

<b><u>No:</u></b>	<b>BH2022/03439</b>	<b><u>Ward:</u></b>	<b>Withdean Ward</b>
<b><u>App Type:</u></b>	<b>Council Development (Full Planning)</b>		
<b><u>Address:</u></b>	<b>Withdean Sports Complex Tongdean Lane Brighton BN1 5JD</b>		
<b><u>Proposal:</u></b>	<b>Creation of a small-sided football facility with 4no. pitches, improved drainage and associated features including ball stop fencing and entrance gates, a storage container, 16no. LED floodlights, 3no. covered spectator shelters, cycle parking, hard-standing areas and vehicular access.</b>		
<b><u>Officer:</u></b>	Michael Tucker, tel: 292359	<b><u>Valid Date:</u></b>	16.11.2022
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	15.02.2023
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	Project Designer And Consultant Enborne Newbury RG20 0HA	S And C Slatter	Stephen's Yard
<b><u>Applicant:</u></b>	Brighton And Hove City Council Manager Hove Town Hall Hove	Kerry Taylor BN3 3BQ	Sports Facilities

## 1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

### Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

**Reason:** For the avoidance of doubt and in the interests of proper planning.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	D22-005 / DWG / 0001	.02	16 February 2023
Proposed Drawing	D22-005 / DWG / 0003	.01	3 November 2022
Proposed Drawing	D22-005 / DWG / 0004	.01	3 November 2022
Proposed Drawing	D22-005 / DWG / 0005	.01	3 November 2022
Proposed Drawing	D22-005 / DWG / 0006	.02	16 January 2023
Proposed Drawing	D22-005 / DWG / 0007	.01	3 November 2022
Proposed Drawing	D22-005 / DWG / 0008	.02	16 November 2022
Proposed Drawing	D22-005 / DWG / 0009	.00	16 November 2022
Proposed Drawing	D22-005 / DWG / 0010	.00	16 November 2022
Proposed Drawing	D22-005 / DWG / 0011	.00	16 November 2022
Report/Statement	Lighting Report		16 January 2023
Report/Statement	Transport Statement		3 November 2022
Report/Statement	Site Investigation Report		16 November 2022
Report/Statement	Floodlight Detail		16 January 2023
Report/Statement	BNG Baseline Assessment		24 April 2023

Report/Statement	BNG Metric		24 April 2023
Report/Statement	Flood Assessment and Drainage Strategy	Risk and	7 December 2022
Report/Statement	SOAKAWAY3 MANHOLE CARD		27 March 2023
Report/Statement	WATER MANAGEMENT OPERATION AND MAINTENANCE PLAN		27 March 2023

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

3.

- (a). No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority:

- (i) A risk assessment on the ground conditions of the site;  
And if notified in writing by the Local Planning Authority that the results of the risk assessment are such that site remediation or protection measures are required then,
- (ii) a detailed scheme for remedial works and/or measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

- (b). The development hereby permitted shall not be occupied or brought into use until there has been submitted to, and approved in writing by, the Local Planning Authority a written verification report by a competent person approved under the provisions of part (a)(ii) that any remediation scheme required and approved under the provisions of Condition (a)(ii) has been implemented fully in accordance with the approved details. The verification report shall comprise:

- (i) photographs of the remediation works in progress;
- (ii) certificates demonstrating that imported and/or material left in situ is free from contamination.

4. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying and assessing the risk and proposing remediation measures, together with a programme for such works, shall be submitted to the Local Planning Authority for approval in writing. The remediation measures shall be carried out as approved and in accordance with the approved programme.

**Reason:** To safeguard the health of future residents or occupiers of the site and to comply with policy DM41 of City Plan Part 2.

