

PLANNING STATEMENT

Hailsham Community College Academy Trust, Battle Road, Hailsham,
BN27 1DT



**S.73 APPLICATION FOR THE VARIATION OF CONDITION 11 (ALL-WEATHER PITCH HOURS OF USE) OF PLANNING PERMISSION
WD/3450/CC**

ON BEHALF OF EAST SUSSEX COUNTY COUNCIL

MAY 2022



RTPI

mediation of space · making of place

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Client: East Sussex County Council
Site Location: Hailsham Community College Academy Trust, Battle Road, Hailsham, BN27 1DT

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1.0 INTRODUCTION

- 1.1 This statement is submitted in support of a S.73 application for the variation of condition 11 of planning permission WD/3450/CC (Wealden District Council reference WD/2022/0660/CC). ‘Original’ consent (ESCC reference WD/3423/CC), dated 20.11.2020, granted consent for:

“Partial demolition of the existing craft block and construction of a new 3-storey multi subject teaching block to support the expansion of the college, as well as alterations to the remaining craft block. Associated internal works to the existing school buildings and external works including construction of a new flood lit all weather sports pitch, 46 space car park, pedestrian access point onto the cuckoo train and alterations to the existing northern entrance onto battle road”

- 1.2 This consent has since been superseded by S.73 planning permission WD/3450/CC, which it is now sought to vary. Planning permission WD/3450/CC allowed for a minor change in the route of the approved daily mile path.

- 1.3 Condition 11 of WD/3450/CC restricts the hours of use of the approved All-Weather Pitch (AWP) and associated flood lighting. Condition 11 states:

“The All-Weather Pitch (AWP) and floodlighting shall not be used or in operation at any time other than between 0845 hours and 1900 hours on Mondays to Fridays, 0900 hours and 1900 hours on Saturdays and 0900 hours and 1600 hours on Sundays, Bank and Public Holidays, unless otherwise agreed for a temporary period by the prior written approval of the Director of Communities, Economy and Transport. The AWP and floodlights shall not be used outside of these times except for works of essential maintenance which are to be carried out in accordance with a schedule first submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: To safeguard the amenities of the occupiers of residential properties in the vicinity of the site and to minimise the impact on bat habitats in accordance Saved Policy EN27 of the Wealden Local Plan 1998”.

- 1.4 This application seeks to vary condition 11 to allow for longer hours of use of the new AWP. The proposed hours of use assist in meeting an existing demand for the use of sports pitches in Hailsham. It is proposed that the revised condition 11 would state:

“The All-Weather Pitch (AWP) and floodlighting shall not be used or in operation at any time other than between 0845 hours and 2100 hours on Mondays to Saturdays and 0900 hours and 1700 hours on Sundays, Bank and Public holidays, unless otherwise agreed for a temporary period by the prior written approval of the Director of Communities, Economy and Transport. The AWP and floodlights shall not be used outside of these times except for works of essential maintenance which are to be carried out in accordance with a

schedule first submitted to and approved in writing by the Director of Communities, Economy and Transport”

- 1.5 The proposed hours of use are acceptable because there will be no adverse impact on the amenity of residents or wildlife as a result of the additional activity, particularly in the context of the existing facilities already operating until 9pm during the week.
- 1.6 The variation of condition 11 is supported by evidence showing the existing demand for the facilities, and details of the approved lighting plan and ecological assessment.
- 1.7 The site and surrounding context is shown on the plan below.



Above: The Site Location

- 1.8 This planning statement demonstrates that the proposed development should be approved as it complies with relevant policies of the local development plan and national planning policies.

2.0 APPLICATION SITE AND SURROUNDING AREA

- 2.1 Hailsham Community College extends to 7.5 hectares (18.6 acres) and is located centrally in Hailsham. The site is constrained due to being surrounded by residential development on its north, east, and western boundaries and Hailsham Town Centre at the southern boundary.
- 2.2 Hailsham has been subject to a significant increase in residential development in recent years, resulting in an increased demand for sports facilities as more people move into the area and sports clubs expand.
- 2.3 The east of the site is bound by Battle Road, the north is bound by Milland Road, the west is bound by the Cuckoo Trail cycle route and The Cedars, and the south is bound by London Road B2104. There are bus stops along Battle Road, London Road and Milland Road for sustainable travel to the school.
- 2.4 The northern area of the site is used as sports pitches, and the southern part of the site is occupied by school buildings. Currently the site has one All-Weather Pitch (AWP) which includes floodlights allowing for evening and winter use.

