

Parish: Chichester	Ward: Chichester West
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**CC/15/04163/FUL**

**Proposal** A proposed fully managed student accommodation block comprising two buildings each 3-4 storeys with 134 student bed spaces, associated access works and landscaping.


**Site** Land Adjacent To Tesco Petrol Filling Station Fishbourne Road East Chichester West Sussex

**Map Ref** (E) 484763 (N) 104680

**Applicant** Mr Paul Gillespie

**RECOMMENDATION TO DEFER FOR SECTION 106 THEN PERMIT**



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## **1.0 Reason for Committee Referral**

### **1.1 Reason for Committee Referral**

Parish Objection - Officer recommends Permit

## **2.0 The Site and Surroundings**

The application site comprises a parcel of vacant brownfield land of approximately 0.23ha within the settlement boundary for Chichester. It is located at the east end of Fishbourne Road East, immediately west of the Brighton to Portsmouth railway line and north of the existing Tesco Petrol Filling Station which is served by an access road off a 4 arm roundabout. This roundabout also provides access to the Tesco Extra supermarket to the south-west. The recently constructed pedestrian footbridge across the railway line is situated adjacent to the site to the north-east, and is approximately 7.7m high at its highest point. The bridge links to a combined pedestrian/cycleway which passes by the site frontage. The nearest residential properties are to the west on Fishbourne Road East and north of the railway line at Westgate approximately 40 metres away. The site is currently enclosed by chain link and palisade fencing and has large areas of tarmac hardstanding and scrub. The existing site level is set down approximately 1m below the level of Fishbourne Road East where it is adjacent to the roundabout. The site appears to have a slightly isolated context partly as a result of the surrounding trees and vegetation which screen the site from neighbouring development.

## **3.0 The Proposal**

- 3.1 The proposed development is a full application for 134 student bed spaces in two new buildings set either side of a central access off the petrol station access road (approximately 20m from the roundabout that also serves the Tesco supermarket). These bed spaces comprise a mix of cluster flats and studios. The cluster flats open from a central corridor at each level of the building and are arranged in groups of 3, 4 or 5 with individual study bedrooms which have their own modular en-suite toilet and shower room. Each cluster will share a communal kitchen/living/dining space. The studios are self-contained individual studios with an open plan kitchen/living and sleeping area, again with modular shower and toilet facility and which the application advises are aimed at postgraduates, international students or those wishing to live separately. There are a total of 57 individual study bedrooms grouped to form 12 cluster flats and 77 studios. The rear standalone building provides only studio accommodation. The accommodation in both buildings is spread over three main floors with a fourth storey set back. Ancillary facilities located at ground floor in the main building include a study space, reception area with office for 2 to 3 staff, a laundry room, toilets, gym, TV lounge and common room together with plant room and a large secure bicycle store. A total of 52 cycle parking spaces are provided on the site.
- 3.2 The main building on the site fronts west onto Fishbourne Road East and has a maximum ground floor dimension of 54.2m x 15m. It is set back from the edge of Fishbourne Road East at a varying distance of between 6m and 9m. The elevations are proposed to be clad in a combination of real wood laminate and aluminium cladding with facing brickwork on the twin gable roofed elements located at the mid-point of the elevation. The flat roof at third floor level is to be covered in sedum. The fourth floor has aluminium cladding to the walls and a hipped roof of slate. The highest part of the

building is 14.5m. The three storey element is 9.5m to the parapet. The building is to be set into the ground at the southern corner of the site by approximately 1-1.5m (relative to the height of the adjoining carriageway) behind a retaining wall.

- 3.3 The main part of the second building is rectangular in form and of four storeys with a ground plan dimension of 16m x 14m. The top storey is set back at the north-west side (12m high). A three storey quadrant at 9m high with projecting first and second floor window adjoins the south-west elevation. In terms of materials, the building is proposed in a real wood laminate and facing brickwork to match the main building. The building also has a sedum green roof. The sloping vehicular access between the two buildings into the site leads to a service area and 8 car parking spaces for disabled students, staff, visitors and servicing. Otherwise the development will be car free with students not permitted to bring a car to the University as part of their tenancy agreement. This will be enforced by a Student Management Plan.
- 3.4 In terms of landscaping, the development proposes hedgerow planting on the western site boundary with Fishbourne Road East and the planting of additional trees along the eastern boundary to enhance the existing wildlife corridor of the railway line and provide additional screening to residential properties located on the far side of the railway to the east. The development will have a hard landscaped central courtyard with small softer grassed areas with ground level planting.

