

<u>No:</u>	BH2025/02901	<u>Ward:</u>	Westdene & Hove Park Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Brighton Hove And Sussex Sixth Form College 205 Dyke Road Hove BN3 6EG		
<u>Proposal:</u>	Installation of an Artificial Grass Pitch (AGP) and Multi-Use Games Area (MUGA) with associated works including lighting, access ramps, hard surfacing and a storage container.		
<u>Officer:</u>	Michael Tucker, tel: 01273 292359	<u>Valid Date:</u>	16.12.2025
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	10.02.2026
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	09.04.2026
<u>Agent:</u>	Whaleback 91 Boundary Road Hove BN3 7GA		
<u>Applicant:</u>	Brighton Hove & Sussex Sixth Form College Brighton Hove And Sussex Sixth Form College 205 Dyke Road Hove BN3 6EG		

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	02 01		27-Nov-25
Block Plan	03 01		27-Nov-25
Proposed Drawing	04 00		27-Nov-25
Proposed Drawing	05 01		06-Aug-26
Proposed Drawing	06 01		27-Nov-25
Proposed Drawing	07 00		27-Nov-25
Proposed Drawing	08 00		27-Nov-25
Proposed Drawing	09 00		27-Nov-25
Proposed Drawing	10 00		27-Nov-25
Proposed Drawing	11 00		27-Nov-25
Proposed Drawing	ARBTECH TPP 01		27-Nov-25

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. No development, including preparatory ground works, 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) Timescales for the Proposed Development including the forecasted completion date;
 - (ii) Details 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) Measures to minimise disturbance to neighbours regarding issues such as noise and dust management, vibration, site traffic, and deliveries to and from the site;
 - (iv) Measures to prevent mud/dust from tracking onto the highway;
 - (v) Details of hours of construction including all associated vehicular movements
 - (vi) Details of the construction compound including plant and material storage and manoeuvring areas;
 - (vii) A plan showing construction traffic routes

The construction of the development shall be carried out in full compliance 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.
4. Deemed Biodiversity Gain Plan Condition:
 No development (including any demolition, site clearance or enabling works) shall take place until:
 - (a) A Biodiversity Gain Plan (BGP) has been prepared in broad accordance with the Biodiversity Net Gain Assessment received November 2025 and prepared by Arbtech; and
 - (b) The BGP has been submitted to and approved in writing by the Local Planning Authority.

Reason: 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").
5. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the local planning authority:
 - a) evidence that the proposal will match (or better) greenfield runoff rates

- b) an assessment of the risk of groundwater contamination resulting from this development, referencing the CIRIA SuDs Manual (C753);

And if the results of the assessment under part b) above are such that treatment is required, or if notified as such in writing by the local planning authority, then,

- c) a detailed scheme to demonstrate that the proposed drainage strategy offers sufficient treatment to prevent groundwater contamination, as well as a maintenance schedule for the proposed drainage elements.

The development shall be implemented in accordance with the approved details.

Reason: 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.

- 6. The development hereby permitted shall not be commenced until details of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- a) details of all pitch, hard surfacing and access path materials
- b) details of all fencing
- d) details of all floodlighting columns
- c) details of the storage container

Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policy CP12 of the Brighton & Hove City Plan Part One and policy DM18 of the Brighton & Hove City Plan Part Two.

- 7. The development hereby permitted shall not be commenced (including demolition and all preparatory work) until the protection measures identified in the submitted tree protection plan (TPP) and arboricultural method statement (AMS) (Arbtech), both received on 27th November 2025, are in place and retained throughout the construction process. The fences shall be erected in accordance with British Standard BS5837 (2012) 'Trees in Relation to Design, Demolition and Construction – Recommendations' and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

Reason: As this matter is fundamental to protecting the trees which are to be retained on the site during construction works in the interest of the visual amenities of the area and for biodiversity and sustainability reasons, to comply with policies DM22 and DM37 of Brighton & Hove City Plan Part 2, and CP10 and CP12 of the Brighton & Hove City Plan Part One and SPD06: Trees and Development Sites.

- 8. Unless otherwise agreed in writing, within 3 months of practical completion the following shall be submitted to and approved in writing by the Local Planning Authority:

- 1. certification that the Artificial Grass Pitch hereby permitted has met BS EN 15330-1 requirements, and

2. Confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches.

Reason: To ensure the development is fit for purpose and sustainable, provides multiple sporting benefits and to accord with Development Plan Policy CP17 and DM9.

9. Before the Artificial Grass Pitch and MUGA hereby approved are first brought into use, a Management and Maintenance Scheme for the facility, including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. For the Artificial Grass Pitch this shall include measures to ensure the replacement of the Artificial Grass Pitch within a specified period. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the Artificial Grass Pitch and the MUGA.

