildings footprints in order to reduce the terraced feel of some sections. Some building heights have also been reduced, notably to the mixed use hub building in the west slope development and the academic buildings that front onto Boiler House Hill. It is considered that in plan and section the outline proposals are now as appropriate as can be achieved, in terms of extending the Spence design approach, given the quantum of development that University considers to be necessary.
- 8.12 **Visual impact:**
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.
- 8.13 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.
- 8.14 With regard to impact upon the wider landscape, the ES includes a visual impact assessment with key viewpoints showing how the development would impact upon these views. The assessment demonstrates that in none of these views would there be any significant harm to the setting of the national park, the registered park or the Stanmer Conservation Area.
- 8.15 The Heritage Officer has commented that there would be a major impact on the panoramic viewpoint A, which is taken from a track alongside the eastern edge of the site adjacent to the existing East Slope accommodation, especially looking towards the original campus, but it is noted that this is not a publicly accessible view. Viewpoint C which is taken from the western edge of the site behind the Northfield development which is located in the far northern end of the campus, is a particularly important viewpoint as it reflects the impact of extending the built up area of the campus further up the east slope. The CGI view demonstrates the development would only encroach onto the tree line of the ancient woodland at the southern end, by the new academic buildings, but that the buildings would still remain well below the top of the tree canopy.
- 8.16 The South Downs National Park Authority has commented that the new buildings should be modulated in form to breakdown the mass and bulk of the buildings and help to reduce the overall mass on the setting of the National Park; appropriate external material should be considered that would respect the relationship with the National Park. While noting that the roofs of the new accommodation buildings would have green roofs; the Park Authority considered that it would be better if the roofs of all buildings adjacent to the boundary of the National Park had green roofs and suggest further dialogue at the detailed stage with the South Downs National Park. These comments are noted however, as stated above a considerable amount of work was carried out at the pre-application stage on the scale and layout of the proposed buildings and it is considered that the outline proposals are now as appropriate as can be achieved given the quantum of development that University considers to be necessary.

- 8.17 The National Parks Authority have also stated that any necessary external lighting should be kept to an absolute minimum and be of a standard to prevent night time light spill and glow; in addition, preferably there should be no roof lights and/or light emission from elevations of buildings that face the boundaries of the SDNPA, where internal lighting could be detrimental to the darker areas of the National Park. These comments are noted and a condition for a lighting strategy forms part of the recommendation.
- 8.18 As well as the impact upon the wider landscape it is also important to assess whether there would be any harm to the setting of the ten listed buildings on the University campus. Initially no internal views were included in the visual impact assessment. During the course of the application these visuals were provided and the Heritage Office is satisfied that they demonstrate that there would be no significant harm to any of the listed buildings on the university campus.
- 8.19 The design and materials of the buildings themselves will be a reserved matter but the indicative approach shown in the application is broadly welcomed.
- 8.20 Impact of demolition
The application includes proposals to demolish the four residential 'quads', all the housing at Park Village and on the East Slope, and many of the academic buildings in the south eastern part of the site, adjacent to the perimeter road. The Heritage Officer has raised no objection to the loss of these buildings.
- 8.21 English Heritage has however commented that the student accommodation proposed for demolition is of some architectural interest in its own right. The four 'quads' of Lancaster, York, Norwich and Essex were built in the Spence style by Ronald Sims, and H. Hubbard Ford in the early 1960s. They consciously replicate the language and materials used in the listed Spence buildings, but are not of the same quality. The disastrous 'top-hatting' of Norwich in the late 1980s however seriously detracts from the success of the building, and of this group. This refers to the erection of a pitched roof on the original flat roofed building.
- 8.22 The Park Village (by Hughes, Lomax & Adutt, 1969) and East Slope (Maguire & Murray, 1974-5) residences are markedly different from the extended family of 'Spence' buildings. The most recent edition of The Buildings of England for East Sussex describes Park Village as a 'successful development of staggered three-storey attached houses', and the East Slope housing viewed from the valley bottom is quite striking, with strong rows of brick and timber housing stepping up the hillside to the remaining open slopes beyond. The buildings are therefore of some architectural merit, but are in poor condition and do not meet the standards expected of modern student accommodation. English Heritage does not consider the buildings to be of listable quality, however it does consider that the demolition would however constitute the total loss of significant undesignated heritage assets. Therefore English Heritage has recommended that an appropriate level of recording is carried out if the recommendation is to approve the application and a condition to this effect forms part of the recommendation. English Heritage does not consider the buildings on the eastern perimeter of the site to be of special architectural or historic merit, and therefore does not object to their loss.

8.23 Landscaping

Although landscaping is a reserved matter some illustrative details of the proposed landscaping have been provided. These are considered to be broadly appropriate, although it is noted by the Heritage Officer that there is too much formal and semi formal planting and not enough natural planting and this exacerbates the more urban character of the masterplan. Spence used formal landscaping and planting sparingly. In respect of hard landscaping, Spence used large format concrete paving slabs, not small format or irregular sized natural stone. It is considered that new paving to the academic building area and to Refectory Road and the new public space in front of the mixed use building should also follow that approach.

