

1.0 Reason for Committee Referral

Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The site is located approximately 2km to the east of Chichester city centre, north of the B2144 Shopwyke Road and approximately 2km south-east of the University of Chichester's College Lane Campus. It comprises previously developed brownfield land and extends to approximately 2.15 hectares with two distinct and adjoining parts - the former Portfield Depot and UMA House. The Portfield Depot part of the site to the north is approximately 1.6 hectares and consists of large areas of hardstanding previously used for open storage and vehicle circulation. Dilapidated former industrial buildings on the site have now been demolished and the site is open. An access road to the north-west links this part of the site to an access onto the A27 south of the Portfield roundabout which is shared with adjoining land at the Glenmore Business Park and the Shopwyke Lakes development to the north and east. The flat site has a slight slope down from NE to SW. Beyond a chain link and palisade fenced boundary to the north and east of the site is land previously used for gravel extraction and concrete production which is now being re-developed by Cala Homes as part of the mixed use Shopwyke Lakes development.

2.2 The UMA House site to the south comprises approximately 0.554 hectares. Its southern boundary is formed largely by the rear garden boundaries of residential properties fronting onto Shopwyke Road (B2144). The western boundary of the UMA House site and part of the southern boundary of the Depot site adjoin an area currently used for the storage of shipping containers. The western boundary of the Depot site is defined by a line of mature tree planting on the neighbouring land beyond which are areas of undeveloped land, a scrap metal yard, Greenway Farm and Sycamores at 159 Oving Road - a grade 2 listed building. The UMA House site comprises a now vacant two storey building of approximately 800 sqm with adjoining areas of car parking which was last used as offices but which has extant approval under the permitted development regulations for change of use/conversion to a terrace of 7 dwellings. UMA House is the only remaining building on the application site. The building is accessed from Shopwyke Road to the south via a dedicated access road between the line of housing. This access road provides the most visible albeit narrow, public viewing corridor of the application site, although views are restricted to the front elevation of UMA House only. The site is otherwise well screened from public views excepting that in future it will be seen from the currently publicly inaccessible Shopwyke Lakes site. The site is not in a conservation area and is subject to no landscape designations. It is located within the Local Plan Shopwyke Strategic Development Location (SDL) (Policy 16) and parts of the site are located within the Environment Agency's Flood Zone 2.

3.0 The Proposal

3.1 The application is submitted in outline for a new campus of managed student housing with the capacity to accommodate up to 521 students. The application seeks approval for the principle of development together with matters regarding access to the site and the layout (siting) and scale of buildings. The appearance and landscaping of the development are reserved matters and will require future approval under a separate reserved matters application though illustrative details are included within the submitted application material. The details of the application are as below:

3.2 The proposal comprises a development of 9 individual accommodation blocks of between 2 and 3 storeys with pitched roofs arranged within a landscaped 'parkland' or campus together with significant new tree planting. A student hub at the centre of the scheme will house a management suite, laundry and common room accessed off what the applicant terms a 'village square'. The schedule of proposed accommodation is proposed as follows:

Schedule of Accommodation

Block A - 48 post graduate rooms (2.5 storey)

Block B - 105 rooms (2 & 3 storey)

Block C - 115 rooms (2 & 3 storey)

Block D - 48 rooms (2 storey)

Block E - 109 rooms (3 storey)

Block F - 72 rooms (3 storey)

Block G - 24 rooms (2 storey)

Total number of beds: 521

3.3 The above accommodation comprises a mix of 6, 7, 8 and 9 bed clusters, studio beds and townhouses. The proposed mix is set out below. Each of the 76 cluster flats has a shared kitchen/common space.

Studios: 32 (32)

2 x 9 bed clusters (18)

8 x 8 bed town clusters (64)

11 x 7 bed clusters (77)

55 x 6 bed clusters (330)

3.4 The illustrative layout indicates an essentially car free development. Students resident at the campus will not be permitted to keep a car there and this will be a condition of their enrolment on a course and encompassed within the student management plan that will be secured by a legal agreement tied to any planning permission. There are a total of 15 car parking spaces on the site of which 2 are for those with mobility issues and 13 as operational parking for staff. Cycle parking is provided in 6 separate bike stores for a total of 256 bicycles.

3.5 The drainage proposals for the site are that all surface water generated by the development will be kept on the site and will be discharged to ground via two soakage features one in the south-west corner (a drainage crate system) and the second, a swale snaking through the western part of the site with a series of 1m wide and 1m deep crate storage soakaways. The soakaways are designed to accommodate the 1 in 100 year event plus 40% allowance for climate change. The foul water drainage proposals are to discharge foul flows from the site to a new private pumping station near the south boundary of the site. The development will then need to discharge foul flows to the sewer system to the east (the new sewer infrastructure to be delivered by the Shopwyke Lakes development) and onto the Tangmere wastewater treatment works.

4.0 History

00/02467/FUL	PER	Replacement of existing office building with new office building.
15/03469/PNO	NOPA	Demolition of existing workshops, offices and temporary buildings.

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	YES (but in SDL)
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
South Downs National Park	NO
EA Flood Zone	
- Flood Zone 2	YES (part)
- Flood Zone 3	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Parish Council

The Oving Parish Planning Committee has reviewed the above application and agreed to OBJECT to it. We have the following comments:

Trip Generators (in i-Transport Framework Travel Plan)

The development is anticipated to generate 145 two-way pedestrian movements during peak hour daily period. The total number 1512 movements - average 126 movements an hour or approximately two movements every minute. This has impact on the new Toucan Crossing to be provided at the Oving Traffic Lights. Pedestrians could press the button there twice in a minute and this will bring both carriageways of A27 bypass to a grinding halt - at least until new pedestrian foot/cycle bridge is open. The report states that only 6 cycle movements are expected in a 12 hour period. This appears to be very low given the number of cycle stores being provided. These will exacerbate to congestion that will be caused at this crossroads and negates any benefits if the traffic lights are closed to through traffic as planned.

Foul Water Drainage

Option 1 - the applicants preferred option, is to discharge Foul Water into the public sewer that goes west along centre of Oving Road. However, the Southern Water report (Sept 2015) states that "the nearest point where capacity is currently available is at Gilmore Road located approximately 1km south west of the proposed development site" west of A27 Chichester Bypass. The development site is within the Chichester (Apuldram) WWTW catchment area however, there is limited capacity there.

Option 2 - "Alternatively, foul water to discharge to the east to the planned new sewer for the adjacent housing estate". Again, this raises issues on whether there is capacity in that sewer as well as can the Tangmere WWTW take the collective volumes expected?

Southern Water also stated that "The headroom available will be allocated through granting of planning permissions by the planning authority." Yet again, Oving Parish Council are understandably concerned about the apparently inadequate infrastructure to collectively cope with the scale of the several developments proposed.