#### 4.0 History

03/03182/FUL	PER S.106	Erection of petrol filling station, kiosk building/carwash, non-food retail unit and new highway access and ancillary works
06/00955/FUL	REF	Erection of 28m conveyor car wash within existing Petrol Filling Station site.
13/03873/FUL	PER	Retention of hoarding surrounding land to the north of the Tesco Filling Station, Fishbourne Road East, Chichester.

#### 5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
South Downs National Park	NO
EA Flood Zone	FZ1
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

## 6.0 Representations and Consultations

- 6.1 City Council - (On original proposals for 153 student bed spaces - the Committee will be updated regarding any comments received on the revised proposal for 134 bed spaces)

Objection. Whilst it was considered to be a suitable site for student accommodation, it was considered that the current proposal was unacceptable on account of its design, mass and density, the lack of car parking and landscaping and overdevelopment.

- 6.2 Chichester Harbour Conservancy - (On original proposals for 153 student bed spaces)

Chichester Harbour Conservancy has no objection to the proposed development, subject to an appropriate contribution being made to mitigating the impact of recreational disturbance likely from occupiers visiting the Harbour shoreline and AONB generally, based upon the 87 individual studio units and 12 cluster units proposed (i.e. the contribution ought to be provided as if 99 dwellings were being built).

- 6.3 Environment Agency

The site is in Flood Zone 1. A flood risk assessment is required. *[Planning Officer Comment: an FRA is submitted with the application]*

- 6.4 Southern Water - (On original proposals for 153 student bed spaces)

Currently inadequate capacity in the local network to provide foul water sewerage disposal to serve the proposed development. Proposed development would increase flows to the public sewerage system. Additional off-site sewers or improvements to existing sewers will be required to provide sufficient capacity to service the development. Informative required regarding the developer entering into a formal agreement with Southern Water to provide the necessary infrastructure to service the development.

- 6.5 Natural England

Not possible to conclude that the proposal is unlikely to result in significant effects on the European designated Chichester and Langstone Harbour Special Protection Area. Site lies in the 5.6km zone of influence where additional residential development would normally be expected to make a financial contribution to the Solent Recreation Mitigation Strategy (SRMS). *[Planning Officer Comment: the applicant has agreed to pay the appropriate mitigation payment of £176 per dwelling. In this instance a 'dwelling' is defined as either a separate studio or a group of 3-5 cluster bedrooms where each group share facilities. In this instance the contribution is £2,358]*

- 6.6 Network Rail

No objection. (A set of standard requirements for development in proximity to Network Rail land is attached to the response)

## 6.7 Police

Pleased to see that applicant is incorporating crime prevention measures into the design and layout. Various additional security measures recommended e.g. additional doors at corridor entrance points.

## 6.8 WSCC - Highways

No Objection.

### Access

The access is proposed off the private access spur road currently serving the Tesco PFS. The use of the access will re-introduce traffic movements to the private access road serving the petrol filling station. Because this traffic will be turning across part of the one-way section of the PFS circulatory road when exiting, the applicant proposes additional signage within the site to advise users of this and to direct them to turn right out of the site when leaving. The design of the access is acceptable to the highway authority.

### Sustainable Access

The site is located within 15 minutes walking distance of Chichester City Centre with its range of facilities. Cycling would take approximately 5 minutes. Access by bus is possible, either utilising the local Tesco service or bespoke University service. Access by more frequent buses is available from central Chichester. Chichester railway station is also about a 15 minute walk and 5 minute cycle away.

### Parking and Student Accommodation Management Plan

The applicant proposes 8 car parking spaces, made up of 6 standard spaces and 2 for mobility impaired. The applicant proposes that car parking by occupants would be controlled by way of preventing students from bringing cars into the City Centre. Taking legal advice on this matter and looking at similar scenarios/sites where this has been implemented, the Highway Authority consider that this could be enforced in planning terms using an appropriately worded Student Accommodation Management Plan. However, any plan must have a clear enforceability policy with appropriate 'buy-in' from students staying at the premises. The applicant has produced such a plan which will be secured as part of any planning permission using a S106 Legal Agreement. A monitoring regime and opportunity to agree changes to any plan is also required by the Highway Authority and will need to be added to the S106 Agreement to be read alongside the Plan. Finally, a financial contribution of £6000 will be secured towards the possible introduction of additional waiting restrictions on roads nearby to the site if parking issues arise associated by the proposal following grant of planning permission. A total of 52 cycle parking spaces are proposed for the site.

