Development Management - Delegated Officer Report

Application Number: AWDM/0896/14 Recommendation – Approve

Site: Brighton and Hove Albion Training Ground, 60 Mash Barn Lane, Lancing, West Sussex, BN15 9FP

Proposal: Application to vary condition 27 of AWDM/0205/12 relating to renewable energy and BREEAM certification

Date of site visit:

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The BHAFC Training Ground opened in June following the grant of planning permission AWDM/0205/12. Condition 27 of that permission states:

The development hereby approved shall incorporate renewable energy technology in accordance with details to be submitted to and approved in writing by the local planning authority and the development hereby permitted shall not be occupied unless and until a BREEAM Design State Certificate and a BRE-issued Post-Construction Review Certificate confirming that the development has achieved a BREEAM rating of 'Very Good' has been submitted to the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials having regard to the National Planning Policy Framework.

This application seeks to vary that condition to read as follows:

Within 12 months of the date of this decision the following details shall be submitted:

(a) Details of the renewable energy technologies that have been incorporated within the development;
(b) A post construction assessment, conducted by an accredited BREEAM Assessor and supported by all relevant evidence, demonstrating that the development meets "Very Good" in all relevant credits other than LE03; and
(c)A post completion certificate achieving BREEAM level "Good".

The applicant has explained that the development will achieve above the threshold for “Very Good” but, because it is not possible to meet one of two credits needed for LE03, which is mandatory, only a certification of “Good” can be achieved. Furthermore, the Club has advised that the post completion report and certificate is unlikely to be issued for approximately 12 months in order that the building’s performance can be properly tested.

The application is supported by a letter from PV Ecology which explains that the numbers of species on the site prior to it being developed, coupled with the site area, meant that the site had a high pre-development value in terms of a BREEAM rating. There are relatively small areas available, post-development, for new planting so there has been a negative change in plant species richness, notwithstanding the landscaping, tree planting and reed bed. The credit for this part of the BREEAM assessment cannot be achieved therefore and the applicants cannot comply with Condition 27.

Relevant site history

AWDM/0205/12 – Construction of a training ground and football academy for Brighton and Hove Albion Football Club with access from Mash Barn Lane, comprising 11 outdoor pitches (2 of which are floodlit), external training grids, a Y-shaped 2 storey building to house changing rooms, associated offices, medical facilities, gym, catering and leisure facilities, a grounds maintenance building, security lodge, half-sized indoor training pitch and small sub-station/boiler house/refuse and recycling structure, plus 303 car parking spaces, 25-30 cycle spaces, coach parking, on-site access roads, security fencing and landscaping around the site - approved

Consultations

Lancing Parish Council: No objections

Representations

None received

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1
Assessment of Saved Policies (ADC 2013)
National Planning Policy Framework (CLG 2012)

Planning Assessment

The development has achieved a “Very Good” standard of development by exceeding the threshold for such a rating. It is only on a technicality that it can only be issued a “Good” rating as it cannot meet the plant species richness credit. Furthermore, it takes 12 months post construction to be issued with a BREEAM Post Construction Certificate, so the applicants would not have been able to meet the terms of the planning condition anyway.

While not able to achieve the plant species richness credit, the applicant has advised that a number of ecological enhancement measures have been, or will be, provided such as the provision of a reed bed, bat boxes, bird boxes, hedgehog boxes and an ecological management plan.

It is considered that the variation of the condition as suggested by the applicant is acceptable in the circumstances as the development overall is to a “Very Good” standard and the aims of the original condition have been met.

The variation of the condition will necessitate the issuing of a fresh permission with all the original conditions re-imposed and a Deed of Variation to the original legal agreement.

Recommendation

APPROVE

Subject to Conditions:-

1. This permission relates to the following approved plans:

   KSS 10513 001 Rev P3 (Existing Location Plan) received 15 July 2014

   And to the plans previously approved under original permission reference AWDM/0205/12, as subsequently amended by AWDM/0171/14 and AWDM/0277/14 and any plans subsequently approved pursuant to any of the conditions attached to those permissions.

   Reason: For the avoidance of doubt and in the interests of proper planning.

2. All acoustic fencing shall be permanently retained.

Reason: To protect adjoining residential properties from noise having regard to saved policy AG1 of the Adur District Local Plan.

3. The boundary fencing shall be permanently retained

Reason: In the interests of visual amenity and security having regard to saved policy AG1 of the Adur District Local Plan.

4. The parking spaces shall not be used for any purpose other than the parking of vehicles incidental to the use of the training facility concerned.

Reason: In the interests of amenity and highway safety.

5. At no time shall the facility be used in connection with any park-and-ride scheme

Reason: In the interests of amenity and highway safety.

