

REPORT UPDATE

Application No: BR/311/18/PL

Reason for the Update / Changes

Reason for Update/Changes:

The applicant objects to the wording of condition 6 which states that: "The accommodation shall only be occupied by students enrolled on full-time courses at further and higher education establishments or students working at a medical or educational institution, as part of their medical or education course"

The applicant states that whilst the main use of the proposed development will be for full time undergraduate and postgraduate students attending courses at the University, the University also provide a programme of courses and professional conferences during the summer months for students, academics and professionals. The accommodation will continue to be directly managed by the University, including housing management and security services. The condition would prevent the University from using what would be their newest on campus accommodation for use for such events and would render the accommodation empty for around 4 months of the year

The applicant therefore proposes a change to the wording:

"The accommodation shall only be occupied by those enrolled on courses or attending academic or professional events at the University."

Officers Comment:

There is no objection to this change and it is shown within the attached replacement recommendation sheet.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Planning Permission

REF NO: BR/311/18/PL

LOCATION: Land to the east of University of Chichester
Upper Bognor Road
Bognor Regis
PO21 1HR

PROPOSAL: Erection of 176 bedroom student accommodation building with associated hard & soft landscaping. This application may affect the setting of listed buildings, may affect the character & appearance of the Upper Bognor Road, Mead Lane Conservation Area & is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Modification of student accommodation building (BR/54/16/PL) to change it from 136 bedrooms and a mix of 6-6-4-3 storeys to 176 bedrooms and a mix of 6-6-5-5 storeys. The design of the building has been amended to accommodate additional stair cores at each end of the building to provide a back up escape option in case of a fire. This results in some changes to the internal layout.	
	Bedrooms are organised in two blocks. Block A is 6 storeys and 92 bedrooms in 12 clusters. Cluster size is a consistent 8 bedrooms per cluster, except for a cluster of 4 bedrooms at ground floor. Block B has 5 storeys with 84 bedrooms in 10 clusters of 8 or 9 bedrooms per cluster. Each bedroom is designed for wheelchair access and there are 11 bedrooms designed to cater for wheelchair or other specialist use. Each cluster has a wheelchair accessible communal Kitchen/Living/Dining room. The floorplans include a ground floor plant room and rooms for storage/ancillary services.	
SITE AREA	0.9 hectares.	
TOPOGRAPHY	Relatively flat. Levels rising from north to south in order to cross a stream and access the Tech Park.	
TREES	None affected by the development.	
BOUNDARY TREATMENT	Open except to the south where there is a ranch style 2 bar timber fence. 2m high timber fence beyond the road/parking area to the west which forms the boundary to 100 Hook Lane.	
SITE CHARACTERISTICS	Part of an area being redeveloped in connection with the expansion of the University. It is currently a grassed, broadly square shaped piece of land with an internal site road/parking areas on three sides. To the south lies a boundary fence and then trees with University buildings beyond.	
CHARACTER OF LOCALITY	Differing land uses and character. To the north on each side of Felpham Way the land is predominantly residential, to the south the Butlins complex provides hotel and holiday accommodation with associated leisure buildings including a modern tented structure. The Upper Bognor Road frontage has a more established character with a parkland setting behind flint walls. The site is prominent with a mix uses around the university which means there is no dominant character.	

RELEVANT SITE HISTORY

BR/137/18/PL	Application for variation of condition following grant of planning permission BR/54/16/PL relating to condition no.2 - (List of plans/drawings) amendment to floor plans	
BR/264/17/PL	Plant on roof of EDTP building. This application affects the character and appearance of Upper Bognor Road &	ApproveConditionally 14-12-17

REPORT_864(055)

Mead Lane Conservation area & the setting of a Listed Building

BR/54/16/PL	Development of land to east of The University of Chichester, Bognor Regis Campus to construct an Engineering & Digital Technology Park, new access from Felpham Way, erection of first phase of student accommodation (171 spaces), car parking & associated landscaping. This application affects the setting of listed buildings & affects the character & appearance of the Upper Bognor Road & Mead Lane Conservation Area. This is a Departure from the Development Plan.	ApproveConditionally 14-07-16
-------------	--	----------------------------------

BR/54/16/PL approved the redevelopment of land to the east of the campus. This included the Engineering & Digital Technology Park building on the corner of Felpham Way/Upper Bognor Road as well as three student accommodation buildings to the north of this. Included in this permission was the site subject to this application, on which was approved a building with 136 bedrooms.

The building was originally submitted to be 6 storeys in height (6-6-6-6 storeys considered as 4 quarters) and provided 171 bedrooms. Following concern over the impact on the Hook Lane residents, a lowered height at the west end was negotiated to reduce the building to 6-6-4-3 storeys and fewer bedrooms.

The Engineering & Digital Technology Park and associated site works (roads, parking, lighting, landscaping) have been completed.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

OBJECTION

- Although Members are keen to support the University, they wish to object to the design due to the impact the unsympathetic and austere design will have on its setting, adjacent to both listed buildings and a Conservation Area, also being detrimental to the gateway into Town.
- The proposed buildings are significant in their scale and massing, in relation to the Conservation Area and the listed buildings and will further erode the open landscape of the campus and conservation area in views from the north and from Felpham Way.
- The design does not comply with Policy 8a (Design Excellence) of the Neighbourhood Development Plan.
- A central part of achieving excellence in design is responding to and integrating with local surroundings landscape and context as well as the build environment through: using good quality materials that complement the existing palette of materials used within the area.
- This design also fails Policy 1 (Delivery of the Vision) of the Neighbourhood Development Plan which states that major developments should demonstrate how proposed changes will support the delivery of relevant Neighbourhood Development Plan objectives and our vision for Bognor Regis.
- Material considerations must be applied in respect of:
 - Highway safety and traffic: with problems already in existence with student cars being parked on surrounding streets;
 - Need to safeguard the

REPORT_854(055)

countryside or protected species of plant or animal: with the application providing no evidence of a protected species survey having been undertaken; Effect on the level of daylight and privacy of existing property: concern expressed at the effects shown in Shadow Study 1 to properties in Hook Lane, Brooks Lane and Brooks Mead.

