

<u>No:</u>	BH2026/00748	<u>Ward:</u>	Goldsmid Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Sussex County Cricket Ground Eaton Road Hove BN3 3AN		
<u>Proposal:</u>	Erection of a container for use as a bar facility (Sui Generis) serving food and beverages on match and event days.		
<u>Officer:</u>	Emily Stanbridge, tel: 293311	<u>Valid Date:</u>	27.03.2026
<u>Con Area:</u>	Adjacent Willet Estate	<u>Expiry Date:</u>	22.05.2026
<u>Listed Building Grade:</u>	<u>EOT:</u>		
Agent:	ECE Planning Limited 64-68 Brighton Road Worthing BN112EN		
Applicant:	Sussex County Cricket Club C/o ECE Planning 64-68 Brighton Road Worthing BN11 2EN		

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	10-PL-01	P1	27.03.2026
Block Plan	10-PL-02	P1	27.03.2026
Proposed Drawing	10-PL-05	P1	27.03.2026
Proposed Drawing	10-PL-10	P1	27.03.2026
Covering Letter			27.03.2026

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. The temporary bar facility building hereby permitted shall be permanently removed from the site prior to the 1st June 2031.

Reason: The bar facility hereby approved is temporary in nature, and is not considered suitable as a permanent form of development in terms of visual appearance, in compliance with policies CP12 and DM18 of the Brighton & Hove City Plan.

4. The bar facility hereby permitted shall only be in use on match and event days unless otherwise agreed in writing with the Local Planning Authority.
Reason: To minimise the impact on neighbouring residents, as the temporary nature of the proposal is considered acceptable on a limited, seasonal basis to support the use of the club for matches and events, to comply with policy DM20 and DM40 of the Brighton & Hove City Plan Part 2.
5. No hot food shall be cooked or prepared within the bar facility hereby approved.
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.

Biodiversity Net Gain:

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply. These can be found in the Environment Act 2021.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that, unless an exception or a transitional arrangement applies, the planning permission granted for the development of land in England is deemed to have been granted subject to the condition (“the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

2. SITE LOCATION

- 2.1. The application is in relation to the Sussex Country Cricket Ground, located on the north side of Eaton Road. The site is located adjacent to The Willet Estate Conservation Area. The site of the proposal is towards the eastern boundary of the site.

3. APPLICATION DESCRIPTION

- 3.1. Planning permission is sought for the erection of a container building for use a bar facility serving food and beverages on match and event days. The proposed bar would be located to the east of the site, located between other facilities. The applicant has indicated the proposal would be temporary, for approximately 5 years.

4. RELEVANT HISTORY

- 4.1. **BH2026/00315:** Non-material amendment to application BH2019/02948 to amend the description of development relating to phase 2 to: (Phase 2) Full Planning application for demolition of Club offices and partial demolition of southwest stand and the construction of new build extensions and adaptation of southwest stand to include commercial outlets, and hospitality areas, including bars, together with enhancements to the public realm. Approved March 2026
- 4.2. **BH2026/00105** Application to vary condition 1 of planning permission BH2023/02914 (original permission BH2019/02948) to amend approved drawings to allow design, layout and massing amendments to include 2no digital screens to Phase 2 and amend the wording of condition 17 (BREEAM). Under Consideration
- 4.3. **BH2025/00269** Erection of 4no. temporary cricket stands to be installed and in use from May to September of each year until 30 September 2031. Approved March 2025
- 4.4. **BH2024/00904** Reserved Matters application pursuant to Phases 3 and 4 of outline approval BH2023/02914 (original permission BH2019/02948) for approval of appearance, landscaping, layout and scale relating to provision of two stands of permanent seating to replace informal seating areas, improvements to spectator hospitality facilities and demolition of existing hospitality area and construction of new stand. Approved July 2024
- 4.5. **BH2023/02914** Application to remove condition 61 (Travel Plan) of planning permission BH2020/03745. Approved January 2024
- 4.6. **BH2022/00486** Erection of 4no. temporary seated spectator stands. Approved May 2022.
- 4.7. **BH2019/02948** Hybrid Planning Application comprising: (Phase 1) Full Planning application for the demolition of existing public house, single dwellinghouse & single storey commercial building and the construction of a 9-storey (over basement) mixed use building comprising re-provision of public house/restaurant (A3/A4), 37no. residential apartments (C3) and approximately 1,200sqm flexible commercial space (B1/ D1) together with ground & basement parking; (Phase 2) Full Planning application for demolition of Club offices and partial demolition of southwest stand and the construction of new build extension and adaptation of southwest stand to include club shop, reception area; bar and café, hospitality area together with enhancements to the public realm; (Phase 3) Outline Planning application for provision of two stands of permanent seating to replace informal seating areas, together with improvements to spectator hospitality facilities including works to existing single storey buildings; (Phase 4) Outline Planning application for demolition of existing hospitality area and construction of new stand to replace displaced seating. Approved August 2020.

