

<u>No:</u>	BH2016/05107	<u>Ward:</u>	Moulsecomb And Bevendean Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Car Park And The Bridge Community Education Centre Former Falmer High School Lucraft Road Brighton		
<u>Proposal:</u>	Use of existing car park in connection with events taking place at the American Express Community Stadium and retention of existing building accommodating The Bridge Community Education Centre for a temporary period of 4 years.		
<u>Officer:</u>	Chris Swain, tel: 292178	<u>Valid Date:</u>	27.07.2017
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	26.10.2017
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	15.11.2017
<u>Agent:</u>	Mr Peter Rainier Gainsborough House Pegler Way Crawley RH11 7FZ		
<u>Applicant:</u>	Mr Martin Perry Village Way Brighton BN1 9BL		

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	002		31 August 2016
Site Layout Plan	110	B	31 August 2016
Existing Floor Plans	103	C	31 August 2016
Existing Elevations	301	C	31 August 2016
Lighting scheme	SP5982- LD02205/04	A	23 October 2017

2. The development hereby permitted shall not be continued beyond 4 years after the date this planning permission is granted whereby the land shall be restored in accordance with a restoration scheme to be submitted to and approved in writing by the Local Planning Authority. The restoration scheme shall include details of the timeframe for the restoration works.

Reason: As the structure and operational use hereby approved is not considered suitable as a permanent form of development, permission is granted for a temporary period only and in accordance with policy QD27 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.

3. The existing building shall be permanently retained for use by The Bridge Community Education Centre until the expiry of this planning permission.

Reason: In order to ensure that accommodation is provided for The Bridge Community Education Centre and that there is no loss of community facilities and to comply with Policy HO20 of the Brighton & Hove Local Plan.

4. The number of times the car park hereby approved shall be used in connection with the American Express Community Stadium shall not exceed 50 times in any 12 month period. At all other times, the car park shall not be used for any other purpose apart from parking in connection with The Bridge Community Education Centre, and parking for The Bridge Community Education Centre shall not exceed the use of 10 of the standard car parking spaces at any one time, and 3 disabled parking spaces.

Reason: The application has been assessed on the basis of the maximum number of times it could be used as being 50 times in any 12 month period.

Any increased frequency of use has not been considered in terms of its impact on the local highway network and highway safety and neighbouring amenity, and in relation to policies TR7, TR19 and QD27 of the Brighton & Hove Local Plan and policy CP9 of the Brighton & Hove City Plan Part One.

5. The car park hereby approved shall not be used for private or taxi drop off in connection with events at the American Express Community Stadium.

Reason: In order to limit the number of vehicles within the car park and using the tunnel under the railway-line from the A270, to those vehicles which are which are parking within the car park hereby approved and to comply with policy TR7 of the Brighton & Hove Local Plan and policy CP9 of the Brighton & Hove City Plan Part One.

6. The number of vehicles parked within the car park at any one time shall not exceed 680.

Reason: In order to prevent block parking on the site and to ensure that a fire appliance would be able to access the site in a safe manner if needed in an emergency and to comply with policies TR7 and TR18 of the Brighton & Hove Local Plan and policy CP9 of the Brighton & Hove City Plan Part One.

7. Three disabled parking spaces shall be laid out in accordance with the approved plans and shall be made permanently available to users of the Bridge Community Education Centre retained as such thereafter until the expiry of this planning permission.

Reason: In order to ensure that there disabled parking spaces are provided for The Bridge Community Education Centre and to comply with policy TR18 of the Brighton & Hove Local Plan policy CP9 of the Brighton & Hove City Plan Part One.