Planning History

- 2.5 Application WD/3423/CC was approved in November 2020 for the redevelopment of the site to include new classroom facilities and new sports and wellbeing facilities.
- 2.6 This application has been subject to variations, as set out in detail in the covering letter submitted with this application. The most recent S.73 application was approved under reference WD/3450/CC. Therefore the current proposal seeks permission to vary this consent.
- 2.7 The proposed sports facilities included the approval of the new AWP measuring approximately 5500sqm. The existing AWP, which was retained in the proposals, measures approximately 6400sqm.
- 2.8 The application was granted subject to conditions. Condition 11 restricted the hours of use of the new AWP to between 8:45am and 7pm Monday to Friday, plus weekend use. The existing AWP operates until 9pm during the week, as well as on weekends.
- 2.9 It is proposed to vary condition 11 of application WD/3450/CC to allow the approved AWP to have the same hours of use as the existing AWP. The most recent consent regarding the existing AWP is found under County Council reference WD/3083/CC, and granted consent for replacement floodlighting at the AWP. Condition 4 of the approval stated:

4. *The use of the pitch shall only take place between the following hours:-*

1. 8.00am - 9.00pm Monday to Friday;

2. 9.00am - 8.30pm on Saturdays; and

3. 9.00am - 5.00pm on Sundays, Bank and Public Holidays

The floodlighting shall be turned off no later than 15 minutes after these times.

Reason: To protect the amenities of occupiers of properties in the vicinity of the site.

- 2.10 The proposal is for condition 11 of application WD/3450/CC to match these hours of use (with the exception of Saturdays, where the proposal is to extend the hours to 9pm for consistency with the weekdays).

3.0 RELEVANT PLANNING POLICY

- 3.1 The following policies and guidance are relevant to the determination of this application:

Wealden District Core Strategy Local Plan, adopted 2013:

Policies:

WCS12 (Biodiversity);

WCS13 (Green Infrastructure);

WCS14 (Presumption in Favour of Sustainable Development).

Wealden Local Plan, adopted 1998:

Policies:

GD1 (Development within Development Boundaries);

EN1 (Sustainable Development);

EN2 (Development Pattern);

EN27 (Layout and Design of Development);

National Planning Policy Framework (NPPF) 2021

Applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The NPPF sets out the Government's planning policies in England and is a material consideration in planning decisions.

The relevant sections of the NPPF in this case are:

8 - Promoting healthy and safe communities;

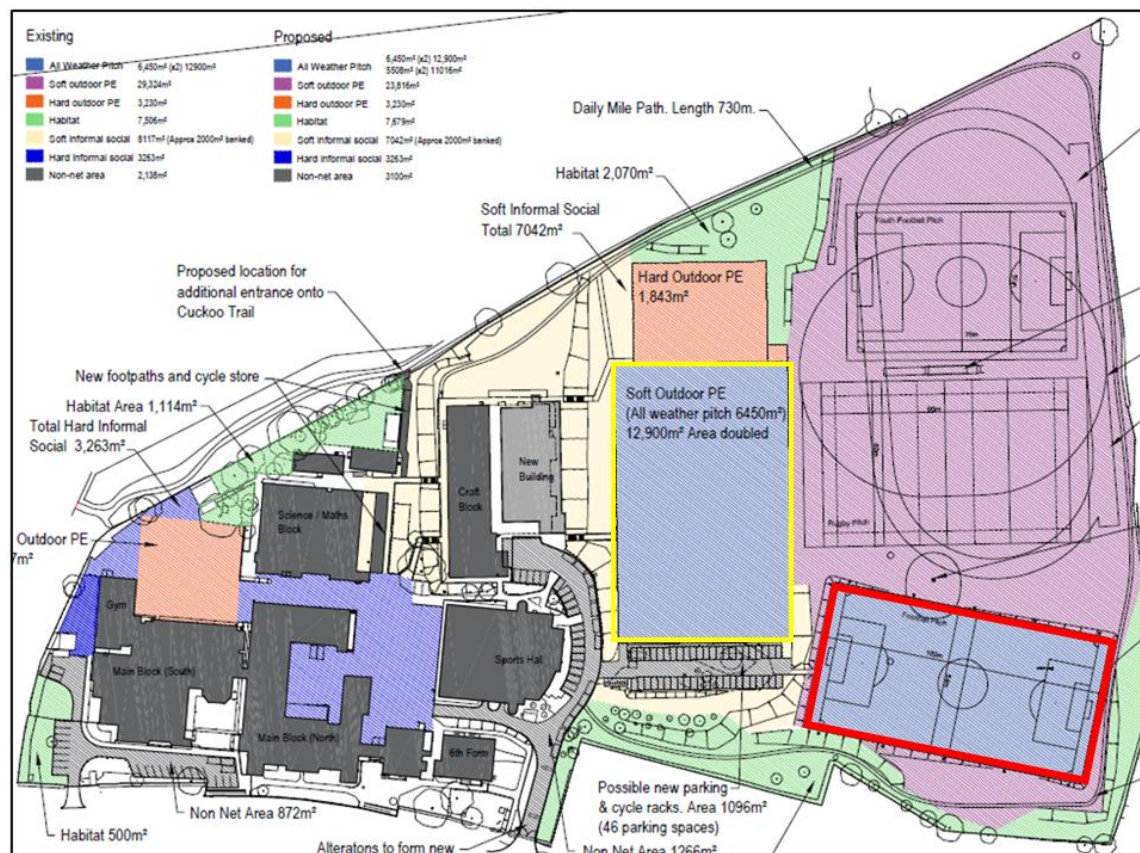
15 - Conserving and enhancing the natural environment;

