

<u>No:</u>	BH2024/02855	<u>Ward:</u>	Wish Ward
<u>App Type:</u>	Council Development (Full Planning)		
<u>Address:</u>	Aldrington Recreation Ground Wish Road Hove		
<u>Proposal:</u>	Installation of an artificial cricket wicket.		
<u>Officer:</u>	Helen Hobbs, tel: 290585	<u>Valid Date:</u>	18.12.2024
<u>Con Area:</u>		<u>Expiry Date:</u>	12.02.2025
<u>Listed Building Grade:</u>		<u>EOT:</u>	
Agent:			
Applicant:	Brighton & Hove City Council Workshop Stanmer Park Brighton & Hove City Council Stanmer Park Lewes Road Brighton BN1 9SE		

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.

Plan Type	Reference	Version	Date Received
Location Plan	PL-000	P1	18-Dec-24
Proposed Drawing	PL-001	P1	18-Dec-24
Proposed Drawing	PL_101	P1	18-Dec-24
Detail		Product Specification	20-Nov-24

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.

Biodiversity Net Gain

Based on the information available, this permission will require the approval of a Biodiversity Gain Plan by the local planning authority before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

The effect of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 is that planning permission granted for the development is deemed to have been granted subject to the condition ("the biodiversity condition") that development may not begin unless:

- i) A Biodiversity Gain Plan has been submitted to the planning authority, and
- ii) The planning authority has approved the plan.

The planning authority is Brighton & Hove City Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found in the legislation.

The Biodiversity Gain Plan must relate to development for which planning permission is granted, and specify the following matters:

- i) Information about the steps taken or to be taken to minimise the adverse effect of the development on biodiversity,
- ii) The pre-development biodiversity value of the onsite habitat,
- iii) The post-development biodiversity value of the onsite habitat,
- iv) Any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development,
- v) Any biodiversity credits purchased for the development.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

2. SITE LOCATION

- 2.1. The application relates to an open area of recreation ground within Aldrinington Park, known locally as Wish Park. The park is located to the south of New Church Road in Hove, bordered by Saxon Road to the West and Wish Road to the east. Dwellings on Marine Avenue to the south and New Church Road to the north back on to the park.
- 2.2. The application relates to an area towards the west of the park, abutting football pitches on all sides.

3. APPLICATION DESCRIPTION

- 3.1. Planning permission is sought for the installation of an artificial cricket wicket to the western side of the recreation ground. This would be a 30m by 2.74m rectangular area of synthetic turf surfacing.

4. RELEVANT HISTORY

None identified.

5. REPRESENTATIONS

- 5.1. **Eleven(11)** letters of support, were received, noting the following:
- Returns the two cricket pitches to the park.
 - Funding of maintenance not from Council
 - Improving local facilities for cricket/supports cricket development within the city
 - Should not impact on the local football games as cricket/football seasons differ
- 5.2. **Six(6)** letters of objection were received raising the following issues:
- Location/distance from cricket pavilion
 - Proximity to the football pitches
 - Maintenance of the existing cricket wicket would be overlooked
 - Lack of notice to stakeholders of the park
 - Impact/safety considerations for neighbouring houses and the neighbouring nursery
- 5.3. Full details of representations received can be found online on the planning register.

6. CONSULTATIONS

- 6.1. **Ecology:** No objection
To compensate for the loss of 82.5sqm of modified grassland in poor condition it is proposed to create 175sqm of other neutral grassland (ONG) in moderate condition in an area of the recreation ground previously identified as suitable for habitat improvement works. This results in a net gain of +0.0142 habitat units (+13.74%) and is sufficient to meet mandatory BNG requirements. Given the nature, scale and location of the proposals we do not consider the ONG creation to qualify as 'significant onsite' BNG. There is therefore no mandatory requirement to manage and monitor it for a 30-year period although best practice measures for its establishment and long-term maintenance should still be followed, and the Council may wish to formalise this in an existing grounds maintenance programme (or equivalent) or scheme-specific management plan that can be required by condition - we defer to the Council on this matter.
- 6.2. **Sport England:** No objection
The application is considered to meet exception 5 of the Sport England Playing Fields Policy and to accord with Paragraph 104 of the National Planning Policy Framework (NPPF).