8. When the car park is used in connection with the American Express Community Stadium, the only vehicular access and egress shall only be via the A270 and tunnel under the railway-line and shall not be via Lucraft Road.
Reason: In order to prevent the use of Lucraft Road by vehicles and to prevent noise and disturbance to nearby residents as a result of vehicles using Lucraft Road plus other residential roads within Moulsecoomb and to comply with policies TR7 and QD27 of the Brighton & Hove Local Plan and policy CP9 of the Brighton & Hove City Plan Part One.
9. The car park hereby approved shall be operated in line with the Stewarding Plan included within the current Travel Management Plan for the stadium; which is expected to be submitted in advance of each football season. The Stewarding Plan shall include details of the stewarding for match days and other non-match event days. The use and management of the car park shall be implemented fully in accordance with the approved details.
Reason: To ensure the safe access and egress of vehicles to the site and to reduce conflict with pedestrians and cyclists and to protect the residential amenity of surrounding residents and to comply with City Plan Policy CP9 and Local Plan Policy TR7 and QD27.
10. On match days, the car park hereby approved shall only be made available to spectators attending a match at the American Express Community Stadium, who have purchased a pre-paid ticket to park in the car park.
Reason: In order to restrict vehicular trips to the car park and surrounding area and to comply with policies TR7 and QD27 of the Brighton & Hove Local Plan and policy CP9 of the Brighton & Hove City Plan Part One.
11. A minimum of 24 disabled car parking spaces shall be provided for and retained at all times.
Reason: In order to ensure that there disabled parking spaces are provided for American Express Community Stadium and to comply with policy TR19 of the Brighton & Hove Local Plan and policy CP9 of the Brighton & Hove City Plan Part One.
12. Unless otherwise agreed in writing with the Local Planning Authority, the car park hereby approved shall only be in use between the hours of 7am and 11.30pm.
Reason: In order to protect the amenity of nearby residents and to minimise noise pollution in compliance with policies SU10 and QD27 of the Brighton & Hove Local Plan.
13. The site lighting should be maintained in accordance with the details set out in drawing SP5982-LD02205/04 Rev A, the Evolo 2 Lighting Catalogue and the Sapphire 1 Lighting Catalogue received on 23 October 2017 and shall be retained as such thereafter until the expiry of this planning permission.
Reason: In the interests of residential amenity and the visual amenity of the South Downs National Park and to ensure that the lighting does not negatively impact on bats, and to comply with policies SU9, QD18, QD26 and QD27 of the Brighton & Hove Local Plan and policy CP10 of the Brighton & Hove City Plan Part One.

14. The latest Travel Guide as produced by the applicant, advising users of the car park that the most appropriate route when travelling from the west on the A27 will be via the Hollingbury junction rather than the B2123 junction, shall be provided and available to all car park users as necessary.
Reason: In order to reduce the use of the A27/B2123 junction and to comply with policy CP9 of the City Plan Part One and TR7 of the Local Plan.
15. Apart from the 9 lighting columns on the perimeter of the car park, and the one floodlight within the car park which is directly to the north west of the temporary building, no other floodlights within the car park shall be illuminated except for the times when the car park is in use by the American Express Community Stadium.
Reason: In the interests of visual amenity of the South Downs National Park and to ensure that the lighting does not negatively impact on bats, and to comply with policies SA5 and CP10 and of the Brighton & Hove City Plan Part One.
16. Unless otherwise agreed in writing by the Local Planning Authority, all lighting columns within the site shall only be illuminated between the hours of 7am to 11.30pm.
Reason: In the interests of visual amenity of the South Downs National Park and to ensure that the lighting does not negatively impact on bats, and to comply with policies SA5 and CP10 and of the Brighton & Hove City Plan Part One.
17. Three Sheffield stands shall be in situ and available at all times during the full duration of this planning permission for users of the Bridge Community Education Centre.
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.
18. The use of this car park hereby approved plus the use of the adjacent Brighton Aldridge Community Academy site, for parking to serve the American Express Community Stadium, shall not exceed 1,000 car parking spaces at any one time.
Reason: The application has been assessed on the basis of no more than 1,000 cars being parked on the two sites and no more than 1,000 cars accessing the site from the A270 via the railway-bridge, and an increased number of trips has not been considered in terms of the impact on the local highway network and highway safety and neighbouring amenity, and in relation to policies TR1, TR7, TR19 and QD27 of the Brighton & Hove Local Plan and policy CP9 of the Brighton & Hove City Plan Part One.