### Trip generation

In terms of trip generation TRICS exercise suggest 42 vehicle trips per day (21 vehicles arriving, 21 vehicles departing). Applicant has confirmed that accommodation would only be offered to registered students attending Chichester-based educational establishments. The LPA may consider that any planning consent would be conditional on this being the case in order to minimise possible demand to travel by car. Travel Plan (TP) should comprise welcome pack with recommended vouchers towards either reduced public transport tickets or reduced bicycle purchase. TP to be secured by condition.

Student arrivals and departures (start/end of terms etc.) to be linked to Student Accommodation Management Plan. Based on the additional parking now shown (8 spaces), student pick-up/set-down could last for ½ hour periods (made up of 20 minute set-down/pick-up and 10 minutes in-between in time for the next arrivals or departures), giving the potential for 16 students to arrive/leave during any one hour based on all 8 of the car parking spaces being used simultaneously and strict controls to ensure that those using the spaces do not overstay their welcome.

Use of building outside of term-time - The applicant has confirmed that only students will be able to use the site and that it will not be offered for use by others outside of term-time. Any planning permission should be conditioned as such.

#### Conclusion

Based on the evidence and accompanying information provided by the applicant, including that obtained separately by the Highway Authority, no highway objection is raised to the proposal. S.106 agreement required to secure Student Accommodation Management Plan plus a contribution towards a TRO (Traffic Regulation Order).

#### 6.9 WSSC - Flood Risk Management

No Objection. Surface water drainage approach giving priority to SUDs is in keeping with the sustainable drainage principles in the NPPF, NPG and associated documents. Further ground investigation is required to determine whether infiltration methods are possible. Development not to commence until details of the management and maintenance of the SUDs system has been submitted to and approved by the LPA.

#### 6.10 CDC - Archaeology Officer

The sites archaeological interest would justify further archaeological mitigation following the granting of planning consent and secured by an appropriately worded archaeological planning condition. I recommend a version of the Council's standard condition requiring an archaeological investigation of the site.

#### 6.11 CDC - Drainage Engineer

Detailed investigations into infiltration to include groundwater monitoring and percolation testing in the winter period (as mentioned in the FRA). Condition required to incorporate this and the detailed drainage design.

Surface water drainage system should store the 1 in 100 year storm event plus 30% and ideally drain to ground, or be discharged to a suitable system at rates no greater than pre-development rates. Sewers and culverts are to retain easements for access and maintenance.

## 6.12 CDC - Conservation and Design Manager

There have been a number of amendments to the design of the proposed buildings which have resulted in a reduced height to 4 storeys, articulation of the upper floor by setting it back from the main elevation and reconfiguration of the roof to reduce the overall bulk of the development.

The building has also been set back on its road frontage and the south facing elevation has had more interest introduced through the introduction of windows. The latest iteration with the removal of the proposed gable to the south elevation and hiping and setting back of the roof, does reduce the interest to the elevation to some degree and brings the eastern block into more prominence. However this is mitigated by the overall reduction in massing at this end of the building resulting in a better relationship with the low-scale retail and commercial development to the south and south-west of the site which is predominantly single-storey, therefore, reducing the buildings prominence.

## 6.13 CDC - Environmental Health

A desk report has been submitted which concludes that a site investigation should be carried out at the site. Standard condition should be applied in order that the land quality at the site can be assessed and if necessary remediated. When testing soil and groundwater samples, analysing for hydrocarbons should be carried out given the proximity of the petrol filling station.

The site is subject to noise from road and rail traffic by day and night. An environmental noise impact assessment has been undertaken. I concur with the methodology used to assess noise impacts and with the main conclusions of the report. I accept that provided the recommendations of the report are fully implemented then the proposed building will provide suitable sound insulation for residential use as student accommodation. In addition, the provision of a barrier in the form of a 1.5m high fence should provide an acceptable outdoor living area for occasional use.

## 6.14 16 Third Party Objections - (46 objections were received against the original proposals for 153 student bed spaces)

Revised scheme is still over development of site

Only a minimal reduction in the number of students

Not enough parking, where will visitors park

A no car exclusion zone is a fantasy, surrounding roads will be filled with student cars

Not enough regular public transport

4 storeys is far too high, building will be over-powering and block views of Cathedral

Out of character with residential area, will completely dominate

Little space for students to be outside in the Summer

134 students is too many in one location

Wardens will not always be available to monitor students' behaviour

Proximity to petrol station is a concern on safety grounds

Bicycles and buses will not universally be used by all students

Anti-social behaviour, smoking, noise, drinking, litter, congregating outside the block and spilling into the road

The plastic wood is another cheap form of cladding rather than quality building

## 6.15 Applicant/Agent's Supporting Information

The application is accompanied by a Design and Access Statement, a suite of supporting documents including a Student Accommodation Management Plan, plan and elevation drawings and artistic 3D computer generated images of the proposal all of which can be viewed in full on the Council's website. The application was subject to a pre-application enquiry in August 2015 and a public exhibition held in November at Edes House was advertised via site notices and through the Chichester Observer.