2 letters of support including from the Bognor Regis Regeneration Board on the following grounds:

- (1) Provides student accommodation on the campus rather than in the town;
- (2) Meets the demand for student accommodation;
- (3) No need for much extra parking and students can get the bus;
- (4) Not the worst design;
- (5) Need cycle storage racks;
- (6) Chichester University is a key investor in Bognor Regis and the University assists with raising educational & skills attainment and average wages locally;
- (7) At the time of the previous application it was estimated the expanded Bognor Regis campus with the additional 1200 -1500 students will almost double the economic impact in the town to an estimated £69million per annum; and
- (8) The Engineering & Digital Technology Park is part of the strategic plans set out in the Local Plan.

COMMENTS ON REPRESENTATIONS RECEIVED:

The supporters comments are noted.

In response to the Town Council matters relating to design, scale, heritage assets, highway safety, traffic, parking, ecology, countryside policy and residential amenity are in the report's conclusions.

CONSULTATIONS

Conservation Officer
Engineering Services Manager
Engineers (Drainage)
Parks and Landscapes
Arboriculturist
Environmental Health
Highways England
WSCC Strategic Planning
Environment Agency
Surface Water Drainage Team
Ecology Advisor
Southern Water Planning
Economic Regeneration
Sussex Police-Community Safety
NHS Coastal West Sussex CCG
Natural England

CONSULTATION RESPONSES RECEIVED:

ENVIRONMENT AGENCY - No objection subject to a condition to ensure finished floor levels are set no lower than 2.75m above Ordnance Datum (AOD).

NATURAL ENGLAND - Advise no comments.

HIGHWAYS ENGLAND - Advise no objections.

SOUTHERN WATER - No objection subject to a condition to protect any existing sewers crossing the site and a condition to require approval of foul sewerage disposal.

SUSSEX POLICE - No objection - recommend measures to improve security of the accommodation.

WSCC HIGHWAYS - No objection subject to conditions to secure cycle parking, ensure students enter into a no-car tenancy agreement, to secure a travel plan and to secure a construction management plan.

- WSCC have undertaken a TRICS assessment and the proposals as a standalone application are anticipated to generate 24 daily movements, 0 in the network AM peak and 2 in the PM network peak;
- No concerns are raised concerning the vehicle generation potential of the application.
- 160 cycle parking spaces are to be provided as part of the application and no car parking for students is to be provided. 20 visitor spaces and 10 special permit places are provided within the existing parking arrangements;
- The site is in an accessible location with access to a range of services by foot, bicycle and public transport;
- A limited, or no, car parking arrangement is typical of student accommodation developments. The Local Highway Authority (LHA) are familiar with a number of appeals where restricted or no car parking provision has been made;
- Having reviewed the accident database there are no recorded accidents in the vicinity of the site that are attributable to a causation factor citing the presence of parked vehicles;
- There are numerous locations where parking restrictions are in place to protect the safety of highway users, such as at junctions, and are enforceable by civil parking enforcement officers;
- It is clear that some students do choose to park off-site on local roads and that an increase in residents may increase the number of vehicles doing so;
- Whilst the LHA do not consider that this would be detrimental to highway safety, the LPA should consider whether there is any impact on residential amenity;
- Should permission be granted it is recommended that students are required to enter into a no-car tenancy agreement; this should be secured by either condition or a S106 obligation;
- Car parking to the north and west of the site is not for regular use by residents of the accommodation but will serve the building in the event of 'drop off' and 'pick up' at the beginning and end of turn; and
- The application has been supported by the University of Chichester's Sustainable Travel Plan 2013-16, An updated version should be secured if consent is granted.

WSCC INFRASTRUCTURE - Require £2,640 to fire service infrastructure in Bognor Regis. Require an additional fire hydrant to serve the accommodation.

WSCC FLOOD RISK MANAGEMENT - No objections.

- Current surface water mapping shows the site is at moderate risk from surface water flooding;
- Risk is based on modelled data only and should not be taken as meaning that the site will/will not definitely flood in these events;
- Any existing surface water flow paths across the site must be maintained or appropriate mitigation strategies proposed;
- The majority of the development is at high risk from ground water flooding based on the current

REPORT_804(055)

mapping;

- There are no records of historic surface water flooding within the confines of the proposed site.

Recommend a surface water drainage condition.

COUNCILS ECOLOGIST - Advise no objections subject to conditions.

- As part of BR/54/16/PL a phase 1 habitat survey (February 2015) was undertaken identifying there was potential for reptiles and bats onsite; Subsequent phase 2 activity surveys showed there was a low population of reptile's onsite and a small scale translocation was required;
- Require that reptile habitat is recreated on the site;
- Require the lighting scheme employ measures to avoid/minimise potential impacts to bats by avoiding unnecessary artificial light spill through the use of directional light sources and shielding;
- Require hedgerows be protected during construction;
- Require any existing gaps in hedgerows be filled in;
- Require trees be protected during the bird breeding season; and
- Require habitat enhancements including planting native species, recreation of a small stream, on-site bird boxes and bat bricks & tiles.

ADC DRAINAGE ENGINEERS - No objection - following receipt of full details of the drainage scheme, recommends a condition requiring the development proceed in accordance with the approved details.

ADC LANDSCAPE OFFICER - No objection. No requirement for public open space or a play area contribution. Greening to soften the development is required - this should be secured by a condition.

ADC ENVIRONMENTAL HEALTH - No objection subject to conditions to secure a construction environmental management plan, to protect existing and new residents from noise and light, to control plant & equipment and ensure any contamination is brought to the Councils attention and remediated.

ADC CONSERVATION OFFICER - Any comments to be reported at the Meeting.

