

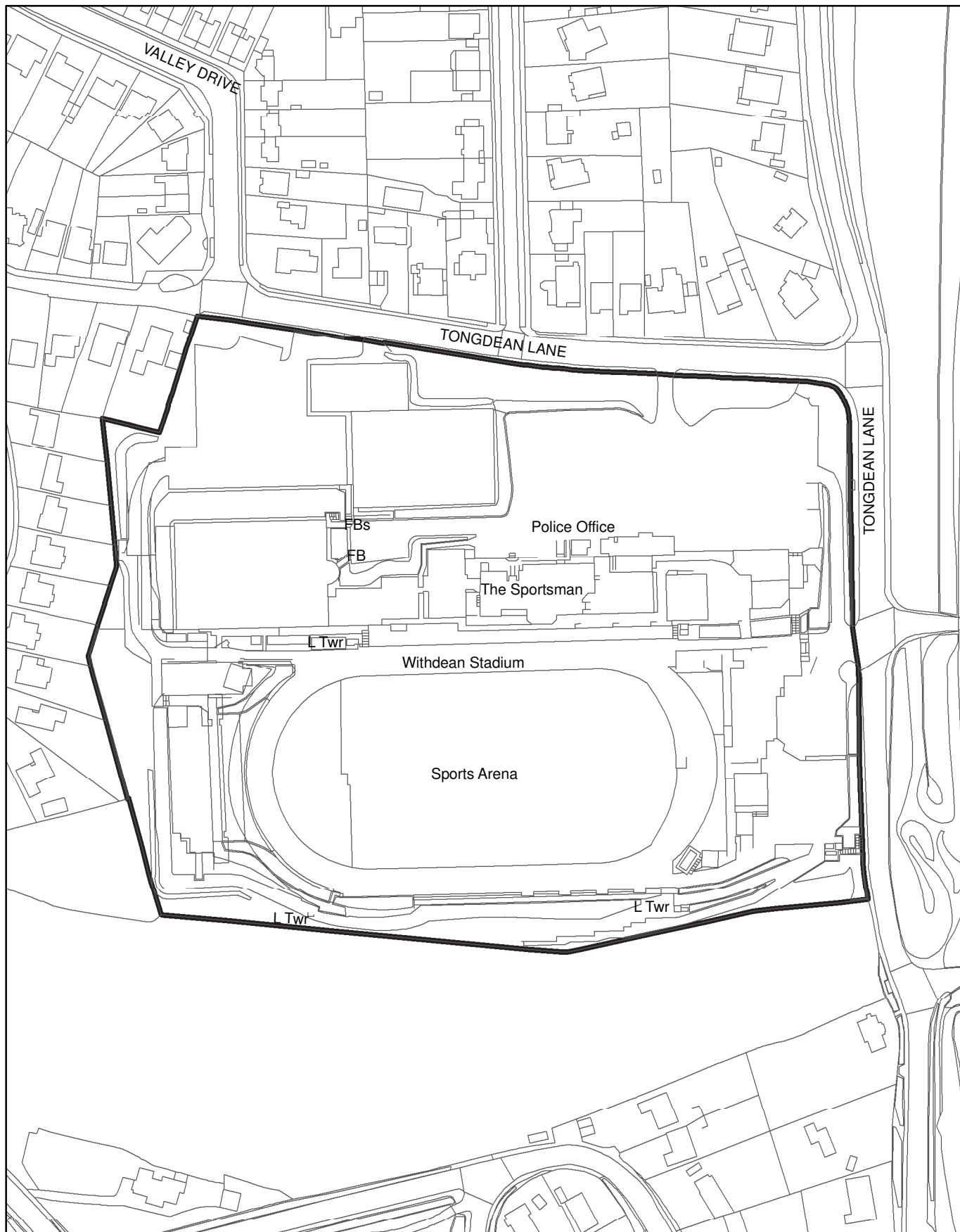
**PLANS LIST  
ITEM C**

**Withdean Sports Complex, Tongdean Lane,  
Brighton**

**BH2012/02765  
Council Development**

**21 NOVEMBER 2012**

# BH2012/02765 Withdean Sports Complex, Tongdean Lane, Brighton



**Scale: 1:2,000**

<b><u>No:</u></b>	<b>BH2012/02765</b>	<b><u>Ward:</u></b>	<b>WITHDEAN</b>
<b><u>App Type:</u></b>	<b>Council Development (Full Planning)</b>		
<b><u>Address:</u></b>	<b>Withdean Sports Complex, Tongdean Lane, Brighton</b>		
<b><u>Proposal:</u></b>	<b>Permanent retention of west stand, north west car park and western and eastern turnstiles. Temporary retention of changing room, 2no WC facilities and 6no storage containers for a period of three years, including relocation of 1no storage container from west side of site to east side.</b>		
<b><u>Officer:</u></b>	Mick Anson Tel: 292354	<b><u>Valid Date:</u></b>	21/09/2012
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	21/12/2012
<b><u>Listed Building Grade: N/A</u></b>			
<b><u>Agent:</u></b>	Brighton & Hove City Council, 2nd Floor Hove Town Hall, Norton Road, Hove		
<b><u>Applicant:</u></b>	Brighton & Hove City Council, Fourth Floor Kings House, Grand Avenue, Hove		