8.24 Public Art:

Policy QD6 of the Brighton & Hove Local Plan requires that the proposed development makes a contribution towards the provision of public art. This provision for public art can be made through a S106 financial contribution, or through the incorporation of public art into the design of the building. In this case, public art to the value of £15,000 is appropriate.

8.25 Amenity issues:

The University campus is not located in close proximity to any residential buildings and therefore the main issue in terms of amenity is the impact on the existing student population living on the campus. Noise both during the construction of the new student residential accommodation and academic buildings and after the development is completed needs to be assessed.

8.26 The Environmental Health team have commented that the new teaching accommodation and new student residential accommodation will need to be fit for purpose, as if not, students will not have access to conditions permitting restful sleep or study. The Environmental Health team have assessed the information submitted with the Environmental Statement in chapter 11, which deals with noise and vibration and are satisfied with both the acoustic report and that appropriate standards have been chosen to assess noise against. Noise in this particular context will have two main areas that generated during the construction phase and additionally, any operational noise impacts of when the development is completed and in use.

8.27 Construction site noise.

Any issues regarding the impact of construction noise and vibration and mitigation, would be addressed in the Construction environmental management plan (CEMP) which is included in the heads of terms of the section 106 agreement.

8.28 Operational Noise

The operational noise relates to the noise generated from the site in an operational format and might apply to items such as boilers, fixed machinery or plant. The information submitted is caveated by the premise that the location or type of plant is unknown at this stage, but readily acknowledges the fact that such plant can be designed in accordance with the City Councils noise standard or 10dB(A) below background, as per BS4142. Environmental Health have raised no objections but consider that a condition should be applied to ensure that a 10dB(A) below

PLANNING COMMITTEE LIST- 25 JUNE 2014

background is met and remains as a life condition rather than being discharged. A suitable condition therefore forms part of the recommendation.

- 8.29 It also noted by Environmental Health that it is generally acknowledged that the site noise levels differ across the site, with the southern portion experiencing elevated levels due to road traffic noise and the northern area, where the student accommodation is located, remaining significantly quieter due to the effects of screening.
- 8.30 With regards to operational noise of the academic buildings, this has been presented using a noise model to demonstrate indicative or likely levels. These have identified that teaching accommodation in the lower portion of the site will require an enhanced building envelope to limit noise break in. Environmental Health are satisfied that the consultants writing the report has considered specific standards for teaching and have raised no issues with the conclusions of the report.
- 8.31 Potential Land Contamination**
The application was accompanied with a land quality assessment report. The report is a desk top survey which has carried out a site visit to identify potential sources, pathways and receptors and used a risk assessment basis to populate a conceptual site model. The report indicates at the outset that it has split the site due to its size and uses into three sections.
- 8.32 The Environmental Health has noted that reference is made to radioactive and toxic materials being used, with the later comment suggesting that as long as they were used in accordance with their permit, then there should not be any cause for concern. However Environmental Health have suggested that further works are necessary to identify through the Environment Agency as the regulatory body for licences for radioactivity exactly what permits were held, for what reason and to further quantify the risks accordingly. Along with further clarification as to how waste was then disposed of, whether this was in a specific manner or through the drainage system.
- 8.33 The report also suggests that given the war time occupation of the site by foreign forces (ie Canadian army during World War II), there is also a need for an unexploded ordnance threat assessment being carried out. This can be achieved through a suitable condition and would need to potentially be carried out in sections as development continues on the site.
- 8.34 In view of the above a condition requiring further investigation of potential contaminated land is included in the recommendation. Environmental Health has also recommended a condition requiring a discovery strategy to deal with any unexpected findings during the construction stage.
- 8.35 Sustainable Transport:**
Policies TR1, TR2, TR4, TR5, TR7, TR8, TR12, TR14, TR15, TR18 and TR19 and SPG4 seek to ensure that the demand for travel created by the development is met and that sustainable modes of transport are promoted.
- 8.36 The Council's Sustainable Transport officer has assessed the application and accompanying transport statement. The university roads are private and provide

PLANNING COMMITTEE LIST- 25 JUNE 2014

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.

8.37 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.

8.38 Parking

No additional parking spaces are proposed other than disabled parking. The absence of additional general parking, complemented by an acceptable transport strategy which will focus on the use of sustainable modes is considered to be appropriate and acceptable. It should also be noted that under the current travel plan a parking permit is required for student and staff to park on the campus along with parking charges, however any student living on campus is not entitled to a permit. There is little scope for displaced parking near to the University except in Falmer Village, which is the responsibility of East Sussex County Council who could extend the parking controls introduced on football stadium matchdays if required.