Loss of Privacy for Residents

During the consultation meetings, we understand that the 9 accommodation blocks planned for this development, some were to be 2 stories high and some 3 storeys high. The residents along Oving and Shopwyke Road whose rear gardens back onto the development were understandably concerned that their properties would be overlooked with the consequent lack of privacy that this involved. It was suggested that only 2 storey blocks should be located adjacent to their properties to minimise the loss of privacy and the 3 storey blocks built further away. Block D is indeed only 2 storeys high, but the adjacent Block C is 2 and 3 storeys with the West to East arm shown as being 3 storey on section E-E adjoining the existing properties. The Oving Parish Council objects to this and this should be considered by the CDC Planning Committee before any application is permitted.

Need for Student Accommodation

There have been a number of comments questioning the need for a development of this size in this location. On 3rd August 2016, Peter Tierney, Director of Estate Management, for Chichester University, includes many comments on the safety of access routes and the affordability of the student accommodation - has to be cheap because that is all they can afford. It asks the applicant to have more consultation with students and in a letter from the Student Union, these issues are and others are covered in some detail.

Parking and Noise

Oving Parish Council is concerned that a development of this size is only providing 15 parking spaces. Residents in the area have already commented that the lack of parking on site will encourage further parking by the parents and other visitors on the northern side of both Oving and Shopwyke Roads that will not be controlled. People there already park partly on the pavements. It is already congested by inconsiderate parking that prevents residents from gaining access to their driveways or people with prams or wheel chairs using the pavements. There are also noise concerns with students returning from Chichester, particularly late at night. For years until it closed, residents have previously had to endure the noise and antisocial behaviour of people walking home from "Fridays" nightclub. It is therefore questionable, whether it is appropriate to locate student accommodation in a residential area that includes the new Shopwyke Lakes development.

6.2 Chichester Harbour Conservancy

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 32 individual studio units and 76 cluster units proposed. (i.e. the contribution ought to be provided as if 108 dwellings were being built).

[Planning Officer Comment: In accordance with policy 50 of the Local Plan and in mitigation for potential recreational impacts on the Chichester Harbour SPA resulting from the development, a contribution in accordance with approved methodology of £176 per dwelling is required. A 'dwelling' in this instance is defined as an individual cluster of flats sharing communal facilities. This development delivers the equivalent of 108 'dwellings' so a

contribution of £19,008 (£176 x 108) is required which will be secured through the S.106 agreement.]

6.3 Environment Agency

The proposed development will only meet the requirements of the NPPF if the measure(s) as detailed in the Flood Risk Assessment submitted with this application are implemented and secured by way of a planning condition on any planning permission.

6.4 Southern Water

Southern Water cannot accommodate the needs of this application without the development providing additional local infrastructure. The developer can discharge foul flows no greater than the existing levels if proven to be connected to the public sewer and it is ensured that there is no overall increase in flows into the foul system. Unable to support a connection to the Chichester catchment if it results in a significant increase in flows to the sewer network because of storm discharges at Chichester [Apuldram] WwTW. SW is working with the Council, the EA and other stakeholders to find a sustainable solution.

[Planning Officer Comment: The applicant is proposing a new foul water pumping station on the site from which foul flows will need to go east via new sewerage infrastructure provided by the Shopwyke Lakes development to the Tangmere WwTW. A condition is attached to the recommendation preventing first occupation of the student accommodation unless and until the necessary on-site and off-site foul sewerage infrastructure is in place and is commissioned for use]

6.5 Highways England

Satisfied that the development proposals can be achieved, subject to certain necessary conditions, without detriment to the safe and efficient operation of the Strategic Road Network. Condition required needing the widening of the toucan crossing on the A27 at Oving traffic lights [in accordance with the drawing provided by the applicant] to provide sufficient crossing capacity in line with existing timings at the Oving Road junction.

6.6 WSCC - Highways

No Objection. The LHA provide comment on the impact that the proposed development has upon the local road network. Highways England manages the trunk road network, including the A27, and comment upon any impact on this part of the network. It is understood that the HE are now satisfied that the toucan crossing over the A27 can accommodate the crossing demand generated by the site, and have raised no objection to the development proposals. The LHA considers that the site provides for safe and suitable access, and that the opportunities for sustainable transport modes have been satisfactorily taken up. It is not considered that the site will result in a severe residual cumulative impact on the operation of the local highway network. Therefore the proposals accord with paragraph 32 of the National Planning Policy Framework.

No objection is raised by the LHA, subject to the following:

- CIL Contribution
- S106 obligation to make available funding for a TRO to be called upon by the County Council if required
- S106 obligation requiring the Applicant to operate 'no-car tenancy agreements'

- Condition/obligation to implement highway works adjacent to northern access to introduce footway and verge to replace vehicular access

The following conditions are imposed:

- Construction of access
- Northern access closure
- Access visibility at Shopwyke Road
- On site car parking spaces
- Cycle parking provision
- Construction Management Plan
- Student Management Plan
- Travel Plan

6.7 WSCC - Flood Risk Management

No Objection. The site does not have any known surface water flood risk issues from historic events or highways flooding. A very small risk of surface water flooding to a small part of the site is shown on the surface water flood modelling but this is not deemed significant. The site is indicated to be at high risk from groundwater flood risk according to the risk susceptibility mapping we hold. This is based on topography, geology and historic groundwater data and does not represent any detailed site specific investigations. The FRA for this application proposes that sustainable drainage techniques (infiltration via geocellular crate soakaway and swale) would be used to restrict the run off from the development. Development should not commence until finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority.

6.8 CDC - Economic Development

Economic Development Service understands the contribution the University makes to the local economy and the requirement for purpose built student accommodation. Not only do these sites provide students with a secure centre in their first years away from home, it also reduces demand on the local housing market. EDS agreed a marketing scheme with the applicants in April 2016. It would not support the provision of student accommodation at this site, without a marketing period of 18 months, at a minimum. The proposal does not currently sit within that 18-month timeframe, nor is there evidence of the applicants meeting the marketing criteria set out in Appendix E of the Local Plan. EDS does not support this application in its current configuration. However, if all policy requirements are satisfied, a balance of uses at this site could be the most effective way to revive this site.

6.9 CDC - Coastal and Drainage Engineer

The surface water drainage proposals are acceptable, and have been backed up by percolation testing and groundwater monitoring results. The design considers recently updated climate change allowances. Condition should be applied for detailed drainage design, to include construction details for all structures, including headwalls.

6.10 CDC - Environmental Health Officer

Land Contamination - A preliminary geo-environmental/geo-technical assessment and a supplementary investigation have been submitted by Tweedie Evans. The reports make a number of recommendations and there is a need for some further site investigation and land

remediation at the site. Condition N21G parts 2 and 3 should be implemented. In addition given that further gas monitoring has been recommended condition N23F should also be applied.