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, revised October 2024);
 - 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
CP10	Biodiversity
CP11	Flood risk
CP12	Urban design
CP16	Open space
CP17	Sports provision

Brighton & Hove City Plan Part Two

DM18	High quality design and places
DM20	Protection of Amenity
DM22	Landscape Design and Trees
DM37	Green Infrastructure and Nature Conservation
DM43	Sustainable Drainage

Supplementary Planning Documents:

SPD11	Nature Conservation & Development
SPD17	Urban Design Framework

9. **CONSIDERATIONS & ASSESSMENT**

- 9.1. The main considerations in the determination of this application relate to the principle of the development and the visual impact of the proposals.

Principle of Development:

- 9.2. Policy CP16 seeks to protect designated areas of Open Space, and Policy CP17 identifies the Council's aspiration to increase participation in sports.
- 9.3. It is considered that the proposed development would comply with the aims and objectives of Policy CP17. The proposed cricket non-turf pitch (NTP) would enhance an existing outdoor recreation facility through the provision of an all-weather surface that could be used year-round. The proposal reinstates a second cricket pitch, which historically existed within the recreation ground in a

similar location. The proposed wicket would provide a more reliable surface compared to grass, encouraging participation and making cricket more accessible to all. The City Parks team have advised that they will have a service level agreement to restrict booking and use of the new cricket pitch, in order to mitigate the concerns of other stakeholders and users of the ground. It is not considered necessary to secure this through the planning permission, given the park can already be used for cricket and other sports without constraint.

- 9.4. It is understood that the proposals have been prepared with the support of the England & Wales Cricket Board so accord with their requirements.
- 9.5. Sport England have reviewed the proposal and raised no objection, confirming that exception 5 of their Playing Field Policy would be met as the proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.
- 9.6. The proposal would not result in a meaningful or substantive loss of Open Space.

Impact on Amenity:

- 9.7. 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.
- 9.8. No increased impact on neighbouring amenity is anticipated over what can already occur from the park. The use of the site would be unchanged as an existing area for outdoor sport and recreation, and the physical alterations would be at ground level only.
- 9.9. Representations have been received expressing concerns that the new cricket pitch would cause a potential safety concern in regards to neighbouring gardens and the neighbouring nursery. The applicant has stated that the siting is fully compliant with ECB boundaries – i.e. dwellings would be more than 47.2m (50 yards) away, sufficient distance to ensure the safety of neighbouring residents and their properties. Therefore the siting of the wicket does not cause any safety concerns.

Ecology and Biodiversity Net Gain

- 9.10. The pitch would be small and located on a grassed area within the park. Due to the nature, scale and location of the proposal there are unlikely to be any significant impacts on any designated sites or semi-natural habitats. The small loss of modified grassland can be adequately addressed through the biodiversity net gain (BNG) process.
- 9.11. To compensate for the loss of 82.5sqm of modified grassland in poor condition it is proposed to create 175sqm of 'other neutral grassland in moderate condition' in an area of the recreation ground previously identified as suitable habitat for improvement works. This results in a net gain of +0.0142 habitat units (+13.74%)

and is sufficient to meet mandatory BNG requirements. Given the nature, scale and location of the proposals we do not consider the BNG creation to qualify as 'significant onsite' BNG. There is therefore no mandatory requirement to manage and monitor it for a 30-year period.

Other Matters

- 9.12. Representations received have raised a number of concerns.
- 9.13. It has been raised that location of the wicket is too far from the cricket pavilion. The additional pitch has been positioned so that it is outside of the community football pitches, ensuring that the football pitches will not be impacted.
- 9.14. Maintenance of the existing wicket, as noted in representations, does not form a consideration of this application and is the responsibility of City Parks.

Conclusion and Planning Balance

- 9.15. The development would provide improved sports facilities within an existing recreation ground, to the benefit of public health and community facilities. It would not impact on the existing provision, and is considered acceptable in terms of its impact on neighbouring amenity. Biodiversity net gain would be secured elsewhere in the park in accordance with policy and legal requirements, so the scheme is therefore considered to accord with planning policy and other material considerations and is recommended for approval.

10. EQUALITIES

- 10.1. Section 149(1) of the Equality Act 2010 provides:
 - 1) A public authority must, in the exercise of its functions, have due regard to the need to—
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 10.2. Officers considered the information provided by the applicant, together with the responses from consultees (and any representations made by third parties) and determined that the proposal would not give rise to unacceptable material impact on individuals or identifiable groups with protected characteristics.