COMMENTS ON CONSULTATION RESPONSES:

Regarding ecology the applicants were within the terms of BR/54/16/PL to clear the site. The application concerns a small part of the overall site and the previous application was subject to requirements for reptile mitigation and bird/bat boxes which have been approved and implemented.

WSCC Highways and ADC Environmental Health have asked for measures to be secured by condition in respect of the management of the construction process. It has been decided to combine both of their requirements into one condition.

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary;
Public Sewer On Site;
Within 2km Buffer of Bognor Reef SSSI;
Within 2km Buffer of Felpham SSSI; and
Flood Zone 3.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
EMPSP2	EMP SP2 Economic Growth Areas
INFSP1	INF SP1 Infrastructure provision and implementation
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP1A	SD SP1a Strategic Approach
SDSP2	SD SP2 Built-up Area Boundary
CSP1	C SP1 Countryside
HERSP1	HER SP1 The Historic Environment
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HSP4	H SP4 Houses in multiple occupation
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WSP1	W SP1 Water
WMDM1	WM DM1 Waste Management
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment

<u>Bognor Regis Neighbourhood Plan 2015 Policy 1</u>	Delivery of the Vision
Bognor Regis Neighbourhood Plan 2015 Policy 8	Pre-Application Consultation
Bognor Regis Neighbourhood Plan 2015 Policy 8A	Design Excellence
Bognor Regis Neighbourhood Plan 2015 Policy 8B	Car Parking
Bognor Regis Neighbourhood Plan 2015 Policy 8j	The University of Chichester Bognor Regis Campus

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Relevant policies of the Bognor Regis Neighbourhood Development Plan are considered in this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"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."

The proposal is considered to comply with the relevant Development Plan policies in that the new building would not have a materially adverse effect on the townscape or the visual amenities of the locality and there would be no significant harm to the amenities of nearby residential properties. The lack of parking will not result in highway safety issues and there will be no harm to nearby heritage assets.

OTHER MATERIAL CONSIDERATIONS

The site already benefits from extant planning permission which enables the construction of a 136 bed student accommodation building on the same site.

CONCLUSIONS

BACKGROUND & KEY CHANGES:

There is a permission for a student accommodation building on the site which formed part of BR/54/16/PL which has been lawfully implemented and the applicants could erect the approved accommodation building at any time. The main changes between the permission and this proposal are:

- Increase of 40 bedrooms - 136 to 176;
- Increase in height at the western end of between 1 and 2 storeys. The new building will be 6-6-5-5 storeys (as opposed to 6-6-4-3) and will be circa 5.5 metre higher across the western end;
- Addition of 2 stair cores at each end of the building
- Increase in total length (NW corner to SE corner) from 66.5m to 71m; and
- Materials changed to reflect what was approved on the Engineering & Digital Technology Park.

The form and design of the building is essentially the same, it is only the increase in height at the western end.

PRINCIPLE:

Policy C SP1 "Countryside" sets out the classes of development that may be appropriate within the countryside. Included in this is development that accords with other policies in the Plan which refer to a specific use or type of development. Policy EMP SP2 makes it clear that the Council encourages the expansion and improvement of academic and recreational facilities for the University. On this basis, it is considered the proposal accords with policy C SP1 and is acceptable in principle.

Policy 8j of the Bognor Regis Neighbourhood Development Plan (BRNDP) states the Plan will support an appropriate amount of additional student housing at the University.

The proposal is considered to accord with policies SD SP1, SD SP2 and C SP1 of the Arun Local Plan. The site benefits from an extant permission which would enable the construction of a 136 bedroom student accommodation building on the same site.

PLANNING POLICY ON HOUSES IN MULTIPLE OCCUPATION:

The proposal, whilst described as student accommodation, is for a form of HMO and, if left unrestricted could if circumstances change, be occupied as a HMO. It would normally be necessary to consider ALP policy H SP4 which states:

"Where planning applications for houses in multiple occupation (HMOs) are not already covered by permitted development rights, they will be favourably considered where the proposals contribute to the creation of sustainable, inclusive and mixed communities and meet the following criteria:

- a. Do not adversely affect the character of the area including eroding the balance between different types of housing, including family housing;
- b. Do not contribute to the generation of excessive parking demands or traffic in an area;
- c. Provide adequate areas of open space."

It is appropriate, given the site is a part of the campus and given the principle of development is acceptable on the basis the proposal is for expansion of the University, that a condition be imposed to restrict occupation to students. It would then be necessary to make a planning application to change the use to a HMO and this would allow the Local Planning Authority to control the development.

Notwithstanding, it is considered there is no conflict with criteria (a) as the site forms part of the expanded university. The campus has plenty of open space and recreation facilities to cater for students. Highway and parking considerations will be discussed below.

HERITAGE ASSETS:

The site is not considered to be a heritage asset. The edge of the site is within 10-15m of the "Upper Bognor Road & Mead Lane Conservation Area" and the curtilage of thirteen Grade I and II Listed Buildings & Structures within the campus. The proposal has the potential to affect the setting of Listed Buildings and the setting of the Conservation Area.

Relevant Local Plan policies are HER DM1 (Listed Buildings) and HER DM3 (Conservation Areas). HER DM1 requires proposals protect and enhance the setting of Listed Buildings and policy D DM3 lists criteria for proposals affecting the setting of a Conservation Area. Proposals should not harm important views into, out of or within the Conservation Area.

It is necessary to consider policy guidance in the National Planning Policy Framework (NPPF) which sets out several steps when considering impact on heritage assets. Para 189 requires applicants to describe

REPORT__B04(055)

the significance of heritage assets affected, including any contribution made by their setting. Para 190 states Local Planning Authorities need to identify and assess the particular significance of the heritage asset that may be affected by a proposal. The third step is that the Local Planning Authority must consider the level of harm associated with the proposal and decide whether there is any harm and if so, whether this is 'less than substantial harm' or 'substantial harm'. It is then necessary to counterbalance harm with the level of public benefits associated with the proposal (paras 193-196).