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to Withdean Stadium Complex, which is on the west side of Withdean Road and the south side of Tongdean Lane. On the western boundary are dwellings in Shepherds Croft and the southern boundary is formed by the Withdean Local Nature reserve. The site has an area of 5.9ha. The Stadium complex incorporates a running track/football pitch equipped with floodlights mounted on 30m high columns and a permanent stand to the north with a capacity of 1400 seats. There is an uncovered West Stand which holds 900 seats at the western end of the stadium. To the north of the athletics arena is a three storey indoor sports hall providing 3 tennis courts and health and fitness facilities and low rise buildings housing 8 squash courts and a small crèche. 3 outdoor tennis courts and a netball court are sited north of the squash buildings in between the North West car park and the Withdean Sportsman Public House car park. The public house overlooks the athletics track. Other miscellaneous ancillary buildings include a Police Box, and some metal containers and storage sheds around the perimeter of the athletics track. There are two clubhouses in the north west corner of the athletics track used by the clubs. A tarmac parking area on the north-eastern side is in use for the Council's Shoppers' Park & Ride facility and by Stadium and public house customers. At the eastern end of the site is an old car park which is currently closed off but could accommodate approximately 70-80 spaces.

- 2.2 The site is set in a natural bowl with the land generally rising to the north, west and south. Immediately to the south of the Stadium is the Withdean Woods Local Nature Reserve. There are also Greenways (designated in the Brighton & Hove Local Plan) running along the north and south sides of the stadium. The area surrounding the Stadium and woodland is characterised by residential development on spacious plots. To the east, Tongdean Lane joins Withdean Road and then leads eastwards under a railway bridge, where it is reduced in width to one lane, to London Road (A23). The woods adjoining the railway line are also included within the Local Nature Reserve.
- 2.3 Withdean Stadium is also host to other sporting organisations including three local Athletics Clubs (Brighton & Hove, Phoenix and Arena 80) and Brighton & Hove Squash Club. Until the removal of temporary stands the Stadium had a capacity of 9002 spectators.

### 3 RELEVANT HISTORY

The stadium has an extensive planning history, dating from when the athletics arena was opened in 1955. Prior to 1955 it was occupied by the Regional tennis centre which once hosted an International Davis Cup match in the 1930's. The site was also occupied by a zoo before the athletics track was first laid. For the purposes of this application, however, the most relevant applications are those relating to use of the stadium by Brighton & Hove Albion Football Club since 1998.

**BH2012/02766:** Erection of a 3no storey extension to existing tennis centre to provide additional health and fitness facilities and associated alterations including conversion of 2no squash courts to one fitness studio and crèche and creation of new covered cycle parking providing 16 additional cycle spaces (total 30). Installation of new insulated render to squash court buildings, 10no new AC units and 4no louvres to north elevation of tennis hall. Under consideration.

**BH2011/00973:** Permanent retention of West stand, North West and North East turnstiles and a reduced size North West car park. Temporary retention of players lounge and changing rooms for a period of 3 years. Granted on 29 July 2011. Subject to a legal challenge.

**BH2008/ 00379:** Proposed continuation of the use of the stadium until 30 June 2011 and retention of existing temporary facilities. Variation of condition 2, 3 and 4 pursuant to previous application no. BH2005/00464/FP. Construction of an additional temporary staff building and extension to Study Support building. Granted on 18 June 2008.

**BH2005/00464/FP:** Provision of new stands and extension of existing stands to provide an additional 1966 seats. Replacement and relocation of two storey hospitality unit and addition of purpose built changing rooms. Addition of two storey stewards room and club office and new turnstiles. Continuation of use of Withdean Stadium until 30 June 2008 and the retention of existing temporary facilities. Replacement and relocation of existing athletics clubhouse and alterations to athletics facilities. Permission to allow Brighton & Hove Albion to play the first match in December on a Saturday and permission to play up to

three matches per season on a Sunday during each season. Granted 20 July 2005 after the completion of a Section 106 Agreement.

**BH2004/03117/FP:** Variation of conditions 5 and 6 of planning permission BH2002/01948/FP to allow Brighton & Hove Albion to play matches at Withdean Stadium on 4 December 2004 and a maximum of three Sundays during the 2004-2005 football season. Granted following completion of a Section 106 agreement in November 2004. However, planning permission was subsequently quashed by Order of the High Court.

