



Pauline Butcher
Brighton & Hove City Plan Part 2 Programme Officer
Sent by email only to programme_officer@talktalk.net

Date 4 October 2021
Your ref Matter 5 – Issue 7
Our ref 268425/27

Dear Ms Butcher,

**Brighton and Hove City Plan Part 2 Public Examination
Response to Inspector's Matters, Issues and Questions
Matter 5 – Issue 7 SSA7: Land adjacent to the American Express Community Stadium**

We write on behalf of The Community Stadium Limited (TCSL) (Respondent Ref: DP 242) to provide a response to the matters, issues and questions raised by the Inspector in respect of the Brighton & Hove City Plan Part 2 Public Examination with regards to Policy SSA7 (Matter 5 – Issue 7). TCSL own the Site and adjoining land including the American Express Community Stadium, they support this Policy in principle and are committed to the delivery of the allocation, but have concerns regarding the detailed policy requirements, which will be addressed further below.

It is noted that land adjacent to the Amex Stadium straddles the administrative boundaries of Brighton & Hove City Council and Lewes District Council and that the site has already been allocated within the Lewes Local Plan Part 2 for the same purposes as set out within Policy SSA7. As the Inspector will be aware, planning permission will be required from both Authorities before development can proceed.

Response to Question 1

It is considered that the allocation of land adjacent to the American Express Community Stadium (Amex Stadium) is fully justified in light of the relevant constraints and impacts.

The Site comprises part man-made bund and part car park associated with the Amex Stadium. It is not subject of any environmental designations and can be considered previously developed land. The main constraints are considered to comprise potential

Griffin House 135 High Street Crawley West Sussex RH10 1DQ DX DX 57102 Crawley

Main line 01293 605000 Direct line [REDACTED] Fax 01293 663520 Email [REDACTED]

Offices in London, Gatwick, Guildford, Brighton and Horsham. Website www.dmhstallard.com

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impacts on views from the South Downs National Park (albeit in the context of the adjacent Stadium and surrounding infrastructure), impacts on nearby heritage assets and potential for impacts on the visual qualities of the Amex Stadium. However, subject to use of appropriate massing, scale and design, such impacts are unlikely to jeopardize delivery of the allocated development.

The Site otherwise lies in a sustainable location adjacent to a major public transport corridor in the form of Lewes Road, within walking distance of Falmer Railway Station and located on a cycle route to Brighton & Hove. It is situated adjacent to the Amex Stadium and within walking distance to both Brighton and Sussex Universities, who are proposed to be the occupants of any employment space generated by the allocation. It is therefore ideally suited in terms of the locational requirements for office space, as well as to meet any ancillary needs generated by the Amex Stadium. In addition, all infrastructure requirements for future development can be met within the site with existing connections for all utilities.

It is also noted that in the context of the Brighton and Hove City Plan Part 1, the allocation of the Site will meet a number of the Council's objectives outlined within Policy DA3 (Lewes Road Area), the strategy for which is to enhance Lewes Road as the City's academic corridor including the encouragement of economic and education based development. Furthermore, the allocation will support Policy CP17 of the City Plan Part 1 which recognises the Amex Stadium as a major sports venue and supports the enhancement of such facilities. Furthermore, allocation of the Site has already been tested and approved through the Lewes Local Plan Part 2 examination process and the development will meet employment needs within both Authority areas.

Response to Question 2

The site boundaries are appropriate and are not considered to require any amendment.

Response to Question 3

Delivery of the allocation will require the removal of an earth bund and other groundworks resulting from a fall in levels across the Site. Whilst it is not expected that this will make the allocation unviable we have concerns regarding two of the criteria set out by Policy SSA7 which will be addressed further below.

Response to Question 4

Policy SSA7 does not identify a capacity for the Site which in any case would necessarily be led by the requirement to ensure an appropriate massing and scale that

would protect views from the South Downs National Park, the visual qualities of the Amex Stadium and the setting of nearby listed buildings.