Reason: To ensure that the new facilities are capable of being managed and maintained to deliver facilities that are fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and to accord with Development Plan Policy CP17 and DM9.

10. Use of the development hereby approved shall not commence until a community use agreement, prepared in consultation with Sport England, has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the Artificial Grass Pitch and the MUGA as well as associated facilities including parking, toilets, etc and include details of pricing policy, hours of use, access by non-college users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy CP17 and DM9.

11.

- i) Prior to the installation of the floodlighting hereby approved, details including levels of luminance, hours of use, predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent receptors including the Brighton Open Air Theatre, hours of operation and details of maintenance shall be submitted to the Local Planning Authority for approval in writing.
- ii) Prior to first use of the floodlighting hereby approved, the predicted illuminance levels (as agreed under part i) of this condition) shall be tested by a competent person to ensure that they are achieved. Where the predicted levels are met, confirmation shall be demonstrated to the Local Planning Authority for approval in writing. Where predicted levels have not been met, a report shall demonstrate what measures have been taken to reduce the levels to those agreed in part i).

The external lighting shall be installed, operated, and maintained in accordance with the approved details and thereafter retained.

Reason: To safeguard the amenities of the locality and to protect habitats and species from the development hereby approved and to comply with policies CP10 of the Brighton & Hove City Plan Part One and DM20 of the Brighton & Hove City Plan Part Two, and Supplementary Planning Document SPD11 Nature Conservation and Development

12. 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, including with respect to the neighbouring Brighton Open Air Theatre, 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.

13. The development hereby permitted shall not first be brought into community use until a scheme of Travel Plan measures to promote sustainable transport to and from the site has been submitted to and been approved in writing by the Local Planning Authority. The Scheme should include but not be limited to, the following measures:

- a. Providing public transport information to people when they book
- b. Promotion of sustainable transport travel for training staff trips including personal travel planning
- c. Sustainable transport promotional material being made available to both training staff and customers including cycle, bus routes and timetable brochure and car club information.

Reason: To ensure the promotion of safe, active and sustainable forms of travel and comply with policies DM35 of Brighton & Hove City Plan Part 2, and CP9 of the Brighton & Hove City Plan Part One.

14. During the term time of the College, the development hereby permitted shall not be used except between the hours of 08:00 to 22:00 Mondays to Tuesdays, 08:00 to 19:00 Wednesdays to Fridays, and 09:00 to 14:00 on Saturdays, Sundays Bank and Public Holidays.

Outside of term time of the College, the development hereby permitted shall not be used except between the hours of 09:00 to 22:00 Mondays to Tuesdays, 08:00 to 16:00 Wednesdays to Fridays, and 09:00 to 14:00 on Saturdays, Sundays Bank and Public Holidays.

Reason: To safeguard the amenities of the locality and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part Two.

15. The development hereby permitted shall not be first used until a Completion Report, evidencing the habitat enhancements set out in the approved Biodiversity Gain Plan, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development delivers biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act, Policy DM37 of Brighton & Hove City Plan Part 2, Policy CP10 of the Brighton & Hove

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. Guidance on preparing Community Use Agreements is available from Sport England.
<http://www.sportengland.org/planningapplications/>
3. The Biodiversity Gain Plan must relate to development for which planning permission is granted, and specify as a minimum the following matters:
 - i) Information about the steps taken or to be taken to minimise the adverse effect of the development on biodiversity,
 - ii) A completed Metric tool calculation
 - iii) The pre-development biodiversity value of the onsite habitat (shown on scaled plans),
 - iv) The post-development biodiversity value of the onsite habitat (shown on scaled plans),
 - v) Any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development,
 - vi) Any biodiversity credits purchased for the development.
 - vii) Any such other matters as the Secretary of State may by regulations specify including the requirements of Article 37 C of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)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.
4. The applicant should be aware that whilst the requisite planning permission may be granted, this does not preclude the department from carrying out an investigation under the Environmental Protection Act 1990, should any complaints be received.

2. SITE LOCATION

- 2.1. The application relates to an area of playing fields at the Brighton Hove and Sussex Sixth Form College (BHASVIC) campus, on the western side of Dyke Road at the junction with Old Shoreham Road. The college campus includes a cluster of buildings at the eastern corner, and expands westwards into playing fields on Hove Green. A pedestrian passage known as Crocodile Walk splits the campus in two, with the playing fields, sports hall and secondary car park located on the western side. There are also various temporary modular

buildings to the north and south of the sports hall which are subject to eventual removal and replacement under a recent and extant planning permission (BH2023/02859).