The applicants have provided a copy of the Heritage Statement which formed part of BR/54/16/PL. In addition, in section 10 of their "Planning, Design and Access Statement", they provided a Heritage Statement update.

At the time of BR/54/16/PL, the conclusions of Historic England, the Council's Heritage Advisor and the Council's Conservation Officer were that there is a degree of harm associated with the proposals but that this harm is not so significant that it would warrant a redesign of the proposal. The proposed scheme is in the same location as the approved scheme and while the proposals revert back to the original scale (5-6 storeys) and include minor elevational changes, the visual separation caused by existing buildings and tree cover remains the same. On this basis the impact on the nearby heritage assets remain unchanged and is considered to be acceptable.

Comments of the Conservation Officer will be reported at the meeting. Given there is no direct impact on heritage assets and the previous application was considered favourably, it is anticipated that harm to heritage assets will be considered to be less than substantial. In accordance with para 196, it is necessary to consider the benefits of the proposal to the public at large. In this case the proposal will:

- Benefit the local economy by bringing in additional customers to local shops and services;
- Benefit the stock of family sized housing in the wider settlement by reducing demand for student occupation; and
- Benefit the University of Chichester through the provision of additional accommodation.

The proposal complies with the NPPF and policies HER DM1 and HER DM3 of the ALP.

DESIGN AND CHARACTER:

Policy D DM1 of the Local Plan requires the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area. D DM1 requires that housing makes efficient use of land while providing a mix of dwelling types and maintains character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. The policy requires the scale of development keep within the general confines of the overall character of a locality.

ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character. BRNDP policy 8a is relevant due to this being a major development within the town centre area. It requires new development demonstrate 'design excellence' and help to establish a strong sense of place and create attractive and comfortable places to live, work and visit. This should include:

- Use of good quality materials that complement the existing palette;
- Use planting commonly found on the south coast for highway boundaries wherever possible and in keeping with the existing streetscape;
- Ensure safe access for pedestrians, cyclists and motorists;
- Provide adequate refuse and recycling storage to minimise visual impact;

REPORT_864(055)

- Use innovative design that is sustainable in its design, construction and operation;
- Promote high quality spaces and light; and
- Adopt the principles of sustainable urban drainage, where appropriate.

Some of these criteria will be considered here whilst others relate to other sections of this report.

The building is to be higher at the west end than the original building with an increase in the western two quarters of the building from part 3 and part 4 storeys to a consistent 5 storeys. The remainder of the building will be similar in height to the approved scheme (6 storeys high). The design of the building is essentially the same (excepting additional stair cores on each end which marginally increase the footprint).

The materials slightly differ to those on plans approved by BR/54/16/PL but reflect materials approved by condition and which have been implemented on the Engineering & Digital Technology Park building. The proposed materials are:

- Dark brick at ground floor to provide a visually strong plinth to the building;
- Panels of textured dark brick also make reference to the academic building;
- At first floor and above the bedrooms are set in a lighter brick;
- Gold cladding is proposed to the communal and core areas; and
- External window frames, louvres, doors and curtain walling elements will be polyester powder coated (PPC) in dark grey to match the Tech Park academic building.

With the exception of the increase in height at the west end, it is not considered the building is materially different to what was approved and it is considered the design reflects the characteristics of the recently expanded University. The building helps further develop a strong sense of place on this part of the campus and the building uses good quality materials in character with the Engineering & Digital Technology Park building.

There is not considered to be any conflict with policies D DM1 & D SP1 of the Arun Local Plan or with the criteria relevant to design with policy 8a of the BRNDP.

RESIDENTIAL AMENITY:

ALP policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. D DM4 requires that extensions/alterations: do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties. Regard should be had to para 127 of the NPPF which states that development should provide a high standard of residential amenity for existing and future users.

QE SP1 states: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity".

During the previous application the plans for this student accommodation building were revised to avoid concerns that the accommodation would create an overbearing and overshadowing impact on nearby residential properties. An overbearing visual impact is one that has adverse impact on outlook resulting in an unduly oppressive living environment. Residential properties most likely to be affected are those on Hook Lane and Brooksmead.

These dwellings are to the northwest and are bungalows (some with rooms in the roof). The changes secured to BR/54/16/PL reduced the number of bedrooms from 171 to 136 and the applicant now wishes

REPORT_804(055)

to increase the amount of accommodation to ensure there is enough accommodation to cater for future demand for student places.

In order to justify the increase in height at the western end, the applicant has provided a set of supporting plans. These are set out and analysed below:

(1) An annotated site plan showing the interface distances between the proposed building and the existing/proposed houses on the south side of Hook Lane.

This shows the building will be 37m at the closest point from the southeast corner of 100 Hook Lane. The building will be 45m at the closest point from the rear of the indicative position of the proposed dwellings in the rear of 98/100 Hook Lane. It is not considered, at these distances, the building would have an adverse impact on outlook resulting in an unduly oppressive living environment.

The western stair core is not fully enclosed such that although there are no windows in it, persons using the stairs would be able to look out. The applicant has confirmed it is only to be used in emergencies and the only times when overlooking could occur would be in the case of an emergency or fire drill. There are no windows in the other parts of the western end.

(2) A plan showing the view range from no. 100 Hook Lane.

This shows how much of the building will be visible with a viewing range of 25 degrees above the height of no. 100's 2m fence. This drawing highlights that the proposals would meet this test which assesses adequate daylight and outlook. Applying this rule to the original scheme (denoted by the red hashed line) would produce a similar result and highlights the acceptability of the proposals from a daylight and outlook perspective.

(3) A shadow study showing the shading from the proposed building at 10am, 12 midday and 5pm on Jan 20th, March 20th and September 20th in any given year.

