

Recommendation Report for Planning Permission

REF NO: BR/72/22/PL

LOCATION: University Of Chichester
Upper Bognor Road
Bognor Regis
PO21 1HR

PROPOSAL: Variation of condition 2 imposed under BR/311/18/PL relating to alternative floorspace plans, minor changes to building footprint and elevations, improvements to fire escape routes and changes to the approved materials (note no change to overall height or distances to nearby dwellings).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks to amend the existing permission to make the development more economic to build. The three approved 'bolt-on' fire escape staircase cores will be removed from the footprint (the staircases remain within the internal layout). At the same time there are small increases in footprint at each end of the building and in the centre 'knuckle' area to create a more linear form (removing instances of stepped walls). The drawings on page 12 of the Design & Access Statement (DAS) illustrate these changes. In addition, there will be new internal sprinkler systems, a new single entrance to the building, the shared kitchens at the entrance to each cluster 'flat' and air source heat pumps in lieu of gas fired boilers to be located on the roof and screened with roof plant screening.

The following changes are proposed to external materials to create a contrasting appearance to the existing tech park buildings rather than matching them:

- the brick colour will be amended to a softer light red/orange brick.
- the fenestration will be amended to a regular grid of portrait shaped openings instead of the squarer windows of the consented scheme.
- the gold cladding is removed & replaced with brick detailing including recessed alternate courses at ground floor & a double soldier course at each floor level.
- the ventilation for each study bedroom will be via an openable insulated panel set behind a perforated metal louvre.
- the windows to the shared kitchens will be seen as a 'special event' on the elevation, with a projecting bronze coloured frame around each to help accentuate their specific function and to add emphasis and drama to the main entrances below;

and

- the main entrance is recessed in order to create a covered space immediately in front of the entrance doors and to provide a clearly visible and welcoming main entrance. This recess would be lined with a white precast concrete panel with entrance signage.

The elevation changes are shown on pages 15 & 18-20 of the DAS. There are no changes to building height or separation distances from nearby residential properties. In addition, despite the footprint additions, there are no changes to the building lines or the maximum extent (width) of the built form.

SITE AREA

0.9 hectares.

TOPOGRAPHY

The land appears predominantly flat but levels rise from north to south.

TREES

There are trees and hedging along the southern, eastern and part western boundaries.

BOUNDARY TREATMENT

Boundaries are generally secured by ranch style fencing but there is a 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 a grassed, broadly square shaped piece of land with an existing internal site road and parking areas. To the south lies a boundary fence and then trees with the University buildings beyond.

CHARACTER OF LOCALITY

Differing land uses and a mixed character. To the north on each side of Felpham Way, the land is predominantly residential, to the south the Butlins complex provides hotel/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.

RELEVANT SITE HISTORY

BR/311/18/PL	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.	App Cond with S106 26-02-20
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BR/311/18/PL sought to modify an accommodation building approved by 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. It was approved in February 2020 subject to conditions and a s106 agreement. The permission will expire in February 2023.

REPRESENTATIONS

Bognor Regis Town Council state no objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

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

ADC ENVIRONMENTAL HEALTH - no further comments to add, providing conditions attached to BR/311/18/PL pertaining to environmental impacts resulting from the construction/operational phases shall remain in effect.

ADC DRAINAGE ENGINEERS - no additional comments beyond those on BR/311/18. However, the applicant should note that early discussions will be required regarding the culverted watercourse that passes through the future development site immediately east of this development.

COMMENTS ON CONSULTATION RESPONSES:

Noted. The previous conditions remain valid.

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.

Flood Zone 3.