**BH2002/01948/FP:** Provision of new stands and extension of existing stands to provide an additional 1966 seats. Replacement and relocation of two storey hospitality unit and addition of purpose built changing rooms and new turnstiles. Continuation of use of Withdean Stadium by Brighton & Hove Albion Football Club until 30 June 2005 and the retention of existing temporary facilities. Relocation of existing athletics clubhouse and alterations to athletics facilities. Granted following completion of Section 106 Agreement in October 2004. However, planning permission was subsequently quashed by Order of the High Court.

**BH2000/00664/FP:** Construction of additional 960 seats in a temporary stand and temporary buildings in NE corner with additional turnstile unit. Modification of conditions no. 2 (removal of temporary structures: to read 2003 rather than 2001); no.5 (restoration of new car park to grassed area: to read 2003 rather than 2001); no. 6 (matches on Saturday p.m. only, to read in addition Sunday or Bank Holiday pm: evening kick off at 8pm: to read 7:45 pm); no. 7 (no matches to be played on Saturday afternoons in December); no. 12 (no amplified music except 'Sussex by the Sea'). Granted in November 2002 following completion of a Section 106 Agreement.

**BH1999/01020/FP:** Mono-pitch steel roof over north stand spectator seating (extension to existing provision to cover remaining seats). Granted in June 1999.

**BH1998/00523/FP:** Alterations to Withdean Stadium including installation of new permanent seating terrace with new temporary roof to north stand and temporary seating terrace to south stand. Erection of four 30m high floodlighting columns, turnstiles and ancillary buildings, bicycle stand provision, construction of new car park at the north-western corner of the site and other paving/surfacing works. Erection of new steel security fencing to supplement existing to the southern boundary of the site. Erection of temporary lighting columns in Mill Road in connection with the applicant's Park & Ride scheme. Granted in March 1999.

#### **4 THE APPLICATION**

- 4.1 This application is similar to an application granted consent in July 2011 under ref: BH2011/00973 which was subject of an Environmental Impact Assessment Screening Opinion which concluded that an Environmental Statement was not required. The July 2011 consent is now subject of a legal challenge by a local resident. A 'Revised Screening Opinion' was carried out in October 2011 in response to the legal challenge which concluded that the development approved as an extension to an existing development would not have been EIA development under the new Regulations.

- 4.2 This current application has been advertised as a Major development and an Environmental Impact Assessment Screening Opinion in respect of this proposal to retain facilities on site was issued on 8<sup>th</sup> November 2012. The Screening Opinion has taken into account the potential cumulative impact of this application together with that under ref: BH2012/02766 as listed in section 3 above on the site as a whole. It is concluded that this current application would not require to be accompanied by an Environmental Statement.
- 4.3 Planning permission is sought for the permanent retention of the West Stand which holds 900 spectators. Permission is also sought for the permanent retention of the north west and north east turnstiles and a reduced size North West car park (106 spaces) and the temporary retention of the players lounge and changing rooms for a period of 3 years. The application varies from the previous consent as it seeks to regularise 2 temporary wc facilities located at the eastern end of the athletics track which were left by Brighton & Hove Albion for the Council. A number of storage containers have been on site for indeterminate periods of time for use by the athletics clubs or the operators of the Stadium Complex which have been moved around during and after B&H Albion's tenure and it is considered appropriate to regularise their status under planning legislation. The dimensions and locations of each storage container are as follows:  
Container A 12.4 x 3.1 x 2.7m is the largest and is currently sited on top of the embankment to the rear of 13 Shepherds Croft. It is proposed to be located at the north eastern corner of the track.  
Container B is 6.2 x 2.4 x 2.7m and Container C is 3.3 x 2.4 x 2.7m are both sited together to the south side of the indoor sports centre.  
Container D is 6.2 x 2.7 x 2.7m and Container E is 6.2 x 2.5 x 2.7m are both sited together outside the south eastern corner of the track now that the temporary stands have been removed.  
A timber storage shed is 2.7 x 2.3 x 2.1m to the ridge is sited together with Containers D and E.

## 5 PUBLICITY & CONSULTATIONS

### External

- 5.1 **Neighbours: Three (3) letters of representation have been received from 24B Tongdean Lane; 13, 15 Shepherds Croft objecting to the application for the following reasons:**
- Retention of car park acceptable subject to investment in improving environmental quality.
  - Address poor maintenance of ground and pipework to prevent flooding of Tongdean Lane.
  - Were given the impression that if the car park was retained, trees and shrubs would be planted also to help noise reduction.
  - Would welcome better control of lighting and noise of cars late at night in car parks and outdoor courts.
  - Seek assurances that the grounds/trees will be maintained and area to west will not be a dumping ground.
  - Reiterate objections made in 2011 summarised as follows:

- Uncertainty over stadium users and lack of controls such as PA system, lighting.
- overflow eastern car park.
- NW Car park should return to grass.
- Contrary to policy QD15 and SR17.
- Contrary to Development Plan policies QD27 and SR24.
- Failure to comply with EIA Directive and European Convention on Human Rights.