5. The 3G pitches hereby approved shall not be used except between the hours of 08:00 to 22:00 on Mondays to Fridays and 08:00 to 20:00 on Saturdays and Sundays.  
**Reason:** To safeguard the amenities of the locality and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.
6. The development hereby permitted shall not be commenced until details of an on-site Watching Brief by a suitably qualified and experienced archaeologist during construction work have been submitted to and approved in writing by the Local Planning Authority; the watching brief shall be implemented in accordance with those details. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the developer has secured the implementation of a further programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved scheme.  
**Reason:** To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policies DM31 of Brighton & Hove City Plan Part 2, and CP15 of the Brighton & Hove City Plan Part One.
7. Prior to commencement of the development hereby permitted, a Car Park Layout Plan shall be submitted to the Local Planning Authority for approval in writing. The Car Park Layout Plan shall include the re-provision of disabled parking spaces within the retained car parking areas to ensure no shortfall of disabled parking capacity. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.  
**Reason:** To ensure the development provides for the needs of all occupants and visitors to the site and to comply with policies DM33 of Brighton & Hove City Plan Part Two, and CP9 of the Brighton & Hove City Plan Part One.
8. The development hereby permitted shall not be brought into use until dropped kerbs and tactile paving have been installed to the junction of Withdean Road near the junction with Tongdean Lane.  
**Reason:** To ensure that suitable footway provision is provided to and from the development and to comply with policies DM33 of Brighton & Hove City Plan Part 2, and CP9 of the Brighton & Hove City Plan Part One.
9. The development hereby permitted shall not be brought into use until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use at all times.  
**Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy DM33 of Brighton & Hove City Plan Part Two, and SPD14: Parking Standards.
10. Within three months of the date of first occupation a Travel Plan for the development has been submitted to and approved in writing by the Local Planning Authority. The

Travel Plan shall thereafter be fully implemented in accordance with the approved details.

**Reason:** To ensure the promotion of safe, active and sustainable forms of travel and comply with policies DM35 of Brighton & Hove City Plan Part Two, and CP9 of the Brighton & Hove City Plan Part One.

11. The development hereby approved shall not be occupied until details of the doors and gates have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development.

**Reason:** In the interests of highway safety and to comply with policies DM33 of Brighton & Hove City Plan Part 2, CP9 of the Brighton & Hove City Plan Part One.

12. No development, including demolition, shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:

- (i) The phases of the Proposed Development including the forecast completion date(s)
- (ii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)
- (iii) A scheme of how the contractors will minimise disturbance to neighbours regarding issues such as noise and dust management vibration site traffic and deliveries to and from the site
- (iv) Details of hours of construction including all associated vehicular movements
- (v) Details of the construction compound
- (vi) A plan showing construction traffic routes

The construction shall be carried out in accordance with the approved CEMP.

**Reason:** As this matter is fundamental to the protection of amenity, highway safety and managing waste throughout development works and to comply with policies DM20, DM33 and DM40 of Brighton & Hove City Plan Part 2, policy CP8 of the Brighton & Hove City Plan Part One, and WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Supplementary Planning Document 03 Construction and Demolition Waste.

13. The development hereby permitted shall not be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, and including a scheme of maintenance, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include treatment for hydrocarbons. The scheme shall subsequently be implemented in accordance with the approved details before the development is first used.

**Reason:** As this matter is fundamental to the acceptable delivery of the permission to prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policies DM42 and DM43 of City Plan Part and CP11 of the Brighton & Hove City Plan Part One.

14. The lighting hereby approved shall be in accordance with the Proposed Floodlight Plan drawing no. D22-005/DWG/0006 rev 02 received 16/01/2023, Floodlight Detail received 16/01/2023 and CalcuLux Lighting Report received 16/01/2023.  
**Reason:** To prevent excessive light spill that may have a harmful impact upon wildlife and to accord with Policy CP10 of the Brighton & Hove City Plan Part One and Policy DM37 of the City Plan Part Two.
15. No development shall commence until a Biodiversity Management Plan to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The net biodiversity impact of the development shall be measured in accordance with the Defra biodiversity metric as applied in the area in which the site is situated at the relevant time and the Biodiversity Management Plan shall include:
1. Proposals for off-site biodiversity net gain to achieve the approved off-site net gain provision of 21%;
  2. A management and monitoring plan for all offsite biodiversity net gain including 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2, 5, 10, 15, 20, 25 and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed;
- The development shall be implemented in full accordance with the requirements of the approved Biodiversity Management Plan.  
**Reason:** In the interests of ensuring measurable net gains to biodiversity and in accordance with Policies CP8, CP10 and DA7 of the Brighton and Hove City Plan Part One and DM37 of the Brighton and Hove City Plan Part Two and paragraphs 174 and 180 of the National Planning Policy Framework 2021.
16. The development hereby permitted shall not be brought into use until a Noise Management Plan, detailing the measures that will be taken to minimise potential disturbance arising from the development, has been submitted to and approved in writing by the Local Planning Authority.  
The development shall thereafter be operated in accordance with the provisions of the approved Noise Management Plan.  
**Reason:** To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.
- Informatives:
1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
  2. Where asbestos is found/suspected on site, it will fall under the Control of Asbestos Regulations 2012, overseen by the Health and Safety Executive. Further information can be found here: <https://www.hse.gov.uk/asbestos/>