6. The approved cycle parking facilities shall be permanently retained for such purposes.

Reason: To encourage and provide for a sustainable non-car mode of transport in compliance with the National Planning Policy Framework.

7. The construction access from the A27 shall cease to be used once the facility is open.

Reason: In the interests of amenity and highway safety and to ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980.

8. The training facility hereby approved shall not be open other than between the hours of 7.30am and 11pm every day

Reason: To protect residential amenity having regard to saved policy AG1 of the Adur District Local Plan.

9. The football pitch floodlighting approved under AWDM/0205/12 and AWDM/0171/14 shall be switched off between the hours of 10.15pm and 9am every day and all other external lighting at the facility shall be switched off between 11pm and 7.30am, with the exception of security lighting, as detailed in drawing SD0666/E63/E002 Rev P2, Training Ground Lighting Strategy received 5 June 2014 and drawing P169-368-EXT-6M received 13 June 2014 and email from Daniel Frisby received 13 June 2014

Reason: To safeguard the visual and residential amenities of the area having regard to saved policies AC1 and AP9 of the Adur District Local Plan.

10. The use of the football pitches and running hill shall be limited to between the hours of 9am until 10pm every day

Reason: To protect residential amenity having regard to saved policies AC1 and AP9 of the Adur District Local Plan.

11. Any trees or plants comprising part of the approved landscaping scheme which within a period of five years from the completion of the development die, are removed or become seriously damaged shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent of any variation.

Reason: In the interests of visual amenity and the environment and to comply with saved policies AB25-27 of the Adur District Local Plan.

12. Measures for enhancement of ecology on the site, including a programme of implementation, shall be submitted to and approved in writing by the local planning authority and the agreed measures shall be implemented within 6 months of first use of the facility.

Reason: In the interests of improving biodiversity and ecology on the site having regard to the National Planning Policy Framework.

13. No more than two external pitches shall be floodlit at any time

Reason: To safeguard the visual and residential amenities of the area having regard to saved policies AC1 and AP9 of the Adur District Local Plan and the policies of the National Planning Policy Framework.

14. No external lighting shall be installed at the site other than in accordance with the previously approved details. The lighting shall thereafter be installed and operated in accordance with the approved details.

Reason: To safeguard the visual and residential amenities of the area having regard to saved policies AC1 and AP9 of the Adur District Local Plan.

15. No public address or sound amplification system shall be installed or used at the facility without the prior approval of the local planning authority

Reason: To protect residential amenity having regard to saved policy AG1 of the Adur District Local Plan.

16. The development shall take place in accordance with the drainage details approved by letter dated 15 August 2013 relating to the information contained within "Design Principles, Calculations and Permits" by The Civil Engineering Partnership dated June 2013 and received 18 July 2013 under planning reference AWDM/0205/12.

Reason: To reduce the risk of flooding and to prevent pollution of the water environment by ensuring that the necessary infrastructure is in place in compliance with saved policy AG3 of the Adur District Local Plan and the Technical Guidance to the National Planning Policy Framework.

17. The pedestrian access to the smallholding to the south east of the site shall be permanently retained, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the retention of a means of pedestrian access to the smallholding.

18. The community pitch shall not be brought into use until the main training ground changing facilities approved under reference AWDM/0205/12 have been completed and are available for use.

Reason: To ensure the users of the pitches have adequate changing facilities and to prevent the requirement for additional buildings in the countryside having regard to saved policies AC1 and AC4 of the Adur District Local Plan and the policies of the National Planning Policy Framework.

19. Within 12 months of the date of this decision the following details shall be submitted:

(a) Details of the renewable energy technologies that have been incorporated within the development;
(b) A post construction assessment, conducted by an accredited BREEAM Assessor and supported by all relevant evidence, demonstrating that the development meets "Very Good" in all relevant credits other than LE03; and
(c) A post completion certificate achieving BREEAM level "Good".

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials having regard to the National Planning Policy Framework.

20. The approved Travel Plan shall be implemented in accordance with the approved details, including the provisions for monitoring and effective enforcement with any necessary new measures or interventions implemented accordingly.

Reason: To minimize traffic generated by the development and to ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980.

21. The northernmost pitch identified as floodlit synthetic pitch 13 on drawing no. KSS 10513 004 P6 received 11 March 2014 shall be reserved for community use.

Reason: To ensure the development delivers improved sport and recreational facilities for the local community having regard to saved policies AC4 and AR1 of the Adur District Local Plan and the policies of the National Planning Policy Framework.

Is recommendation contrary to letter(s) of representation? N

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 18 December 2014

Authorised by: Gary Peck Date: 19 December 2014