This shows that of the 9 date/time combinations, shading of neighbouring dwellings will only occur on the 20th January at 10am. At this time, there will be shading of 98-100 Hook Lane, a very small part of 96, 2 Brooks Mead and 95-99 Hook Lane.

(4) Another version of (3) but showing the shading of the previously approved building.

This shows virtually the same amount of shading on the 20th January at 10am as the proposed building.

(5) A shadow study showing the shading from the proposed and approved buildings at 10.44am on December 20th, 10.48am on January 20th and 10.21am on February 20th in any given year.

This compares the approved and proposed buildings albeit on different day/timer combinations to the other shadow studies. This shows that:

- On the 20th December at 10.44am, there will be a slightly greater impact on the Pavilion Bungalow than the approval. The shading of other dwellings is the same;
- On the 20th January at 10.48am, there will be a slightly greater impact on the side of 99 Hook Lane than the approval. The shading of other dwellings is the same; and
- On the 20th February at 10.02am, there will be a slightly greater impact on the front garden of 99 Hook Lane than the approval. The shading of other dwellings is the same.

The proposals still include a step down in the height of the building providing added visual

REPORT__864(058)

interest/variation and character to the 2 halves of the building. The evidence from the applicant shows although there will be greater amount of shading associated with the increase in height, this shading will not be significantly greater than the existing approval.

The approved building is of a large size and the changes proposed are not considered to tip the balance of acceptability and dominate the outlook of the existing and proposed residential dwellings to such an extent as to make the project overwhelming/oppressive particularly given the scale of the development as a whole. It is noted the Ocean Hotel at Butlins complex is 7 storeys, has balconies and is within 45m of adjacent properties.

On the basis of the above the proposal accords with policies D DM1 and QE SP1 of the Local Plan.

SPACE STANDARDS:

D DM2 states: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance". National standards do not provide relevant standards for Houses in Multiple Occupation. Regard should be had to Arun's "Standards for Houses in Multiple Occupation" (March 2019). It is necessary for the scheme to comply with these standards if it were to be occupied as a HMO in the future. This is not a material planning consideration as it is covered by separate legislation.

The applicant states bedrooms will be 12.15 sqm in size with another 2.46 sqm en-suite bathroom and the larger disabled accessible bedrooms will be 23 sqm. This is appropriate as student accommodation.

The application proposes no designated amenity space. There is amenity and recreation space on campus such that residents are able to access places to sit out or engage in sport. The proposal complies with D DM1 & D DM2 and the guidance on amenity in NPPF para. 127.

HIGHWAY SAFETY AND PARKING:

T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network.

T DM1 requires development be located in easy access of established non-car transport modes/routes and also seek to contribute to the improvement of such routes & facilities. Para 108 of the NPPF states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should be had to para 109 which states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

BRNDP policy 8a requires safe access is ensured for pedestrians, cyclists and motorists. Policy 8b states major developments should demonstrate through a Transport Assessment and Travel Plan that they do not impact on existing capacity of public highways to accommodate parking and regard should be had to seasonality of parking needs in Bognor Regis.

The application is accompanied by a Transport Assessment. The application states the Transport Assessment submitted with the previous application assessed a total of 289 student bedrooms and concluded:

- There is an excellent range of sustainable travel options for accessing the proposed development;

REPORT__B041055)

- A safe and convenient network of foot and cycle paths is available through and beyond the site;
- The site is well served by bus services which also provide links to Bognor Regis town centre and railway station, enabling connection with the wider public transport network;
- The existing Sustainable Travel Plan continues to provide means of encouraging the use of sustainable transport modes; and
- Additional traffic is not significant enough to warrant any changes to the surrounding road network.

The change in student numbers is not considered to be material in this context and the proposal would continue to have an acceptable impact on highway safety and not have a severe impact on the road network.

West Sussex Highways raise no objections. They state the proposal is not anticipated to generate any significant increase in vehicle movements above the approved scheme. In respect of parking, they note that the no car parking for students is to be provided and that this will be enforced through the tenancy agreement. They consider this is typical of student accommodation developments and they are familiar with a number of appeals and locations around the country restricted or no car parking provision has been made. WSCC do not consider parked vehicles are likely to result in an increase in traffic accidents attributable to a causation factor citing the presence of parked vehicles parking in unsafe location is restricted in the local area.

The site is in an accessible location with access to a range of services by foot, bicycle and public transport. Some students may decide to break the terms of their tenancy agreement and park on nearby streets. The likelihood of this happening compared to the increase in the number of bedrooms associated with this revised scheme is not considered to be so significant as to adversely affect amenity of residents. A condition will be imposed to prevent students from keeping a car on site. There is cycle parking elsewhere on campus so students can cycle to and from nearby facilities whilst remaining confident of the security of their bicycle.

The proposal complies with the NPPF and the relevant policies of the development plan.

BIODIVERSITY

ALP policy ENV DM5 states: "Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not)." Para 175 of the NPPF states: "If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;"

The application was not accompanied by a biodiversity report. The site has been cleared under BR/54/16/PL and it is not considered the site has any biodiversity value. Mitigation measures and enhancements proposed by BR/54/16/PL have been carried out so it is not appropriate to reconsider the biodiversity of the wider campus.

The application proposes a landscape strategy to include wildflower meadow and shrub planting and this will provide a net gain in biodiversity. The application states no hedgerows are proposed to be removed and 4 bat boxes and 3 bird boxes have been installed on the Tech building. It is appropriate to impose conditions requiring wildlife habitat in the boundaries of the application to achieve further net gains in biodiversity. On this basis, the proposals are in accordance with ALP policy ENV DM5.

NOISE AND LIGHT POLLUTION:

REPORT_864(055)

ALP policies QE DM1 and QE DM2 seek to protect residential properties from adverse effects of light and noise pollution.