## 7.0 Planning Policy

### The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 8: Transport and Accessibility
- Policy 9: Development and Infrastructure Provision
- Policy 10: Chichester City Development Principles
- Policy 12: Water Resources in the Apuldram Wastewater Treatment Catchment
- Policy 13: Chichester City Transport Strategy
- Policy 33: New Residential Development
- Policy 39: Transport, Accessibility and Parking
- Policy 40: Sustainable Design and Construction
- Policy 42: Flood Risk and Water Management
- Policy 48: Natural Environment
- Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours  
Special Protection Areas

7.3 The Local Plan does not contain a specific policy relating to the provision of student housing but the preceding text to policy 33 identifies a specific requirement. Paragraph 17.10 states '*Student housing: The student population of Chichester University grew by 14% between 2008/9 - 2010/11. The growth of students living within the private rented sector in Chichester has influenced the dynamics of the housing market in the City and the supply of entry-level market housing, increasing pressure on the private rented sector and contributing to escalating rents. Measures to address this will be achieved through joint working with the University and the Further Education College, including the potential development of halls of residence student housing in appropriate locations*'.



## National Policy and Guidance

- 7.4 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

*For decision-taking this means unless material considerations indicate otherwise:*

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.*

- 7.5 Consideration should also be given to paragraph 17 (Core Planning Principles), 35 (encouraging sustainable transport modes), 36 (Travel Plans), 37 (planning policies to achieve a balance of uses), 47 (delivering a wide choice of high quality homes) and 56-57, 60, 64 (Requiring good design).

## Other Local Policy and Guidance

- 7.6 The following document is material to the determination of this planning application:

Planning Obligations and Affordable Housing Supplementary Planning Document (SPD), January 2016

- 7.7 Also relevant is the Chichester Site Allocation: Development Plan Document (DPD). This document flows from the adopted Chichester Local Plan and once adopted will form part of the development plan for the Local Plan area. It focusses on identifying specific sites to meet the residual employment and residential requirements after planning permissions since 1st April 2012 have been taken into account. The application site is identified in the DPD as a preferred site for new student accommodation. Procedurally the formal consultation on the Preferred Approach ended on 18th February 2016. Five consultation responses were received in relation to the site, one from the City Council raising no objection to the principle of student accommodation on the site, one from the current applicant supporting the promotion of the site, one from Southern Water regarding the foul water network capacity, WSCC regarding minerals safeguarding and one objection from a third party concerned about the impact of the development on student welfare. The timetable going forward anticipates the 6 week statutory consultation on the Proposed Submission commencing in December 2016, submission to the Secretary of State in March 2017, Examination in July 2017 and Adoption in December 2017.

7.8 Policy CC1 of the draft Site Allocation DPD proposes that the site, '...is allocated for student accommodation to provide at least 130 student bedrooms which is equivalent to 32 dwellings on 0.3 ha.' It continues with the site requirements and the following specific site criteria:

- The scheme is of high quality design given its prominent location;
- Provision of satisfactory means of access;
- Provision of appropriate landscaping and screening to minimise the impact of the development on the setting of the city and surrounding area;
- Provision of appropriate noise mitigation measures to reduce the impact of rail noise;
- The height of the building should take account of its location and protect views of the Cathedral; and
- Investigation of the extent and type of any contamination on the site to identify any necessary mitigation measures required.

7.9 The aims and objectives of the Council's Sustainable Community Strategy are material to the determination of this planning application. These are:

A1 - A strong local economy where businesses can thrive and grow

A2 - Employees with good skills relevant to local employers, prepared for national and International competition and with well-paid and secure jobs

A4 - The district to be known as a centre for creative and innovative industries building on our rich arts and heritage base

B2 - Greener living

B3 - Environmental Resources

C2 - Encourage healthy and active lifestyles for all

D1 - Increasing housing supply

E1 - Traffic management in the district will improve so as to reduce congestion

E2 - There will be improved cycling networks and strong links to public transport to ensure that cycling is a viable alternative to using the car

## **8.0 Planning Comments**

8.1 The main issues arising from this proposal are:

- The principle of development
- Whether the mass and bulk of the proposal is acceptable?
- Whether the design and appearance is acceptable?
- Whether the parking and transport implications are addressed?
- Residential amenity