- 2.2. The part of the site to the west of Crocodile Walk is designated Open Space, together with a small part of the eastern portion, and is also within the Nature Improvement Area (NIA). The main college building and its rear wing is locally listed, as is Dyke Road Park to the north of the site.
- 2.3. The playing fields slope downwards from north to south and are laid out to include football and rugby pitches, as well as a cricket wicket. The fields extend westwards towards the railway line, with Cardinal Newman Roman Catholic School beyond. Residential properties are located to the south on the opposite side of Old Shoreham Road, as well as to the northeast beyond Dyke Road Park and Dyke Road itself. Dyke Road Park hosts the Brighton Open Air Theatre (BOAT) within an outdoor amphitheatre some 50m to the northwest of the site.

3. RELEVANT HISTORY

- 3.1. The site has extensive planning history, the most relevant including:
- 3.2. **PRE2025/00088** - Installation of an Artificial Grass Pitch (AGP) and Multi Use Games Area (MUGA) at field west of BHASVIC college buildings.

The main points of advice included:

- Improved sports facilities for the college and community would be welcomed in principle
 - Recognition of growing concerns with rubber 3G pitch surfaces
 - The importance of ensuring the development does not compromise the neighbouring Brighton Open Air Theatre
- 3.3. **BH2023/02859** - Phased development to provide: 1) A temporary two storey modular building on netball court (retrospective); 2) Removal of 3no existing temporary modular buildings, extension of car park and provision of additional three-storey temporary modular building to the north of netball court; 3) Erection of a permanent three storey student building; 4) Removal of temporary buildings. Approved 22/01/2026

4. APPLICATION DESCRIPTION

- 4.1. Planning permission is sought for the installation of a football Artificial Grass Pitch (AGP) and a Multi-Use Games Area (MUGA) on a part of the playing fields to the northwest of the sports hall, with floodlighting and fencing around the perimeter, for use by the college and the local community.
- 4.2. The application relates to approximately 4000sqm, taking up circa. 10% of the overall playing fields.

- 4.3. The proposed AGP would have dimensions of 61m by 40m (approximately a third of the area of a standard football pitch). The AGP would be surrounded by 4.5m-height fencing and would have six floodlights on 10m-height columns. The AGP would have a 3G synthetic turf (rubber crumb) playing surface.
- 4.4. The proposed MUGA would have dimensions of 30.5m by 18.25m, with 2m-height fencing and 8m-height floodlights. The MUGA would have a macadam surface.
- 4.5. There would be an area of hardstanding between the AGP and the MUGA, including space for a shipping container for storing equipment.
- 4.6. The sloping site would be 'cut and filled' to achieve a level playing surface.
- 4.7. The hours of use of the proposed AGP and MUGA have been amended since the initial submission to reduce overlap with BOAT's schedule of performances.

5. REPRESENTATIONS

- 5.1. **One thousand, three hundred and sixty-two (1,362)** letters of objection have been received from individuals and organisations including the Brighton & Sussex Branch of Equity and the Brighton Open Air Theatre, summarised as follows:
- 5.2. Impact on the adjacent Brighton Open Air Theatre:
 - BOAT is a valuable cultural venue
 - Proposals are located too close to BOAT
 - Noise from the artificial pitch would disrupt BOAT performances, many of which are unamplified
 - Flawed Noise Impact Assessment which uses incorrect assessment metrics and does not consider the impact on BOAT
 - BHASVIC have not engaged with BOAT / have ignored reasonable suggestions to minimise impact
 - Proposal jeopardises the future of BOAT
 - Could be located elsewhere on the fields, further from BOAT
 - Floodlighting will affect the performance space / audience experience at BOAT
 - Hours of use should be changed to avoid BOAT performances
 - Proposed noise mitigation would be ineffective
 - Additional noise mitigation is necessary
 - Sports should not be prioritised over creative arts
 - Contrary to 'agent of change' principle
 - Additional sports facilities should not be at the expense of existing amenities
 - Danger of footballs hitting audience members
 - Arts venues under threat across the country, and

- Amended opening hours do not eliminate threat to BOAT
- 5.3. Impact on neighbours/users of the fields and park:
- Noise disturbance from shouting, whistles, ball impacts
 - Noise from existing pitches can already be heard, and the proposal will make this worse, and
 - Light spill onto neighbouring dwellings
- 5.4. Traffic and parking:
- Increased traffic and demand for car parking
 - College car parks already utilised for evening courses and do not have spare capacity, and
 - Parking on local streets is already congested
- 5.5. Impact on the environment/ecology:
- Located in Nature Improvement Area
 - Loss of green space and habitat for local wildlife
 - Light spill onto nearby habitat
 - Sustainability, health, pollution concerns regarding rubber crumb pitch surface material
 - Artificial pitches are expensive and have a limited lifespan, and
 - The EU has introduced restrictions on microplastics
- 5.6. Other:
- Overdevelopment, loss of public green space
 - Continued encroachment by BHASVIC over the fields
 - Harm to setting of locally listed buildings and park
 - Loss of property value
 - No need for new sports pitches, there are many artificial pitches already within the city
 - The proposed pitch is primarily for football
 - Proposals are for commercial gain rather than for student benefit
 - Benefits do not outweigh the negative impacts
 - Loss of cricket wicket
 - Inconsistent drawings
 - BHASVIC cannot expect to have every facility on their site, and
 - Drainage concerns with artificial pitch
- 5.7. **Seventy-eight (78)** letters of support have been received, summarised as follows:
- Good design
 - Mitigation for light and sound
 - Improved sports facilities for the college and local community
 - The college's current sports facilities are poor
 - Sport brings physical and mental health benefits
 - Benefits for students at the college
 - BOAT are already next to a sports field
 - BOAT is a source of noise for other users of the park