Noise - No objection if there is no other location which is better where housing can be located. The design needs to take into consideration the ambient noise. We would expect the façade performance to be at least as good as that stated in the report and that ventilators would not be downgraded. As it would not be possible to have openable windows to allow purge air in various circumstances then the applicant is expected to install mechanical ventilation and heat recovery plant to service the building. These matters can be conditioned.

Air Quality - An air quality assessment is not considered necessary given the minimal traffic volumes that the site is predicted to produce and the distance to the A27 of the nearest units (approx. 90m).

6.11 CDC - Environmental Strategy Officer

Various recommendations made for wildlife, planting and biodiversity improvements to be carried out on the site.

6.12 CDC - Conservation and Design Manager

The proposed layout is designed as a completely separate parcel with limited connectivity with the rest of the SDL, apart from an access to Shopwyke to the north and as such appears to go against the local plan policy which seeks a comprehensive masterplan for the whole SDL. The existing Shopwyke masterplan does not cover the site so it is difficult to understand how the site will come forward in terms of the phasing of the development of the area as a whole.

6.13 CDC - Waste Services

Note from the application that the refuse collections will be carried out by a commercial company not necessarily by Chichester District Council.

6.14 Sussex Police

Various recommendations made for site security and lighting of the site. Makes applicant aware of Secured By Design considerations.

6.15 6 Third Party Objections

Totally inadequate on-site parking will lead to parking on nearby roads.

Will lead to anti-social behaviour.

Failure to adequately connect and link communities.

521 students plus 585 dwellings will add to misery of an already congested area.

Density of housing is out of context with existing neighbouring development.

A high-density housing development will not as effectively deal with surface water flooding in this flood-risk zone as a much lower-density development would.

Location and price point will be an issue for students.

Delay in providing pedestrian footbridge across A27 will be a safety risk for students.

Safety concerns particularly at night over access routes from site to and from site.

Take up for cycling likely to be limited.

Existing bus services to from site are inadequate, with poor/no service at the weekend.

6.16 1 Third Party Support

Strongly support residential use of site accessed from Shopwyke Road.

Question whether there will be any demand from business occupiers for such location with no visible presence or direct frontage to A27.

6.17 1 Third Party Other (University of Chichester)

The University believes that the key factors that will impact on the success or failure of this development are location, quality of accommodation, social and recreational facilities, management and price. Believe it is best suited to second and third year students not for first year. Developer needs to create a sense of community to meet the social and recreational needs of the students. Details provided on this in the student hub are very general. The submitted market demand report evidences the under provision of good quality purpose built student accommodation but is in part a subjective commercial assessment of the latent demand and opportunity for privately funded purpose built student accommodation.

The University welcomes the investment in purpose built student accommodation but would still wish to ensure that the accommodation meets the needs of the students. Location, amenities and pricing structure are all matters that will influence a students decision to rent these facilities. Refute applicants assertion that University's current stock of accommodation is of poor quality and basic in nature. University has a 87% satisfaction rating from students who live in its halls of residence. Main concern is that the cost of student accommodation is not covered by the student loan. All of the feedback from students presses the need for low cost accommodation.

The University supports the sustainable travel plan strategy but careful consideration needs to be given to address any shortcomings in the safety of walking and cycling routes. Encourage developers to engage with the students to develop an affordable, attractive and vibrant privately managed and operated student residential community.

The project has the potential to redress some of the impact that the growth of the University has had on the housing market in the City, particularly the availability of HMO's currently occupied by our second and third year students.

6.18 Applicant/Agent's Supporting Information

In addition to the Design and Access Statement the applicant has submitted the following suite of reports in support of the proposed development: Planning Statement; Transport Statement; Sequential Test Report and Statement; Flood Risk Assessment; Amended Drainage Strategy; Ecology Report; Marketing Report by Hughes Allard for prospective new office and industrial development on a cleared site (marketed initially from December 2015 and again from May 2015); Market Demand Report by Cushman and Wakefield for student accommodation; Sustainability Energy Report; Acoustic Report; Site Management Plan; Statement of Community Involvement; Geo-Environmental and Geo-Technical Assessment and Supplementary Investigations Report; Student Management Plan.

The application was subject to a pre-application enquiry in October 2016 and a public exhibition held in April 2016 at Chichester Park Hotel with a drop-in session for University of Chichester students.

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029. There is no Neighbourhood Plan for Oving.

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 3: The Economy and Employment Provision

Policy 7: Masterplanning Strategic Development

Policy 8: Transport and Accessibility

Policy 9: Development and Infrastructure Provision

Policy 12: Water Resources in the Apuldram Wastewater Treatment Catchment

Policy 16: Shopwyke Strategic Development Location

Policy 26: Existing Employment Sites

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 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), 56-57, 60 and 64 requiring good design) and 103 (flooding).

Other Local Policy and Guidance

7.6 The following documents are material to the determination of this planning application:

- Planning Obligations and Affordable Housing Supplementary Planning Document (SPD), January 2016
- Site Allocation Development Plan Document (DPD) 2014-2029: Proposed Submission Consultation. (The DPD will be formally submitted to the Government in the spring 2017)
- Community Infrastructure Levy Charging Schedule

7.7 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Prepare people of all ages and abilities for the work place and support the development of life skills
- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles
- Support and promote initiatives that encourage alternative forms of transport and encourage the use of online services
- Promote and increase sustainable, environmentally friendly initiatives in the district

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- Principle of development
- The loss of employment land
- Location and accessibility
- The need for student accommodation
- Flood risk and drainage
- Layout and residential amenity

Assessment

Principle of development

8.2 The application site lies outside the settlement boundary for Chichester, the limits of which are defined at the eastern side of the City by the A27. The site forms part of the wider Shopwyke Strategic Development Location (SDL) which is identified and allocated for mixed use development in policy 16 of the Local Plan. The majority of the land in the SDL benefits from the Shopwyke Lakes outline planning permission for a residential-led, mixed use development of 585 dwellings. The application site comprises previously developed

brownfield land where 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 application site is subject to no special environmental or landscape designation. The site has not been allocated for employment or residential uses as part of the Council's Site Allocation Development Plan Document 2014-2029: Proposed Submission.

8.3 In promoting a mixed use of the identified land, Local Plan Policy 16 for the Shopwyke SDL crucially does not preclude development for student accommodation, a specialist category of housing need specifically recognized as such in the Local Plan. Paragraph 17.9 identifies a 14% increase in the student population of Chichester University between 2008/9 and 2010/11 and refers to the potential development of student halls of residence in appropriate locations to address the accommodation requirements. Whilst this data is now 6 years old, evidence updating these figures provided by the applicant from publicly accessible sources brings the picture up to date (see section on the need for student accommodation below) and shows that student numbers at the University of Chichester and thereby the associated demand for accommodation has continued to show significant growth in subsequent years.