## 2. SITE LOCATION

- 2.1. The application relates to an area of hardstanding at Withdean Sports Complex currently used for overspill car parking, at the southeastern corner of the curtilage of the Complex. The site is located within a Groundwater Source Protection Zone (SPZ) and is partially within an Archaeological Notification Area (ANA). The Withdene and Westdene Woods Local Nature Reserve (LNR) lies 18m to the south at the closest point to the site.
- 2.2. The railway line embankment lies to the east on the far side of Withdean Road, with residential properties beyond. The main track and grassed sports pitch of the Sports Complex lies to the west, and to the north on raised ground lies the main car park.

## 3. RELEVANT HISTORY

- 3.1. None identified for the area of the Withdean Sports Complex site to which this application relates.

Within the wider Withdean Sports Complex site:

- 3.2. **BH2022/02972** - Erection of 3no. canopy-covered padel tennis courts incorporating 12no. floodlights and associated works. Under consideration
- 3.3. **BH2021/02463** - Erection of single storey cabin on concrete hardstanding, installation of 5no air conditioning units with separate generator and meter cabinet used as a Data Centre (B8). Erection of 2.4 metre high mesh fence, relocation of existing lamp post, CCTV camera and cycle bars. Construction of access ramp from north boundary. Approved 04/10/2021

## 4. APPLICATION DESCRIPTION

- 4.1. Planning permission is sought for the redevelopment of the overspill car park to create four small-sided all-weather 3G football pitches (2400sqm) (Use Class F2) with 4.5m-high ball-stop fencing, roof netting and entrance gates. The proposed development also includes sixteen 6m-high LED floodlights, a 15sqm storage container for maintenance equipment and covered spectator shelters. Areas of hardstanding (844sqm) would be retained for pedestrian, cycle and vehicular access, circulation and parking.
- 4.2. The pitches would be arranged in two end-to-end pairs on a north-south orientation, with the storage container to the southeast. The floodlights would be positioned at each corner of the pitches, as well as four on the centre lines facing either end of the pitch, with the covered spectator shelters at the north and south ends of the site affording views onto each of the pitches. The vehicle and cycle parking would be at the northern end, close to the access from Withdean Road.
- 4.3. A concurrent application (BH2022/02972) is under consideration for the creation of three padel tennis courts to the north of the site of the proposed pitches.

## 5. REPRESENTATIONS

### 5.1. **Fourteen (14)** letters of support, raising the following points:

- New and improved football facilities would enhance the appeal of the site and allow for clubs to broaden scope to include e.g. women's and girls' teams
- Proposed location will minimise impact upon neighbours
- Clubs currently struggle to secure pitch hire
- All-weather facilities are greatly beneficial for grassroots football and in short supply locally
- Existing car park rarely used
- The main pitch is used every day and so any additional noise or light will be minimal
- Increased sports facility provision helping healthy living

### 5.2. **Three (3)** letters of objection, raising the following points:

- Harm to wildlife in nearby LNR
- Football pitches already added in Patcham
- The site should be used for a swimming pool instead
- Noise and disturbance for local residents
- Complaints regarding Sports Complex operator
- Should be indoors instead of outdoors
- The proposed floodlighting has a potential harmful impact upon birds and bats
- Contamination into water table from rubber pitch surface and microfibres
- pressure on parking availability at the Sports Complex
- Hours of use should be restricted
- Additional traffic
- Loss of property value
- Light spill to the LNR should be under 1 lux to avoid harm to bats

## 6. CONSULTATIONS

6.1. **% 4 Art:** No comment received

6.2. **Air Quality:** No objection

6.3. **Brighton & Hove Archaeological Society:**

The Brighton and Hove Archaeological Society would suggest that you contact the County Archaeologist for their recommendations.