### **Assessment**

The Principle of development

8.2 The application site lies within the settlement boundary for Chichester wherein there is a presumption in favour of new development. It is a site which is subject to no special environmental or landscape designation. It comprises previously developed brownfield land wherein the NPPF encourages effective re-development or re-use in preference to using Greenfield sites, provided that the site is not of high environmental value. The site benefits from extant full planning permission for the erection of a non-food retail unit which was granted in November 2004 as part of a combined application with the adjacent petrol filling station. The permitted scheme has effectively remained in

abeyance since that time with the 2004 planning permission being kept valid through implementation of the petrol filling station. The 2004 permission permitted a 1115 sqm rectangular building occupying more than half the site with a total ridge height of approximately 9 metres.

- 8.3 The site is not allocated for any specific use in the Local Plan however the Committee's attention is drawn to paragraphs 7.7 - 7.8 above. The site is the Council's preferred site for providing student accommodation with the draft Site Allocations DPD proposing that it is appropriate for at least 130 student bedrooms (policy CC1). The weight that can be attached to the draft DPD is however limited at this relatively early stage with adoption of the document not expected until December 2017. Nevertheless, what the draft DPD does indicate is the Council's proposed direction of travel in policy terms and in that specific regard there would prima facie not appear to be an objection to a proposed development of 134 student bedrooms subject to design, appearance, massing and access considerations. Officers therefore consider that the principle of student accommodation on the site is acceptable in land use terms. The specific criteria for the site in the draft DPD policy in order to make the development acceptable for student accommodation are set out in paragraph 7.8 above and warrant further assessment. These matters are considered in the following comments.

#### Mass and bulk

- 8.4 The application is for the erection of 2 large buildings on the site separated by a courtyard space providing a servicing area and car parking for 8 vehicles. During the course of the application the overall mass and bulk has been reduced. There are now 19 fewer bedrooms than the original proposals. The initial proposal proposed a 3-5 storey building on the site frontage with an overall height of 16 metres. Following a series of revisions and the involvement of the Council's Conservation and Design Manager the overall length, mass and bulk of this building has been reduced. The building is now a maximum 4 storeys. The roof has been lowered by 1.5 metres to 14.5 metres. It now has a hipped roof form to reduce the massing further and an eaves height of 11 metres. The 3 storey flat roofed element remains at 9.5 metres to parapet level. The building to the rear of the site has been reduced from 12m to 9.2m at its south elevation above the quadrant so that this element is now at 3 storeys with the remainder of the building remaining at 4 storeys.
- 8.5 The site has a relatively isolated setting on the corner of Fishbourne Road East and a closer relationship with the petrol filling station than the nearest residential development which is located on the north side of the railway line at the west end of Westgate and screened from the site by mature trees lining the railway. Within the immediate context of the site and by way of comparison, the nearest structures - both of which are comparatively lightweight - are the recent pedestrian/cycleway bridge over the railway which is at 7.7m to its highest point and the canopy over the petrol station forecourt which is at approximately 6.8m. The Tesco Extra supermarket approximately 180 metres to the south-west is approximately 14m in height to its punctuated entrance tower and circa 9m over the remaining general store. Moving 350 metres to the east, the 4 storey flat roofed extension to Chichester College which was erected for student education following planning permission in 2012 is at 15.5m high to the parapet and 18.2m high to the top of the plant room parapet. This is significantly higher than the proposed student accommodation blocks on this application.

- 8.6 The Committee will note the observations of the Council's Conservation and Design Manager at paragraph 6.12 specifically with regard to massing. These are that '...the overall reduction in massing at this end of the building result[s] in a better relationship with the low-scale retail and commercial development to the south and south-west of the site which is predominantly single-storey, therefore, reducing the buildings prominence.' Officers accept that this is a large and prominent development. The issue is not so much that this is a large building, but rather whether by reason of that scale, significant harm would result to the surroundings sufficient to withhold planning permission.
- 8.7 The two proposed buildings seek to comprehensively utilise the available space on this brownfield site. In terms of overall scale and context it is relevant to note that the Council has previously approved the construction of a significantly larger building only a short distance away. The parapet height of the proposed main building is 6 metres lower than that of the 2012 extension to Chichester College and has a maximum building height 1 metre lower. The slightly isolated setting of the proposed frontage building which is setback from Fishbourne Road East by between 6 and 9 metres together with the fact that it is set into the ground by up to 1.15m with a setback fourth storey and hipped roof, results in a development which is considered to have minimised the overall mass and bulk to an acceptable degree within the spatial constraints associated with accommodating 134 students.
- 8.8 One of the criteria of the draft DPD policy is that the height of the building should take account of its location and protect views of the Cathedral. Key protected views of the Cathedral are identified in *The Future Growth of Chichester: Landscape and Visual Amenity Considerations (April 2005)* which was prepared for CDC by Land Use Consultants. The application site falls outside of the identified priority views and view cones to the Cathedral. Officers are satisfied that, in terms of height, there would be no harmful impact on views of the Cathedral. In terms of the overall scale and massing it is considered that whilst the development would clearly result in a significant change to the site and its immediate context, the degree of change in planning terms is acceptable.