Adjacent to the Upper Bognor Road & Mead Lane Conservation Area; and
Thirteen Grade I and II Listed Buildings within the wider University campus.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
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
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM5	ENV DM5 Development and biodiversity

HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
HSP4	H SP4 Houses in multiple occupation
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
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TELDM1	TEL DM1 Telecommunications
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

[Bognor Regis Neighbourhood Plan 2015 Policy 1](#) Delivery of the Vision

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021
SPD2	Conservation Areas

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

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. The Bognor Regis Neighbourhood Development Plan is considered within 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 amendments to the 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.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE:

The site benefits from an extant permission which has not been commenced but is valid until February 2023. This application seeks to make changes to the building including adding additional floor space and amending the appearance with new materials. The proposal seeks to add 502m² of new floorspace which represents a 9% increase on the existing but there is no increase in the number of bed spaces.

Due to this and the nature of the changes, it is only necessary to re-assess the impact on the character & appearance of the site/area and on nearby heritage assets. The building will not be as 'wide' as it was before, and the main building lines remain the same such that there are no material changes to the interface distances to nearby dwellings.

Although the site lies in Flood Zone 3, this was the case with the original permission and there is no increase in the number of bedspaces nor any change in flood risk policy. For the same reason, there is no need to reassess the parking provision. This report will determine whether the changes now sought cause additional harm compared to the approved scheme, and if harm is considered to arise, is it sufficient to warrant refusal.

HERITAGE ASSETS:

The site shares a boundary with the "Upper Bognor Road & Mead Lane Conservation Area" and the curtilage of thirteen Grade I and II Listed Buildings & Structures are in the wider University campus. The proposal has the potential to affect the setting of the Conservation Area and certain Listed Buildings.

ALP policy HER DM1 requires proposals protect and enhance the setting of Listed Buildings and policy HER DM3 lists criteria for proposals affecting the setting of a Conservation Area. In particular, proposals should not harm important views into, out of or within the Conservation Area. It is also necessary to consider the advice in the NPPF. Bognor Regis Neighbourhood Development Plan (BRNDP) policy 1 states proposals must identify the significance of any affected heritage asset and assess any harm and

benefit.

Paragraph 194 of the NPPF requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. Para 195 then requires Local Planning Authorities to identify and assess the particular significance of the heritage asset that is affected by a proposal. The Local Planning Authority must then consider the level of harm associated with the proposal and decide whether there is no harm, 'less than substantial harm' or 'substantial harm'. It is then necessary to counterbalance harm with the level of public benefits associated with the proposal (as set out in para 202).

The submission includes an addendum Heritage Statement to those submitted with BR/54/16/PL and BR/311/18/PL. This document finds that the cultural heritage baseline is unchanged since the original Heritage Statement was submitted in 2016 and that the minor changes will not be responsible for increased impact on the built heritage assets identified but rather that any degree of less than substantial harm would be lowered as a result.

The Conservation Officer has not responded to the application and did not do so for BR/311/18/PL either. 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 would be a degree of harm but that this harm would not be significant. The decision on BR/311/18/PL determined that the harm was likely to be less than substantial and the following public benefits were identified, and these outweighed the harm.

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

In light of this position and the comments of the applicant's heritage consultant, it is appropriate to maintain this view and so the previous benefits continue to apply - and outweigh the identified harm. It is material that the scheme is in the same location as the approved and the visual separation between the Listed Buildings and the proposal due to existing buildings and tree cover remains the same. On this basis the impact on the nearby heritage assets remains unchanged and is considered to be acceptable.

The proposal accords with ALP policies HER DM1 and HER DM3 in that there is no harm to the setting of the nearby Listed Buildings or Conservation Area.

DESIGN & CHARACTER:

ALP policies D SP1 and D DM1 require development to make the best possible use of land by reflecting or improving on the character of the site/surrounding area. The Arun Design Guide is a material consideration. Section J refers to building design and states new development must ensure the existing character and sense of place of an area is respected and enhanced. This can allow for new design forms but only where these take cues from well-designed elements of the existing area.

The alterations to footprint & floor space will not have a material impact on the appearance of the building which retains its existing building form, mass, and height. Whilst the additional floorspace represents a 9% increase, this will not be noticeable in the context of the site or surrounding area. The material and elevation changes will have a greater impact and these elements will be more noticeable. However, the building has an attractive appearance and the submitted DAS confirms that the brick work & fenestration has been designed to take cues from other buildings on the campus which is in accordance with the Design Guide. It is noted that the building is sited centrally and that there are trees to the road frontage thus reducing its impact on the streetscene.