- Noise should be expected in the middle of a city
- There would not be large crowds of spectators
- There should be restrictions on use during BOAT performances
- Benefits outweigh the noise impact
- Improved participation in sport for women and girls
- Not a full size pitch
- There is already a sports pitch here so little additional noise
- Noise would be similar to the tennis courts
- Noise impact will be low
- BOAT should amplify performances
- Other sports pitches are nearby to BOAT, and
- Hove Green and Dyke Road Park already accommodate regular sporting activities

5.8. **Eight (8)** letters of neutral comment, summarised as follows:

- Improved sports facilities welcomed
- Impact on BOAT should be considered, and
- Usage during BOAT performances should be restricted

5.9. Full details of representations received can be found online on the planning register.

6. CONSULTATIONS

Internal:

6.1. **Arboriculture:** No objection

Subject to securing compliance with the submitted arboricultural method statement.

6.2. **Arts & Culture:** Objection

The proposal is likely to have significant impacts on the operation of Brighton Open Air Theatre (BOAT). BOAT is not mentioned in either the noise impact assessment or noise management plan included within this application.

Officer Note - subsequent to this comment an updated Noise Impact Assessment has been submitted and the proposed hours of use have been reduced.

6.3. **City Parks:** No comment received

6.4. **Environmental Health:** Objection

Latest comment 15/05/2026 - The principal outstanding concern is the potential for repeated L_{Amax} / L_{Afmax} events and other impulsive or intermittent noise sources to interfere with performances at Brighton Open Air Theatre.

Officer Note - subsequent to this comment the proposed hours of use have been reduced.

- 6.5. **Heritage:** No comment
- 6.6. **Planning Policy:** No objection
The proposal supports the overall aims and general policy approach for open space and sports provision as set out in policies CP16 and CP17.
- 6.7. **Sports Facilities:** No objection
The proposal would provide a much improved offer at the site for recreational participation and training by the BHASVIC students. However there are questions regarding the impact on the outdoor sports currently using the site including cricket.
- 6.8. **Sustainable Drainage:**
No comments received.
- 6.9. **Sustainable Transport:** Further information required
04/08/26 - The applicant's Highways Response Note assumes that the existing car park is fully available for use by visitors to the MUGA and AGP. We request further information regarding the schedule of other out-of-hours activities that take place on-site. We also request that a parking occupancy survey is conducted, in order to assess capacity for external visitors.
- 6.10. If the LPA is minded to grant, this should be subject to a travel plan measures and a CEMP condition.
- External:
- 6.11. **Ecology:** Further information required
It is recommended that a more sustainable infill material is sought than the proposed Styrene Butadiene Rubber (SBR). If SBR remains proposed, infill containment measures should be secured.
- 6.12. Clarification on Biodiversity Net Gain (BNG) and ecological enhancements could be secured by condition.
- 6.13. **Sport England:** No objection
Subject to securing:
- A management and maintenance plan
 - Community Use Agreement
 - Quality standard and FA registration for matchplay
- 6.14. **Theatres Trust:** Objection
The proposed AGP and MUGA will be around 50m from the Brighton Open Air Theatre (BOAT). It is inevitable there will be disruption of shows by noise coming from the new sports facilities. However, the Noise Impact Assessment and Noise Management Plan are silent on impacts on the theatre.

Officer Note - subsequent to this comment an updated Noise Impact Assessment has been submitted and the proposed hours of use have been reduced.

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
CP5	Culture and Tourism
CP9	Sustainable transport
CP10	Biodiversity
CP11	Flood risk
CP12	Urban design
CP15	Heritage
CP16	Open space
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
DM28	Locally Listed Heritage Assets
DM33	Safe, Sustainable and Active Travel
DM36	Parking and servicing
DM37	Green Infrastructure and Nature Conservation
DM42	Protecting the Water Environment
DM43	Sustainable Drainage
DM44	Energy Efficiency and Renewables

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites

SPD11	Nature Conservation & Development
SPD14	Parking Standards
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, the design and appearance of the proposals, and the impact on neighbouring uses. Sustainable transport matters, drainage and flood risk, and ecology are also material considerations.

