

APPEAL REFERENCE: APP/E3715/W/23/3322013
Proof of evidence – Green Belt
on behalf of the Save Coventry Speedway & Stox Campaign Group



**APPEAL REFERENCE:
APP/E3715/W/23/3322013**

**PROOF OF EVIDENCE – GREEN BELT
by David Carter**

on behalf of:

**SAVE COVENTRY SPEEDWAY & STOX
CAMPAIGN GROUP**



APPEAL REFERENCE: APP/E3715/W/23/3322013
Proof of evidence – Green Belt
on behalf of the Save Coventry Speedway & Stox Campaign Group

Proof of Evidence – Green Belt

by

David Carter BSc MSc MRTPI

on behalf of:

SAVE COVENTRY SPEEDWAY & STOX CAMPAIGN GROUP

Site Address:

COVENTRY STADIUM, RUGBY ROAD, COVENTRY CV8 3GP

Appeal Proposal:

DEMOLITION OF EXISTING BUILDINGS AND OUTLINE PLANNING APPLICATION (WITH MATTERS OF ACCESS, LAYOUT, SCALE, AND APPEARANCE INCLUDED) FOR RESIDENTIAL DEVELOPMENT (USE CLASS C3) INCLUDING MEANS OF ACCESS INTO THE SITE FROM THE RUGBY ROAD, PROVISION OF OPEN SPACE AND ASSOCIATED INFRASTRUCTURE AND PROVISION OF SPORTS PITCH, ERECTION OF PAVILION AND FORMATION OF ASSOCIATED CAR PARK

Appeal Ref: APP/E3715/W/23/3322013

Planning Application Ref: R18/0186

Document Ref: SCS/POE2 DC

Date: 22 August 2023

Web: savecoventryspeedway.com

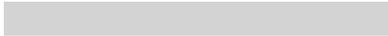
1. Introduction

1.1 My name is David Carter and a short biography of my qualifications and experience is set out in my proof on Planning Matters

1.2 The evidence which I have prepared and provide in this proof of evidence is true and has been prepared and is given in accordance with the guidance of the RTPI and I confirm that the opinions expressed are my true and professional opinions

1.3 This proof covers the following main issue: whether the proposed development forms inappropriate development in the Green Belt, the effect on openness and Green Belt purposes.

1.4 I have prepared two other proofs, one relating to Planning Matters and the other to the Sporting Aspects of the appeal proposal. My overall summary and conclusions are set out in the proof on Planning Matters.



2. Issue: Whether the proposed development forms inappropriate development in the Green Belt, the effect on openness and Green Belt purposes

2.1 The concept of the West Midlands Green Belt emerged post WWII although its general extent was not confirmed by the Secretary of State until 1975. Initially, the Green Belt in the vicinity of the appeal site was identified as 'Interim Green Belt'. The Warwickshire Green Belt (Subject) Local Plan (1982) defined the Green Belt in detail in the early 1980's, reflecting full status following the review of the Warwickshire Structure Plan. The Green Belt Subject Plan showed both the settlement of Binley Woods and Coventry Stadium to be 'washed over' by Green Belt.

2.2 Since the stadium had been developed to its present built form (with the exception of the dog kennels), the adoption of the Green Belt (Subject) Local Plan confirms the suitability of the of the appeal site for inclusion within the Green Belt. That decision was reconfirmed when the settlement of Binley Woods was removed from the Green Belt (CD15.3.4). The current Inset Plan for Binley Woods shows the settlement boundary and Green Belt thus confirming that the appeal site lies within the countryside as defined by the Rugby Local Plan (CD8.2, para 3.14).

2.3 Clearly, the purposes of the Green Belt in this area include the prevention of the unrestricted sprawl of nearby Coventry (purpose (a)) and the prevention of the merging of Coventry and neighbouring town of Rugby (purpose (b)), to assist in safeguarding countryside (i.e. land beyond the settlement of Binley Woods) from encroachment (purpose (c)), thereby assisting urban regeneration (purpose (e)). A substantial part of the large (10 ha) appeal site is clearly open and seen and/or perceived as open in views from in particular Rugby Road. I refer to this further below.

Openness

2.4 The appeal site lies within the Green Belt. A development that includes 124 new dwellings would usually be regarded as inappropriate and harmful to Green Belt. The NPPF states that *'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations*".

2.5 The bar is set high and paragraph 149 of the NPPF identifies limited circumstances where new development might be considered not inappropriate. The relevant clause is g).

2.6 The test under g) requires consideration as to whether the appeal site comprises infilling or previously developed land and, if so, whether the impact of the proposed development on openness would be greater compared to the impact of the existing development. If the impact is greater, then a proposal would fall to be considered as "inappropriate development" in the Green Belt. The NPPF also provides that if the appeal proposal includes affordable housing to meet identified affordable housing needs the test is whether the harm to the Green Belt would be substantial. Whilst I do not accept that there is an identified affordable housing need that will not be met through the implementation of the Local Plan, in any event I believe that the appeal proposal fails both tests.

2.7 Planning Policy Guidance sets out the factors that can be taken into account when considering the potential impact of development on the openness of the Green Belt (Paragraph: 001 Reference ID: 64-001-20190722). In particular this clarifies that *"openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume."*

2.8 Could the site be regarded as infill? At 124 dwellings the proposal far exceeds what might be regarded as infill. This appears to be common ground.

2.9 I accept that the appeal site comprises previously developed land (PDL), however, it is appropriate to turn to the question of openness and the comparative effects of the existing situation against the appeal proposals.