6.4. **City Clean:** No comment received

6.5. **City Neighbourhood Coordination:** No comment received

6.6. **City Parks:** No objection

The Council's Playing Pitch Strategy identified artificial football pitches as a way of increasing football provision to meet demand in the city, within the city itself there

are very limited opportunities for new green spaces and existing green spaces are generally already well used. As this proposal is for a car park which is already lit it provides an opportunity to achieve an increase in sports provision without many of the environmental drawbacks associated with building such a facility on a grassed area within a dark park.

- 6.7. **County Archaeology:** No objection  
The application has the potential to damage archaeological remains. A Written Scheme of Investigation (Watching Brief) should be secured by condition.
- 6.8. **East Sussex Fire and Rescue:** No comment received
- 6.9. **Economic Development:** No comment
- 6.10. **Ecology:** Initial comment 14/12/2022: Further information required  
The proposed floodlighting would result in excessive light spill onto the LNR to the south. No measurable Biodiversity Net Gain (BNG) is provided. BNG of at least 10% is required for Major developments.
- Updated comment 10/05/2023: No objection
- 6.11. Revised floodlighting details have been provided, now showing less than 1 lux of light spill onto the LNR. This meets best practice guidance.
- 6.12. A BNG Assessment has been provided, and proposals to achieve 21.10% BNG have been put forwards, comprising the addition of three native trees. Conditions should be attached to secure full details and monitoring of the BNG proposals, as well as compliance with the floodlighting details.
- 6.13. **Environmental Health:** No objection  
The submitted Site Investigation Report by JPP has been reviewed. The results did not exceed the guidance value for soils for the use of public open space. The proposed use would effectively build a barrier between the made ground and the end users (footballers) and hence the risk from this source is low. The report and results do not however address the potential risk to site workers as only two samples were used to evaluate the made ground across the site. This risk could be addressed through further site investigation and/or risk prevention methods.
- 6.14. The following conditions and informatives should be attached:
- 1) A contaminated land condition requiring a risk assessment from the made ground soils and details on a method statement for remediation/risk prevention and verification.
  - 2) A condition for a method statement for risk and remediation is required if contamination is found during construction.
  - 3) An asbestos informative to ensure that potential asbestos within the buildings is addressed prior to demolition
- 6.15. **Heritage:** No comment
- 6.16. **Network Rail:** No comment received



- 6.17. **Planning Policy:** No objection  
The proposal to replace the overflow car-park with 4 small-side football pitches is considered to enhance the existing provision at Withdean and would be a more effective use of the site, meeting the requirements of CP17.2. The proposal is considered to meet an identified need for this type of facility, meeting the requirements of CP17.6. Further comments should be sought from the Sports Facilities team to ensure the proposals meet quality standards.
- 6.18. The new provision would provide a new community facility in F2 use. There are no concerns with regards to meeting the criteria set in policy DM9, subject to DM detailed considerations.
- 6.19. Lighting should be the minimum necessary to accord with CPP2 policy CM40(f). The potential for noise and lighting impacts on the amenity of adjacent residents should be considered. Conditions to restrict the hours and frequency of use of the sports facility and any flood-lighting may be required.
- 6.20. Whilst the proposals have sought to avoid impacts on biodiversity, the proposals do not incorporate any measures to improve biodiversity. This is considered of particular relevance due to the site's location within the NIA. Opportunities to improve biodiversity could be sought with the applicant.
- 6.21. The Flood Risk Manager should be consulted on the proposed drainage strategy to ensure the requirements of DM43 are met in relation to achieving a reduction of surface water leaving the site.
- 6.22. Transport comments should be sought regarding the loss of the overflow car-park and the demand for additional parking arising from the development.
- 6.23. A Site Waste Management Plan should be secured by condition.
- 6.24. **Scotland Gas Networks:**  
In the event that gas pipes are present within your site, there may be restrictions on the work being undertaken to ensure the safety of the site and the protection of the gas pipes. When works on site are due to start, another request for information and updated maps must be made via the SGN on-line system.
- 6.25. **Southern Water:** Comment 14/02/2023: Further information required  
The site is located 350m west of our Brighton B groundwater abstraction (public water supply), within the Environment Agency Source Protection Zone (SPZ) 2 designation. We note that the Ground Investigation statement dissolution features were not identifiable during the site visit due to the hardstanding capping. Should any dissolution/karst features be found during the construction of the development, Southern Water should be notified immediately.
- 6.26. Clarification is required regarding the existing surface water drainage system and how this connects to the proposed drainage system.