Principle of Development:

- 9.2. The proposal is for the creation of a small (less than full-size), all-weather, floodlit football AGP and MUGA on an area of playing field at BHASVIC.
- 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.
- 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. The proposal is considered to accord with the aims and objectives of Policies CP17 and CP18 of the City Plan Part One. The proposed AGP would be an enhancement of the quality of sports facilities available at the college as the artificial surface would be useable in periods of inclement weather and the floodlighting would enable use during darker/winter afternoons and evenings. Currently it is understood that students frequently have to travel to other sites to use such facilities.
- 9.6. Sport England have confirmed that the proposed AGP would meet the Football Association's recommended dimensions for a 7v7 pitch and sports lighting specifications. The MUGA would have dimensions of 30.5m x 18.3m, surfaced in macadam and would be designed to accommodate netball and tennis.
- 9.7. The area of the playing field to be lost as part of the development comprises approximately 10% of the overall playing fields on Hove Green, with the remaining 90% outside of the College's ownership. Currently this area accommodates part of a marked out senior rugby pitch and a cricket Non-Turf Pitch (NTP). It is understood that neither is currently used. The NTP is in a poor state of repair, and its outfield is severely impacted, both by the college buildings and structures but particularly by the car parking area, which it is noted has planning permission to be extended under extant permission BH2023/02859. The application has demonstrated that there would be sufficient space on the retained playing field to replace the rugby pitch and simultaneously keep the total number of existing natural turf pitches (4) in a reconfigured arrangement, and also to provide a new NTP with compliant outfield if that is required. Whilst it is acknowledged that the PPS also identifies

a need for rugby and cricket facilities, the partial loss of the existing playing field is therefore considered not to be objectionable.

- 9.8. The proposed AGP would use a 'rubber crumb' surface material. Notwithstanding many benefits for the quality of the playing surface, it is acknowledged that there are drawbacks to this material. The pitches have a limited lifespan and are costly to install and maintain. There can be a significant environmental impact arising from the quantity of material needed for the playing surface, and from the potential for the crumb surface material to escape into the local ecosystem. It is noted that the European Union has placed restrictions on new rubber crumb playing pitches (as part of wider microplastic regulations), although these do not come into force for several years, and at the current time there are no such restrictions in force, or planned to come into force, in England at either the national level or local level. Sport England's latest (June 2025) position statement on artificial pitches is to explore sustainable alternatives to rubber as a pitch surface, to improve recycling capacity, and to encourage the use of infill containment measures whilst further research is undertaken.
- 9.9. The proposed development includes infill containment measures for the AGP such as perimeter kickboards up to 0.5m in height, controlled pitch access, boot-cleaning/decontamination measures, hardstanding/asphalt margins acting as secondary containment, silt traps and drainage capture measures. These containment measures are considered to be robust.
- 9.10. The proposal includes use of the AGP by the local community outside of normal educational hours. It is understood that this already occurs to a modest extent with the existing playing fields, however the proposals would formalise this arrangement, and would allow both for more intensive and later community use due to the proposed all-weather surface and floodlighting.
- 9.11. 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;*
 - c) *and where feasible and appropriate, community facilities have been co-located to maximise their accessibility to residents and reduce the need for travel (for example at Community Hubs).*
- 9.12. Whilst no concerns are held with respect to criteria b) and c), significant concerns were initially held with respect to criterion a) due to the proximity of the Brighton Open Air Theatre (BOAT) some 50m to the northwest.
- 9.13. BOAT is an established cultural venue hosting theatrical performances between the months of May and September, the majority of which are unamplified.
- 9.14. As originally proposed, the hours of use of up to 10pm (Monday to Thursday), 8 pm (on Fridays), 6pm (on Saturdays) and 2pm (on Sundays, Bank and Public

Holidays) would have coincided with a large proportion of BOAT's schedule for weekday and weekend performances and it is disappointing that the applicant's original Noise Impact Assessment gave little consideration to the impact of the proposed development on BOAT. The floodlighting assessment also did not address BOAT as an affected receptor.