4.0 THE PROPOSED DEVELOPMENT

- 4.1 The proposed development is for the variation of condition 11 of application WD/3450/CC. Condition 11 restricted the hours of use of the approved All-Weather Pitch (AWP). The proposal is discussed below.

Variation of condition 11

- 4.2 The plan below shows the approved site plan. The existing AWP is outlined in yellow arrow and the approved AWP is outlined in red.



- 4.3 The existing AWP has floodlights and the approved AWP will have flood lights.
- 4.4 Condition 11 of planning permission WD/3450/CC states:

“The All-Weather Pitch (AWP) and floodlighting shall not be used or in operation at any time other than between 0845 and 1900 hours on Mondays to Saturdays and 0900 hours and 1600 hours on Sundays, Bank and Public holidays, unless otherwise agreed for a temporary period by the prior written approval of the Director of Communities, Economy and Transport. The AWP and floodlights shall not be used outside of these times except for works of essential maintenance which are to be carried out in accordance with a

schedule first submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: To safeguard to amenities of the occupiers of residential properties in the vicinity of the site and to minimise the impact on bat habitats in accordance with Saved Policy EN27 of the Wealden Local Plan 1998".

- 4.5 These hours of use are more restrictive than the existing hours of use. It is proposed to vary this condition so that the approved AWP can operate during the same times the existing AWP. The suggested wording of the revised condition would be:

"The All-Weather Pitch (AWP) and floodlighting shall not be used or in operation at any time other than between 0845 hours and 2100 hours on Mondays to Saturdays and 0900 hours and 1700 hours on Sundays, Bank and Public holidays, unless otherwise agreed for a temporary period by the prior written approval of the Director of Communities, Economy and Transport. The AWP and floodlights shall not be used outside of these times except for works of essential maintenance which are to be carried out in accordance with a schedule first submitted to and approved in writing by the Director of Communities, Economy and Transport"

- 4.6 It is considered that the change in hours would have no adverse impact on the neighbouring properties or wildlife. The hours would match the hours of use the existing AWP (aside from on Saturdays, where the proposed hours are until 9pm, instead of 8:30pm, to match the weekday hours). There is also a demonstrable need for sports pitches in Hailsham. Extending the hours of use of the approved AWP would allow the school to absorb some of that need. Paragraphs 5.9 – 5.29 provide a further detailed assessment of the proposal.

5.0 ASSESSMENT OF THE SCHEME

- 5.1 The main issues to consider in determining the variation of condition 12 of application WD/3450/CC are the principle of development, impact on amenity and ecological impacts.
- 5.3 These issues are considered in greater detail below.

Condition 11

Principle of Development

- 5.10 The school are applying for the extension of the hours of use of the approved AWP to meet existing demand. The approved development allowed for the school to increase capacity from 1200 to 1500 for 11-16 pupils, and 230 to 300 spaces for 16+ pupils. This is a growth of 21%. The demand for additional school places is generated by significant additional residential development in Hailsham.
- 5.11 The provision of a new AWP within the approved application is anticipated to meet the need for the school itself. The overall need for additional school places is reflective of the wider population growth in Hailsham as a result of the increase in housing delivery. This will see many people outside of the 11-18 year age bracket of school pupils also wanting to use sports facilities as a result of new residents joining independent sports clubs.
- 5.12 Hailsham Active recently noted they have the following list of sports clubs in Hailsham waiting for sports facilities to be available to use:
- Hailsham CC Community Hub
 - Hailsham United Junior FC
 - Pevensey & Westham FC
 - Hailsham Town FC
 - Link Football
 - Heathfield & Horam FC
 - Willingdon Athletic
 - Nxtgen Football Academy
 - Albion in the Community
- 5.13 This is evidenced by the correspondence received from Hailsham Active, included at appendix A.
- 5.14 Evidence has also been provided regarding the specific need football clubs have for pitches. This evidence emerged whilst collating The Wealden Football Facility Plan 2019 (FA), and The Wealden Playing Pitch Strategy August 2018.