8.4 Local Plan Policy 7 requires development of the strategic locations like Shopwyke to be masterplanned. The different land ownerships and existing uses across the whole of the Shopwyke SDL combined with different timelines for separate land parcels coming forward for development or re-development has made integration of all development across the SDL challenging. Masterplanning of the Shopwyke Lakes site which covers the majority of the SDL has, and will continue to ensure, a comprehensive and integrated development. The permitted development for phase 1A at Shopwyke Lakes which is currently being built out by Cala Homes has defined and fixed the layout for development adjoining the east and north-east boundaries of the application site. The proposed layout for the current application shows two points of pedestrian/cycle access on the NE boundary and a potential secondary vehicular access linking to the western arm of the Shopwyke Lakes spine road with its combined pedestrian/cycleway. The latter has yet to be constructed but once delivered will provide direct access to the pedestrian/cycle bridge over the A27 which has to be provided before occupation of the 125th dwelling at Shopwyke Lakes. In terms of 'integration' with Shopwyke Lakes, the layout of the proposed student campus is considered to be acceptable. The proposed layout has 3 x 2/3 storey accommodation blocks - 'townhouses' - fronting onto the western spine road which helps to integrate the development with the Shopwyke Lakes masterplan, creating a broken edge allowing glimpsed views into and out of the site.

8.5 Student accommodation on the site is not therefore considered to be unacceptable in principle in terms of the specific SDL policy for this site. The provision of additional student accommodation for the University of Chichester receives broad support in the Local Plan and the proposals achieve an acceptable degree of integration with Shopwyke Lakes as an extension to Chichester City. There are, however, further detailed matters which require consideration first.

The loss of employment land

8.6 The last use of the site was for mixed commercial purposes as offices, workshops and open storage within Use Classes B1, B2 and B8. The site is now cleared and open. Apart from Uma House, a flat roofed 2 storey office building of about 800sqm, which has permitted development approval for change of use/conversion to a terrace of 7 dwellings, there are no buildings on the site.

8.7 Policy 26 of the Local Plan states that existing employment sites will be retained to safeguard their contribution to the local economy and that planning permission will be granted for alternative uses on such sites where it has been demonstrated that the site is no longer required and is unlikely to be reused or re-developed for employment uses. Appendix E of the Local Plan then goes on to lay out guidance on appropriate marketing which requires evidence for an 18 month period with a minimum of 2 years for sites currently in B1-B8 use. The proposed complete loss of the site for business employment uses is prima facie therefore contrary to policy 26.

8.8 To address the loss of employment land and the policy 26 requirements the applicant has provided evidence of what is considered to be a reasonably comprehensive marketing strategy for the site. This shows that marketing commenced in December 2015 with boards erected at the Portfield/Glenmore and Shopwyke Road entrances to the site and local advertisements placed in the Chichester Observer property and business pages (February and May 2016) and in the property supplement (May). Locally based businesses were targeted by advertising the property in two ways; via the Commercial Property Register (April to September 2016) - a direct mailed property magazine also available online and covering Brighton to Bournemouth, and secondly through the Hughes Allards Market Focus publication in March - a directly mailed property register to Hampshire & West Sussex. The property has also been directly mailed to 450 office, industrial, manufacturing and logistic users located in Chichester and within a 9 mile radius of the site by a specialist mailing house. The property has also been circulated to 58 local/regional commercial property agents, representing occupiers and promoted on 3 websites including the estatesgazette.com and showcase.co.uk.

8.9 Despite local and regional advertising, direct mail and web based promotion over a 15 month period since December 2015 including direct mailing to existing businesses within the Chichester area, the applicant's advise that they have not received any enquiries for the property. The lack of interest is put down to a number of factors. The fact that speculative built accommodation available on the Glenmore Business Park and ready for immediate occupation in what is perceived to be a more advantageous location than Portfield, is considered to be a strong disincentive to business investors to consider the application site. There is also competition from existing older stock available within established industrial locations such as Terminus Road and Quarry Lane. Portfield is also considered to have an inferior location because of its poor access from Shopwyke Road and limited visibility from the A27. The applicant's marketing consultant has concluded that he would not recommend that commercial risk be taken with a speculative development.

8.10 The Committee will note that the application for student accommodation is not supported by the Council's Economic Development Service (EDS) even though in the round, the EDS understands the contribution the University makes to the local economy and the requirement in Chichester for purpose built student accommodation which provides students with a secure centre in their first years away from home and reduces demand on the local housing market. Specifically the EDS consider that the marketing of the site has not been carried out for the minimum 18 months and is not fully in accordance with the Local Plan's marketing guidance. Officers have considered these comments.

8.11 From a policy perspective, policy 16 of the Local Plan has a requirement that at least 4 hectares of employment land suitable for B1 and or B2 business uses are provided on the Shopwyke SDL. The 4.18 hectare Glenmore Business Park within the SDL has planning permission (O/13/02190/FUL) for 17,576 sqm of B1(c), B2 and B8 floorspace. 7,500 sqm of this business floorspace has already been constructed and has significant levels of

occupation. As part of the Shopwyke Lakes outline planning permission (O/11/05283/OUT) there is a requirement for an additional 4 ha of employment land to be provided on the SDL. Throughout the SDL therefore there is planning permission for 8+ ha of new employment space, more than double the stated policy requirement. In addition to that, there are existing pockets of employment land on the SDL at the Environment Agency Offices and at the existing scrapyard. It is also considered relevant that the proposed Site Allocations DPD which has completed its submission consultation stage and is due to be submitted to the Government for examination in the Spring of 2017 has not identified this site as one which should be specifically retained and/or promoted for employment uses.

8.12 In terms of policy 26 and associated Appendix E the applicant has marketed the site for a 15 month period and has received no interest from potential business investors. The marketing period is short of that set out in the marketing guidance in Appendix E but only by a few months. It has been carried out across a number of fronts as paragraphs 8.8 and 8.9 make clear through both direct marketing and across relevant sites on the internet. Notwithstanding the comments from EDS, officers are satisfied that the applicant has taken the required reasonable steps to dispose of the site for business purposes and for the reasons set out above this has not been successful. Whilst the development would result in the loss of employment land it will nevertheless provide some new employment as part of the student accommodation. The applicant estimates that 15 new jobs would be created in managing the new development. Within the wording of policy 16 therefore, the SDL as a whole would not be short on the required level of employment land as a result of changing the use of the application site.

Location and accessibility

8.13 In terms of location, the site is outside the settlement boundary for Chichester but within the Shopwyke SDL as defined in Local Plan policy 16. The Shopwyke SDL will form a new neighbourhood extension to Chichester and it is by definition therefore reasonable to conclude that the proposed student accommodation falls within a sustainable location in terms of its relationship to the City and its access to the City's range of facilities therein including the University. As part of the Shopwyke Lakes development a range of significant highway improvements were secured to strengthen the connectivity of the SDL with the City and these will be delivered as the development progresses. A required upgrade to the former pedestrian crossing on the A27 at the Oving traffic lights to a toucan crossing (for bicycles and pedestrians) has now been carried out and in due course a pedestrian/cycleway bridge over the A27 will be constructed (before occupation of the 125th dwelling at Shopwyke Lakes). In terms of its location therefore the proposal is considered to be a sustainable development. It is within 2km of the University of Chichester campus (1.85km as the crow flies) which compares favourably with the student accommodation recently permitted at Fishbourne Road East (1.87km) and the student halls of residence at Stockbridge Road (1.77km).