5. REPRESENTATIONS

5.1. Five (5) letters of representation have been received objecting to the proposals on the following grounds:

- Increase in footfall to the locality
- Proposals will intensify noise levels in the cricket ground
- There are already 2 pubs on the site
- Associated activities to the bar would be disruptive
- Increase in food odours from hot food
- Decrease in property value
- Additional parking issues
- Too close to boundary and neighbouring properties

6. CONSULTATIONS

6.1. **Environmental Health** No objection subject to condition

6.2. **Sussex Police** Comment

The applicant is encouraged to consult the licensing team at Sussex Police.

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 2:

DM9	Community facilities
DM18	High quality design and places
DM20	Protection of Amenity
DM26	Conservation areas

DM40 Pollution and Noise

Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
CP5	Culture and tourism
CP9	Sustainable transport
CP10	Biodiversity
CP12	Urban design
CP15	Heritage
CP17	Sports Facilities

Supplementary Planning Documents:

SPD11	Nature Conservation & Development
SPD12	Design Guide for Extensions and Alterations

9. CONSIDERATIONS & ASSESSMENT

9.1. The main considerations in the determination of this application relate to the impact of the development upon the character and appearance of the site (including setting of heritage assets), impact on neighbouring amenity, impacts upon the highways network and sporting/events considerations.

9.2. When considering development within the setting of heritage assets, such as the adjacent Willet Estate Conservation Area, the Council has a statutory duty to have special regard to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. Case law has held that the desirability of preserving or enhancing the character or appearance of a conservation area should be given "considerable importance and weight".

Principle of development

9.3. This application seeks to install a temporary bar facility for approximately 5 years. The applicant confirms that this bar facility is required to enhance the hospitality offering on the site and support the sports and events use of the cricket ground in the interim period whilst phases 2, 3 and 4 in connection with planning permissions BH2019/02948 (amended by BH2023/02914) are undertaken - as set out in the History section above. The wider Cricket Ground site is undergoing redevelopment and refurbishment as can be seen in the approved phases as set out below:

- Phase 1: Mixed use building to provide residential accommodation with public house at ground floor level with associated parking and landscaping. Note - this phase has been completed.
- Phase 2: Redevelopment of the south-west stand to include hospitality facilities and corporate facilities
- Phase 3: Redevelopment of the north end stands to include upgrades to spectator facilities
- Phase 4: New seating upgrades to south east corner.

- 9.4. It is therefore considered appropriate and necessary to tie in the installation of the temporary bar into a timeframe that sits alongside other permissions on the site.
- 9.5. The appropriate introduction of uses and buildings which support sporting facilities and event spaces in the city is supported in principle given their importance to the city's cultural, sporting and economic offer, in accordance with relevant City Plan Policies.

Design and appearance

- 9.6. The application proposes the installation of a temporary bar facility which comprises a single storey metal container which will have a black finish. The proposal would have a somewhat plain and functional appearance, however, this is considered acceptable given the temporary nature of the development.
- 9.7. Further, the building would not appear out of context with the wider site, which contains a mix of ancillary buildings of varying designs. The modest scale of the development, and its siting along the edge of the pitch between other buildings, is considered appropriate in the context of surrounding buildings and the wider site. Given its siting and scale, it would not unduly impact the setting of the nearby Conservation Area.
- 9.8. The proposed container is therefore considered to be an acceptable addition to the site on a temporary basis that would not unduly harm its appearance, in accordance with policies DM18, CPo12, CP15 and DM26 of Brighton and Hove City Plan.