#### Design and Appearance

- 8.9 The design of the main building has a central element comprising 2 no. brick gables which project forward from the main vertical plane of the elevation and which are punctuated with deep window reveals to add visual interest. On each side of the brick gable elements are horizontal, mid/dark grey coloured aluminium cladding panels which continue up to clad the walls of the recessed fourth floor. The main elevations of both buildings are clad in vertical rainscreen cladding panels comprising a real wood laminate. The main building as a whole is a combination of different architectural styles combining more traditional elements such as the brick built gables and the hipped roof of slate, with more modern, flat and curved elevations clad in a distinctive lightweight real wood laminate cladding. The final colour of the cladding and the width of the individual panels will be confirmed by condition. It is considered that the resultant appearance and finish is crisp, bold and striking.

- 8.10 The slightly isolated setting of the building means that there are limited references for direct comparison in terms of the building's design or appearance. This arguably provides an opportunity for the applicant not to be too unduly constrained in designing the building but whilst still maintaining some reference to the local vernacular. The NPPF provides policy guidance on 'design'. It advises (p.59) that design policies, *'...should avoid unnecessary prescription or detail and should concentrate on guiding the overall, scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.'* Paragraph 60 continues by saying that, 'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness. 'The application proposals combine elements of the vernacular with a more contemporary treatment. Officers consider that this is a site where such an approach is appropriate. The development has had considerable input from the Council's Design and Conservation Manager and has been through several iterations. As a result it is considered that the scheme before the Committee in terms of its design and appearance is now acceptable.

#### Parking and Transport Matters

- 8.11 The application site lies approximately 1.8km (as the crow flies) from the Bishop Otter campus off College Lane, which is coincidentally the same distance away as the University halls of residence are at Stockbridge Road. The current proposal is for a largely car free development other than for non-resident staff, visitors and for students with mobility issues. Within the tenancy agreements that all students at the accommodation will be required to sign, there will be a clause forbidding them from bringing a car into the city entirely. Ultimately, students could be ejected from the halls if they are found to be in breach of this rule. The development therefore discourages car borne trips in the strongest way possible. On the basis that the only traffic visiting the site during normal term time will be staff, service vehicles and those students with mobility issues who are permitted to bring a car to the site, the traffic generation for the purpose built student development proposal has been calculated by WSCC at approximately 41 vehicle trips per day (two-way) or 2 - 3 vehicle trips per hour during a typical weekday. Such traffic generation is considered to have little noticeable impact on the surrounding local road network.
- 8.12 The wide scepticism expressed by third parties about the likely effectiveness and practicality of the 'no-car' rule for students, is noted and understood. It is recognized that the uncontrolled parking of student cars on existing local roads were it to occur as a failure of the proper management of the facility would be an issue for local residential amenity even if technically these are more properly matters for WSCC as the local highway authority or for the Police to enforce. Student arrivals and departures at the start and end of terms will, as a necessity, be strictly controlled with a timed plan for delivery and pick-up for those using cars, set to minimise disruption on the adjacent highway. WSCC estimate that there would be potential for 16 students to arrive/leave during any one hour based on all 8 of the car parking spaces being used simultaneously and strict controls will be in place to ensure that those using the spaces do not overstay their welcome.