- 9.15. An updated Noise Impact Assessment (NIA) has since been provided by the applicant, and this has been reviewed by the Council's Environmental Health team. It is noted that BOAT have also commissioned a Noise Assessment of their own to dispute that of the applicant, and this has also been reviewed.
- 9.16. The applicant's NIAs, the Council's Environmental Health team and BOAT's commissioned report each agree that the average noise levels (presented as 'LAeq') from the proposals are unlikely to be of significant concern and would comply with the 50dB limit (averaged over a 1 hour period) set by published Sport England guidance.
- 9.17. However, it is considered that averaged noise levels must be treated with a degree of caution in this case, as the character of noise from the AGP and MUGA will be sudden and impulsive, with ball impacts, whistles and shouts at an unpredictable frequency and timing. It is considered that these sounds (presented as 'LAmax') warrant greater consideration than the average noise levels.
- 9.18. The neighbour in question is also an open-air theatre rather than a residential use, which further reduces the relevance of most widely used published guidance relating to community annoyance and residential amenity. Performed speech intelligibility and theatrical ambience are difficult to objectively assess and no directly relevant published noise criteria have been identified.
- 9.19. Both the applicant's updated NIA and BOAT's report do however include an assessment of the anticipated maximum (LAmax) noise levels at the theatre as a result of the proposed AGP and MUGA, using measured sound levels from similar existing facilities.
- 9.20. The worst-case maximum noise (as heard from an audience member at BOAT) from a shout on the pitch is modelled by the applicant as 57dB, from a whistle 67dB, and from a ball impact on a fence 59dB. The modelling in BOAT's report gives broadly similar figures.
- 9.21. These sound levels exceed the measured ambient existing noise level at BOAT of between 45-50dB, particularly in the case of whistles, and would also exceed an unamplified actor's voice modelled (within BOAT's report) at between 66-40dB depending on distance from the speaker.
- 9.22. It is therefore considered that noise from the proposal would be readily audible from the BOAT venue and would have the potential to result in significant disruption to BOAT performances.

- 9.23. To address these concerns, the applicant has put forwards substantially reduced hours of use up to 10pm Monday to Tuesday, 7pm Wednesday to Friday, and 2pm on Saturdays, reduced further to 4pm Wednesday to Friday during school holidays. This is 3 hours earlier closing on Wednesdays and Thursdays during term time than originally proposed (6 hours earlier during school holidays) and 4 hours earlier closing on Saturdays. These earlier closing times would also apply to the floodlights. The latest draft version of the Community Use Agreement additionally includes a clause relating to early closures, to be arranged case-by-case between the applicant and BOAT.
- 9.24. Compared against the 125 BOAT performances scheduled for 2026, the amended hours of use would mean the AGP and MUGA would be in use at the same time as a theatrical performance in only 7 cases.
- 9.25. It is recognised that there would still be some overlap, that in many cases there is no buffer between the cessation of use of the pitch and the start of a performance, and that BOAT's schedule is subject to some degree of change. It may therefore be the case that the amount of overlap between the use of the AGP and MUGA and BOAT performances varies somewhat year by year. However, it is considered that an alternative blanket restriction on the use of the AGP and MUGA during some or all of BOAT's five-month performance season would not be reasonable to impose. This would erode the benefits for sport of the scheme, and moreover would be at a time of year when natural turf, unlit pitches are at their most useable - thereafter at the likely lowest point of the relative intensification of sporting activity on site. The seven cases of overlap identified against BOAT's 2026 schedule would each be morning/early afternoon events when the existing turf pitch could already be in use without the need for floodlights.
- 9.26. It must also be recognised that the current sound environment at BOAT is not silent. Users of Dyke Road Park, of the existing playing fields, of the tennis courts to the northwest, and vehicles on Dyke Road all create noise. It is noted that the modelled maximum noise levels from the proposal, whilst audible and potentially with a higher frequency of occurrence, are not expected to be significantly louder than the current maximum noise levels in the area, affecting the venue.
- 9.27. Noise mitigation measures are also proposed, including dampeners on fencing, restrictions on whistle use and a noise management plan to encourage considerate player behaviour. Large groups of spectators are unlikely given the small size of the AGP and the absence of crowd facilities.
- 9.28. On this amended basis, with reduced hours of use which can be secured by condition together with noise mitigation measures as outlined above which can be secured as part of a Noise Management Plan, it is considered that the conflict with Policy DM9(a) would be minimised and the harm to the neighbouring open air theatre resulting from the development would be reduced to a degree that would, on balance, be outweighed by the benefits of the scheme.

- 9.29. The playing fields are designated 'Open Space' of the School Grounds and Sports Pitches typology, and accordingly are protected under Policy CP16 of the Brighton and Hove City Plan Part One. Whilst arguably the proposal would result in greater compartmentalisation of the field, with fencing, hardstanding and level changes, it is also recognised the site would continue as part of the college grounds as a sports pitch and would remain of a generally open character. The provision of an all-weather surface and floodlighting also results in some enhancements to the open space and accordingly it is considered that there would not be a significant conflict with the requirements of Policy CP16.
- 9.30. It is noted that Sport England have not objected to the proposals, subject to the recommended conditions which include a formal Community Use Agreement and a more detailed Management and Maintenance plan.

Summary

- 9.31. Overall and on balance, it is considered that the benefits for sport arising from the development, taken together with the proposed infill containment measures, the reduced hours of use to avoid the majority of overlap with BOAT performances, and the proposed noise mitigation measures, are sufficient to enable the proposal to be supported in principle.