The site is surrounded by new roadways, parking and with lighting approved by BR/54/16/PL. There have been requests from both Environmental Health and the Council's ecologist for a condition to control lighting. It is appropriate to ensure lighting on the building is designed to minimise harm to local bat populations and to ensure light spill is not significant beyond site boundaries.

Environmental Health consider it appropriate to control noise from students from in the building and from any plant/equipment located inside or on the outside/roof of the building. Conditions are proposed in this respect. The proposal is in accordance with QE DM1 and QE DM2.

FLOOD RISK:

According to mapping on the Environment Agency's website, the site lies within Flood Zone 3. Policy W DM2 of the Arun Local Plan states that:

"Development in areas at risk from flooding, identified on the latest Environment Agency flood risk maps and the Council's Strategic Flood Risk Assessment (SFRA), will only be permitted where all of the following criteria have been satisfied:

- a. The sequential test in accordance with the National Planning Policy Guidance has been met.
- b. A site specific Flood Risk Assessment demonstrates that the development will be safe, including access and egress, without increasing flood risk elsewhere and reduce flood risk overall.
- c. The sustainability benefits to the wider community are clearly identified.
- d. The scheme identifies adaptation and mitigation measures.
- e. Appropriate flood warning and evacuation plans are in place; and
- f. New site drainage systems are designed to take account of events which exceed the normal design standard i.e. consideration of flood flow routing and utilising temporary storage areas."

The application was accompanied by a Flood Risk Assessment (FRA) which the Environment Agency has considered and has been found to be acceptable. It is necessary to ensure (through a condition) that internal floor levels are set no lower than 2.75m above Ordnance Datum (AOD). This is to be achieved by partly raising the ground floor level of the building by 1.6m. On the previous application the building was to include an undercroft void to raise the ground floor level 1m above the exterior ground level. The required increase is greater (by 0.6m) but this is not considered to be significant. The scheme includes a raised boardwalk outside the building which provides a pedestrian link to higher ground at the bridge to the south-east of the site.

The development of student accommodation in Flood Zone 3 requires the Exception Test to be met. Notwithstanding that there is already an extant permission for a building of 136 student bedrooms, it is necessary to consider how this new applications meet the Exceptions Test.

The site is the only land owned by the University in the vicinity of the campus, and this is the only feasible site available for development. The Exception Test requires proposed development to show:

- (1) It will provide wider sustainability benefits to the community that outweigh the flood risk; and
- (2) It will be safe for its lifetime without increasing flood risk elsewhere and where possible reduce flood risk overall.

The benefits of the scheme are discussed elsewhere and were previously accepted by BR/54/16/PL. In

REPORT__B54(05B)

regard to the second point, the FRA demonstrates how the development can be implemented with appropriate mitigation measures despite the flood risks to the site and thus enables occupants and users to be safe from flooding for the lifetime of the development (50 years), accounting for the effects of climate change without increasing flood risks elsewhere.

It is therefore considered that the proposal complies with policy W DM2.

DRAINAGE:

Local Plan policy W DM3 (Sustainable Urban Drainage Systems) states: "To increase the levels of water capture and storage and improve water quality, all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process." BRNDP policy 8a requires development adopt the principles of sustainable urban drainage where appropriate.

ADC Drainage Engineers have negotiated with the applicant on this application to the extent that a drainage scheme has been proposed which is acceptable to engineers and which therefore negates the need for any conditions requiring post permission approval. It is considered the proposal accords with ALP policy W DM3.

SUSTAINABLE CONSTRUCTION:

Local Plan policy ECC SP2 requires that residential and commercial development be energy efficient and should incorporate decentralised, renewable and low carbon energy supply systems. For major developments, 10% of the total predicted energy requirements should be produced from renewable/low carbon energy generation on site, unless it is demonstrated this is unviable. BRNDP policy 8a states that major proposal use innovative design that is sustainable in its design, construction and operation.

The supporting Energy Statement sets out that:

- A reduction in carbon emissions of 10% over a Part L 2013 compliant development can be achieved;
- This will be achieved through the incorporation of passive and active energy efficiency measures; and
- The proposals will use solar water heating which will achieve at least 6% regulated energy from renewable sources and in practice (with the inclusion of low water demand sanitary fittings and a more accurate occupancy profile) will be around 12%.

With the imposition of a condition to secure appropriate energy efficiency technologies, it is considered the proposal complies with policy ECC SP2.

INFRASTRUCTURE REQUIREMENTS:

Local Plan policy INF SP1 states: "The Local Planning Authority will support development proposals which provide or contribute towards the infrastructure and services needed to support development to meet the needs of occupiers and users of the development and the existing community." and "Any on-site provision or financial contribution required to address unacceptable impacts must meet the statutory tests for planning obligations required by Regulation 122 of the Community Infrastructure Regulations 2010." The tests are that the contribution is necessary to make the development acceptable in planning terms, directly related to the development and fairly & reasonably related in scale and kind to the development.

WSCC requested a financial contribution of £2,640 towards the supply and installation of fire safety equipment to vulnerable persons homes in the West Sussex Fire Rescue Services Southern Area

REPORT__864(055)

serving Bognor Regis.

The Council's pooling data has also been checked and there are no other contributions to this particular project.

In addition, an additional fire hydrant to serve the development will be secured by planning condition. The proposal accords with policy INF SP1.

SUMMARY:

In assessing this application, there is support for the expansion of the Bognor Regis Campus as set out in the Arun Local Plan and the Bognor Regis Neighbourhood Development Plan. The site benefits from an extant permission for a building of 136 student bedrooms. The proposal is essentially the same as that approved except for the increase in height at the western end, the addition of new emergency escape stair cores on each end (resulting in a slight increase in footprint), and an increase in the number of bedrooms from 131 to 176.