8.14 In terms of accessibility the current proposal is for a largely car free development. 15 car parking spaces are to be provided on the site but these are for servicing, non-resident staff, visitors and students with mobility issues. Within the tenancy agreements that all students at the accommodation will sign, there will be a clause preventing them from bringing a car into the city entirely other than for the moving in and moving out at the beginning and end of term time which will be controlled. 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 will be staff, service vehicles and those students with mobility issues who are permitted to bring

a car to the site, the anticipated traffic generation for the development has been calculated by the applicant as 25 AM peak and 22 PM peak movements. Given the use classes of the existing consents on the site, WSCC Highways have assessed that there would be significantly fewer daytime movements in comparison; this includes a reduction in HGV movements associated with 'B' class uses. The proposed development would result in an overall trip reduction, both during peak and off-peak hours, than the uses currently permitted on site. WSCC has concluded therefore that the proposed development would not have a severe (NPPF, para 32) cumulative residual impact on the operation of the local network.

8.15 There is no specific student accommodation parking standard operated by either CDC or WSCC. The Ministerial Statement of March 2015 and the NPPF indicates that parking provision should be evidence led as opposed to relying on prescribed standards. WSCC has recently looked in detail at the likely effectiveness of the 'no car policy' in relation to the managed 134 bed student accommodation development at the Fishbourne Road East site, adjacent to Tesco's where the Committee will recall planning permission was granted in November 2016. More widely there are other examples across the country where this model has been successfully 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 limited on site parking is seldom used. Further local 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. The strong implication from the research and from previous observations elsewhere is that where an effective Student Management Plan (SMP) is in place from the outset, the demand or expectation for student parking spaces on site is either low or is not there at all.

8.16 The key to enforcing the no car policy is through the SMP combined with an effective range of alternative travel options. WSCC require the SMP to be secured as part of the S.106 agreement. The SMP will address the reasonable concerns of local residents that student's cars will not simply be parked elsewhere, notably along Oving Road/Shopwyke Road, if they decide contrary to their tenancy agreement to bring a car to University. To safeguard against the possibility of an off-site student parking problem arising, WSCC will secure through the S.106 a contribution from the developer of £7,000 for the implementation of a Traffic Regulation Order along Oving Road/Shopwyke Road (should this be necessary) to allow associated parking problems to be addressed.

8.17 Whilst the overall number of vehicle movements from the site would decrease, an essentially car-free scheme means there would be a corresponding increase in pedestrian movements. A TRICS assessment of non-vehicular trip generation indicates that an additional 1490 pedestrian movements would be expected over a 12 hour period. During peak hour times, this represents an increase of 104 movements during the AM and 145 during the PM. Movements are likely to be grouped to some extent, either around commencement of classes or other activities with such journeys tending to occur with others in small groups. WSCC anticipate that it would be very unlikely that pedestrian journeys would be taken on a regular and individual basis - i.e. 2 movements per minute for every minute during the course of a peak hour. Increased use of the A27 toucan crossing and the potential for increased disruption of traffic flows along the A27 as a result has been carefully considered by Highway England. It has confirmed that subject to a widening of the entrance to the toucan crossing to safely accommodate larger groups of students wishing to cross the carriageway within the existing timing of the traffic lights, there is no objection to the proposed development on the operation of the SRN.

8.18 In terms of walking times to and from the University campus, WSCC regards the distance as being at the upper end of what is considered to be a suitable distance for walking journeys. The estimated walking time is about 22 minutes. It is acknowledged that the accommodation may not be suitable for some students who travel with heavy baggage - i.e. sports equipment or musical instruments. However, it is understood that students are not allocated accommodation, but have choice of where they choose to live during term time. As such, if students are unable to store such items at the University campus itself, it is unlikely that the accommodation would be attractive to those with such specific needs, who would subsequently seek accommodation at a different location.

8.19 Alternatively, public transport could be utilised for such journeys. The site is accessible to regular bus services that are within easy walking distance of the site and which provide direct connections to the College Lane Campus, the city centre and the other key local facilities and services offered in Chichester. The bus stops on Florence Road 880m west of the site access provide the opportunity to catch the University affiliated bus service. Further to the options for walking, cycling and bus travel the University also operates a night time safety bus every night during term time whereby for a small charge the minibus will drop off students from the Campus anywhere within a reasonable distance of the City which would include the application site.

8.20 The car-free requirement for students places additional weight on the need for a robust Travel Plan to secure alternative means of students travelling to and from the site. At this stage, it is not known whether the student accommodation scheme will operate as a 'stand-alone' scheme, or be operated in conjunction with the University of Chichester's (UoC's) existing student accommodation sites. If as strongly anticipated it is the latter, then the scheme will be encompassed within the UoC's existing comprehensive Travel Plan. The travel plan will be secured by a condition attached to the recommendation to permit this development.

8.21 It is noted that concerns have been raised by third parties in relation to the use of Church Road, which is considered to be poorly lit and not well overlooked for some sections of the route. However, the route to the university campus is shorter via St James Road, and this provides an alternative access route utilising well-lit streets that are overlooked by properties adjacent to the route.

8.22 The application site is a comparable distance from the UoC campus as both the Stockbridge Road halls of residence and the newly permitted accommodation at Fishbourne Road East and will offer a broadly similar range of travel options to students resident there. No objection is raised in terms of location and accessibility from either the local highway authority or from Highways England and officers consider that the development is acceptable in this regard.

The need for student accommodation

8.23 Paragraph 17.10 of the Local Plan identified that 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, which has increased pressure on the private rented sector and contributed to escalating rents. The Local Plan reports that there has been 14% increase in the student population at UoC between 2008/9 and 2010/11. Although the Local Plan was adopted in July 2015 there are no figures beyond 2010/11 in the Local Plan. However the applicant, drawing on data from the Higher Education Statistics Agency (HESA), has shown that between 2009/10 and 2015, UoC attracted a 26% increase

in full time and sandwich students (a total of 4,585 students) which was significantly above the national average increase of 6% over the same period. The vast majority of the UoC student population (92%) is comprised of undergraduates and there has been an increase of 46% students at UoC (495 students) between 2009/10 and 2014/15 who are not local with 440 of these coming from outside the SE region. The figures from HESA are helpful in that they show a continuing and steady demand for student places at UoC and with that a corresponding requirement for accommodation.