- 8.13 WSCC has looked in detail at the no car policy and at examples across the country where this model has been used for student accommodation. Analysis of sites at Twickenham, Edinburgh, Bradford, Sheffield, Newcastle and Coventry where student bedspace provision ranges from 72 to 800 typically show that the available parking - which is greater than for the current application - is seldom used. Further research by WSCC at the nearby Stockbridge Road facility in Chichester where 29 car parking spaces are provided for 300 student places would appear to endorse the picture revealed in the examples cited nationally. On two separate occasions, visits made to the Stockbridge Road site by WSCC during the evening on a term time weekday and on a Saturday evening found parking at the site totalled 6 vehicles and 2 vehicles respectively. The strong implication from the research and from previous observations elsewhere is that where an effective Student Accommodation Management Plan is in place from the outset, the demand or expectation for student parking spaces on site is either low or is not there.
- 8.14 The key to enforcing the no car policy is through the Student Accommodation Management Plan (SAMP) and WSCC require the SAMP to be secured as part of the S.106 agreement. The SAMP contains a traffic management clause in order to address the reasonable concerns of local residents that student's cars will simply be parked elsewhere in the city because they can't park on the site. This will establish a geographical exclusion zone from the site within which a car cannot be kept. This zone will be identified in the student's tenancy agreement and the management company and University will work together to police the commitment made by students. If, against expectation, a student parking problem does arise, WSCC will secure through the S.106 a contribution from the developer of £6,000 for the implementation of a Traffic Regulation Order to address those areas where a parking problem is identified.
- 8.15 As part of the carrot and stick approach to managing the no parking requirement, the carrot is implementation of a travel plan which will be administered through the appointment of a Travel Plan Coordinator by the management company. The travel plan will promote and encourage alternative, sustainable means for students to access the University campus and City centre. The site is considered to be in a sustainable location and its selection by the Council as a preferred site for student accommodation in the draft Site Allocations DPD is in part an acknowledgement of that. The nearest bus stop to the site is located outside Tesco's and serves the U7 bus service. This provides 15 frequent services to, and 15 frequent services back from the University campus Mondays to Fridays from 07:05 hours to late in the evening. Chichester City centre and the railway station are a 1.5km walk along pedestrian footways. The site has dedicated pedestrian and cycle connectivity to the pedestrian/cycleway bridge over the railway which itself then links into the wider cycle and pedestrian network. There is a cycleway along Westgate providing a dedicated cycle route directly into the city centre. This route also continues north along North Walls and Northgate providing a convenient cycle route to access the University which is less than 5km away. WSCC has advised that the travel plan should be included in a welcome pack given to all students and staff attending the site, informing them of sustainable ways to travel. It is also recommended that the packs include vouchers towards either reduced public transport tickets or reduced bicycle purchase.
- 8.16 Experience at the Stockbridge Road site in Chichester has demonstrated that the provision of professionally managed student accommodation with a no car policy backed by a car exclusion zone and a Student Accommodation Management Plan can work and is working and is a model which is considered both appropriate and acceptable for the current application site.

## Residential Amenity

- 8.17 The question of whether the proposed development and use would result in detriment to the general amenity of neighbours and nearby residents from noise, particularly late at night and possible anti-social behaviour among students is an important consideration. Whilst the proposed buildings are removed and largely screened from the nearest residential development, it is accepted that a concentration of students in one location still has the potential to cause low level disruption if there is not effective site management in place. The property in this instance will be managed by a professional student management business registered under the Accreditation Network UK (ANUK). It will be managed 24 hours a day, 7 days a week, by on-site staff assisted by postgraduate/mature student wardens in paid positions, and off site security and monitoring staff. There will always be an adult presence on site, or a short call away, to ensure the safety and well-being of the student residents. The Site Manager will be based at the property during office hours 5 days a week, and weekends during student arrivals and departures. The manager will be assisted by part-time maintenance and cleaning staff. The Manager will be responsible for running the property smoothly and efficiently, and employing ancillary staff and security to assist in the role. Evenings and weekends will be covered by additional staff employed by the management company. The evening and weekend staff will be backed up by on-call off-site security.
- 8.18 The students will sign Assured Shorthold Tenancies (AST) for the duration of their tenancy which will regulate their occupation and conduct whilst resident in the property. The AST gives sufficient powers to the landlord to evict those residents who don't comply with the terms of their agreements, particularly those that breach any anti-social behaviour restrictions. The Committee will note that the Police have not objected to the application. The SAMP secured in the S.106 agreement provides the means by which the premises will be properly run and the recommendation below is conditional upon the submitted site management measures being adhered to.
- 8.19 The two buildings have been designed to protect the amenities of neighbouring properties in terms of the potential for overlooking or the development appearing overbearing. The nearest dwellings are at 7 Fishbourne Road East, 1 Dolphin Mews, 92 and 119 Westgate. The building-to-building separation distance in these instances ranges from approximately 35 to 40 metres. This relationship is considered to be acceptable in planning terms taking into account the relative orientation of the buildings, the position of the proposed windows, the existing levels of activity associated with the intervening road, footpath, cycleway and railway line and the significant level of tree and vegetation screening.

