

REPORT TO:	Planning Committee 14 December 2023
SUBJECT:	To adopt a Local Development Order for the University of Chichester, Bognor Regis Campus
LEAD OFFICER:	Kevin Owen (Planning Policy & Conservation Manager)
LEAD MEMBER:	Cllr June Hamilton (Chair of Planning Committee)
WARDS:	Hotham Ward
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
<p>The recommendation supports:</p> <ul style="list-style-type: none"> • Improve the wellbeing of Arun; • Supporting our environment to support us; • Fulfilling Arun's economic potential. 	
DIRECTORATE POLICY CONTEXT:	
<p>The adoption of a new Local Development Order (LDO) for the University of Chichester, Bognor Campus will help to promote active healthy lifestyles through leisure, arts and culture, while promoting economic growth and the quality of the built and natural environments in a sustainable manner.</p>	
FINANCIAL SUMMARY:	
<p>The designation of the LDO would enable small changes to be made without the need to apply for planning permission. The consequence of this is a loss of planning application fees.</p>	

1. PURPOSE OF REPORT

1.1 The report updates the Planning Committee on the completion of the Local Development Order (LDO) 28-day consultation and advertisement period to introduce an LDO covering the University of Chichester, Bognor Regis Campus, which would allow small scale development changes to take place, subject to conditions set out in the draft LDO. The notification and advertisement period commenced on 14 June 2023 and closed on 12 July 2023. Seven representations were received. These were from Bognor Regis Town Council, the Environment Agency, West Sussex County Council, Environmental Health, Historic England, the Councils Conservation Officer and Natural England (See Appendix 1 – Representations received). The LDO has been amended to address representations received, and following the Planning Committees consideration and agreement the amended LDO will now be referred by the Group Head of Planning to Full Council for adoption.

2. RECOMMENDATIONS

2.1 That Planning Committee recommend to Full Council that the amended Local Development Order for the University of Chichester, Bognor Regis Campus be adopted.

3 EXECUTIVE SUMMARY

- 3.1 The notification and advertisement period to amend the Local Development Order closed on 12 July 2023 with no objections however, seven representations were received following consultation period and the LDO has been therefore, been amended to address the representations received.
- 3.2 Following adoption Local Development Order can be used by Chichester University Campus to make small scale development changes within the campus without the need to apply for planning permission.
- 3.3 The Council must refer the final LDO to the Secretary of State within 28 days of adoption.

4 DETAIL

- 4.1 Planning Committee considered the proposed Local Development Order for The University of Chichester, Bognor Regis Campus on 7 June 2023.
- 4.2 The site occupies the university's flagship Tech Park which is home to its Engineering and Design and Create Digital Technologies Department. There is also some student accommodation on site and a car park.
- 4.3 The Committee agreed that a 28-day consultation and advertisement period be implemented and following that, should there be any representations these would be reported back to this meeting for consideration on whether any further changes were necessary. Notification commenced on 14 June 2023 with:
 - Advert in the West Sussex Gazette.
 - Notices posted on site.
 - Notice sent to Bognor Regis Town Council.
 - Notice to Ward members.
 - Notices sent to persons whose interests the authority consider would be affected by the order in accordance with regulations 38 (3).
 - Notices sent to the owner of the site.
- 4.4 Seven representations were received from: Bognor Regis Town Council, the Environment Agency, Natural England, Historic England, West Sussex County Council (WSCC), and the council's Environmental Health and Conservation Officers. The response is summarised below:-
 - Bognor Regis Town Council raised no objection.
 - The Environment Agency provided comments noting the order does not remove the need for an environmental permit to be obtained for certain works should it be required. They also specify that the order should not permit residential accommodation which the LDO does not.
 - Natural England provided comment to state that the LDO site area partly falls within the 5km zone of influence around the Pagham Harbour Special Protection Area (SPA) and Ramsar Site within which the Council has

committed to collecting financial contributions for new residential accommodation. The wording of the LDO should not preclude the collection of this contribution where required. In response to this comment, the LDO will not permit new residential accommodation and therefore no financial contributions would be required.

- Historic England provided no comment.
- WSCC noted they had no officer comment to make regarding the consultation.
- The council's Environmental Health officer noted they had no officer comment to make regarding the consultation.
- The Conservation Officer had no objection and provided minor comments, requesting a sentence be added to make it clear the LDO does not permit works to any listed buildings.

4.5 The comments received have been incorporated into the document.

5 CONCLUSION

5.1 Officers consider that the proposed Local Development Order should now be adopted in accordance with the recommendation set out in this report and in compliance with the sections 61A-D and Schedule 4A of the Town and Country Planning Act 1990 and articles 38 and 41 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

5.2 Following adoption the Council would be required to refer the final LDO to the Secretary of State.

6 CONSULTATION

6.1 Consultation has been undertaken with the persons and organisations considered affected by the proposed LDO via notices and public advertisement.