5.15 These studies found the following:

- The current population of Wealden is 157,575 (ONS 2016 Mid-Year Estimate). The population is expected to be 188,750 by 2039.
- There is little choice in the area for paid leisure pursuits that would normally be represented in larger towns.
- There one full sized 3G FTP in Wealden. There is a shortfall of four full sized 3G FTPs relative to assessed demand.
- Over the last 10-years there has been a significant national increase in the number of large multi-team football clubs.
- Eight clubs have more than ten registered teams.
- Education environments have a huge impact on the first experience of football for young girls.
- There is little spare capacity for weekday evening slots for football training.
- Any growth in demand will require new provision. This demand will come from the teams generated by new housing provision as well as from any general growth in participation.
- Hailsham College already have an excess of requests for community bookings for the new 3G, and one way to begin to satisfy that excess, is to increase access to the facilities beyond the current limit of 7pm.

5.16 A full assessment of the need for sports pitches identified by these studies can be found at Appendix B.

5.17 For these reasons, there is a demonstrable need for approved AWP to be used for an additional 2 hours each weekday, until 9pm, and the proposal is acceptable in principle.

Impact on Amenity

5.18 The activity generated by the use of an additional AWP for an extra 2 hours each evening during the week will be negligible in the context of the wider school site, and in particular in the context of the existing, larger, AWP already being operational until 9pm during the week.

5.19 The approved AWP is located in the north-eastern part of the school site. The nearest residential dwelling will be approximately 25m from the sports pitch to the north, and the Bowes House Care Home to the east will be approximately 30m from the AWP.

5.20 The noise generated from the use of the pitch for sports training between 7pm and 9pm is likely to have a negligible impact on neighbours, as the edge of the pitch is at least 25m from the nearest dwelling, and any noise will not be concentrated on the edges of the pitch, but dispersed across it. There will be no change in the type of noise or activity after 7pm, and it is normal for outdoor recreation to be ongoing until at least 9pm in urban areas. As existing, prior to

any development, the site is used as a rugby pitch where the noise impact would be similar and could continue until 9pm in summer months.

- 5.21 The use of the AWP will be governed by an approved Operational Management Policy, as required by condition 13 of the approved development, which will further ensure there are no adverse amenity impacts. Condition 13 has been discharged as of May 2021 and therefore the Management Policy is in place. The Management Policy includes confirmation of the operating hours of the AWP, the bookings process for external clubs, and guidance for spectators. The Policy states spectators must remain within the fenced enclosure and not gather around the external perimeter of the pitch, which will assist in ensuring the use of the pitch does not have an adverse impact on the amenity of adjacent properties.
- 5.22 The impact of the floodlights will also have a negligible impact on adjacent residents and occupants, because they will only be used at times when residents themselves will also have lights on. The lighting diagram on page 16 (below) also shows how the light is concentrated on the pitch itself and does not pollute the wider area.
- 5.23 Therefore the use of the floodlights until 9pm is likely to be unnoticeable to adjacent properties. The floodlights are also to be fitted with Ultra Low Glare Internal baffles, as required by condition 12 of the approved development, to avoid any potential harmful impacts on the wider area.
- 5.24 The proposed development to expand the hours of use will provide a significant amenity improvement to those who use it, as they will be able to exercise for longer throughout the year. This will benefit the wider community by allowing more people to be active and social by participating in organised sporting activity.