8.24 There are currently 890 purpose built student accommodation bed spaces in Chichester providing accommodation for the University's students. An additional 134 bed spaces are shortly to be constructed at the Fishbourne Road East site. Whilst the overall demand is therefore being partly addressed there remains a shortfall of approximately 3,561 bedspaces to cater for the 4,585 full-time and sandwich students. It is considered therefore from the perspective of need that the proposed addition of 521 bedspaces will further assist in helping to meet the actual demand.

8.25 In a letter submitted with the application documents the UoC confirm that the applicant's proposals *'fit with the University's strategy for the provision of accommodation for its student population. Delivery of this direct led scheme will sit alongside our plans to provide high quality and well managed on- and off-campus accommodation for our undergraduates and postgraduates.....Subject to a satisfactory outcome of our further discussions, the University would be prepared to add this scheme into its existing pastoral care network and provide details of the development to our student body'*

Flood risk and drainage

Flood Risk

8.26 The majority of the application site is located within the Environment Agency's Flood Zone 2 which is defined as having a 'medium' flood risk. There is no historic record of the site flooding. In accordance with the NPPF (para 103) therefore a site-specific flood risk assessment (FRA) including a Sequential Test is required given that the site area is greater than 1 hectare. The NPPF identifies student halls of accommodation as being a 'more vulnerable use' but nevertheless a use that can be an appropriate use on Flood zone 2 land, provided that a Sequential Test establishes that there are no better placed sites within less vulnerable Flood Zone 1 areas.

8.27 The NPPG (para 33) confirms that the Sequential Test should be applied according to local circumstances relating to the catchment area of the type of development proposed. One of the key requirements of the University is that managed student accommodation is sited within a catchment area proximate to the main campus. From a sustainable development perspective this is an understandable requirement and it is considered entirely pragmatic to site student accommodation as close to the University as possible. The Sequential Test has therefore looked at a catchment area of 1.5 miles (2.1km) from the University campus to provide a practical walking and/or cycling distance. To be economically viable the applicant advises that the size of the site needs to accommodate a minimum of 200 student bedrooms with ancillary facilities. This is deemed to equate to a site of just under 2 acres.

8.28 The Sequential Test looked at 17 potential alternative sites for student accommodation within the 1.5 mile catchment area. The detailed report submitted with the application finds that none of these alternative sites are currently available or are likely to become available for such a development nor do they meet the search criteria. Officers have considered the findings and accept that within the reasonable sequential test parameters the application site is the most suitable for the development proposed.

8.29 The Committee will note that the Environment Agency in its consultation response does not raise objection to the proposed development but will require that finished floor levels are set no lower than 15.16m above Ordnance Datum (AOD) in order to ensure that the student dwellings have a clear 300mm freeboard and would lie above the 1 in 1000 year flood event level. In practice this means that across the site the existing site levels will be increased in parts by a maximum of approximately 700mm to 14.86m AOD. The resultant land levels will be equivalent to the levels on the adjacent Shopwyke Lakes site which have been also been raised. From a flooding perspective therefore it is considered that the applicant has satisfactorily addressed the constraints of a location which is predominantly in Flood Zone 2. The Committee will note that the Flood Management team at WSCC has raised no objection to the application on flooding grounds.

Surface water drainage

8.30 The principle behind the draining of the site is that all surface water generated by the development will be kept on the site to avoid discharging onto neighbouring properties. Surface water will be discharged to ground via two soakage features one in the south-west corner (a drainage crate system) and the second, a swale snaking through the western part of the site with a series of 1m wide and 1m deep crate storage soakaways. The soakaways are designed to accommodate the 1 in 100 year event plus 40% allowance for climate change. The applicant's drainage design is informed by groundwater monitoring and the Committee will note that the Council's Drainage Officer having examined the proposal has raised no objection to the application subject to further specific details being secured by condition.

Foul water drainage

8.31 On site foul water is proposed to discharge to a new private foul water pumping station located adjacent to the south boundary of the site. It is known that there is insufficient capacity in the foul sewerage network to manage the anticipated new foul flows from the proposed development as a level two capacity check has been undertaken verified by Southern Water. The Council's policy is to discharge new foul flows from the SDL towards Tangmere Wastewater Treatment Works to the east where Southern Water has upgrade works planned for this treatment works. These upgrade works are due to increase overall capacity by the equivalent of 3000 homes, as stated in the Council's Headroom Capacity Document. The upgrade works are due to be finished for December 2017. The applicant's timetable with the current development is that it would not be expected to connect until mid-2019 by which time there should be sufficient capacity available at Tangmere WwTW.

8.32 From the new on site pumping station it is proposed to pump to the nearest public foul sewer which will be the new pumping station provided by Cala Homes as part of the adjoining Shopwyke Lakes housing development. That pumping station is located to the north east further along Shopwyke Road and will discharge east towards Tangmere WwTW. The applicant's preferred option is to deal directly with Southern Water through a Section 98 Sewer Requisition procedure once the Cala pumping station has been publicly adopted.

Alternatively a Section 98 Sewer Requisition procedure will be used to secure a new connection to the Tangmere WWTW. Officers are therefore satisfied that there is a technical solution to allow the proposed development to drain to Tangmere WwTW where there will be the requisite capacity. A condition attached to the recommendation to permit this application will require all necessary on-site and off-site foul drainage works to be completed before the new halls of accommodation are first occupied.

Layout and residential amenity

8.33 The application is submitted in outline form but the layout and scale of the proposed student blocks are for consideration now. The proposals are for a campus type arrangement of accommodation blocks arranged within what will be a landscaped setting. The proposed drawings show a combination of 2 and 3 storey blocks with pitched roofs. The 3 storey blocks are focussed towards the centre of the site with 2 storey development closer to the perimeter to respond to the domestic context of the existing properties on Shopwyke Road and the consented properties on the Cala Homes development at Shopwyke Lakes. The sole point of vehicular access is via the existing access from Shopwyke Road to the south which also provides a resident only access road to the rear of the existing properties fronting Shopwyke Road. Although landscaping is a reserved matter the whole ethos behind the proposals is to create accommodation within a soft greened setting with tree and shrub planting and areas of amenity grass. It is anticipated that the result will be a significant enhancement of what at present is a featureless area of previously developed land. The attendant increase in biodiversity across the site weighs in favour of supporting the application.

8.34 The development of this site has not come forward as part of a comprehensive masterplan for the Shopwyke SDL as Local Plan masterplanning policy 7 anticipated for the SDL sites but this has been dictated to an extent by the fact that the SDL land is in multiple ownerships with different on-going uses making land assembly for a truly integrated approach challenging. Notwithstanding this, it is considered that the layout of the proposed development does achieve a satisfactory relationship with the adjoining development. In particular the 3 detached 'townhouse' accommodation blocks on the north boundary will have a visual connectivity with the Shopwyke lakes site. This can be further secured by condition prohibiting the fencing off of the site on this north boundary allowing views in and views out in addition to pedestrian and cycle connectivity.