8.39 Since the submission of the original application the applicants have increased the proposed number of disabled spaces to 101 in total. Of these 41 would be for disabled resident students, 20 for disabled visitors to the student accommodation and 40 for the academic facility. The academic facility provision is exactly the minimum required by SPG4. There are no standards in SPG4 for car parking for student accommodation but the amount now proposed is justified acceptably with reference to first principles. The amount of disabled parking should also be monitored as part of the travel plan process and provision increased at the expense of general parking if required by the Council in the light of monitoring results.

8.40 The applicants propose additional and improved footways, cycle routes, bus stops and cycle parking to SPG4 minimum standards. Although the cycle parking provision does comply with SPG4 the student accommodation cycle parking requirement at 1 per 3 residents is now considered low and is likely to be increased in the forthcoming revised parking standards and for this reason it is considered that cycle parking use and provision should be monitored in the same way as disabled parking as described above.

8.41 Sustainable transport

In regard to public transport the applicants have carried out surveys of buses and train services which indicate that there are unlikely to be sustained capacity problems with the number of trips estimated for 2019. The Traffic section has queried some of the methodology in particular it is noted that existing bus routes to the University are so circuitous as to discourage bus use e.g. Rottingdean/ Woodingdean. However overall it is agreed that the submitted information is robust and that it shows there would be capacity on the trains and buses to cope with the increase in demand that would arise from the increase in student numbers on the campus. This aspect of the proposals would also continue to be monitored by the travel plan and if any capacity issues arose in the future the cost of any mitigation measures would be the responsibility of the University working in conjunction with the local bus company.

PLANNING COMMITTEE LIST- 25 JUNE 2014

- 8.42 The applicants have submitted an analysis in their Transport Assessment which demonstrates that the likely increase in car trips on the roads around the application site is negligible. The Sustainable Transport officer is satisfied that provided the transport strategy is implemented it is considered that there will not be a significant number of extra car trips and it is noted that the University has a good track record of implementing effective travel plan measures. In addition the number of car trips will be limited by the absence of significant new parking. In view of the above points it is not considered that significant additional congestion or safety problems will arise on the A27 in the vicinity of the site. The Highways Agency has not objected to the application.
- 8.43 It is noted that the East Sussex County Council Traffic Engineer while not objecting to the application in principle has requested (via Lewes District Council) a contribution of £100,000 towards mitigation measures at the Falmer Interchange in regard to an increase in traffic at this junction, arising from the development. The contribution would be used to implement capacity enhancements at the Falmer Interchange or to introduce safety measures along the A27 eastbound, on the approach to the University. At the time of writing the report the University was still in discussions with Lewes District and it is therefore not known if a contribution will be included in any s106 associated with the Lewes District Council application. However as stated above the Council's Sustainable Transport Officer remains satisfied that the submitted Transport Assessment demonstrates that provided the transport strategy is implemented, it is considered that there will not be a significant number of extra car trips and that there is no justification for requiring a contribution for highway works.
- 8.44 The University has been engaged with the Council since 2000 in a travel plan process and this has had significant success in facilitating modal shift from car use to bus and train use and the continuation of this process would be required through the inclusion of Sustainable Transport/Travel plan.

8.45 **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.

- 8.46 The sustainability features of the development include BREEAM 'excellent' and 60% in energy and water sections for all BREEAM assessed buildings. The energy strategy proposals include; extension of the existing district heating scheme; proposals to assess which renewable technologies will be specified from a list that will include wind, solar PV, solar hot water, and ground source heat pumps; passive design measures, in particular use of building orientation to maximise capacity for passive design. Green roofs to the peripheral residential accommodation along with green roof to some of the academic buildings are proposed .and green walls and roofs are proposed over the car parks located at the edge of the site and facing woodland

8.47 The Sustainability Officer has raised no objection to the application but has commented that BREEAM 'excellent' and 60% in energy and water sections is the appropriate standard for brownfield sites, but for previously undeveloped land, the higher standard of 70% in energy and water sections is expected. However it is noted that a large area of the development site is already developed and in addition the recently completed development on undeveloped land (located between the existing Northfield development to the north and Lewes Court Halls of Residence to the south) for 148 student accommodation bedrooms (ref: BH2012/00485) was conditioned to meet BREEAM 'excellent' and 60% in energy and water sections. In view of this it is considered appropriate that the requirement in this case should also be for 60% in energy and water sections.

8.48 The Sustainability Officer has also recommended that incorporation of fruit tree/orchard planting be explored and the University have made a commitment to consider this as part of the landscaping scheme.

8.49 Waste Management:

An Outline Site Waste Management Plan (SWMP) has been submitted as part of this planning application, which is considered to be adequate for this outline application. The applicant states that the principal contractor will develop a detailed SWMP identifying waste types and volumes in accordance with the Site Waste Management Plans Regulations 2008.

8.50 Ecology/Nature Conservation:

Policies QD15, QD16, QD17, QD18, QD19 and SPD06 and SPD11 seek to protect landscape features and important trees and seek to promote biodiversity.