An initial pre-application request has been made to both Authorities with indicative plans demonstrating the form of development anticipated by TCSL. The indicative plans incorporate room for offices (for use by TCSL and Brighton or Sussex University), stewarding facilities, teaching and education space for use by Albion in the Community (Brighton & Hove Albion's charitable arm), medical facilities and a Brighton & Hove Albion club store. The total Gross External Area (GEA) would be approximately 6,500 m². It is considered that this capacity is reasonable and can be incorporated within the site whilst ensuring appropriate massing and scale, subject to detailed design.

The pre-application discussions with both Authorities have been positive, with both BHCC, LDC and East Sussex County Council (as landscape adviser to BHCC) confirming that the indicative proposals would be acceptable in terms of building form, location and mixture of uses (albeit at Officer level). Whilst the South Downs National Park raised some concerns with the use of materials they had no significant concerns regarding the building form.

Response to Question 5

It is considered that the proposals will generate a number of benefits through the provision of additional high quality office space, along with the provision of educational and training space for use by Albion in the Community. Furthermore, provision of space for stewarding staff along with a new club store will support the use of the Amex Stadium allowing for the reconfiguration and a more efficient use of space within the Stadium itself.

As addressed above, it is considered that the main potential adverse impacts relating to erection of the building will result from impacts on views from within the South Downs National Park, the visual characteristic of the Stadium and the setting of listed buildings (including Stanmer House). However, it is considered that the proposals can be successfully accommodated on the Site whilst addressing the issues set out above. The initial pre-application discussion with both BHCC and LDC have been positive in terms of the massing, scale and form of the indicative proposals.

Response to Question 6

We have concerns with the policy requirements set out by Policy SSA7 (bullet points d and g) and do not believe that they are effective or justified.

With regards to bullet point d, it should be noted that the Amex Stadium already lies in a highly sustainable location which has received significant investment due to construction and expansion of the Universities and Amex Stadium. It lies within easy walking distance to Falmer Railway Station which benefits from regular train services to Brighton & Hove and Lewes, and adjacent to Lewes Road which benefits from regular bus services (at all hours of day and night). The proposals will be located alongside existing pedestrian and cycleway infrastructure. Furthermore, both the Universities and Amex Stadium operate under detailed Travel Plans to promote sustainable transport in compliance with their respective Planning Conditions and Legal Agreements. The Proposed Development will be for a complementary use to these existing facilities and will be operated in conjunction with other uses in the vicinity.

Both the NPPF (Section 12) and the Brighton & Hove City Plan Part 1 (Policy CP9) contain policies which require that developments are located in sustainable locations and include measures to minimise and mitigate their impacts by reducing car use. Given the factors above, it is considered unnecessary and too prescriptive for SSA7 to directly require any significant additional sustainable transport infrastructure, nor has any need for this been demonstrated by the Local Authority. Furthermore, there are already existing policy requirements that support the use of sustainable transport infrastructure, as set out above. Consequently, it is considered that this policy criteria would not be justified, due to the highly sustainable location, the proposed uses and existing Policy framework.

With regards to bullet point g, it is considered unnecessary and unjustified to require a training place agreement given the level of training being provided already to local people throughout various aspects of The Community Stadium Limited's business and having regard to the Proposed Development itself, which is likely to comprises elements of educational use (by Albion in the Community). In addition, the Council already have an adopted Community Infrastructure Levy Charging Schedule against which monies will be secured for the provision of training. The requirement for additional financial contributions to training, along with the CIL requirements, is therefore unreasonable. It is our view that this requirement is therefore not justified and should be deleted from the Policy.

Response to Question 7

The alterations that BHCC have made to the City Plan Part 2 do not address the concerns set out above. In order to make this Policy sound we would respectfully request that the Inspector requires the following amendments:

1. removal of reference to provision of new sustainable transport infrastructure; and



2. removal of reference to the requirement for a training place agreement

Further to the above, we would like to attend the Public Examination and look forward to receiving confirmation of arrangements of this in due course. If you wish to discuss any aspect of these comments please do not hesitate to contact us.

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Associate Planner
For and on behalf of DMH Stallard LLP