8.35 In terms of residential amenity, it is considered that the layout of the blocks is acceptable. The predominantly two storey massing at the boundary and acceptable separation distances will not result in the development appearing overbearing to the existing residential development fronting Shopwyke Road which have 25-29 metre rear gardens. The 2 storey buildings have an indicative ridge height of 10 metres (5.2m eaves) and the 3 storey buildings indicate 13m to ridge (8.4m eaves) as measured relative to the raised land levels necessary to achieve flood protection. The appearance of the accommodation in terms of window positions and the potential for overlooking of adjacent rear gardens at Shopwyke Road and the new Cala development at Shopwyke Lakes can be controlled as part of the reserved matters application.

8.36 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. It is accepted that a concentration of students in one location has the potential to cause low level disruption if there is not effective site management in place. The Committee will recall that

the same management issue was raised as part of the application for student accommodation at the Fishbourne Road East development. The property in this instance, as with the Fishbourne Road East site, 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. The applicant advises that typically for a development of this size there would be 5 Facilities Assistants (caretaker type role) who work on shift throughout the week such that there is always one of them on site 24/7. This is a key part of the offering and a big selling point to students and parents. There are also student admin assistants, and off site security and monitoring staff. The site will always have an employed adult presence on site, or a short call away, to ensure the safety and well-being of the student residents. The Reception will be open 09:00 to 20:00 Mon-Fri and periodically at weekends for shorter hours. Staff will be present at weekends during student arrivals and departures. The site 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 where needed 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.

8.37 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 SMP is recommended to be secured through the S.106 agreement and will provide 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.

Significant Conditions

8.38 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. External Lighting - details of fittings and luminescence. Drainage - development not to be occupied unless and until on site and off site foul water infrastructure works have been carried out plus approval of full details of maintenance and management of SUDs for surface water drainage. Piling - ensure the approved foundation method does not impact on residential amenity.

S.106 and Community Infrastructure Levy (CIL)

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

- £7,000 highways contribution for the implementation of a Traffic Regulation Order along Oving Road/Shopwyke Road to allow associated parking problems to be addressed
- £27,280 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 cluster bedrooms where each group share facilities. 4 cluster bedspaces = 1 cluster 'dwelling'. So for this development: 489 cluster bedspaces/4 =123 + 32 studios = 155 total no. of 'dwellings'. 155 x £176 = £27,280)
- Student 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

8.40 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 since that time has continued as evidenced by the applicants research which draws on data freely available on the internet. This 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. The University whilst not the applicant has confirmed that the proposed accommodation meets with its aspiration to deliver high quality off-campus student accommodation.

8.41 The Committee should consider the question of where in the City student accommodation should be provided - either concentrated in a controlled and managed, purpose built site such as this, or scattered and uncontrolled throughout the City's existing residential areas with the potential for low level disturbance or anti-social behaviour this can result in.

8.42 The access, layout and scale of the development have been carefully considered during the application as well as the impact on local amenity, transport and accessibility issues and drainage. Officers are satisfied that the accommodation blocks 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 houses 300 UoC 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

8.43 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 S106 THEN PERMIT subject to the following conditions and informatives:-

1) (i) Approval of the details of the appearance of the buildings and the landscaping of the site (hereinafter called "reserved matters") shall be obtained from the Local Planning Authority before any development is commenced.

Plans and particulars of the reserved matters referred to in paragraph (i) above, relating to the appearance of the buildings and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(ii) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 and to ensure that the full details of the development are approved at the appropriate stage in the development process.

2) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

3) The development hereby permitted shall not be carried out other than in accordance with the approved plans:

2469_GAD_100000_A
2469_GAD_100100_B;
2469_GAD_100300_A
2469_GAD_100400_A;
2469_GAD_150000_B;
2469_GAD_500200_B;
SKC.03 REV A;
ITB7133-GA-007

Reason: To ensure the development complies with the planning permission.

4) **No development shall commence** on site until the method of piling/foundation design has been submitted to and be approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved methods.

Reason: In the interests of protecting the amenities of neighbouring properties and the wider area. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

5) **No development shall commence** until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths and parking areas and the proposed completed height of the development and any retaining walls have been submitted to, and approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

6) **No development shall be carried out on site** until all buildings and structures existing on the application site at the date of this permission have been demolished, the debris removed from the site and the site cleared.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission

7) **No development shall commence**, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the Local Planning Authority. The CEMP shall provide details of the following:

- (a) the anticipated number, frequency and types of vehicles used during construction,
- (b) the provision made for the parking of vehicles by contractors, site operatives and visitors,
- (c) the loading and unloading of plant, materials and waste,
- (d) the storage of plant and materials used in construction of the development,
- (e) the erection and maintenance of security hoarding,
- (f) the provision of road sweepers and/or wheel washing facilities to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders)
- (g) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles
- (h) measures to control the emission of noise during construction,
- (i) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Lighting shall be used only for security and safety,
- (j) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas, and
- (k) waste management including prohibiting burning.

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and in the interests of protecting nearby residents from nuisance during all stages of development and to ensure the use of the site does not have a harmful environmental effect.

8) **No development shall commence** until a strategy outlining details of the sustainable design and construction for all new buildings, including water use, building for life standards, sustainable building techniques and technology and energy consumption maximising renewable resources has been submitted to and approved in writing by the Local Planning Authority. This strategy shall reflect the objectives in Policy 40 of the Chichester Local Plan: Key Policies 2014-2029. The approved strategy shall be implemented as approved unless any variation is agreed in writing by the Local Planning Authority.

Reason: To minimise the impact of the development upon climate change. These details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

9) **No development shall commence** on the site until a scheme for the protection of the occupants of the proposed student accommodation from noise from the A27 SRN has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out strictly in accordance with the scheme as approved and retained thereafter.

Reason: In order to maintain reasonable living conditions for the future occupants of the proposed dwellings. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission

10) If the Phase 1 report submitted as part of the application identifies potential contaminant linkages that require further investigation then **no development shall commence** until a Phase 2 intrusive investigation report has been submitted to and approved in writing by the LPA detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011+A1:2013 - Investigation of Potentially Contaminated Sites - Code of Practice. The findings shall include a risk assessment for any identified contaminants in line with relevant guidance.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of land contamination in accordance with local and national planning policy.

11) If the Phase 2 report submitted as part of the application identifies that site remediation is required then **no development shall commence** until a Remediation Scheme has been submitted to and approved in writing to the Local Planning Authority detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. Any ongoing monitoring shall also be specified. A competent person shall be nominated by the developer to oversee the implementation of the Remediation Scheme. The report shall be undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11. Thereafter the approved remediation scheme shall be fully implemented in accordance with the approved details.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of contaminated land in accordance with local and national planning policy.