On the previous application, it was noted and accepted that the University expansion would result in a significant investment in Bognor Regis to include:

- An increase in the number of student places with additional student places of up to 1,500 by 2023/24, and 300 work placements within the local economy;
- Employment for at least 350 additional jobs by 2023;
- Additional spend of £12.4million a year by students at the Bognor Regis campus by 2023/24;
- An increase in the total economic impact of the University as a whole by £321million by 2023/24; and
- The opportunity to 'incubate' start-up Small to Medium Enterprises (SME's) and provide support to existing SME's.

It is considered student accommodation here will benefit the stock of family sized housing in the wider settlement by reducing demand for student occupation.

This report addresses relevant policies of the Local Plan, the Bognor Regis Neighbourhood Development Plan and guidance in the NPPF. There will be no substantial harm to visual amenities of the locality, to local residential amenity, to existing natural environment or to the safety and convenience of local highways.

The application will be accompanied by a signed Section 106 Agreement securing a contribution to local fire safety measures. The application is recommended for approval in accordance with the following conditions and subject to the signing of the Section 106 agreement. Members will be updated at the Meeting as to whether the Section 106 has been signed.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms

REPORT_864(055)

of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a positive impact on the protected characteristics - disability.

SECTION 106 DETAILS

This recommendation is made subject to the completion of a S106 legal agreement regarding a contribution of £2,640 to be used towards the supply and installation of additional fire safety equipment to vulnerable persons homes in the West Sussex Fire Rescue Services Southern Area serving Bognor Regis to be paid prior to commencement.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Dwg. 151933-AP_001 Rev P01 "Site Location Plan";
Dwg. 17001 Rev P14 "Site Plan";
Dwg. V0002 "Shadow Study 1";
Dwg. V0003 "Shadow Study Based on Previous Scheme";
Dwg. V0003 Rev P01 "Shadow Study 2 - Current and Approved Scheme Comparison";
Dwg. 01001 "Proposed Ground Floor Plan";
Dwg. 01002 "Proposed First Floor Plan";
Dwg. 01003 "Proposed Second Floor Plan";
Dwg. 01004 "Proposed Third Floor Plan";
Dwg. 01005 "Proposed Fourth Floor Plan";
Dwg. 01006 "Proposed Fifth Floor Plan";
Dwg. 02001 "Proposed East and South Elevations";
Dwg. 02002 "Proposed North-West and North-East Elevations";
Dwg. 02003 "Proposed West and South-West Elevations";
Dwg. 03001 "Section Sheet 1";
Dwg. 03002 "Section Sheet 2";
Dwg. 03003 "Section Sheet 3";
Dwg. 17002 Rev P01 "Proposed Landscaping Plan";

REPORT_854(055)

Dwg. V0003 Rev P01 "CGI Views of Proposed Building in Context";
Dwg. V0006 Rev P01 "Building Superimposed on Site Photograph";
Dwg. 02007 Rev P16 "South West Elevation - View Range From Neighbouring Property"; and
Dwg. 17004 Rev P01 "Site Plan with Hook Lane Overlay".

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, T SP1, HER DM1, HER DM3, QE DM1, QE DM2 and QE SP1 of the Arun Local Plan..

- 3 The development hereby approved shall be carried out in accordance with the agreed proposed surface water drainage scheme which consists of the following drawings/documents:

"Standard Drainage Details" Dwg OUCC-ACM-ZZ-05-DR-DR-30001 Rev P02;
"Section Through Attenuation" Dwg UOCC-ACM-ZZ-05-DR-DR-30002 Rev P02; and
"Drainage Strategy" ref 60580070 April 2019.

The new building shall not be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 4 The development shall be carried out in accordance with ecological enhancement measures detailed in the Extended Phase 1 Report (Version 3) submitted with application BR/54/16/PL unless otherwise agreed in writing. The enhancements and mitigation measures shall be retained and thereafter maintained.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 5 The development permitted shall only be carried out in accordance with the approved Flood Risk Assessment Addendum Report dated March 2019 and the following mitigation measures detailed within it:

1. Finished floor levels are set no lower than 2.75m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Arun Local Plan policy W DM2 and the National Planning Policy Framework.

- 6 The accommodation shall only be occupied by those enrolled on courses or attending academic or professional events at the University.

Reason: The Local Planning Authority has granted permission on the grounds that the accommodation will be used in connection with Chichester University and it is necessary to impose such a control to ensure the building is not sometime in the future occupied as a HMO. In accordance with policies C SP1, EMP SP2 and H SP4 of the Arun Local Plan.

- 7 No development shall take place, including any works of demolition, until a Construction & Environmental Management Plan has been submitted to and approved in writing by the Local

Planning Authority (who shall consult with West Sussex County Council and the Councils Environmental Health Officers). Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters

- An indicative programme for carrying out of the works;
- The anticipated number, frequency and types of vehicles used during construction;
- The method of access and routing of vehicles during construction;
- The parking of vehicles by site operatives and visitors;
- The loading and unloading of plant, materials and waste, including permitted times for deliveries;
- The storage of plant and materials used in construction of the development;
- The erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
- The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
- Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- measures to control the emission of dust and dirt during construction;
- Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination; and
- A scheme for recycling / disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenity of the occupiers of any nearby noise sensitive premises, the general amenities of the area and in the interests of highway safety in accordance with policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction staff.

- 8 No development shall commence until a scheme has been submitted to and approved by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the building. Thereafter, the building shall not be occupied unless and until the approved scheme has been fully implemented.

Reason: To protect the amenities of occupiers of nearby residential properties in accordance with Arun Local Plan policy QE DM1. It is considered necessary for this to be a pre-commencement condition because the noise control measures may need to be incorporated into the fabric of the building.

- 9 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management / maintenance) and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because it would not be

possible to implement a foul drainage scheme once development had been completed.

- 10 Development shall not commence until full details of measures to be undertaken to protect existing public sewers have been submitted and approved in writing by the Local Planning Authority in conjunction with Southern Water. The building shall not be occupied until the measures in respect of protecting sewers have been completed in accordance with the agreed details.