Updated comment 28/03/2023: No objection

- 6.27. The proposed development lies within a Source Protection Zone. Southern Water do not object to this planning application if hydrocarbon treatment can be integrated into the current soakaway system.
- 6.28. **Sport England: No objection**  
The site is not considered to form part of or constitute a playing field.
- 6.29. The PPS for Brighton & Hove identifies a need for additional 3G pitches to support training demand and makes a recommendation to consider smaller-sized pitches to help reduce training shortfalls. Whilst these pitches will not accommodate affiliated football, the design and specification will support small-sided training and recreational football. In addition, the Local Football Facility Plan identifies Withdean Sports Complex as a potential priority site for development of 3G provision. The Football Foundation and Sussex FA are therefore supportive of the proposal.
- 6.30. As the proposal does not have any impact on any existing sport facilities or playing fields and is consistent with the Council's Playing Pitch Strategy, Sport England also supports the proposal.
- 6.31. **Sports Facilities: No objection**  
The BHCC Sports & Leisure Team strongly support the proposal. The proposal improves the provision of sports facilities in the city and the opportunity for increased engagement in sport and physical activity for a range of groups/schools/grassroots football clubs and the local community. The application positively contributes to meeting a number of corporate and local policies and objectives in relation to sport, physical activity and health and wellbeing.
- 6.32. **Sussex Police Community Safety:**  
The applicant should consider siting an intruder alarm to protect the storage container, as well as the method of securing cycles for the proposed cycle store.
- 6.33. **Sussex Police County Terrorism: No comment received**
- 6.34. **Sustainability: No comment**
- 6.35. **Sustainable Drainage: Initial comment 28/02/2023: Further information required**  
The following information is required to make a full comment:
  - Drainage designs and plans, including soakaway capacity, and attenuation rates for all drainage
  - A drainage maintenance plan detailing tasks, and their respective frequencies.

Updated comment 06/04/2023: No objection

6.36. The provided information is sufficient to satisfy the concerns listed in the previous response. A run-off rate of 5l/s is strongly preferable. A condition requiring details of the final drainage layout should be attached.

6.37. **Sustainable Transport: No objection**  
A Construction Environmental Management Plan (CEMP), a Car Park Layout Plan, full details of cycle parking, a Travel Plan and off-site Highway works comprising

pedestrian crossing improvements across the junction of Withdean Road and Tongdean Lane should be secured.

6.38. **Tourism and Leisure:** No comment received

6.39. **UK Power Networks:**

Please see provided fact sheet for important information regarding working around UKPN equipment.

## 7. MATERIAL CONSIDERATIONS

7.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report

7.2. The development plan is:

- Brighton & Hove City Plan Part One (adopted March 2016);
- Brighton & Hove City Plan Part Two (adopted October 2022);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
- Shoreham Harbour Joint Area Action Plan (adopted October 2019).

