



**Brighton & Hove
City Council**

**PLANNING COMMITTEE
ADDENDUM
LATE LIST**

**2.00PM, WEDNESDAY, 10 AUGUST 2011
COUNCIL CHAMBER, HOVE TOWN HALL**

ADDENDUM

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44. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS ON THE PLANS LIST - LATE LIST INFORMATION	1 - 10

10th August 2011 Planning Committee – Additional Representations

Page	Site Address	Application No.	Comment
23	Blatchington Mill School, Nevill Avenue	BH2011/01264	<p>There is a typing error in the main report – the objections received are from a total of 135 individuals/addresses with representations from different individuals within the same households and some individuals submitting than one letter. 95 and 101 Holmes Avenue should be removed from the list of support and the number of supporters is now 322.</p> <p>Letter of the 28th July from the applicant responded to additional technical queries about the proposed floodlighting and this has been noted. Environmental Health continues to raise <u>no objection</u>. The response from the applicant also clarifies by “commercial use” what is meant is third party (e.g. public) hire of the pitches.</p> <p>Letter of the 4th August from the applicant addressing neighbour concerns and this has been noted. The applicant anticipates there will be no coaches parking at the school and that there will be few if any spectators for either hockey of other pitch users.</p> <p>Letter of the 5 August from the applicant advising that for the purposes of hockey matches the England Hockey Board require a minimum brightness of 500 Lux on the pitches and in the Floodlighting Strategy submitted 505 Lux is shown. Under the Sustainable Transport section of the main report a figure of 120 people plus spectators is quoted and this figure comes from the Travel Plan submitted but the applicant anticipates there will be few if any spectators as per their letter of 4 August.</p> <p>Officer Response: This does not affect the assessment of the lighting impact undertaken because this is based on the Floodlighting Strategy submitted and the subsequent details provided by the applicant in response to neighbour concerns, however the figure of 500 Lux in condition 3 of the recommendation is amended 505 Lux. Similarly the transport assessment is unaffected but the applicant is keen to point out the proposed pitches would not attract many spectators.</p> <p>Cllr Phillips objects to the application (letter attached).</p>

Late representations have been received from 3 and 6 Frant Road; 61, 65, 99, 117, 121 and 123 (x3) Nevill Avenue; 95 (x 2), 99, 101 (x2), 103 (x2), 105, 109 (x2) and 123 Holmes Avenue, objecting to the application. A copy of a letter from residents to School Governors has been submitted also.

The reasons for the objections remain predominantly as summarised in the main report, as well as:

- Contrary to Human Rights Act 1998.
- Contrary to policy HE3 of the Local Plan.
- Travel Plan survey data out of date.
- The development will cause the existing medical conditions of local residents to deteriorate further.
- Health and Safety issues with use of retained playing field land for archery.
- Overshadowing from pitch fences.
- Use of pitches should be reduced at weekends to give neighbours respite.
- Contrary to planning policy, e.g. SR20, QD20.
- Harmful to ecology of nearby hedgerow.
- Environmental pollution from lighting.
- Benefits hockey club and commercial users more than school.
- Represents change of use to leisure facility.
- Most supporters of the application are not local.
- Will not serve local community.
- Most objectors are local residents directly affected by the proposal.
- Poor quality visualisation submitted, which lacks detail and context.

An objection containing visuals was delivered by hand on 5 August from an anonymous person:

- Noise and policy SU10 of the Local Plan.
- Of the top 100 boys hockey teams 95 are from private schools, 17 of these have 2 pitches and 11 are floodlit. They are not near residential properties. The 5 remaining teams are state schools and 2 of these have a floodlit hockey pitch.

- Only 1 pitch should be permitted.
- Hours of use should be reduced to 8am until 8pm weekdays, 10am until 5pm at weekends and no use on Bank Holidays.
- A noise management plan should be submitted prior to commencement of development.
- Lighting columns should be retractable.
- Lux level should be restricted to 350 Lux.
- Confirmation of dedicated drop off zones is required.
- A school representative should be on site when the pitches are in use.

Officer Response:

Policy HE3 and the effect of the development on the setting of West Blatchington Windmill (Listed Grade II*) is not material due the separation distance between the sites (in excess of 110m) and there being existing development between such that the application site is neither within nor adjoining the curtilage of the listed building. The 2006 application for hockey pitches at Cardinal Newman School (ref. BH2006/01110) was not submitted with a Travel Plan as such and the data being referred to as being out of date above is thought to be the Brighton and Hove Hockey Club Members map. Although not identical, this map has varied a little, but this is not considered unusual as it shows where the homes of hockey club members are concentrated. The comments in relation to the archery club have been noted and a response from Health, Safety and Wellbeing is on file. The archery club is governed by their own 'Rules of Shooting'. There are no concerns.