Design and Appearance and Impact on Heritage Assets:

- 9.32. The proposed AGP and MUGA would both have a green playing surface, with painted markings in contrasting colours. The various boundary fencing would be between 1m and 4.5m in height, of an open-mesh design finished in RAL6005 Dark Green to blend in with the grass and vegetation background. Around the AGP the lowest 0.5m of the fence would be a solid kickboard.
- 9.33. There would be areas of asphalt at the goal ends of the AGP, between the AGP and the MUGA, and to link onto existing pathways within the college campus and car park. There would be a storage container of 6m x 2.4m x 2.4m to the western side of the middle asphalt for the secure storage of equipment.
- 9.34. The proposed floodlighting would comprise ten columns, six of 10m-height at each corner and the centre of each long edge of the AGP and four of 8m-height at the corners of the MUGA, each with a luminaire fixed at the top. The proposed elevations drawings have been updated to clarify the correct floodlight heights.
- 9.35. The proposed AGP and MUGA would be located in the northwest corner of the established playing fields. Due to the sloping land levels, the AGP would be cut into the site and the MUGA would be raised up from the natural ground level. Whilst the proposed additions would be prominent, they would not be incongruous in the context of a college playing field. The fencing would be lightweight and visually permeable, and the proposed colour palette would be appropriately muted in tone to minimise the visual impact of the development against the backdrops of fields, college buildings and boundary planting. The proposed fencing would be similar in appearance to other fencing on the College site. Whilst there would be substantial areas of asphalt, this would

largely be obscured from view by the fencing. The floodlights would have slender columns and would not be excessive in height.

- 9.36. No harm to the setting of the locally listed buildings within the BHASVIC campus is anticipated. There may be some impact on setting of the locally listed Dyke Road Park as the proposed floodlight columns, and in some cases parts of the proposed fences, would be visible in views southwards from within the park. However, in visual terms it is considered that this would not be unexpected or incongruous and would be screened to a large extent by the boundary planting. It is also noted that the existing rugby posts are already visible. No conflict with Policy DM29 of the City Plan Part Two is therefore identified.
- 9.37. Subject to securing final details of material finishes by condition, no material harm in terms of appearance is anticipated, and no conflict with Policies CP12 and CP15 of the Brighton and Hove City Plan Part One or Policies DM18 and DM28 of the Brighton and Hove City Plan Part Two is identified.

Impact on Amenity:

- 9.38. 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.
- 9.39. Policy DM40 (Protection of the Environment and Health - Pollution and Nuisance) of the Brighton & Hove City Plan Part Two states that proposals for floodlighting will be required to keep to the minimum necessary level of light intensity and to an appropriate number, height, design and size of structures and fittings necessary to minimise light pollution and harm to amenity.
- 9.40. Other than matters relating to BOAT as set out previously, there is a significant distance between the site and the nearest sensitive uses, which are dwellings to the south of Old Shoreham Road at a distance of 100m at the closest point, and dwellings to the northwest on Dyke Road at a distance of more than 80m.
- 9.41. The proposed hours of use, as amended, are:

Term Time:

Monday - Tuesday:	08:00 - 22:00
Wednesday - Friday:	08:00 - 19:00
Weekends, Bank and Public Holidays:	09:00 - 14:00

School Holidays:

Monday - Tuesday:	09:00 - 22:00
Wednesday - Friday:	09:00 - 16:00
Weekends, Bank and Public Holidays:	09:00 - 14:00

- 9.42. The hours of use of the floodlights would align with the use of the pitch, with a modest grace period to allow for users to safely exit the site.

- 9.43. Due to the proposed all-weather surface and floodlights, the proposal would result in potentially more intensive and prolonged use compared to the existing playing fields. However, on the basis of the amended hours of use, activity in the evenings would be limited to weekdays and it is considered that there are acceptable separation distances to residential neighbours to avoid a significant impact in terms of noise from the proposals. This is borne out in the results of the submitted Noise Impact Assessments.
- 9.44. The submitted floodlighting contour plan confirms an E3 (suburban) classification which is considered appropriate and shows that direct light spill would be well contained within the application site. Whilst the floodlighting information still does not specifically address BOAT, it is considered that the reduced hours of use, which will also apply to the floodlights, would largely address this concern. It is noted that the 7 identified instances of overlap with BOAT performances (as scheduled in 2026) would have been morning/early afternoon events and therefore are unlikely to require active floodlights.
- 9.45. Accordingly, subject to conditions securing the hours of use, noise mitigation measures, a Noise Management Plan, post-installation verification of floodlighting performance and the hours of operation of the floodlights, it is considered that there would be no significant harmful impact on neighbouring amenity as a result of the proposed development.