Further objections are:

- Failure to carry out an Environmental Impact Assessment, object to re-siting of storage container where it would be in view and spoil outlook, w.c facilities are tacky and make stadium look scruffy.
- Storage containers at eastern end are unsightly and re-painting them will make no difference.
- Retention of changing rooms which are ugly and spoil outlook are out of character with surrounding neighbourhood and environment.
- Council reneged on its promises to restore site to previous appearance after B&H Albion left.
- Travel Plan fails to address serious traffic and parking problems.
- Planning Statement falsely claims that public transport is poor to justify retention of NW car park but the related application to extend the sports centre claims that public transport is good.
- Travel Survey shows that 82% of stadium customers travel by car for convenience and only 11% due to poor bus service. Planning Statement contradicts Travel Plan which seeks to discourage car use.
- Screening Opinion is flawed despite claiming to take account of cumulative impact.
- The Council is both the applicant and the Local Planning Authority.

**5.2 Brighton & Hove Archaeological Society**

The Brighton & Hove Archaeological Society believe that this development is unlikely to affect archaeological deposits or features. However, if the relocation of the storeroom includes excavation then the society would suggest that you contact the County Archaeologist for his recommendations.

**5.3 East Sussex County Council Archaeologist**

Although this application is situated within an Archaeological Notification Area, I do not believe that any archaeological remains are likely to be affected by these proposals. For this reason I have no recommendation to make in this instance.

**5.4 Sussex Police Crime Prevention Officer**

I have examined the detail within this application from a crime prevention point of view and as a result I have concluded that, under the circumstances, crime prevention advice is not relevant.

**5.5 Sport England: No objection.**

**Internal:**

**5.6 Arboricultural: No impact on any trees or vegetation therefore no objection.**

- 5.7 **Environmental Health:** Approve with no added conditions.
- 5.8 **Planning Policy:** The planning application should be determined in accordance with the Local Plan.
- 5.9 **Access Officer:** No comments.
- 5.10 **Sustainable Transport:** Recommend approval subject to conditions specified.

## 6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- The Regional Spatial Strategy, The South East Plan (6 May 2009);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999);
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006);
  - Brighton & Hove Local Plan 2005 (saved policies post 2004).
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development.
- 6.5 All material considerations and any policy conflicts are identified in the considerations and assessment section of the report.

## 7 RELEVANT POLICIES & GUIDANCE

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport and accessibility
TR4	Travel Plans
TR14	Cycle access and parking
TR18	Parking for people with a mobility related disability
TR19	Parking standards
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD15	Landscape design
QD16	Trees and hedgerows
QD20	Urban Open Space
QD27	Protection of Amenity



- SR20 Protection of public and private open space
- SR24 Major Sporting venues

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD06 Trees & Development Sites

SPD11 Nature Conservation & Development

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the visual amenity of the retained structures, the retention of the north west car park instead of reverting to amenity space, potential noise and disturbance to residents from additional capacity of stadium and additional travel and transport implications.

**Planning Policy:**

- 8.2 Withdean Sports Complex is defined under Policy SR22 as a Major Sporting Venue in the City. The policy states that planning permission will be granted for improvements to the existing playing and spectating facilities at these venues provided that they are not detrimental to the amenities of the local area. The NPPF states that to deliver recreational facilities, planning decisions should plan positively for the provision and use of sports facilities. The planning system can play an important role in creating healthy communities. The principal of the development of sports and fitness facilities on this site is acceptable and appropriate and is supported by Policy SR22.

**Design:**

- 8.3 The two main structural proposals are the retention of the West Stand and the modular changing block. The stand has ten rows of seats and including the security railing behind the top row, would be 4.5m in height above ground level. The footprint of the stand is 8m x 47m and it faces east onto the bend of the running track. The stand, which has no roof, is built into an embankment at the top of which is the long jump run up and pit. Behind the field events area, the embankment rises again to where the tree line begins. As a modular structure, it has a basic design which keeps its scale to a minimum but it is entirely appropriate in the context of a sports stadium featuring a running track and a football pitch/field events area.
- 8.4 The changing rooms and players lounge facilities are contained in prefabricated modular single storey buildings which are white with blue soffits. They are sited on the upper plateau in the North West corner and although the large featureless sports centre forms part of the backdrop, the modular buildings do not have a pleasing design and would be inappropriate as a permanent form of development. From the elevated approach from the North West turnstiles, the full extent of the flat felt roofs is apparent. They are quite visible in the wider context of the athletics arena and are an unattractive intrusion. However, they do provide a much needed changing and club facility for athletics and as a

community sports facility their retention is supported by policies HO20 and SR16. The applicants should be advised that in the absence of plans to provide a suitable permanent changing pavilion within WSC, the renewal of any temporary planning permission cannot be assured.