Due regard has been given to the noise impact of the proposal in the main report and a condition recommended in order to safeguard residential amenity if the proposal is approved. The mitigating suggestions submitted are noted.

Legal advice has been sought on the reference to peaceful enjoyment of property and whether the development, if permitted, would contravene this right. The advice is as follows;

Although Article 1 of the First Protocol to the European Convention on Human Rights states that individuals are entitled to peaceful enjoyment of their possessions this is a qualified right and the courts will balance the general interest of the

			<p>community against the need to protect an individual's rights. This allows public authorities to justify their actions on a broad range of grounds and the courts have held planning policy to be one such ground. The application is supported by the Council's adopted planning policy and conditions are recommended that will protect amenity. That being the case it is not considered that the proposed development would infringe the Article 1 right.</p> <p>Legal advice has been sought on the effect of the development on health conditions. The advice is as follows;</p> <p>Any claim would need to be proved via the courts which would take into account, in considering the claim, the planning conditions imposed to protect amenity.</p> <p>Cllrs Smith and Mears <u>object</u> to the application please see attached email</p>
111	Trinity House, Roedean Vale	BH2011/01399	

NB. Representations received after midday the Friday before the date of the Committee meeting will not be reported (Sub-Committee resolution of 23 February 2005).

1st August 2011

Ref BH2011/01264 Blatchington Mill School

Dear Mr Wright,

I am writing to you in relation to the planning application for two artificial sports pitches on the playing fields at Blatchington Mill School.

After having carefully considered this planning application, I am not satisfied that this proposal of a commercial development is in the best interests of the school, the local community or the school's neighbours. I therefore strongly object to this application and have some concerns, which I have laid out below.

1. The way in which this application has proceeded:

Brighton & Hove Hockey Club (BHCC) presented to the Governors but the local community were not allowed the same opportunity. I understand that the 3 local councillors in Hove Park ward had requested a meeting with the Hockey Club on behalf of the local community, but this was rejected. The only meeting offered was one where six residents would have been able to meet with the Hockey Club and one or two Governors might have attended. How were the local community to decide which six should go? All they were seeking were the same access to the Governing body as the Hockey Club had had.

2. Similar proposals having been rejected previously:

A similar approach was made to Dorothy Stringer, but they turned it down, as they understood the value of green space and wished to have a flexible sports and recreational space for all students to enjoy. Though they are two separate sites, the reasoning behind the decision at Dorothy Stringer to maintain open fields for multi-use is equally relevant to this application.

3. Concerns with regards to the Travel Plan:

I also have a number of concerns relating to the travel planning around this application and the additional strain a venue like this will place on the local infrastructure. My concerns include:

- How with the Travel Plan Co-ordinator be financed?
- As a daily cyclist living in Hove, I know just how difficult cycling in that area is – especially along Old Shoreham Road, Sackville Road and Nevill Road. Currently there are inadequate safe cycle lanes in the area, so I am not convinced that people will choose to cycle to the venue, instead opting for private cars.
- The public transport map is factually incorrect as it shows the hockey pitches in the wrong position.

- There seem to be no fixed targets regarding vehicle usage with these new pitches. The targets set by the transport initiative are solely based on surveys, and only 35% of people responded.
- While the site may be well-served by public transport, private car access will dominate - this is acknowledged in the Travel Plan submitted based on current travel surveys conducted. Local residents will have to contend with the practical consequences on a daily basis.
- With an increase of cars to the site there is likely to be an increase in CO2 emissions, which runs counter to agreed council targets.
- Visitors have been known to park their cars in the access road when football matches are being played, and the school seems to have failed to control this. With an increase in the number of cars to the area, I am not convinced that emergency vehicles would be able to access the site.
- The majority of BHHC members do not live locally, but it is local residents who are going to bear the brunt of the pressure on the local area.
- I am not convinced that BHHC understands the effect private vehicle use by its members and supporters has on local areas. For example, on the club's website, helping visitors find training and match locations, even though there are a range of public transport options, none are given, instead merely a postcode for 'satnav' use is mentioned:
http://www.brightonandhovehockeyclub.net/visiting_teams/

4. Privatising our children's play areas for commercial gain:

- Essentially this planning application is a loss of green space to a large development. This is the only green space for 1,700 students to use for sports and for breaks/lunchtimes. The loss of over forty percent of this green space for only timetabled sports is clearly denying the space for all students to use it daily. They will not be able to use this space for breaks/lunchtimes as the surface could become damaged, which would result in costly repairs, or the life of the surface being greatly reduced. Multi-sports will not be available as only limited sports can be played on the surface. This also restricts the use for many students.
- Why should we limit the amount of flexible green space for children to play in, in order to have a significant area of designated space where only hockey and 5-a-side football can be played? If the proposal were granted how would the School sporting activities be sufficiently accommodated around the pitches, for example, a running track and other sporting activities
- The current long jump area would be lost, and there has been no explanation as to where the current archery club will continue to play. If they play closer to the fence then this could possibly endanger residents in nearby houses.
- It does not seem right that planning permission is sought which in effect uses the school as the main base and training centre for Brighton & Hove Hockey Club, with over 300 members, to be used potentially between 8am and 10pm every day of the year including bank holidays, and for other commercial use

outside of Brighton & Hove Hockey Club for up to 18 hours for each pitch over a weekend. I think it disingenuous to suggest in the Draft Pitch Usage plans exhibited that the school will be using the site from 7pm – 10pm on weekends, as this would be a major departure from the current situation, where there is virtually no usage at those times.