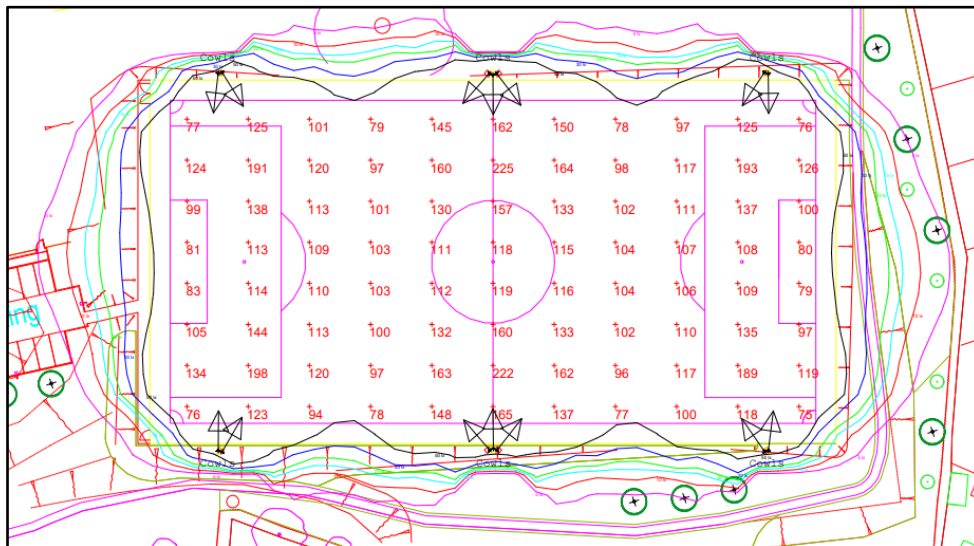
Biodiversity

- 5.25 The 'reason' for condition 11 on the decision notice states that the condition was included to minimise the impact on bat habitats.
- 5.26 Lizard landscape Design have undertaken multiple surveys at the site to identify any potential ecological impacts of the development and potential habitats. As part of the discharge of condition 15, which required a lighting design strategy for biodiversity, Lizard Landscape Design prepared a Landscape and Ecological Management Plan. This was followed up with further information regarding the lighting strategy in different parts of the site, in a letter dated 5th July 2021. Regarding the illuminance levels in the eastern part of the site, and their impact on bats, Lizard Landscape Design confirmed the following:

The Current guidance on bats and Lighting (ILP/BCT 08/18 and EUROBATS Guidance Note 8) do not set specific lux levels to avoid disturbance.
The ILP guidance Note 01/21 - Guidance Note for the Reduction of Obtrusive Light defines areas and maximum recommended light levels. If the site is considered as 'rural / outer suburban' the recommended limit is 5 lux pre-curfew and 1 lux post-curfew - this may be where this figure has come from although this guidance note is more aimed at general nuisance light.

On the eastern boundary, the levels are 0-1 lux and therefore considered acceptable.
On the northern boundary, the levels are 0-5, and therefore in accordance with the Guidance Note 01/21 guidelines and unlikely to cause significant disturbance to three bats present, which are generally early-emerging and light tolerant species.

- 5.27 This letter is submitted at Appendix C.
- 5.28 The lighting strategy in relation to condition 14 included calculations of light spill generated by the proposed floodlights. The summary diagram is below, showing how the luminosity of the AWP lighting will be focused on the pitch only (full diagram at appendix D):



Above: Summary – Pitch Lighting diagram by Relux

- 5.29 The analysis of the light spill confirms at the maximum illuminance will be 1 Lux, which is in accordance with the guidance provided by Lizard Landscape Design. These assessments, together with the previous bat emergence survey identifying no bat roosts at the site, and the assessment undertaken by Lizard Landscape Design assessing the impact of the illuminance on bats in relation to relevant guidance, demonstrates that there will be no adverse ecological impacts as a result of the AWP being used for an additional 2 hours each weekday evening.
- 5.30 For these reasons the application is compliant with Policy EN27 of the Wealden Local Plan 1998.

6.0 CONCLUSIONS

- 6.1 The proposed development is for the variation of condition 11 attached to planning application WD/3450/CC. Condition 11 states the hours of use of the approved All-Weather Pitch (AWP) at Hailsham Community College. The application is made on behalf East Sussex County Council Education Department (ESCC).
- 6.2 The variation of condition 11 is to allow the AWP to be used until 9pm Monday to Friday. Currently the approved AWP can only be used until 7pm. The existing AWP can be used until 9pm.
- 6.3 This statement has demonstrated that there is an existing need for the hire of sports pitches by clubs in Hailsham. There is also a specific need for pitches for football clubs.
- 6.4 The extension of the hours of use of the AWP will have a negligible impact on residents adjacent to the school site, both in terms of noise and light pollution. Careful ecological and lighting assessments have also been undertaken, which show there is no adverse impacts on bats as a result of floodlights in this location, regardless of the time of day.
- 6.5 In the light of the above, the local planning authority is respectfully requested to grant planning permission without delay.

Lewis & Co Planning
May 2022