Impact on amenity

- 9.9. The proposed bar facility would be sited on the eastern boundary of the Cricket Ground. The nearest residential properties are those which front Palmeira Avenue and back onto the Cricket Ground. The new facility would be separated from these properties by the vehicular access road which follows the perimeter of the site. As a result, the bar facility would be sited approximately 7m from the rear boundary wall of 57 and 59 Palmeira Avenue and approximately 20m from the rear elevation of these neighbouring properties.
- 9.10. An earlier application in relation to the cricket ground (BH2025/00269) approved the erection of a temporary cricket stand for seating on this part of the site during the summer months. The approved stand measured approximately 4.2m high and 24m long. This was considered to result in an acceptable impact on neighbouring properties. By comparison the bar would measure approximately 2.5m-3m in height, owing to land levels and is 12m long. Given what has previously been considered acceptable, coupled with the separation distance between the development and the nearest neighbouring property, the scale of the development is not considered to result in significant harm to the outlook and light levels of nearby residents. The building would also be placed between existing buildings which have similar relationships to neighbouring properties.

- 9.11. The proposed bar would not include any serving hatches on the eastern side of the development, with all associated activity contained within the cricket ground. As such no additional harm to neighbouring privacy is considered to result.
- 9.12. Residents have raised concerns with regards to associated noise levels that could result from the bar and also the cumulative impact of noise generally associated with the cricket ground, including from other bars. The proposed bar facility is however small in scale and located within the context of the main site. This bar is intended to provide an interim facility while the wider redevelopment of the site progresses. A condition would seek removal of the bar prior to Summer 2031.
- 9.13. The applicant has confirmed that the use of the bar is limited to match and event days which equates to approximately 75 days a year. A condition is therefore sought to restrict the use of the bar in line with the above. It is considered that this condition will ensure that the bar remains as an ancillary use to the cricket ground (matches and events) and is not operated as an independent venue or for longer periods. The description of the development also secures this.
- 9.14. Concerns have also been raised by neighbouring residents with regards to the potential for odour as a result of food being prepared within the new facility. The applicant has confirmed that no hot food will be prepared or cooked from this bar facility. The new facility would only be for the sale of drinks and limited food only. It is considered appropriate to attach a condition which secures this.
- 9.15. The Environmental Health Team raise no objection subject to condition to restrict to match/event day use only, and Sussex Police raise no objection. It should be noted that planning permission does not override the need to obtain an alcohol licence or prevent the Environmental Health Team carrying out an investigation under the Environmental Protection Act 1990 should any future complaints be received.
- 9.16. Therefore, subject to the inclusion of the recommended conditions, it is considered that the proposals would not have a significant impact on the amenities of neighbouring residents and as such the proposal is in line with policies DM20 and DM40 of the City Plan Part 2.

Sustainable transport

- 9.17. Some concerns have been raised by residents with regards to impacts on increased footfall and parking pressures. The proposal is small scale and would not alter the established match day operation of the Cricket Ground nor would it increase the existing spectator capacity. As such it is not considered that the proposed bar facility would materially change the existing situation with regards to transport aspects.

Biodiversity/Sustainability

- 9.18. The proposed development would be sited on an existing area of hard standing within the Cricket Ground. Given that the development is temporary in nature, in this instance it is not considered proportionate to secure conditions for ecological or sustainability improvements.

Other Matters

- 9.19. The potential for loss of property value is not a material planning consideration.

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 determined that the proposal would not give rise to unacceptable material impact on individuals or identifiable groups with protected characteristics.

11. CONCLUSION

- 11.1. The principle of the development is acceptable and it would support an existing sporting facility/event space, in accordance with policy. The temporary nature and appearance of the proposal mean it would not be suitable for a permanent permission and temporary permission for 5 years is recommended, and this would be in line with the longer-term phased development proposed for the site. The modest scale of the development and its distance away from neighbouring properties mean no adverse impact would result. The proposal would be used only on match/event days and would not involve any cooking facilities, also limiting its impact. The proposal would not give rise to any adverse highways impacts.
- 11.2. The proposal would comply with the policies of the Development Plan as a whole, and help support an important sporting/event facility for the city, and approval is therefore recommended.