- 8.5 The metal containers which are proposed to be retained are used either by the athletics clubs for storage of equipment or by ground staff for maintenance equipment such as mowers etc. Some the containers have evidently been on site for a long time and are quite badly weathered. They are not suitable as permanent means of storage due to their outward appearance and temporary nature. Consideration of their amenity impact is provided in paragraph 8.4 below.

**Impact on Amenity:**

- 8.6 The West Stand has a very modest impact on the wider amenity of the site and surroundings. It is visible mainly from within the arena although it is visible at a distance from Withdean Road and there are glimpses of it from the Local Nature Reserve. A handful of residents in Shepherds Croft may get glimpses of it from their properties but as it is set down below the steeply sloping embankment, it would not be visually intrusive or affect their outlook. The West Stand is visible in the context of the athletics track and other buildings on site so its impact would be minimal. Viewed from inside the arena, again it is set down low enough that it does not intrude into views of the Local Nature Reserve (LNR) behind and is well below the tree line. There would be no physical impact either on the LNR so policy NC3 is satisfied.
- 8.7 Residents have queried why the West stand is now seen as acceptable as a permanent development. Whilst it was previously considered that the collection of spectator stands were not acceptable as a permanent development, it is considered that this stand is not obtrusive and it would have a minimal impact on the amenity and setting of the location and is therefore acceptable.
- 8.8 In respect of the storage containers to be retained on site, Containers B and C are discreetly located in front of the expansive south side of the sports hall and are considered to be in an acceptable location. Containers D and E are located behind the eastern bend of the track and are visible from a short stretch of Withdean Road where there is limited screening vegetation but given the distance from the site perimeter of 50 – 60 metres, they are considered acceptable here subject to some additional landscape planting along the embankment which adjoins the car park. Container A which is the largest would be sited on the north east bend where it would also be visible from Withdean Road. It is more prominent than the other containers due to its size and it is closer to the road. It would however be obscured from the site entrance by the original entrance building in the foreground. An objection to its relocation has been raised by a resident as it is currently out sight from their property however an adjoining occupier had previously requested that the Council relocate it from the rear of their garden where it currently affects their outlook. Its current location at the top of the embankment behind the long jump pit gives it some prominence from within the site whereas its location at the east end of the site would have no impact on the outlook on residents.

- 8.9 The two sets of turnstiles proposed for permanent retention are located in discreet corners of the Complex. The North West turnstiles are only seen from close quarters within the site. The north east turnstiles can be glimpsed from Tongdean Lane but are set back and screened by trees and vegetation and are considered to be acceptable and comply with policy QD27.
- 8.10 In terms of the impact of noise on the nearest residents, it is possible that when full, the stand could add to the general crowd noise. It is unlikely though that the noise from this stand could be distinguished from noise from the main north stand which would be amplified due to its roof. The occasions when the West Stand would be full would be quite rare. With B&H Albion no longer using the stadium for first team fixtures, it is only school sports days or the occasional large athletics events which will attract a large enough crowd to require opening the West Stand. When this application was last considered, a site visit on a schools sports day revealed that almost the entire crowd preferred to view the event from the North Stand and less than ten spectators were sitting in the West Stand. It was agreed in 2011 with the applicants that for football matches, spectators will only be permitted to use the North Stand except with prior written approval for larger events. When a local football club or B&H Albion reserves or women's team have played no more than 200 spectators have attended. It has also been agreed that all football spectators should enter the arena via the North Eastern turnstiles and not the North West turnstiles, away from residents in Shepherds Croft. The North West turnstiles have only been used by the athletics clubs for club nights or for special events however in view of the related application to extend the indoor sports centre on this agenda, it would be beneficial if the North East turnstiles were to be used by the athletics clubs in order to encourage the spread of the car parking demand. This should feature in the car parking management plan to form part of an agreed Travel Plan.
- 8.11 The other main aspect of the proposals is to retain the majority of parking spaces in the North West car park. Since the approval of this car park, there has been a verifiable increase in usage of Withdean Sports Complex over the years. This has led to the related application on this agenda to extend the indoor sports centre. At present there are 116 spaces in the car park. As advised prior to the last application, the applicants are proposing to remove a row of parking spaces which are the closest to the house and rear garden of No.25 Tongdean Lane and to provide some planting to screen the car park in order to minimise the impact on amenity due to noise and vehicle manoeuvring and to provide some visual amenity to soften the impact of the car park. Some additional tree planting is proposed within the central block of spaces which will also enhance its present appearance. There have been 3 objections to the retention of this car park which was previously required by condition to be removed and the land reinstated to grass. However due to the increase in usage of the sports centre, this car park has become well used over recent years and operates separately from the Park and Ride car park to the east. The reason for the requirement to reinstate the grass was on amenity grounds however since its approval, a 1.8m high close boarded fence has been permanently erected onto the Tongdean Lane frontage which screens the car park from street level and dwellings opposite. The applicants are also proposing to add border planting which will eventually grow over the fence to add to the

screening. The planting will be extended to the access point at the previous request of residents living opposite and will require the re-siting and probable loss of further parking spaces. Conditions are recommended requiring details of the new configuration as well as the landscaping scheme for the whole car park as with the 2011 permission.