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. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1 The Former Falmer High School site consists of an existing parking area with a flat roofed building to the south of the site which is in use by the Bridge Community Educational Centre.
- 2.2 The site is to the north east of Egginton Close, to the south east of the A270 and the railway-line and to the west of the new Brighton Aldridge Community Academy School. Vehicular access to the site is via Lucraft Road and via a tunnel under the railway-line from the A270.
- 2.3 The south eastern boundary of the site adjoins the South Downs National Park. The Westlain Plantation Site of Nature Conservation Importance and ancient woodland adjoins the south western boundary of the site and is near to the south eastern boundary. Located just beyond the south eastern boundary is an Archaeologically Sensitive Area.
- 2.4 There is one beech tree on the centre of the site which is protected by a Tree Preservation Order.
- 2.5 Planning permission is sought for the use of the existing car park in connection with events taking place at the American Express Community Stadium and retention of existing building accommodating The Bridge Community Education Centre for a temporary period of 4 years.
- 2.6 The car park consists of 680 spaces including 24 disabled spaces for spectators / users of the stadium and 3 disabled spaces for the community centre.
- 2.7 The entrance to the car park is controlled with a barrier. Access to the carpark would be via the A270 and the tunnel under the railway not via Lucraft Road.
- 2.8 The existing building to be retained is fabricated in nature and consists of grey natural marble ship panels on the lower part of the building with white aluminium weather-lap cladding on the upper part. The roof consists of grey Torflex panels whilst windows are double glazed aluminium.

3. RELEVANT HISTORY

3.1 Falmer High School Site

BH2012/00384 - Construction of a temporary car park (4 years) accommodating 680 parking spaces and accessed via the A270 junction and existing tunnel under the railway-line, for use up to 50 times in any 12 month period in connection with events taking place at the American Express Community Stadium, along with erection of a temporary building (4 years) to accommodate The Bridge Community Education Centre. Approved 02/05/2012

BH2012/00455: Prior approval for the demolition of Former Falmer High School

Buildings. Approved 10/04/2012.

BH2009/01729: Application for partial demolition of Falmer High School (including the North Block, Canteen, Kitchen and Caretaker's flat) and construction of new Academy complex (Class D1), including sports hall, dining hall, performance areas, adaptable teaching spaces, caretaker's flat and communal space, along with a floodlit Multi Use Games Area (MUGA) and full size all weather playing pitch, and associated car and cycle parking, educational wind turbine, energy centre incorporating renewable technologies, landscaping and temporary construction access. Approved 16/10/2009.

BH2008/00980: Outline Application for partial demolition of existing school (locally known as North Block) and construction of a new academy complex (Class D1) with associated car parking and landscaping. Approved 18/06/2008.

AMEX Community Stadium site

BH2011/03861 - Application for variation of conditions 39 and 43 of approved planning application BH2001/02418 and variation of conditions 35 and 38 of approved planning application BH2008/02732. Condition 39 of application BH2001/02418 and condition 35 of application BH2008/02732 seek to reduce the minimum number of car parking spaces from 2000 to 1500 and increase the maximum number from 2200 to 3000 and to read as follows - " Unless otherwise agreed in writing with the Local Planning Authority, no use of the Stadium for Outdoor Events shall occur unless a minimum of 1500 car parking spaces and a maximum of 3,000 car parking spaces at Sussex University and land at the former Falmer High School or at alternative locations within 1.5km of the Stadium as shown on the car parking plan within Document 6 of the Addendum to the Transport Assessment (Appendix 2.1 of Environmental Statement) which was received on the 15 March 2012, are made available for use by persons attending the said Outdoor Event. Any proposed change to the approved aforementioned parking would need to be submitted to and approved in writing by the Local Planning Authority." Condition 43 of application BH2001/02418 and condition 38 of application BH2008/02732 seek to increase the maximum number of people in attendance from 22,500 to 30,750 (additional 8,250) and to read as follows - "No event shall take place at the Community Stadium with an attendance in excess of 30,750 people". Approved 10/04/2013.