Reason: To ensure that the proposed development does not result in any damage to the existing foul sewer in accordance with policies W DM1 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because new development has the potential to cause damage to any sewer crossing the site.

- 11 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appearance of the nearby heritage assets in accordance with policies D DM1, HER DM1 and HER DM3 of the Arun Local Plan.

- 12 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of 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.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun District Local Plan.

- 13 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a scheme for the creation of new reptile habitat within the site (or in an alternative location as agreed) to include rough grassland margins, hibernacula, scrub and open basking areas within a dedicated reptile enhancement area. The approved scheme shall be carried out in the first planting and seeding season, following the occupation of the building or the completion of the development, whichever is the sooner, and any plants which, within a period of five years from the completion of 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.

Reason: In accordance with Arun District Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 14 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a scheme to show the location of a fire hydrant to serve the development. The fire hydrant shall be provided in accordance with the approved details before the first occupation of the development and shall be retained thereafter.

Reason: In the interests of amenity and fire safety in accordance with policy D DM1 of the Arun Local Plan.

- 15 No part of the development shall be first occupied until an amended version of the existing University Sustainable Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport in accordance with the National Planning Policy Framework and policies T SP1 and T DM1 of the Arun Local Plan.

- 16 The development shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will incorporate decentralised, renewable and low carbon energy supply systems in accordance with the recommendations of the submitted "University of Chichester - Student Accommodation Phase 1" (Rev 0, 16 November 2018) (or a different document as otherwise agreed). The approved scheme shall thereafter be implemented prior to occupation of the building and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun Local Plan

- 17 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. The spaces shall be permanently retained and maintained in good working condition.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and policy T SP1 of the Arun Local Plan.

- 18 There shall be no partial occupation of the building whilst works to complete the development are continuing other than where a scheme has been submitted to and approved by the Local Planning Authority which specifies the measure to protect occupants from noise and vibration. In such cases, the approved scheme shall then be implemented in full prior to partial occupation of the building. This condition does not apply in cases of any post completion future internal works.

Reason: To protect the amenities of occupiers of nearby residential properties in accordance with Arun Local Plan policy QE DM1.

- 19 Details, including acoustic specifications, of all fixed plant, machinery and equipment associated with air moving equipment including fans, ducting and external openings, compressors, generators or plant or equipment of a like kind, installed within the site which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved by the Local Planning Authority before installation of such plant/machinery/equipment. The rating level of noise emitted from the use of this plant, machinery or equipment shall not exceed the measured background sound level when assessed by a competent acoustician using BS 4142:2014, at any adjoining or nearby noise sensitive premises. The approved plant/machinery/equipment shall thereafter be implemented in accordance with the agreed details and permanently retained in good working condition.

Reason: To protect the amenity of local residents in accordance with policies QE DM1 and QE SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 20 No external lighting shall be installed on the building or elsewhere within the application site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 and shall also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Once the approved lighting has been installed a verification report shall be submitted to the Local Planning Authority to demonstrate that the light trespass does not exceed 5 Lux beyond 5m of the site boundaries.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 21 In the event that contamination is found at any time during the carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All works must stop immediately and an investigation and risk assessment must be undertaken in accordance with the requirements of the local authority contaminated land officer. Where remediation is necessary, remediation scheme must be prepared in accordance with the local authority contaminated land officer guidance and which is subject to approval in writing of the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policy QE DM4 of the Arun Local Plan.

- 22 No removal of trees, shrubs or other vegetation that may contain birds' nests shall take place between 1st March and 31st August inclusive, unless a suitably qualified ecologist/wildlife specialist has undertaken a careful, detailed, check of vegetation for active birds' nests immediately before the vegetation is cleared and confirmed that no nests will be harmed. Where nests are discovered, the vegetation shall remain in place until nesting activity has ended naturally and the ecologist has confirmed that it is safe to proceed.

Reason: To prevent interference with the breeding success of wild birds in the interests of biodiversity conservation, as well as to ensure compliance with the legal protection of birds, their nests and eggs under Section 1 of the Wildlife and Countryside Act 1981, as amended and in accordance with policy ENV DM5 of the Arun Local Plan.

- 23 No deliveries by commercial vehicles shall be taken or despatched from the site outside of the following times (7.00am - 6.00pm Mondays to Saturdays), nor at any time on Sundays, Bank Holidays or Public Holidays.

Reason: In the interests of amenity in accordance with the Arun Local Plan Policies QE SP1 and QE DM1.

- 24 The flat roofs on the student accommodation building are not to be used as amenity space or balconies at any time.

Reason: In the interests of the amenity of nearby residential properties in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 25 No Students residing in the accommodation will be permitted to keep a car on site. The University will manage this through a 'No Car' clause in the student tenancy agreement. Prior to commencement a copy of the standard tenancy agreement will be submitted for approval in writing by the Local Planning Authority.

Reason: The development is subject to maximum parking standards where parking is limited and alternative means of transport are provided as secured in the Travel Plan. In accordance with policies T SP1 and T DM1 of the Arun Local Plan.

- 26 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 27 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a contribution of £2,640 to be used towards the supply and installation of additional fire safety equipment to vulnerable persons homes in the West Sussex Fire Rescue Services Southern Area serving Bognor Regis. To be paid prior to commencement.
- 28 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.
- 29 INFORMATIVE: The Environment Agency would recommend as previously discussed with the original FRA consultant that a weedscreen be fitted to the culvert entrance which conveys water under Felpham Way, to prevent large blockages, thus increasing localised flood risk, which is known to have occurred.. Any works in under or over, or within 3 - 5 metres of the watercourse bank edges, a flood defence consent will be required from the Lead Local Flood Authority.
- 30 INFORMATIVE: In the interests of crime prevention and deterrence, the development should incorporate security measures in accordance with the consultation advice of Sussex Police as available on the Councils website.
- 31 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Department on 01903 737500.
- 32 INFORMATIVE: The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A 'Statutory Nuisance' may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.