## 8. POLICIES

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP7	Infrastructure and developer contributions
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP11	Flood risk
CP12	Urban design
CP17	Sports provision
CP18	Healthy city

#### Brighton & Hove City Plan Part Two

DM9	Community Facilities
DM18	High quality design and places
DM20	Protection of Amenity
DM22	Landscape Design and Trees
DM31	Archaeological Interest
DM33	Safe, Sustainable and Active Travel
DM37	Green Infrastructure and Nature Conservation

DM40	Protection of the Environment and Health - Pollution and Nuisance
DM42	Protecting the Water Environment
DM43	Sustainable Drainage

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD11	Nature Conservation & Development
SPD14	Parking Standards
SPD16	Sustainable Drainage

## 9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the principle of the development, the design and appearance of the proposals, the impact upon neighbouring amenity, ecology, drainage and the water environment, and sustainable transport matters.

**Principle of Development:**

- 9.2. The application relates to the overspill car park of Withdean Sports Complex and would involve the creation of four small-sided 3G football pitches (2400sqm) with 4.5m high ball stop fencing and entrance gates, 6m high floodlighting and a 15sqm storage container for maintenance equipment.
- 9.3. Policy CP17 of the City Plan Part One seeks the enhancement and more effective use of existing sports facilities, and supports the provision of new sports facilities (including extensions to existing provision), particularly where they meet an identified need. The supporting text of Policy CP17 recognises the importance of the Withdean Sports Complex.
- 9.4. Policy CP18 of the City Plan Part One aims, inter alia, to promote healthier lifestyles through encouraging development that promotes active living.
- 9.5. Policy DM9 of the City Plan Part Two supports new community facilities, subject to the following criteria being met:
- a) *the proposed use is compatible with adjoining and nearby uses;*
  - b) *the site is close to the community it serves and is readily accessible by walking, cycling and public transport; and*
  - c) *where feasible and appropriate, community facilities have been colocated to maximise their accessibility to residents and reduce the need for travel (for example at Community Hubs).*
- 9.6. The proposed development would be on the site of an existing Sports Complex and would result in the enhancement and more effective use of the Sports Complex through the provision of 3G all-weather football pitches on an otherwise underutilised part of the site.
- 9.7. It is understood that the proposed pitches have been designed in accordance with relevant technical guidance and performance quality standards.

- 9.8. There is an identified need for the type of sports facility proposed, with the Sports Facilities Plan 2012-2022 identifying a need for artificial grass pitches, and the Playing Pitch Strategy 2016 identifying a need to provide additional grass and artificial grass pitches, including small-sided provision. The Sports Facilities Investment Plan 2021-31 identifies the need for increased provision at Withdean Sports Complex, including small-sided 3G pitches.
- 9.9. It is noted that, whilst some parts of the Withdean Sports Complex site are designated Open Space, the overspill car park itself is not designated Open Space.
- 9.10. It is considered that the criteria of Policy DM9 are met, with the proposal compatible with adjoining uses, co-located with existing sports facility provision at Withdean Sports Complex, and accessible by various modes of transport.
- 9.11. No objection is raised to the loss of the overspill car park in principle. The application includes a Transport Statement with a Parking Beat Survey, which concludes that there is sufficient capacity within the retained car parks to accommodate both the car parking demand arising from the loss of the overspill car park and the additional demand from the creation of the 3G pitches.
- 9.12. As such, the principle of development is supported and would accord with relevant development plan policies.

**Design and Appearance:**

- 9.13. The artificial surface of the pitches would be coloured grass green. The 4.5m-high fencing would be in steel, in an open-mesh pattern coloured either RAL9005 Jet Black or RAL6005 Moss Green with a 0.5m containment barrier at the base to minimise transfer of the artificial pitch surface to the surrounding environment. The floodlight LED luminaires would be coloured in RAL7001 Silver Grey and would be mounted on the corner fence posts.
- 9.14. The storage container would be in steel coloured RAL 6007 Bottle Green.
- 9.15. The spectator shelters and cycle storage would both comprise a leaf-shaped structure, with steel framework and transparent infill coloured in RAL9006 White Aluminium or similar.
- 9.16. The proposals would sit within the established boundaries of the Sports Complex, and though the proposed pitches, fencing, floodlights, storage container and spectator stands would be visible additions to the site in views from nearby highways, the proposals would only be visible in glimpsed views from nearby dwellings and are not in any case considered to appear as inappropriate, incongruous or otherwise out of place additions in this context. The indicative colours for the additions are of generally muted tones to minimise the visual impact of the additions against their respective backdrops. No harm in terms of appearance is anticipated, and no conflict with Policy CP12 of the City Plan Part One or Policy DM18 of the City Plan Part Two is identified.