BH2001/02418FP: A Community Stadium with accommodation for Class B1 business, educational, conference, club shop merchandise, entertainment and food and road works, pedestrian and cycle links, coach/bus park and set down area, shared use of existing car parking space at the University of Sussex and shared use of land for recreation and parking at Falmer High School. Approved 23/07/2007.

4. REPRESENTATIONS

- 4.1 One letter of representation has been received from the Bridge Community Education Centre supporting the scheme, stating that the car park is essential for the service that they provide.

One general comment has been received outlining that whilst there is no objection to the application there are concerns about safety with vehicular traffic using the arch under the railway noted. It is recommended that the arch under the railway should be pedestrian only (a drop down bollard could be installed so that for emergency or other such need, vehicles could pass) or in the event that vehicles are allowed to continue to use the arch, that it should be only one-way and south bound, due to the high risk of an accident occurring when traffic comes through the arch north-bound and towards the A27.

5. CONSULTATIONS

5.1 Sustainable Transport: No objection

The Highway Authority has no objections to the temporary extension of use for a 4 year period of the Bridge Community Centre car park when events are taking place at the AMEX Stadium, subject to the inclusion of the previously required conditions on planning permission BH2012/00384 to be included on any new permission granted.

5.2 Comments from previous application (BH2012/00384)

General

This application contains little material on sustainable transport but is only to be implemented as parking for the stadium and the wider approvals attached to the stadium will ensure that sustainable transport considerations are addressed. The access arrangements to the retained land have been agreed as part of the main existing stadium consent.

5.3 Parking

The number of general parking spaces is acceptable as it is carried forward from the original stadium consent. The TA refers to the opportunity to increase the number of spaces that are provided through the implementation of a block parking arrangement, but this may cause a fire hazard and should be prevented by condition unless agreed in writing by ESFRS.

5.4 In order to provide disabled parking for the stadium expansion in proportion to that approved with the original consent, there should be an increase of 35 spaces, from 122 to 167, provided with the stadium expansion. The retained land which is the subject of this application is the only site at which extra disabled parking is proposed and the intention is to provide only 24 stadium related spaces. This under provision should be resolved by a condition requiring the implementation of approved plans providing an increase to 35 spaces. The arrangements for travel by mobility impaired people to the stadium are not clear in the submission and a condition should also be attached requiring the submission of details for approval on this. This should include provision of a disabled access ramp if required.

5.5 A draft management plan for operation of the parking and access arrangements on match days has been submitted with the application and the agreement of a complete plan should be required prior to use of the car park by condition. SPG4 indicates that the Bridge facility needs at least 3 cycle and 3 disabled spaces and the provision proposed is at or above these requirements. The management

plan referred to above should set out how these spaces will be reserved if required on match days. Also a condition should be attached to any consent requiring the implementation of revised and approved plans providing for the cycle stands to be covered.

5.6 Highways impact

It has been successfully demonstrated with reference to current match day counts and the trip generation estimates accepted as part of the original stadium application that the amount of traffic at the Lewes Road/ Stonymere Way/ BACA access road junction will not exceed that expected at the time of the original stadium consent.

5.7 **Highways England: No objection**

There is no objection subject to a condition which states that the most appropriate route when travelling west on the A27 would be via the Hollingbury junction rather than the B2123 junction and the publicity material should set this out.

6. MATERIAL CONSIDERATIONS

6.1 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

6.2 The development plan is:

- *Brighton & Hove City Plan Part One (adopted March 2016);*
- *Brighton & Hove Local Plan 2005 (retained policies March 2016);*
- *East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);*
- *East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);*

6.3 Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

7. POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development

CP9 Sustainable transport

CP10 Biodiversity

CP11 Flood risk

CP12 Urban Design

DA3 Lewes Road Area

Brighton & Hove Local Plan (retained policies March 2016):