- 8.12 The permanent loss of the grassed area has also been considered against policies QD20 and SR20. The grassed area that was replaced to provide the North West car park did provide amenity open space but appeared to have had more significance for residents as visual amenity than as public open space. Its recreational and amenity value was always limited by being enclosed by tennis courts with fencing, the backdrop of the sports centre and other buildings. Policy QD20 states that open space of importance to local people should be protected. Only 2 objections have referred to the retention of the car park in their representations despite extensive circulation of consultation letters and the posting of site notices. Policy QD20 states that permission to develop open space that is important to people will not be permitted where there are no deficiencies in open space provision (of all types) in the area including outdoor recreation space and natural green space and that it is not suitable to meet alternative open space needs. The very limited response suggests it is not important to many people in the area. It is considered however that the parking would continue to support a formal recreation facility including outdoor recreation that is one of the City's main sporting venues (policy SR22) making it capable of use for a wider range of events. Therefore, whilst an area of amenity space would not be reinstated, it has an enabling benefit for a wider recreational use and therefore an exception to policy QD20 could be made.
- 8.13 The representations received refer to the potential for additional noise and disturbance arising from the increased capacity of the stadium compared to the period before B&H Albion occupied the site.
- 8.14 At the time of the last application, Whitehawk FC, were intending to play at the WSC for a year but were not permitted to relocate by the League authorities and will stay in East Brighton. The primary beneficiaries of the increased capacity are intended to be the athletics clubs who could host the occasional larger event but this would be rare. The additional facilities would enhance the sporting facilities at one of the City's major sporting venues for the benefit of the clubs and residents of the City.
- 8.15 B&H Albion reserves and women's team currently use the pitch which does not require planning permission. B&H Albion reserves may attract a crowd of 200 and they play about 6 – 10 home games in a season whilst B&H Albion women's team play 10-12 matches to similar or lesser crowds. It is therefore considered that there would not be an unacceptable impact on the amenity of residents and that suitable planning conditions and management arrangements will ensure that the effect on the amenity of the location will be acceptable.
- 8.16 Some concerns have been expressed about floodlighting and the Public Address system. The 30m high floodlight columns have permanent consent and do not form part of this application however some of the lower way finding

lighting will be removed where it was in association with stands that are to be removed. The PA system also has permanent consent and the only previous restrictions were applicable to B&H Albion related to the playing of music. In general, the PA system would be used at events for the purposes of announcement and directions and no other purposes. The operators, Freedom Leisure have conditions of hire of the stadium in the hire agreement concerning lighting and the PA system. The main floodlights are turned off at 10pm and the playing of music and use of musical instruments, drums etc by the spectators is prohibited.

- 8.17 Consideration has been given to the cumulative impact of this application with the proposed extension to the indoor sports centre on this agenda. The athletics track and indoor sports centre would operate independently of each other. The athletics clubs have been using the site for decades for training and there have been floodlights necessary for winter training. The extended capacity could enable the occasional larger sports event to take place but they would be extremely rare and certainly much less than when B&H Albion held up to 30 matches a season to a capacity of up to 9000 spectators. There are no local football clubs who generate a crowd of more than 200 in the City or the adjoining authorities and so the main large events will still be mainly school sports days which have taken place for years at this venue. These events tend to take place in the daytime or at weekends. The extended indoor fitness facilities have their busy peak periods in the early midweek evenings which currently coincide with athletics club nights. It is considered that through the planning conditions and the design and layout of the developments, there would be sufficient controls in place to ensure that the impact of the proposals on the amenity of the area and neighbours would be acceptable. The Environmental Health Officer has not sought any conditions on this application but considers that any complaints about noise or lighting can be investigated under the Environmental Protection Act 1990.

**Sustainable Transport:**

- 8.18 The two main issues under this section are the additional travel demands created by the retention of the 900 seat West stand and the retention of the majority of spaces in the North West car park.
- 8.19 The site is served by the No 27 bus which has 4 services an hour during the day until mid afternoon when services are reduced in frequency. This service operates as a Park and Ride on the WSC site enabling passengers to park on site before boarding the bus. The site is also within a short walk of London Road where the regular 5 and 5A bus services operate.
- 8.20 The North West car park has 116 spaces within it but as a result of the landscaped buffer zone there would be 10 spaces removed. The existing number of Park and Ride spaces (145) would be unchanged as well as the 58 enclosed spaces for customers of the Sportsman Public House. The eastern car park could accommodate approximately 70 – 80 spaces but is currently closed off. This figure is subject to final configurations and the car park which would mostly be used as overflow parking and could accommodate bus or minibus parking for larger events. The applicants had previously agreed to use this car

park for football spectators to avoid conflict with Park and Ride and other sports centre users as well as maintaining a distance from the nearest residents. Excluding the Sportsman PH parking but including the East car park, there would be approximately 321-323 spaces available at a maximum for users of the sports complex and the Park and Ride.