The proposed development is immediately adjacent to Stanmer Park Local Nature Reserve (LNR), Stanmer Village Local Geological Site (LGS) and Tenant, Lain and Moon's Gate Woods Site of Nature Conservation Importance (SNCI). Given the nature of the works, there are unlikely to be any significant impacts on sites designated for their nature conservation or geological interest.

The County Ecologist has considered surveys undertaken as part of the ES which were carried out in accordance with best practice and are sufficient to inform mitigation and compensation.

8.51 The proposed development will lead to the permanent loss of some semi-improved grassland, most notably on the East Slope. The majority of woodland habitats will be retained with no habitat loss of designated woodland sites adjacent to the development site. The loss of semi-improved grassland is acceptable given the proposed mitigation to create grassland on the west slope, to provide green (calcareous grassland) roofs, to provide naturalistic landscaping within the East Slope area to include calcareous grassland slopes, and to provide a landscaping scheme for the whole site using species that are beneficial to wildlife.

8.52 While bats have been identified as using the site and three of the buildings to be demolished support low status summer roosts of common pipistrelles. The County Ecologist considers that provided the mitigation measures outlined are implemented, the proposed development is unlikely to have a detrimental impact on biodiversity

PLANNING COMMITTEE LIST- 25 JUNE 2014

and can be supported from an ecological perspective and would provide a way for the development to proceed and address bat conservation requirements.

- 8.53 The site is well used by badgers although no setts were found within the development site. Badgers are protected under the Protection of Badgers Act 1992. Therefore the County Ecologist has commented that best construction practice with respect to badgers should be followed. If works are likely to disturb a known sett, even if that sett is outside the development boundary, a licence may be required.
- 8.54 The site (specifically the East Slope) has been shown to support low populations of common lizard and slow worm. Slow worms and common lizards are protected against intentional killing or injuring under Schedule 5 of the Wildlife and Countryside Act 1981, as amended. As it will not be possible to retain those populations on site, the proposal to translocate the animals to a 1 ha receptor site to the east of the development is considered acceptable.
- 8.55 From the information available, whilst the development site does support some suitable habitat for great crested newts, it is considered that the risk of great crested newts being present on site is low. However, it is noted that precautionary surveys are proposed for Spring 2014, and this is supported by the County Ecologist.
- 8.56 The site has the potential to support breeding birds therefore a condition stating that no hedgerow, tree or shrub shall be removed from the site between 1st March and 31st August inclusive without the prior submission of a report to the Local Planning Authority which sets out the results of a survey to assess the nesting bird activity on the site forms part of the recommendation.
- 8.57 In conclusion the County Ecologist confirms that the submitted Ecological Impact Assessment chapter is a good assessment and agrees with its value of the site and environs. It is considered that the proposed mitigation measures outlined in the ES are acceptable and that these are secured through a section 106 agreement setting out a Habitat Creation Plan and Management Plan for all ecological works on and off site. It is noted that the approval of the Northfield development for 148 bedrooms also secured a Habitat Creation and Management Plan as part of the section 106.
- 8.58 **Arboriculture:**
There are no Tree Preservation Orders on this site and the Arboriculturist has stated that traditionally, the University of Sussex has treated the trees on their site with respect and therefore historically the Arboricultural Section has not felt the need to preserve trees here. In addition, while the woodland edges of the University have high public amenity value (ie, highly visible from the public roads and pavements) and this would make them worthy of Preservation Order, the trees in the centre of the site (which appears to be bowl-like, with the woodland edges) have no public amenity value and therefore their protection via this method may be seen as tenuous.
- 8.59 The Arboricultural report submitted with the application is considered to be comprehensive and the Arboricultural Section agrees with its findings and recommendations.

PLANNING COMMITTEE LIST- 25 JUNE 2014

8.60 It is noted that 441 trees would need to be removed to facilitate the development, and a further 12 trees will need to be removed on the grounds of health and safety. The Arboricultural Section has commented that the trees to be removed fall into the following categories:

- 80 trees to be removed have been categorised as Grade A trees, meaning they are of high quality with an estimated remaining life expectancy of at least 40 years.
- 180 trees to be removed have been categorised as Grade B trees, meaning they are of moderate quality with an estimated remaining life expectancy of at least 20 years.
- 181 trees to be removed have been categorised as Grade C trees, meaning they are of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm.
- 12 trees to be removed have been categorised as Grade U trees, meaning they are in such a condition that they cannot realistically be retained regardless of development.

8.61 While the loss of approximately 450 trees is regrettable, The Arboricultural Section have also noted that as many trees as possible are being retained within the site itself meaning over 250 trees will be retained and protected in the central development area, in addition the woodland areas bounding the site are all to be retained. The Arboricultural Section therefore has no objection to the subject to the retained trees being protected during the course of the development, and a landscaping condition to include adequate replacement planting.