The proposal does not conflict with the relevant development plan policies or the Design Guide in respect of design and character.

CONDITIONS:

The original permission has not been implemented and so all of the conditions previously imposed remain valid. However, the following changes have been made to some of these, as set out below:

- Condition 1 is amended to reflect that the permission is to commence 3 years from the date of the decision on the original permission ref BR/311/18/PL.
- Condition 2 is amended (as requested) to reference the plans submitted with this application instead of those agreed previously.
- Condition 3 has been slightly amended with the addition of "Unless otherwise agreed in writing," at the start.
- Condition 22 (birds' nests in trees) has been deleted since this is covered by separate legislation; and
- Some of the informatives have been tweaked to make them read better or to reflect recent comments/updates.

No new conditions have been added. It is not necessary to agree the pre-commencement conditions as they were previously agreed through BR/311/18/PL.

SUMMARY:

The scheme as amended will not result in any demonstrable harm to the local townscape or the visual amenities of the locality and there will 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. As per the NPPF, para 11(c), development proposals that accord with an up-to-date development plan should be approved without delay. It is therefore recommended that this section 73 planning application be granted subject to the following conditions.

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 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 neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of the planning permission under BR/311/18/PL (26/02/20).

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:

3122-APLB-BR-XX-DR-A-1000 Existing Site Rev P1.
 3122-APLB-BR-XX-DR-A-1001 Proposed Site Layout Rev P1.
 3122-APLB-BR-00-DR-A-2000 Proposed Ground Floor Plan Rev P5.
 3122-APLB-BR-01-DR-A-2001 Proposed First Floor Plan Rev P4.
 3122-APLB-BR-02-DR-A-2002 Proposed Second Floor Plan Rev P1.
 3122-APLB-BR-03-DR-A-2003 Proposed Third Floor Plan Rev P1.
 3122-APLB-BR-04-DR-A-2004 Proposed Fourth Floor Plan Rev P1.
 3122-APLB-BR-05-DR-A-2005 Proposed Fifth Floor Plan Rev P4.
 3122-APLB-BR-06-DR-A-2006 Proposed Roof Plan Rev P4.
 3122-APLB-BR-XX-DR-A-3000 Proposed East & South Elevations Rev P4.
 3122-APLB-BR-XX-DR-A-3001 Proposed North-west & North-East Elevations Rev P4.
 3122-APLB-BR-XX-DR-A-3002 Proposed West & South-West Elevations Rev P1.
 3122-APLB-BR-XX-DR-A-4000 Proposed Sections - Sheet 1 Rev P1.
 3122-APLB-BR-XX-DR-A-4001 Proposed Sections - Sheet 2 Rev P1.
 3122-APLB-BR-XX-DR-A-4002 Proposed Sections - Sheet 3 Rev P1.
 3122-APLB-BR-XX-SK-A-8023 CGI views of the proposed building in context Rev P1.
 B39-HOA-AB-XX-GA-E-690-8501 Electrical Services External Layout Rev P1; and
 LLD2572-LAN-DWG-001 Landscape Masterplan Strategy Rev 02.

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 Unless otherwise agreed in writing, 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 the 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 NPPF.

- 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 NPPF.

- 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 NPPF. 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 NPPF.

- 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 NPPF 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 NPPF.

- 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 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.

- 23 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.

- 24 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.

- 25 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.

- 26 INFORMATIVE: The original permission was 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. This is to be paid prior to commencement. Clause 25 of that agreement ensures that it will apply to subsequent section 73 applications such as this one.

- 27 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 SW's website: <https://beta.southernwater.co.uk/infrastructurecharges>.

- 28 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.

- 29 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 for application BR/72/22/PL (dated 20/05/22).
- 30 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.
- 31 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.