**Impact on Amenity:**

- 9.17. Policy DM20 of the City Plan Part Two states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 9.18. The activity that would be generated by the proposed football pitches is considered to be appropriate in character for a Sports Complex. The closest residential neighbours are 51 Withdean Road approximately 70m to the south beyond the wooded LNR, 3 Withdean Rise approximately 75m to the southeast and the flats at Manhattan Court approximately 70m to the east, both on the far side of the railway embankment.
- 9.19. This being the case, it is considered that the proposals would not result in harm in terms of overshadowing or loss of light for the closest neighbours, due to the significant separation distances involved and the high visual permeability of the proposed fencing, netting and floodlighting.
- 9.20. Similarly, it is considered that the proposals are unlikely to result in significant noise disturbance for neighbours, subject to the recommended conditions. The proposals would create additional activity on site, and in a location currently not host to sporting activities. However this activity would be of a similar character to that already existing at the Sports Complex, and the distance to neighbours in tandem with the intervening environmental characteristics (such as the railway embankment to the east and wooded areas to the south) are considered sufficient to mitigate for any potential significant harm in this regard.
- 9.21. The proposals include acoustic isolators to mitigate noise arising from ball impacts on the fencing, and the proposed hours of use match those of the Sports Complex (closing at 10pm on Weekdays and 8pm on Weekends). A Noise Management Plan is proposed to be secured by condition to formalise arrangements to mitigate for potential noise disturbance arising from the development. In addition, the council will retain the authority to investigate under the Environmental Protection Act 1990, should any noise complaints be received.
- 9.22. The proposed floodlighting design (as amended) shows minimal (<1 lux) light overspill beyond the site boundaries. It is noted that the Sports Complex already features substantial floodlighting capabilities for the existing pitches. No significant light pollution for nearby residents is therefore anticipated. Light impacts upon biodiversity are assessed in the following section of this report.

**Ecology:**

- 9.23. The proposals have been reviewed by the County Ecologist and concerns were initially raised regarding excessive light spill onto the woodland areas to the south and east and the potential for this to harm bats. In addition, the initial proposal did not include any Biodiversity Net Gain (BNG) as is required for Major applications.
- 9.24. To address these concerns, revised floodlighting details have been provided demonstrating a light spill of <1 lux onto the woodland areas. The County Ecologist has reviewed the revised floodlighting details and has confirmed that this meets best practice guidance with respect to bats.

- 9.25. A Biodiversity Net Gain Baseline Assessment (BA) and Metric has also been provided. The BA identifies the site as existing providing 0.04 habitat units, and the proposals providing 0.00 habitat units - a loss of 0.04. In order to achieve the minimum BNG uplift of 10% as required by the BHCC Interim Technical Advice Note 2022, the proposals include the provision of three (3) small native trees to the Sports Complex Site. This would achieve a 21.10% net gain and is considered acceptable.

**Drainage and Water Environment:**

- 9.26. The proposed drainage strategy is for surface water to be infiltrated through permeable pitch surfaces and discharged through the existing soakaways (serving the hardstanding for the car park) on site via additional piped drains below the footprint of the pitches. Following initial comments of the Council's Flood Risk Manager, details of the existing soakaways including capacity and attenuation rates have been provided, as well as a drainage maintenance plan, and on this basis the Sustainable Drainage team raise no objection to the proposals, subject to a condition requiring the submission of the final drainage layout to the LPA for approval.
- 9.27. As identified previously, the site is located within a Source Protection Zone (SPZ). Southern Water have confirmed no objection to the application, on the basis that hydrocarbon treatment is integrated into the development. The Applicant has confirmed this can be addressed by the above drainage layout condition.