8.62 Other Considerations:

The issue of the accommodation of students in their second and third year of study has been raised by some objectors. In response the university have stated that the predicted net increase in student by 2018 will be a total of 4600 of these 940 will come from the local area and not require housing as a growing number of student now choose to stay at home, therefore the required increase in student housing would be 3660. The table below show the situation if the application were approved along with other approved schemes in the City for student accommodation.

Development	Net gain
East Slope	1408
West slope	1122
London Road	350
Pelham Street	440
Total	3320

8.63 There would therefore be a predicted shortfall of approximately 340 which is considered acceptable. The University have also made the point that they could continue their expansion and not provide any additional accommodation for students;

however they remain committed to providing accommodation on campus for 40% of first year students and are working with the council to identify a further 700 units of off site accommodation. The university states that their aim is to continue to increase their student accommodation to enable more private sector rented accommodation to be released and reduce the potential problems of the loss of family housing to student HMO's and the over-concentration of the student population in certain locations in Brighton & Hove.

9 CONCLUSION

- 9.1 The application accords with relevant legislation and development plan policies, has a negligible impact on the setting of the listed buildings on the campus South Downs National Park and will preserve strategic views and the character of the surrounding location. The scheme provides additional student accommodation and academic buildings 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.

10 EQUALITIES

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

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Heads of Terms

- **Phasing** - The S106 will need to clearly define the Phase 1 East Slope Development, Phase 2 Academic Buildings and Phase 3 West Slope Development.
Before commencement of all Phases
- Detailed Phasing Plan submitted to and agreed by the LPA for the demolition and construction related to Phase 1, Phase 2 and Phase 3
- **Sustainable Transport strategy/Travel plan**
- **Public art** provision to an equivalent cost of £15 000.
- **Local training and employment strategy** to include a commitment to employing 20% of construction workforce from the local area.
- **Construction environmental management plan (CEMP)**
- **Habitat creation and management plan**

11.2 Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.

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

PLANNING COMMITTEE LIST- 25 JUNE 2014

- 2) a) Details of the reserved matters set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
 (i) appearance; and
 (ii) landscaping.
 b) The reserved matters shall be carried out as approved.
 c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

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

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

Plan Type	Reference	Version	Date Received
Site boundary	D/100		20/12/13
Site boundary – Brighton & Hove	D/110		20/12/13
Site boundary – Lewes District boundary	D/120		20/12/13
Demolition plan	D/130		20/12/13
Parameter Plan1 -Access	D/140		20/12/13
Parameter Plan 2 – Landscape infrastructure	D/150	D	20/12/13
Parameter Plan 3 – Land uses	D/160	A	07/01/14
Parameter Plan 4 - Building heights	D/170		20/12/13
Listed buildings	D/200		20/12/13
Existing topography	D/220	B	20/12/13
Boundaries plan	D/230		20/12/13
Masterplan	D/300		20/12/13
Illustrative building heights	D/305	A	19/03/14
Illustrative East slope plans and sections	D/310		20/12/13
Illustrative West slope plans and sections	D/320		20/12/13
Illustrative Academic Area plans and sections	D/330		20/12/13
Tree removal and retention plan	D/400	B	20/12/13

Phase 1: East Slope Development

- 4) No hedgerow, tree or shrub shall be removed from the Phase 1 Site between 1st March and 31st August inclusive without the prior submission of a report to the Local Planning Authority which sets out the results of a survey to assess the nesting bird activity on the Phase 1 Site and describes a method of working to protect any nesting bird interest. The report must first be agreed in writing by

PLANNING COMMITTEE LIST- 25 JUNE 2014

the Local Planning Authority and shall then be carried out in strict accordance with the approved details.

Reason: To ensure that wild birds building or using their nests are protected, in accordance with QD18 of the Brighton & Hove Local Plan.

- 5) All planting, seeding or turfing comprised in the approved scheme of landscaping on the Phase 1 site 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 on the Phase 1 Site 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.
- 6) Piling or any other foundation designs on the Phase 1 Site using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the Phase 1 site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details. **Reason:** To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.
- 7) No infiltration of surface water drainage into the ground of the Phase 1 Site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the Phase 1 Site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details. **Reason:** To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.
- 8) Noise associated with plant and machinery incorporated within the development on the Phase 1 Site shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 10dB(A) below background, as per BS4142.
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.
- 9) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 1 Site until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development of the Phase 1 Site hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development on the Phase 1 Site shall be carried out in accordance with the approved details.

PLANNING COMMITTEE LIST- 25 JUNE 2014

Reason: To ensure a satisfactory appearance to the development and to comply with policy QD1 of the Brighton & Hove Local Plan.

- 10) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 1 Site until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping on the Phase 1 Site, which shall include hard surfacing, boundary treatments, 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.

- 11) No work shall take place on the Phase 1 Site (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement for the Phase 1 Site has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place on the Phase 1 Site except in complete accordance with the approved Method Statement. Such method statement shall include full detail of the following:

- Implementation, supervision and monitoring of the approved Tree Protection Scheme.
- Implementation, supervision and monitoring of the approved Treework Specification.
- Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme.
- Timing and phasing of Arboricultural works in relation to the approved development

Reason: To ensure the adequate protection of the protected trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

- 12) No works on the Phase 1 Site which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include:

- i. creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of the working day; and
- ii. open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

The scheme shall be implemented fully in accordance with the approved details.