Sustainable Transport:

- 9.46. During educational hours the proposals would be for use by college students and would therefore not result in any significant transport impacts, and would potentially result in a small reduction in trips as staff and students would no longer need to travel to alternative facilities. Outside of educational hours the proposals would be open for use by the local community, and this would result in an increase in trips to and from the site.
- 9.47. Assuming a worst-case scenario of consecutive full pitch bookings and individual vehicle users this would result in an additional 80 vehicles using the site (40 arrivals and 40 departures), however in practice the actual number of additional vehicles is likely to be less than this due to car sharing and the use of alternative means of transport.
- 9.48. There is car parking on site, providing 83 spaces, which operates on a first-come first-served basis. The car park is typically fully utilised during the college day and is understood to frequently be full during the evenings as well, and it is therefore considered unlikely that the existing on-site car parks would have capacity to accommodate the additional traffic arising from the proposal.
- 9.49. The site is located within a Controlled Parking Zone (CPZ), with on-street parking available for non-permit holders subject to a charge. BHASVIC is also generally well located for sustainable travel, near to Brighton Railway Station, local bus stops and cycling infrastructure. Accordingly, subject to securing a scheme of Travel Plan Measures to encourage sustainable travel and minimise

car usage it is considered that the development would not result in a severe transport impact or an unacceptable impact on highways safety.

Ecology:

- 9.50. The existing habitat to be lost as part of the development was assessed in the submitted Preliminary Ecological Appraisal (PEA) and identified as managed modified grassland. This habitat is of relatively limited biodiversity value, and no objection is raised to its loss.
- 9.51. The submission includes a Biodiversity Net Gain (BNG) assessment calculating that the mandatory net gain of 10% cannot be achieved on site (within the application red line). Off-site provision of BNG will therefore be required, and the specific details will be submitted at a later stage as part of discharging the Biodiversity Gain Plan condition. The County Ecologist has raised no objection to this approach in principle. It is noted that there are some inconsistencies in the BNG Assessment & Metric regarding the areas of habitat to be lost, meaning that the amount of habitat being lost is likely slightly greater than currently shown and the amount of habitat creation to achieve mandatory BNG will end up being slightly greater, however in accordance with the views of the County Ecologist this can be satisfactorily resolved through the Biodiversity Gain Plan submission.
- 9.52. It is noted that the County Ecologist has raised concerns regarding the SBR/rubber crumb pitch surface material. The applicant has been approached regarding alternative surface materials, however the original SBR is still proposed, and the application must be assessed on that basis.
- 9.53. As set out earlier, there are currently no national or local policy restrictions on the use of SBR. The proposal includes robust infill containment measures including kickboards, boot cleaning stations, detox grates and silt traps within the drainage system.
- 9.54. An updated floodlighting scheme can be secured by condition to reduce the small degree of light spill onto vegetation towards the north of the site which is likely to be used by local bat populations for foraging/commuting.

Drainage and Flood Risk:

- 9.55. The site is located within Flood Zone 1, with a low risk of flooding. The surface water drainage strategy for the proposed development comprises attenuation within the granulated pitch subsurface, together with a soakaway system designed to ensure no above ground flooding occurs up to and including the 1 in 100-year event + 45% allowance for climate change. A condition can be attached to secure evidence that the proposed drainage system is sufficient to match existing greenfield runoff rates and would not increase flood risk on site or elsewhere. A condition can also be attached to secure further assessment of the risk of microplastics resulting in contamination due to water infiltration.

Other Considerations:

- 9.56. Although no trees would be lost as a direct result of the development, there is the potential for trees to be damaged during construction works. The

application includes an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) which has been reviewed by the Council's Arboriculturist and is considered acceptable. Compliance with the measures within the AMS can be secured by condition.

10. CONCLUSION:

- 10.1. The proposal would enhance the sporting facilities available to the college and also provide wider community benefits, subject to a Community Use Agreement, in accordance with Policies CP17 of the Brighton and Hove City Plan Part One and DM9 of the Brighton and Hove City Plan Part Two. The design and appearance of the proposals is considered acceptable, as are the transport and flooding/drainage implications of the scheme.
- 10.2. Although the proposals would allow for more intensive and prolonged use than the existing turf playing field, on the basis of the amended hours of use, it is considered that there is unlikely to be a significant disruption to performances at the neighbouring Brighton Open Air Theatre over and above what could already occur from the existing natural turf pitches. Residential neighbours are considered to be sufficiently distanced from the development to avoid harmful impacts.
- 10.3. The sustainability and environmental impacts of 3G pitches are acknowledged. However, there is currently no national or local policy in opposition to such facilities and the proposal includes robust rubber infill containment measures in accordance with established guidance.
- 10.4. Accordingly, overall and on balance it is considered that the proposed development is acceptable, subject to the recommended conditions.

11. EQUALITIES

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.
- 11.1. 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.
- 11.2. The proposals include level access from the car park by means of a 1:14 gradient ramp.

