

**Brandon Stadium – Representations by the Save Brandon Stadium Campaign Group on the Draft  
Main Modifications to the Rugby Local Plan**

**Summary:** While the Save Brandon Stadium Group welcome MM96 insofar as it goes we wish object to MM96 as it stands since it fails to both properly address the concerns identified during discussion at the Examination hearings as well as failing to fully reflect the Inspectors findings set out in his letter dated 16 May 2018.

**1. This is what the Inspector said in his letter dated 16 May 2018:**

“Policy HS4 – Brandon/Coventry Stadium

I heard evidence at the hearings about the potential redevelopment and loss of the Brandon or Coventry Stadium. Notwithstanding the current condition of the site, it is evident that the stadium was until recently in active use for speedway and stock car racing. In the light of this, the absence of a policy to safeguard existing sports and recreational buildings from being built on unless surplus to requirements or replaced elsewhere, in line with paragraph 74 of the NPPF, renders the Plan unsound. Such safeguards are in place for open space and community facilities in the borough, but not sports facilities. **Accordingly, main modifications should be included to apply the tests in Policies HS3 and HS4 and their supporting text to sports facilities.** This would also ensure that any planning application for the redevelopment of the Brandon Stadium could be assessed against evidence for its need, viability and alternative provision.”

**2. The sentence highlighted has only partially been covered by the Proposed Main Modifications**

While Policy HS4 has been amended (MM96) to include reference to Sports Facilities it does not refer to the tests relating to Policy HS3 that the Inspector has referred to which were discussed at the Public Examination, in particular paragraphs 8.11 to 8.12 (reproduced in the attached appendix).

The Modifications also fail to specify that Brandon Stadium should be identified on the Policies Map. Since MM96 originates from the work of the campaign one wonders why the MM96 makes reference to the Proposals Map without actually identifying any facilities (Brandon Stadium or otherwise) to which it relates. This makes little sense.

**3. We urge the Inspector to make amendments to the Main Modifications in his final report. In particular we urge the following additional changes:**

a) Add an amendment to the Policies Map to identify Brandon Stadium (including car parking and pit areas) as a Sports Facility, consistent with the wording of the MM96.

b) To reflect the discussions at the Public Examination the plan needs to be clear that the approach to consideration of development proposals included in paras 8.11 to 8.12 in the supporting text to Policy HS3 of the submission version of the local plan also apply to the loss of Sports Facilities which

are now covered by Policy HS4, as proposed in MM96. We would suggest the addition of a new paragraph to the reasoned justification, on the following lines to cover this point:

“8.16A In the consideration of development proposals under Policy HS4C the approach set out in paragraphs 8.11 and 8.12 will be applied.”

Without a further amendment to this effect the plan would effectively give greater protection to the consideration of redevelopment of some community facilities (those covered by Policy HS3) compared to those now covered by HS4. This is both illogical and indefensible. The documentation introduced at the Examination hearings by Brandon Estates (OTH68, together with the Campaign Group rebuttal of this evidence within OTH69) demonstrates the tactics that can be employed by developers. The approach in para 8.11 to 8.12 sets out appropriate ways to deal with such situations.

#### **4. Conclusions**

Without the clarifications highlighted above it is the view of the campaign group that the Inspectors conclusions arising from the Public Examination have not been properly considered and reflected and that this could have a detrimental impact on the proper consideration of Brandon Estates planning application for housing on the site of Brandon Stadium.

This is the case because the local plan both fails to identify the Stadium site on the Proposal Map coupled with less strenuous tests to be applied to any redevelopment proposals.

The Inspector will recall that at the Examination the Campaign Group had sought a specific policy covering Brandon Stadium but accepted that the same effect could be achieved in other ways, such as strengthening of Policy HS4. As the Draft Main Modifications stand, however, the Campaign Group's objective is not achieved.

#### **Additional Comment:**

The list of policies in the revised document does not include the revised title of Policy HS4 as set out in MM96.

Prepared 2 October 2018

**Appendix: Supporting text to Policy HS3 that was considered during the Public Examination (our highlights):**

“8.11. Current inadequate profitability of a facility will not, however, be considered a sufficient reason in itself to merit its loss as the future potential of the premises as a local service or community facility could be made more viable or run in an alternative manner such as a social enterprise. On this basis, the Council must also be satisfied that there is no other interested party prepared to re-open the facility or that there is no scope for an alternative community use.

8.12. In terms of demonstrating that all reasonable efforts to secure a suitable alternative community re-use has been explored, applicants will firstly be expected to demonstrate that they have consulted the Parish and the Borough Council. The applicant will be expected to demonstrate that the premises has been marketed for a period of 12 months or a period agreed by the Local Planning Authority prior to application submission, before the Council will consider a change of use and the valuation attributed to the property should properly reflect its current use.