Reason: To ensure that badgers are protected, in accordance with QD18 of the Brighton & Hove Local Plan.

PLANNING COMMITTEE LIST- 25 JUNE 2014

- 13) Unless otherwise agreed in writing by the Local Planning Authority, no work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 1 Site until:
- a) evidence that the development on the Phase 1 Site 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 on the Phase 1 Site 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.

- 14) Prior to the demolition the East Slope buildings on the Phase 1 site, these buildings shall be fully recorded by scaled drawing and photographs to be submitted to and approved in writing by the Local Planning Authority. The recording shall be in line with the guidance set out in the English heritage guidance 2006 'Understanding Historic Buildings: A guide to good recording practice. The recording to of the buildings shall follow the guidance for a Level 2 record. Evidence that a copy of the record has been deposited with the East Sussex Historic Environment Record (HER) shall also be submitted to the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the buildings and to comply with policies HE3 and HE6 of the Brighton & Hove Local Plan.

- 15) No development of the Phase 1 Site shall take place until the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority:
1. A site investigation scheme for the Phase 1 Site, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 2. The results of the site investigation and detailed risk assessment referred to in 1 and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required on the Phase 1 Site and how they are to be undertaken.
 3. 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 2 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action on the Phase 1 Site.

PLANNING COMMITTEE LIST- 25 JUNE 2014

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.

- 16) No work shall take place at ground floor slab level or above of any part of the development hereby approved on the Phase 1 Site until a surface water drainage scheme for the Phase 1 Site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development of the Phase 1 Site is completed and the buildings of the Phase 1 Site are occupied.
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.
- 17) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 1 Site until details of disabled car parking provision for the students, staff and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted and shall thereafter be retained for use at all times.
Reason: To ensure the development provides for the needs of disabled staff and visitors to the site and to comply with Local Plan policy TR18 and SPG4.
- 18) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 1 Site until further details of additions and improvements on campus to pedestrian and cycle routes , bus stops, along with details of cycle parking for the students, staff and visitors to, the development hereby approved on the Phase 1 Site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the first occupation of the development permitted on the Phase 1 Site and shall thereafter be retained for use 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.
- 19) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 1 Site until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures on the Phase 1 Site, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

PLANNING COMMITTEE LIST- 25 JUNE 2014

Reason: To safeguard the character and appearance of the area, in addition to comply with policies QD2 of the Brighton & Hove Local Plan.

- 20) Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved on the Phase 1 Site shall not be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the development built on the Phase 1 Site 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.

- 21) Prior to the first occupation of the buildings on the Phase 1 Site, a "lighting design strategy for biodiversity" for the buildings and car parks on the Phase 1 Site shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- i. identify those areas/features that are particularly sensitive for bats and badgers and that are likely to cause disturbance in or around their breeding sites, resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - ii. show how and where external lighting will be installed on the Phase 1 Site (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting on the Phase 1 site shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To safeguard protected species from the impact of the development in accordance with policy QD18 of the Brighton & Hove Local Plan.

Phase 2: Academic Buildings

- 22) No hedgerow, tree or shrub shall be removed from the Phase 2 Site between 1st March and 31st August inclusive without the prior submission of a report to the Local Planning Authority which sets out the results of a survey to assess the nesting bird activity on the Phase 2 Site and describes a method of working to protect any nesting bird interest. The report must first be agreed in writing by the Local Planning Authority and shall then be carried out in strict accordance with the approved details.

Reason: To ensure that wild birds building or using their nests are protected, in accordance with QD18 of the Brighton & Hove Local Plan.

PLANNING COMMITTEE LIST- 25 JUNE 2014

- 23) All planting, seeding or turfing comprised in the approved scheme of landscaping on the Phase 2 site 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 on the Phase 2 site 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.
- 24) Piling or any other foundation designs on the Phase 2 Site using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the Phase 2 site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
Reason: To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.
- 25) No infiltration of surface water drainage into the ground of the Phase 2 Site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the Phase 2 Site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
Reason: To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.
- 26) Noise associated with plant and machinery incorporated within the development on the Phase 2 Site shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 10dB(A) below background, as per BS4142.
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.
- 27) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 2 Site until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development of the Phase 2 Site hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development on the Phase 2 Site shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory appearance to the development and to comply with policy QD1 of the Brighton & Hove Local Plan.