- National planning policy supports the retention of school playing fields and opposes inappropriate loss of amenity to those that it serves. Also, Planning Policy Statement, PPS1, on delivery of sustainable developments must take into account the impact on communities and the environment.

5. Environmental impact:

Finally, I have concerns about the environmental impact this development would have.

- What are the environmental impacts of constructing this site?

- How will rubbish be collected? There are already problems when the field is used for football.

- The impact and intensity of the floodlights is being diminished in the proposals, yet there is a clear impact on neighbours. Playing fields will be floodlit during a significant part of the year by 12 steel lighting columns 15 metres (approximately 50 feet) in height. I feel that the effect of this is being underplayed and the practical consequences add to the unacceptable nature of the proposals.

- There seems to be no break in activities, and it seems local residents may have to endure additional noise and light pollution every day of the week up to 10pm. Further, it is untrue as stated in the Planning, Design and Access statement on Pg 5 in support of the application, that the school fields are currently *“used by community (non-paying) groups and commercial (paying) groups, often until 10pm in the evening”* and on Pg 3 that the *“school facilities are used extensively by community groups and clubs outside of school hours, at weekend and during school holidays”*. In fact, the school has thus far been mindful not to allow excessive use of the fields for primarily extra curricular school-related sporting activity, on a non-commercial basis. Again, it is wrong to state on Pg 11 that *“there should be no discernable increase in levels of noise and general disturbance over and above that which is already experienced”*. This wrongly suggests that a precedent has already been set, and this is not the case,

In conclusion, I very much hope that colleagues on the Planning Committee will see that this application is essentially an income-generating, commercial initiative for the school, with all the downsides that that entails. I feel that the

school needs to remain independent from commercial or outside influences in its service to pupils and to a balanced education.

As someone who is a keen sports enthusiast and as a representative on the City's Sport's Forum, I completely understand the need for such additional facilities in the community. However, this proposal is in the wrong location, is at odds with the role of the school, and possibly most importantly disregards the value of its playing fields, for the use and enjoyment of its pupils.

Sadly such a scheme (which is likely to be expanded to include a pavilion in due course, according to BHHC's website, should initial permission be granted) is being pursued for purely commercial objectives to profit the school financially, rather than for the benefit of pupils in its care, furthering genuine sporting policy or community objectives.

Residents are rightly concerned about the above issues, particularly noise disturbance. They have good reasons as the site will be open from 8am – 10pm every day of the year, and with likely light pollution from the 12 floodlights. It also seems likely that there will be additional parking and traffic congestion issues, with knock-on effects on air quality, the local economy and the ability for residents to get on with their day-to-day lives.

The benefits to students remain unclear: I do not see any new need for artificial sports pitches. The school's claim that the pitches could allow the teachings of new sports seems weak, as it is unclear which sports would require a new artificial sports pitch. The school already has suitable grounds for sports such as basketball, tennis or hockey. The proposed artificial sports pitches would in fact restrict the space for a diversity of sports including others such as athletics, rugby or the long-jump.

Overall, I feel that the proposal does not benefit the school's pupils. I think that alternative locations where the traffic, noise, light pollution issues would be less problematic should be considered.

I am sorry not to be able to make a representation in person at the Committee meeting on 10th August, as I will be on annual leave at that time. Thank you for giving time to read this letter, and I very much hope members will decline this proposal.

Yours faithfully,

Councillor Alex Phillips

Goldsmid ward, Hove

Member of the City's Sport's Forum



**Brighton & Hove
City Council**

PLANS LIST – 10 AUGUST 2011

COUNCILLOR REPRESENTATION

From: David Smith
Sent: 04 August 2011 19:11
To: Anthony Foster; Mary Mears
Subject: RE: BH2011/01399 - Trinity House - Planning Application

Hi Anthony

Because of other prearranged engagements both Cllr Mary Mears and I are unable to attend the planning C'ttee meeting next Wednesday to object to the proposed building line and also loss of trees in this planning application.

We both will be attending the site visit next Tuesday (please could you inform us the approx. time the planning c'ttee will arrive)

Regards
David

Cllr David Smith
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