**Sustainable Transport:**

- 9.28. As a result of the redevelopment of the overspill car park there would be the loss of 94 car parking spaces and 6 disabled parking spaces.
- 9.29. No carparking spaces would be re-provided, other than two disabled spaces, along with two mini-bus parking spaces and 24 cycle parking spaces.
- 9.30. The wider Sports Complex site would however retain significant car and cycle parking capacity (279 car spaces, 24 cycle spaces) in the two retained parking areas to the north.
- 9.31. The proposals are expected to result in some uplift in trips of approximately 40 additional person trips in the afternoon peak hour rising to 80 person trips in the early evening. Whilst this is considered not to be to an extent that would have a severe impact on the local roads and transport infrastructure, the application includes a Transport Statement which identifies measures that the Sports Complex will take to minimise single car usage and encourage sustainable modes of travel to and from the site, and these can be secured as part of a Travel Plan for the development.
- 9.32. The Transport Statement also includes a Parking Beat Survey, which concludes that there is sufficient capacity within the retained car parks to accommodate both the car parking demand arising from the loss of the overspill car park and the additional demand from the creation of the 3G pitches.

- 9.33. Vehicle access to the proposed pitches would remain via the existing site entrance from Withdean Road to the east, with pedestrian circulation also available from the retained car parks to the north.
- 9.34. A formalised pedestrian and cyclist crossing over Withdean Road (at the T-junction with Tongdean Lane) is identified as being necessary to serve the proposed development, as otherwise pedestrians will be encouraged to cross the road in an unsafe fashion. This would be secured by condition.
- 9.35. The proposed cycle parking (24 spaces) exceeds the minimum of 20 required by SPD14 which is welcomed, however full details would be secured by condition.
- 9.36. The proposed disabled parking provision will not be acceptable as it represents a reduction of 4 spaces and a shortfall of 10 spaces from SPD14 requirements for the car parking capacity of the Sports Complex site as a whole. The applicant is agreeable to reallocating the necessary disabled spaces elsewhere within the retained car parks, and a condition securing a Car Park Layout Plan can be attached accordingly.
- 9.37. Withdean Sports Complex is served by a bus stop to the northern part of the site. The Car Park Layout Plan identified above is expected to improve pedestrian desire lines across this car park.
- 9.38. Details of the proposed gates can be secured by condition to ensure emergency vehicles can access the site.
- 9.39. On this basis, subject to conditions, the scheme is considered acceptable in terms of its impact on highway capacity and road safety.

**Other Considerations:**

- 9.40. The application includes a Site Investigation Report by JPP to assess for contaminants because the site is on made ground. The results confirm that contamination did not exceed the guidance value for soils for the use of public open space. The proposed use would effectively build a barrier between the made ground and the end users (footballers) and hence the risk from any contamination in the ground is therefore low. The report and results do not however address the potential risk to site workers as only two samples were used to evaluate the made ground across the site. This risk can be addressed through further site investigation and/or risk prevention methods which can be secured by condition.
- 9.41. In the light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area affected by the proposals should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features that would be disturbed by the proposed works, to be either preserved in situ or, where this cannot be achieved, adequately recorded in advance of their loss. The County Archaeologist has confirmed that a Watching Brief is appropriate for this development.

**Conclusion:**



9.42. The enhancement of the existing Sports Complex complies with relevant development plan policies and is supported in principle. The proposals are considered acceptable in terms of design and appearance and neighbouring amenity. Matters relating to ecology, drainage and transport can be satisfactorily addressed through conditions. Approval is therefore recommended.

## **10. EQUALITIES**

10.1. Representations from local football groups have raised that the proposals would allow for the broadening of the scope of football activities to better include e.g. women's and girls' teams and walking football.

## **11. CLIMATE CHANGE/BIODIVERSITY**

11.1. The proposal would enhance the facilities on offer at an existing Sports Complex with already established transport links. The proposal would result in the loss of an overspill car park and, in tandem with the Travel Plan and highways crossing improvements, would discourage the use of non-sustainable modes of travel. BNG of 21.10% is proposed and can be secured by condition.