### Significant Conditions

- 8.20 Alongside the Student Management Plan which is to be secured as part of the S.106 Agreement and which will form the main tool to control the development, there are a number of key conditions. These include: **Construction Management Plan** - restriction on the hours of working to 07:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays, wheel washing, the means of access and parking for all construction traffic. **Travel Plan** - no part of the development to be occupied unless and until final version submitted to and approved by CDC in consultation with WSCC. **External Lighting** - details of fittings and luminescence. **Surface Water Drainage** - groundwater monitoring and percolation testing required during winter, development not to commence until finalised surface water drainage design has been submitted to and approved by CDC

plus approval of full details of maintenance and management of SUDs. **Archaeology** - investigation required before building works commence. **Piling**- ensure the approved foundation method does not impact on residential amenity.

### S.106 Agreement and CIL

8.21 The application requires a S.106 agreement to secure the following obligations:

- £6,000 highways contribution for a Traffic Regulation Order
- £2,358 towards Solent Recreation Mitigation Strategy calculated at £176 per dwelling. (In this instance a 'dwelling' is defined as either a separate studio or a group of 4-6 cluster bedrooms where each group share facilities)
- Student Accommodation Management Plan

The development is also liable to pay the Community Infrastructure Levy. The CIL Charging Schedule sets the tariff for purpose built student housing at £30 per sqm.

### Conclusion

8.22 The provision of purpose built student accommodation within the City is identified by the Local Plan as an issue which needs to be addressed during the current Plan period. The student population of the University grew by 14% between 2008/9 and 2010/11 with a significant proportion of this growth being accommodated within the private rented sector in Chichester. The growth of students has placed increased pressure on the private rented sector and contributed to escalating rents. The opportunity for suitable sites to be found in sustainable locations for professionally managed accommodation is limited.

8.23 The draft DPD Site Allocation has identified the current site as being appropriate for at least 130 student bed spaces. Whilst it is recognized the draft DPD is at an early stage and very limited weight can be placed upon it in terms of decision making, it represents the Council's preferred approach in policy terms. One of the wider questions which the application raises is whether it is better for student accommodation in Chichester to be provided in a controlled and managed purpose built site such as this, or to have it scattered and uncontrolled throughout the City's existing residential areas with the potential for low level disturbance or anti-social behaviour that this can result in. Officers consider that in this case, the former provision is appropriate.

8.24 The scale, design and appearance of the development has been significantly altered during the application and officers are satisfied that the two buildings are now acceptable. It is acknowledged that the success of the proposal in planning terms and particularly the impact on general amenity is dependant in part on matters largely outside of the Council's control, viz (1) the effectiveness and efficiency of the on-site management day-to-day and (2) the implementation and determination to make the Travel Plan a modal shift. Despite these uncertainties, but drawing on the experience and success of the Stockbridge Road halls of residence which house nearly three times as many students, officers consider the balance lies in favour of a grant of planning permission. Accordingly the application is recommended for approval subject to the completion of a S.106 agreement.



## Human Rights

- 8.25 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

### **RECOMMENDATION DEFER FOR SECTION 106 THEN PERMIT**

- 1 A01F Time Limit - Full
- 2 U02235 - Schedule of Proposed Materials
- 3 U02237 - Construction Management Plan
- 4 U02236 - Foundation details/Piling
- 5 U02239 - Travel Plan
- 6 U02238 - Site Access Details
- 7 U02240 - No Direct Access to Fishbourne Rd East
- 8 U02241 - Parking, Turning, Loading and Unloading
- 9 U02242 - Cycle Parking
- 10 U02243 - Access Visibility
- 11 U02244 - Surface Water on Highway
- 12 U02245 - Protection from External Noise
- 13 U02246 - Noise Protection Outdoor
- 14 U02248 - External Lighting Details
- 15 U02250 - Site Levels and Sections
- 16 U02251 - Archaeology
- 17 U02252 - Surface Water Drainage
- 18 U02253 - Land Contamination Measures
- 19 U02254 - Landscaping Proposals
- 20 U02255 - Landscaping Implementation
- 21 U02299 - Student Accommodation Only
- 22 U02300 - Provision of Utilities
- 23 U02301 - Foul Drainage

### **INFORMATIVES**

- 1 U02256 - Informative - S.278 Agreement with WSCC
- 2 U02257 - Informative - Temporary Highway Works
- 3 U02258 - Informative - Temporary Directional Sign
- 4 W02F - S.106 Agreement
- 5 W45F - Application Approved Following Revisions

For further information on this application please contact Jeremy Bushell.