PLANNING COMMITTEE LIST- 25 JUNE 2014

- 28) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 2 Site until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping on the Phase 2 Site, which shall include hard surfacing, boundary treatments, 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.
- 29) No work shall take place on the Phase 2 Site (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement for the Phase 2 Site has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place on the Phase 2 Site except in complete accordance with the approved Method Statement. Such method statement shall include full detail of the following:
- Implementation, supervision and monitoring of the approved Tree Protection Scheme.
 - Implementation, supervision and monitoring of the approved Treework Specification.
 - Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme.
 - Timing and phasing of Arboricultural works in relation to the approved development
- Reason:** To ensure the adequate protection of the protected trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.
- 30) No works on the Phase 2 Site which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include:
- i. creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of the working day; and
 - ii. open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.
- The scheme shall be implemented fully in accordance with the approved details.
Reason: To ensure that badgers are protected, in accordance with QD18 of the Brighton & Hove Local Plan.
- 31) Unless otherwise agreed in writing by the Local Planning Authority, no work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 2 Site until:

PLANNING COMMITTEE LIST- 25 JUNE 2014

- a) evidence that the development on the Phase 2 Site 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 development on the Phase 2 Site 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.

- 32) No development of the Phase 2 Site shall take place until the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority:

1. A site investigation scheme for the Phase 2 Site, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
2. The results of the site investigation and detailed risk assessment referred to in 1 and, based on these, an options appraisal and remediation strategy for the Phase 2 Site giving full details of the remediation measures required and how they are to be undertaken.
3. 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 2 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action for the Phase 2 Site.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.

- 33) No work shall take place at ground floor slab level or above of any part of the development hereby approved on the Phase 2 Site until a surface water drainage scheme for the Phase 2 Site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development of the Phase 2 Site is completed and the buildings of the Phase 2 Site are occupied.

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

PLANNING COMMITTEE LIST- 25 JUNE 2014

water disposal and to comply with policy SU3 of the Brighton & Hove Local Plan.

- 34) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 2 Site until details of disabled car parking provision for the students, staff and visitors to, the development hereby approved on the Phase 2 Site have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted on the Phase 2 Site and shall thereafter be retained for use at all times.
Reason: To ensure the development provides for the needs of disabled staff and visitors to the site and to comply with Local Plan policy TR18 and SPG4.
- 35) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 2 Site until further details of additions and improvements on campus to pedestrian and cycle routes, bus stops, along with details of cycle parking for the students, staff and visitors to, the development hereby approved on the Phase 2 Site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the first occupation of the development of the Phase 2 Site hereby permitted and shall thereafter be retained for use 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.
- 36) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 2 Site until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures on the Phase 2 Site, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.
Reason: To safeguard the character and appearance of the area, in addition to comply with policies QD2 of the Brighton & Hove Local Plan.
- 37) Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved on the Phase 2 Site shall not be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the development built on the Phase 2 Site 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.

- 38) Prior to the first occupation of the buildings on the Phase 2 Site, a “lighting design strategy for biodiversity” for the buildings and car parks on the Phase 2 Site shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- i. identify those areas/features that are particularly sensitive for bats and badgers and that are likely to cause disturbance in or around their breeding sites, resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - ii. show how and where external lighting will be installed on the Phase 2 Site (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
- All external lighting on the Phase 2 site shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
- Reason:** To safeguard protected species from the impact of the development in accordance with policy QD18 of the Brighton & Hove Local Plan.

Phase 3 – West Slope Development

- 39) No hedgerow, tree or shrub shall be removed from the Phase 3 Site between 1st March and 31st August inclusive without the prior submission of a report to the Local Planning Authority which sets out the results of a survey to assess the nesting bird activity on the Phase 3 Site and describes a method of working to protect any nesting bird interest. The report must first be agreed in writing by the Local Planning Authority and shall then be carried out in strict accordance with the approved details.
- Reason:** To ensure that wild birds building or using their nests are protected, in accordance with QD18 of the Brighton & Hove Local Plan.
- 40) All planting, seeding or turfing comprised in the approved scheme of landscaping on the Phase 3 site 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 on the Phase 3 site 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.
- 41) Piling or any other foundation designs on the Phase 3 Site using penetrative methods shall not be permitted other than with the express written consent of

PLANNING COMMITTEE LIST- 25 JUNE 2014

the Local Planning Authority, which may be given for those parts of the Phase 3 site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.

- 42) No infiltration of surface water drainage into the ground of the Phase 3 Site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the Phase 3 Site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.

- 43) Noise associated with plant and machinery incorporated within the development on the Phase 3 Site shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 10dB(A) below background, as per BS4142.

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.

- 44) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 3 Site until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development of the Phase 3 Site hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development on the Phase 3 Site shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policy QD1 of the Brighton & Hove Local Plan.

- 45) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 3 Site until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping on the Phase 3 Site, which shall include hard surfacing, boundary treatments, 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.