TR4 Travel plans
TR7 Safe Development
TR14 Cycle access and parking
TR15 Cycle network
TR18 Parking for people with a mobility related disability
SU3 Water resources and their quality
SU5 Surface water and foul sewage disposal infrastructure
SU9 Pollution and nuisance control
SU10 Noise Nuisance
QD15 Landscape design
QD16 Trees and hedgerows
QD17 Protection and integration of nature conservation features
QD18 Species protection
QD26 Floodlighting
QD27 Protection of Amenity
HO20 Retention of community facilities
SR16 Major sporting and recreation facilities
SR22 Major sporting venues

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste
SPD11 Nature Conservation & Development
SPD14 Parking Standards

Planning Brief: Falmer Released Land

8. CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development, policy compliance, design and appearance, impacts on amenity, sustainable transport and sustainability.
- 8.2 **Principle of development / Planning History**
The principle of a car park with up to 1000 spaces at the former Falmer School site was established through the original Community Stadium planning permission in 2001.
- 8.3 In 2012 an application (BH2012/00384) for the construction of a car park accommodating 680 parking spaces for use with events taking place at the American Express Community Stadium, along with erection of a temporary building to accommodate The Bridge Community Education Centre was approved for a temporary period of four years.
- 8.4 Issues relating to design, amenity, ecology, archaeology, drainage, land contamination, sustainable transport and sustainability were carefully considered as part of the assessment of the 2012 application.

- 8.5 A temporary planning permission was considered appropriate on the site so as not to prejudice a comprehensive mixed-use redevelopment of the site coming forward in the future.
- 8.6 The development and operational use was subsequently implemented with the temporary planning permission expiring in May 2016 after 4 years.
- 8.7 The site is currently still being used for match day parking and the temporary building is still in situ and in operation in breach of planning permission.
- 8.8 The current application is for a further temporary permission for car parking in association with the community stadium and for the retention and use of the existing community building for a period of 4 years.
- 8.9 Since the previous scheme was granted the City Plan Part One has been adopted. Policy DA3 includes the site (Falmer Released Land, Former Falmer High School) as one of three specific site allocations.
- 8.10 Policy DA3 sets out that the site is allocated for redevelopment for some or all of a range of uses including housing, purpose built student accommodation, office (B1) and / or educational use. Redevelopment should include a car park related to the American Express Community Stadium and the provision, on or off site, of permanent accommodation for the Bridge Community Education Centre and for Brighton Aldridge Community Academy's Pupil Referral Unit.
- 8.11 Notwithstanding the aims of DA3 and the specific site allocation it is considered that whilst a permanent planning permission solely for the car park and community building would not be acceptable, the granting of a temporary planning permission for a period of 4 years is considered to be appropriate use of the land and would not prejudice future redevelopment of the site in accordance with DA3.
- 8.12 Overall, changes to the site constraints and planning policy have been carefully considered and the general principle of the scheme for a temporary period is considered to be acceptable.
- 8.13 **Impact on Amenity:**
Policy QD27 of the Brighton & Hove Local Plan 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 occupiers.
- 8.14 The original planning permission had a number of conditions relating to hours of use, lighting and access arrangements in order to minimise noise and disturbance and light pollution. These conditions will be carried over to any new planning permission in order to protect amenity.
- 8.15 **Sustainable Transport**
The car park has been in operation for over 4 years. The Highways Officer and Highways England have no objection to another temporary planning permission

for a further 4 years subject to the inclusion of the previously required conditions relating to transport and as such the proposal is considered to be acceptable in this regard.

8.16 Other Considerations

The impacts on ecology, water protection and impacts on the South Downs National Park are all considered to be acceptable in accordance with development plan policies.

8.17 Conclusion:

The retention of parking is required to enable the continued operation of the community stadium. The community facility will be retained on the site, and it is not considered that the proposals would jeopardise the longer term development aspirations for the site. The development would not harm the setting of the National Park, and subject to conditions would not have an adverse impact on the local highway network, neighbouring amenity or ecology.

9. EQUALITIES

9.1 24 disabled parking spaces are allocated for use by the Community Stadium and a further 3 disabled parking spaces are allocated for use by the Bridge Community Education Centre.