12) **No development shall commence** until;

- i) an assessment of the risks posed by any ground gases and/or vapours has been submitted in writing to and approved in writing by the local planning authority. Such an assessment shall be carried out in accordance with relevant guidance, and
- ii) Where the approved risk assessment identifies ground gases or vapours posing unacceptable risks, no development shall begin until a detailed scheme to protect the development from the effects of such contamination has been submitted in writing to and approved in writing by the Local Planning Authority.

Thereafter, unless otherwise agreed in writing with the Local Planning Authority, the approved scheme shall be implemented and a verification report submitted in writing to

and approved in writing by the Local Planning Authority, before the development is first occupied/brought into use.

Reason: The site is located in an area with the potential to be affected by ground gases and vapours and therefore compliance with local and national policy must be ensured.

13) **No development shall commence** until details of the proposed overall site wide surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter ground water monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. The surface water drainage scheme shall be implemented as approved unless any variation is agreed in writing by the Local Planning Authority. No building shall be occupied until the complete surface water drainage system serving that property has been implemented in accordance with the approved surface water drainage scheme.

Reason: The details are required pre-commencement to ensure that the proposed development is satisfactorily drained with all necessary infrastructure installed during the groundworks phase.

14) Notwithstanding any details submitted, **no development shall commence** until detailed proposals for the on-site and off-site foul drainage of the site have been submitted to and been approved in writing by the Local Planning Authority. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any of the development shall take place until the approved on-site works have been completed in conjunction with the provision of new or upgraded off-site sewerage infrastructure delivered in accordance with the requirements of Southern Water and sufficient to serve the needs of the development. Once provided the foul drainage system shall be retained as approved thereafter.

Reason: To ensure adequate provision for the on-site and off-site drainage of the development and to prevent pollution of the environment. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

15) The development hereby permitted **shall not commence** unless and until the toucan crossing on the A27 as shown on i-Transport drawing ITB7133-GA-007 has been brought into use or any other such scheme which may be agreed in consultation with Highways England which achieves the same.

Reason: The pedestrian crossing design has been proposed to provide sufficient crossing capacity across the A27 Trunk Road for pedestrians from the proposed development in line with the existing signal timings at the Oving Road junction. This is to ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

16) **No development shall commence** until full details of how the site will be connected to all relevant utilities and services infrastructure networks (including fresh water, electricity, gas, telecommunications and broadband ducting) have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate the provision of suitable infrastructure to facilitate these connections and the protection of existing infrastructure on site during works. The development will thereafter proceed only in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development benefits from appropriate infrastructure. This is required prior to commencement to ensure all appropriate infrastructure is installed at the groundworks stage.

17) **No development shall commence on the Sustainable Urban Drainage System (SUDS)** until full details of the maintenance and management of the SUDS system, set out in a site-specific maintenance manual, has been submitted to and approved in writing by the Local Planning Authority. The manual shall include details of financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the SUDS system serving each phase, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure the efficient maintenance and ongoing operation for the SUDS system and to ensure best practice in line with guidance set out in the SUDS Manual CIRIA publication ref: C687 Chapter 22. The details are required pre-commencement to ensure the SUDS are designed appropriately and properly maintained and managed as soon as they are installed.

18) The northern pedestrian/cycle access **shall not be first brought into use** until such a time that the pedestrian/cycle bridge spanning the A27, providing a direct connection between the site and Chichester City Centre, has been provided and is opened for public use.

Reason: In the interests of pedestrian and cycle safety

19) Details of any external lighting of the site and buildings shall be submitted to and be approved in writing by the Local Planning Authority **before the buildings hereby permitted are first occupied** and shall be carried out thereafter in accordance with the approved details.

Reason: In the interests of the amenities of the locality.

Note: Any proposed external lighting system should comply with the Institute of Lighting Engineers (ILE) guidance notes for the Reduction of Light Pollution.

20) **No part of the development shall be first occupied** until such time as the vehicular access serving the development has been constructed in accordance with the approved drawing.

Reason: In the interests of road safety.

21) **No part of the development shall be first occupied** until such time as the northern access has been physically closed to general traffic in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. Access shall only be retained for emergency services, University mini-bus, pedestrians and cyclists.

Reason: In the interests of road safety.

22) **No part of the development hereby permitted shall be first occupied** until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council as the Local Highway Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document and in accordance with the agreed timescales. 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.

23) **No part of the development shall be first occupied** until visibility splays of 2.4 metres by 43 metres have been provided at the site vehicular access onto Shopwyke Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

24) **No part of the development shall be first occupied** until the car parking spaces have been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with the proposed development and in the interests of proper planning.

25) **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 to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

26) **No part of the development shall be first occupied** until a Student Management Plan (SMP) has been submitted to and been approved in writing by the Local Planning Authority. This plan shall include a means of managing the on-site car parking. The SMP once approved shall thereafter be implemented as specified within the approved document.

Reason: To provide effective management of the site and the on site car parking

27) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures [Sections 3.7 and 3.9] detailed within the FRA:

1. Finished floor levels are set no lower than 15.19m above Ordnance Datum (AOD).[Sections 3.7 and 3.9 of the FRA]

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 ensure safe access and egress to and from the site and to reduce the risk of flooding of the proposed development and future occupants.

28) **Prior to occupation of the accommodation** hereby permitted provision shall be made for the installation of 3 bat boxes and 8 bird boxes within the development in locations to be first approved by the Local Planning Authority following the submission of details in that behalf. Once installed the bat and bird boxes shall thereafter be retained.

Reason: To facilitate the biodiversity of the development in accordance with policy 49 of the Chichester Local Plan Key Policies 2014-2029.

29) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, and the Town and Country Planning (General Permitted Development) Order 2015, or in any other statutory instrument amending, revoking and re-enacting the Order, the building hereby permitted shall be used for student accommodation and for no other purpose (including any other purpose in Class C only of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order).

Reason: To ensure the use of the building does not have a harmful environmental effect in the interests of amenity/in the interests of protecting the character of the area/in the interests of protecting residential amenity.

INFORMATIVES

- 1) The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2) This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990.
- 3) This permission shall not purport or be deemed to grant approval to the details submitted as supplementary information in support of but not forming part of the outline application.

- 4) The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure.
- 5) This development involves work to the public highway that can only be undertaken within the scope of a legal agreement between the applicant and Highways England. Planning permission in itself does not permit these works. It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained (and at no cost to Highways England). Works to the highway will normally require an agreement, under S278 of the Highways Act, with Highways England (as the strategic highway company appointed by the Secretary of State for Transport) and, if necessary and appropriate, West Sussex County Council as Local Highway Authority. Advice on this matter can be obtained from the Spatial Planning Team, Highways England, Bridge House, Walnut Tree Close, Guildford, Surrey GU1 4LZ email planningse@highwaysengland.co.uk Tel 0300 123 5000.

For further information on this application please contact Jeremy Bushell