7 OPTIONS / ALTERNATIVES CONSIDERED

7.1 The Council can choose not to adopt the Local Development Order. This would mean that proposals for the development listed within the LDO would be required to make a planning application in the normal way.

8 COMMENTS BY THE GROUP HEAD OF FINANCE /SECTION 151 OFFICER

8.1 The implementation of the recommendations can be accommodated within existing budget and resources. There will be a potential loss of revenue from planning application fees forgone but this would be minimal and likely be an efficiency saving considering the small-scale nature of minor developments and impact on officer time.

9 RISK ASSESSMENT CONSIDERATIONS

9.1 Implementing the recommendation will assist in reducing the number of applications which are received for small scale developments within the University of Chichester, Bognor Regis Campus.

10 COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

10.1 Councils can grant planning permission for development specified in an LDO. The legislative which must be followed are set out in sections 61A-D and Schedule 4A of the Town and Country Planning Act 1990 and articles 38 and 41 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

11 HUMAN RESOURCES IMPACT

11.1 There are no implications arising from the proposals.

12 HEALTH & SAFETY IMPACT

12.1 There are no direct health and safety impacts from the proposals.

13 PROPERTY & ESTATES IMPACT

13.1 There are no implications arising from the proposals.

14 EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

14.1 There are no implications arising from the proposals.

15 CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

15.1 There are no direct adverse implications for Climate Change. The addition of Photovoltaic Panels onto buildings will support the reduction of emissions related to electricity, help safeguard occupants against increasing energy bills and help reduce grid dependency.

16 CRIME AND DISORDER REDUCTION IMPACT

16.1 There are no implications arising from the proposals.

17 HUMAN RIGHTS IMPACT

17.1 There are no implications arising from the proposals.

18 FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

18.1 There are no implications.

CONTACT OFFICER:

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Job Title: Senior Planning Officer (Policy and Conservation)

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BACKGROUND DOCUMENTS:

Background Paper 1: The University of Chichester, Bognor Regis Campus Draft
Local Development Order, Map and Statement of Reasons updated 2023

[U-of-C-LDO-document-v3.docx \(live.com\)](#)

Appendix 1 – Representations received.

Bognor Regis Town Council

'I'm emailing in regard to the Draft Local Development Orders for the Butlins Complex and The University of Chichester Campus, Bognor Regis, which seek to provide limited permitted development rights to small scale development within the two sites, for a period of three years.

The draft LDO's were considered by Bognor Regis Town Council's Planning and Licensing Committee at their meeting on 27th June 2023.

After consideration, Members of the Committee unanimously agreed to raise NO OBJECTION, to either of the draft LDO's.'

The Environment Agency

Thank you for consulting the Environment Agency on the Draft Local Development Order for The University of Chichester, Bognor Regis.

We would like to emphasise that we would expect that any proposed residential development within the site boundary would not be part of any permitted development. Any proposed development should assess the impact of climate change using appropriate higher central and upper end allowances, see: 'Flood risk assessments: climate change allowances.

Compensatory storage should be considered for any works completed within the fluvial flood plain and this should be approved by the Environment Agency.

We would also note that any Local Development Order does not absolve the applicant from applying for a Flood Risk Activity Permit. Please see the below advice. Environmental Permit The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)*
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)*

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Signing up for flood warnings *The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message. Anyone can sign*

up. Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families, and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance.

Natural England

Based on our records it appears that both LDO areas may fall partly within the 5km Zone of Influence (ZOI) around the Pagham Harbour Special Protection Area (SPA) and Ramsar site within which your authority has committed to collecting financial contributions from new residential and tourist accommodation to put towards strategic mitigation measures. From our reading of the draft LDOs they do not appear to cover this type of development but if this is incorrect then your authority should make sure that the final wording of the LDOs does not preclude you being able to secure appropriate financial contributions where required.

Natural England has no other comments to make on either draft LDO.

Historic England

'Thank you for your letter of 14 June 2023 regarding the above application. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.'

West Sussex County Council

'I can confirm at this time there are no officer level comments being made to the consultations, however we would like to be consulted on this and other documents in the future.'

Environmental Health

Environmental Health have no comment to make on the LDO.

Conservation Officer

'It might help to state that there are various listed buildings within the university campus.'

Pars 1.5 Is it worth making it clear that listed buildings are excluded. Appendix A – the draft LDO section – the reference to the map is incorrect. The text refers to appendix A, whereas it is appendix B'.