- 46) No work shall take place on the Phase 3 Site (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement for the Phase 3 Site has been submitted to and approved in writing by the Local

PLANNING COMMITTEE LIST- 25 JUNE 2014

Planning Authority. No development or other operations shall take place on the Phase 3 Site except in complete accordance with the approved Method Statement. Such method statement shall include full detail of the following:

- Implementation, supervision and monitoring of the approved Tree Protection Scheme.
- Implementation, supervision and monitoring of the approved Treework Specification.
- Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme.
- Timing and phasing of Arboricultural works in relation to the approved development

Reason: To ensure the adequate protection of the protected trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

- 47) No works on the Phase 3 Site which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include:
- i. creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of the working day; and
 - ii. open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

The scheme shall be implemented fully in accordance with the approved details.

Reason: To ensure that badgers are protected, in accordance with QD18 of the Brighton & Hove Local Plan.

- 48) Unless otherwise agreed in writing by the Local Planning Authority, no work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 3 Site until:
- a) evidence that the development on the Phase 3 Site 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 development on the Phase 3 Site 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

PLANNING COMMITTEE LIST- 25 JUNE 2014

Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

49) No development of the Phase 3 Site shall take place until the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority:

1. A site investigation scheme for the Phase 3 Site, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
2. The results of the site investigation and detailed risk assessment referred to in 1 and, based on these, an options appraisal and remediation strategy for the Phase 3 Site giving full details of the remediation measures required and how they are to be undertaken.
3. 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 for the Phase 3 Site.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.

50) No work shall take place at ground floor slab level or above of any part of the development hereby approved on the Phase 3 Site until a surface water drainage scheme for the Phase 3 Site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development of the Phase 3 Site is completed and the buildings of the Phase 3 Site are occupied.

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.

51) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 3 Site until details of disabled car parking provision for the students, staff and visitors to, the development hereby approved on the Phase 3 Site have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted on the Phase 3 Site and shall thereafter be retained for use at all times.

Reason: To ensure the development provides for the needs of disabled staff and visitors to the site and to comply with Local Plan policy TR18 and SPG4.

PLANNING COMMITTEE LIST- 25 JUNE 2014

- 52) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 3 Site until further details of additions and improvements on campus to pedestrian and cycle routes, bus stops, along with details of cycle parking for the students, staff and visitors to, the development hereby approved on the Phase 3 Site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the first occupation of the development of the Phase 3 Site hereby permitted and shall thereafter be retained for use 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.
- 53) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 3 Site until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures on the Phase 3 Site, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.
Reason: To safeguard the character and appearance of the area, in addition to comply with policies QD2 of the Brighton & Hove Local Plan.
- 54) Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved on the Phase 3 Site shall not be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the development built on the Phase 3 Site 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.
- 55) Prior to the first occupation of the buildings on the Phase 3 Site, a "lighting design strategy for biodiversity" for the buildings and car parks on the Phase 3 Site shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- i. identify those areas/features that are particularly sensitive for bats and badgers and that are likely to cause disturbance in or around their breeding sites, resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - ii. show how and where external lighting will be installed on the Phase 3 Site (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

PLANNING COMMITTEE LIST- 25 JUNE 2014

All external lighting on the Phase 3 site shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To safeguard protected species from the impact of the development in accordance with policy QD18 of the Brighton & Hove Local Plan.

- 56) Prior to the demolition of The four 'quads' buildings of Lancaster, York, Norwich and Essex and The Park Village buildings on the Phase 3 Site, these buildings shall be fully recorded by scaled drawing and photographs to be submitted to and approved in writing by the Local Planning Authority. The recording shall be in line with the guidance set out in the English heritage guidance 2006 'Understanding Historic Buildings: A guide to good recording practice. The recording to of the buildings shall follow the guidance for a Level 2 record. Evidence that a copy of the record has been deposited with the East Sussex Historic Environment Record (HER) shall also be submitted to the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the buildings and to comply with policies HE3 and HE6 of the Brighton & Hove Local Plan.

11.3 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-
 1. The application accords with relevant legislation and development plan policies, has a negligible impact on the setting of the listed buildings on the campus South Downs National Park and will preserve strategic views and the character of the surrounding location. The scheme provides additional student accommodation and academic buildings 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. The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March – 30th September. The developer should take appropriate steps to ensure nesting

PLANNING COMMITTEE LIST- 25 JUNE 2014

- birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.
3. The applicant is advised of the possible presence of bats on the development site. All species of bat are protected by law. It is a criminal offence to kill bats, to intentionally or recklessly disturb bats, damage or destroy a bat roosting place and intentionally or recklessly obstruct access to a bat roost. If bats are seen during construction, work should stop immediately and Natural England should be contacted on 0300 060 0300.
 4. 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 immediately and Natural England should be contacted on 0300 060 0300.
 5. The applicant/developer is required to enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service the development and for connection to the water supply. Southern Water, southern House Sparrowgrove, Otterbourne Hampshire SO21 2SW (Tel: 0330 303 0119).
 6. The applicant is advised that it has been identified that the land is potentially contaminated. If, during development, contamination not previously identified is found to be present at the site then no further development should be carried out until the developer contacted the Council's Environmental Health Department for advice. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.