- 8.21 The Transport Planning Officer has stated that using SPG4 parking standards, the maximum permitted amount of parking spaces for the sports complex as a whole would be 705 and 24 disabled bays which would be well in excess of the resultant total on site if the application is approved. With no parking controls on street, there is a possibility of uncontrolled overflow parking into surrounding roads to the detriment of residents if the right balance between car parking and provision of more sustainable means of transport is not met.
- 8.22 Two site visits took place during consideration of the application. One during the daytime and one at 7pm in the evening when one of the athletics club were training and during the peak period for the fitness suite. During the daytime there was ample parking available in both the Park and Ride car park and the North West car park. The gym and fitness suite were both busy at that time. In the evening, as well as the athletics club and fitness users, the outside tennis courts and the 5 a-side court were all fully occupied. There were approximately 25 cars parked in the Park and Ride car park including those near the indoor sports centre entrance. The North West car park had between 30 – 40 spaces empty.
- 8.23 There were 5 or 6 cars parked on street on Tongdean Lane outside the entrance to the North West car park possibly by users of the outdoor facilities. Although these visits provided a snapshot, it suggests that for most activities at the stadium, the on site parking is currently adequate but for a larger event on a weekend when the sports centre would be busy as well, there may be a need for additional parking.
- 8.24 The applicants have agreed to provide a Travel Plan as a condition of any consent as well as conditions to provide management of the spaces. The applicants have suggested that a Travel Plan which covered both proposed developments would be appropriate and would include specific measures designed to manage any event that is expected to result in larger crowd than could be accommodated within the North Stand (1400) which has a permanent consent with no restrictions.
- 8.25 The applicants had agreed as part of their previous consent to provide as requested an additional 10 disabled parking bays and 18 Sheffield Stands at suitable locations on site to be agreed by condition. This should be applied again. It is considered therefore that with the total number of parking spaces being well below the maximum permissible, the existing bus service (including Park and Ride) and the additional cycle spaces, the proposal would conform with policies TR1, TR4, TR14, TR18 and TR19.

**Sustainability:**

- 8.26 It would not be appropriate to apply the Sustainable Design SPD 08 to the proposed structures being an open spectator stand and temporary modular buildings. It is considered therefore that the proposal does not conflict with policy SU2 however the proposal includes additional planting of trees and hedgerows which could add to the local habitat whilst at the same time enhancing a major sports centre for the City.

Ecology/Nature Conservation:

- 8.27 The previous use of the North West car park as a grassed area would not have provided any ecological value of significance. The additional planting of trees and hedgerows as part of the amenity space would therefore increase the ecological value of the site. However the amount of trees in the area and the LNR adjacent is evidence that this location is well provided for in terms of encouraging biodiversity.

Waste Management:

- 8.28 The physical proposals to retain facilities and the car park will not generate additional waste as they are already in place. The activities associated with them would not generate any significant additional waste and would be dealt with under current management operations.

**Other Considerations:**

- 8.29 In respect of human rights legislation, it is considered that in terms of respect for residents privacy and peaceful enjoyment, these issues have been taken into account in consideration of the application and measures will be required in order to minimise any noise and disturbance over and above that which may occur from time to time in the use of a major sporting venue.

**9 CONCLUSION**

- 9.1 The proposals have been assessed against the transport, recreational, design and amenity policies in the Local Plan and it is considered that it would not cause significant harm to the amenity of the location nor of residents in terms of noise and disturbance. The proposal would however enable enhanced sporting facilities to be provided for the benefit of sports centre users, clubs that use the site and the City as a whole.

**10 EQUALITIES**

- 10.1 The retained facilities will be fully accessible as they are at present and there will be additional disabled parking bays for car users. The Access Officer has made no comments.

**11 CONDITIONS / INFORMATIVES**

11.1 Regulatory Conditions:

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

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

- 2) 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
Site Plan	001		04.09.12
Block Plan Structures Retained	002		04.09.12
Block Plan Structures Retained Proposed	002A		04.09.12
Containers, Shed & Turnstiles Plans and Elevations Sheet 1	003		04.09.12
Containers, Shed & Turnstiles Plans and Elevations Sheet 2	004		04.09.12
Toilets Plans and elevations	005		04.09.12
Contextual Elevations	006		04.09.12
West Stand Plans & Elevations	008		04.09.12
Existing Car park layout	1101/05		08.11.12
Proposed car park layout	1101/04		08.11.12

11.2 Post Occupation Conditions:

- 3) Within 3 months of the date of this permission details of the provision of 18 Sheffield stands, being the additional secure cycle parking required for the occupants of, and visitors to, the development hereby approved shall be submitted in writing for approval by the Local Planning Authority. These facilities shall be fully implemented and made available for use within 6 months of the approval of details and thereafter be retained for use at all times.

**Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.

- 4) Within 3 months of the date of this permission, details of the provision of 10 exclusive disabled parking bays, being the additional bays required for the occupants of, and visitors to, the development shall be submitted in writing for approval by the Local Planning Authority. These facilities shall be fully implemented and made available for use within 6 months of the approval of details and thereafter be retained for use at all times.

**Reason:** To ensure that satisfactory parking facilities for disabled staff and visitors are provided and to comply with policies TR18 and TR19 of the Brighton & Hove Local Plan.

- 5) Within 6 months of the date of this permission a Travel Plan including a parking management strategy to cover the whole site shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include additional measures for management of events likely to attract a crowd exceeding 1400 spectators and shall be fully implemented within a month of its approval and thereafter in perpetuity.



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- Reason:** To ensure that sustainable and well managed travel arrangements are in place for staff and visitors to the stadium complex, to minimise traffic congestion, protect the amenity of residents and to comply with policies TR1, TR4 and QD27 of the Brighton & Hove Local Plan.
- 6) Spectators of football matches held at the stadium shall only be permitted to spectate from the North Stand and shall only enter the stadium via the North Eastern turnstiles except for special events with the prior written approval of the Local Planning Authority.  
**Reason:** To minimise noise and disturbance and in the interests of the amenity of residents and to comply with policies QD27.
- 7) The North West car parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to employees of and visitors to Withdean Sports Centre.  
**Reason:** To ensure that adequate parking provision is retained for the sports centre and to comply with policy TR19 of the Brighton & Hove Local Plan.
- 8) The temporary changing room building, the five storage containers and the timber shed as shown on the plans hereby approved shall be removed from the site before the 20th November 2015 and the land on which they stand made good in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority. The building and other structures shall not be re-located or replaced at anytime on or within the site before the expiry date above without the prior written approval of the Local Planning Authority.  
**Reason:** The building and structures hereby approved is not considered suitable as a permanent form of development to safeguard the amenity of the site and surroundings and to comply with policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.
- 9) Within 4 months of the date of this permission, the storage containers and timber shed hereby approved shall be repaired and/or painted to a specification to be submitted to and approved in writing by the Local Planning Authority and thereafter retained as such.  
**Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD27 of the Brighton & Hove Local Plan.
- 10) Notwithstanding the plans hereby approved, within 3 months of the date of this permission, a landscaping plan for the North West car park and the eastern boundary of the East car park shall be submitted to and approved in writing by the Local Planning Authority which shall include hard surfacing, the re-configuration of parking spaces, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The scheme shall include additional hedgerow planting on the north boundary and adjacent to adjoining residential dwellings.  
**Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.
- 11) Notwithstanding the plans hereby approved, within 3 months of the date of this permission, details of the hard surfacing, access, layout, numbers and

configuration of parking spaces to be provided in the re-instated East car park shall be submitted to and approved in writing by the Local Planning Authority. The approved East car park shall not then be used otherwise than for the parking of private motor vehicles belonging to employees of and visitors to Withdean Sports Centre in accordance with the details approved.

**Reason:** To ensure that adequate parking provision is retained for the sports centre and to comply with policy TR19 of the Brighton & Hove Local Plan.

- 12) All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

**Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

- 13) No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The fences 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:** To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

### 11.3 Informatives:

1. This decision to grant Planning Permission has been taken:
  - i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:  
(Please see section 7 of the report for the full list); and
  - ii) for the following reasons:-

The proposals are intended to enhance the facilities at Withdean Sports Centre which is defined in policy SR22 as one of the City's major sporting venues. The policy is permissive about improving sports facilities at these centres provided that they are not detrimental to the amenities of the area. The proposal to retain the West Stand which is not considered to be obtrusive and its location and siting would not have a significant impact on the amenity of the site and is entirely appropriate in the context of a large sporting venue. Conditions attached to any consent would ensure that the West Stand is used as additional seating for special large events and the

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North West turnstile which serves it would not be used except for large scale events when use of the West Stand is required.

The retention of 106 parking spaces in the North West car park is also considered to be an important facility to serve the sports activities at the Centre. Use of the sports centre has increased over the years and the athletics clubs would benefit from occupying a facility that attracts larger athletics meetings. The amount of parking available would still be half of what could be permitted for a venue of this size under the Council's maximum parking standards. The conditions attached and the Travel Plan will ensure that travel and parking at the Sports Centre can be managed more than they currently are now with controls in place for larger events that will benefit residents by minimising uncontrolled overflow parking on-street. The additional cycle parking and the Travel Plan will also encourage travel by more sustainable modes. The reduction in parking spaces and additional landscaping around the retained car park is acceptable.