2.10 Before moving on to a detailed analysis of openness and a comparison of existing and proposed development, I wish to draw attention to two past planning decisions made by Rugby Council.

2.11 The first decision relates to the refusal of application (Ref R07/1268/PLN) for the grant of planning permission (a copy of the Officers Report, Decision Notice and plan are attached at Appendix 1) for the change of use of part of the Stadium's car park to use for a Sunday Market. This application was refused on 26 September 2007 and included the following as part of the first reason for refusal, "*The proposed development does not fall within any of the categories which are normally acceptable in the Green Belt and as such, constitutes inappropriate development having an adverse impact on the rural character of the area and detrimental to the openness of the Green Beltit is considered the development fails to preserve the openness and character of the Green Belt*".

2.12 The view was therefore taken that temporary stalls and parking for a Sunday Market on the then existing car park would have a detrimental effect on openness of the Green Belt. By parity of reasoning, the appeal proposal, insofar as it relates to the siting of dwellings on the car park would also clearly be likely to be considered to have a detrimental effect on openness, indeed the housing would be far more prominent, extensive and permanent than Sunday market stalls.

2.13 The second application was Ref R18/0167 Oakdale Nurseries, Rugby Road, Coventry, CV8 3GJ. This was an outline proposal for the redevelopment of the former Garden Centre / Nursery site (the other side of Rugby Road from the appeal site) to provide a 'Care Village' residential retirement development of 124 independent living units and a 36 bed care centre (Use Class C2). The reason for refusal included the following: "*The site lies outside the village boundary and is located in the designated Green Belt where there is a presumption against inappropriate development the proposed Care Village constitutes inappropriate development within the Green Belt and would have a detrimental impact on the openness of the area by virtue of the extent of potential built form that would be provided. It is considered that the very special circumstances submitted did not outweigh the harm to the Green Belt and that there is no identified need for such development detailed in the Brandon and Bretford Neighbourhood Plan. In the opinion of the Local Planning Authority, there are no special circumstances, which would justify the granting of planning permission for the Care Village in the face of a strong presumption against inappropriate development derived from the prevailing policies.*"

2.14 This decision is interesting since there appear to be significant similarities with the situation across the road at Coventry Stadium which was rejected on grounds that include impact on openness. That proposal sought to redevelop an area reconfigured but equivalent to the extent established by the extant consent (this is illustrated on the copy of the masterplan attached at Appendix 2).

2.15 The extent of existing buildings and surface structures on the appeal site are shown by Figure 1. Figure 2 overlays the existing footprint onto the appeal proposal.

APPEAL REFERENCE: APP/E3715/W/23/3322013
 Proof of evidence – Green Belt
 on behalf of the Save Coventry Speedway & Stox Campaign Group

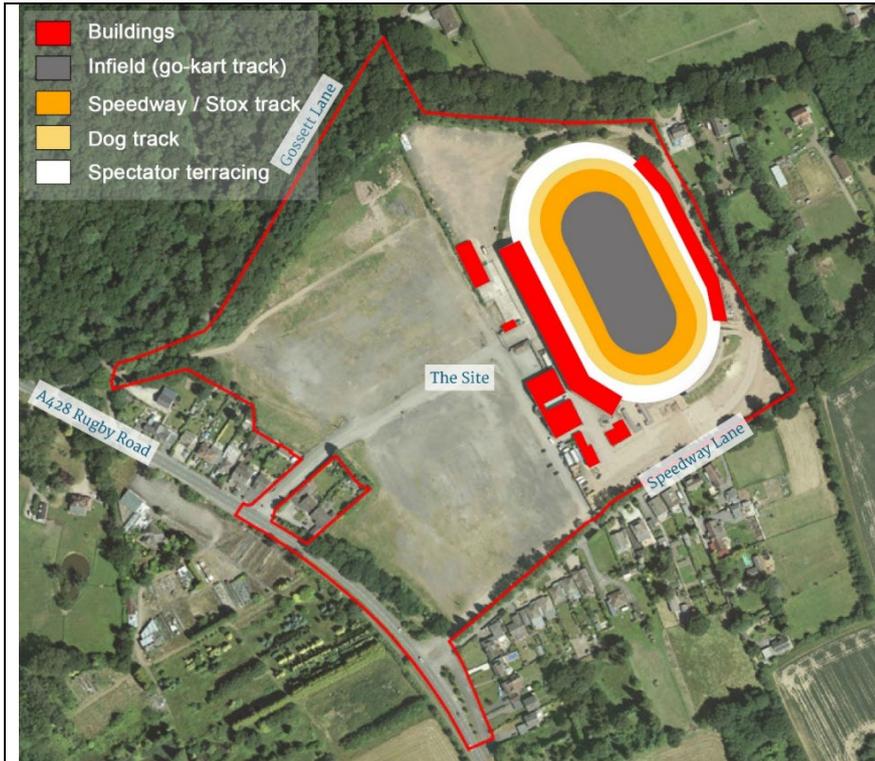


Figure 1: Existing

Comprises

Buildings: Complex of main grandstand, hangers, turnstiles, covered terrace. Speedway pits (canopy), includes paved permanent surfaces between the buildings.

Sports areas to include Speedway/ Stox track, Greyhound track (soft surfaces), Infield/ Go Kart track((Hard permanent surface).

Terracing: Provides the viewing platform for spectators, paved, permanent surface.

Stock Car Pits to north of Speedway Lane and to north of Stadium complex linked to rear of covered terrace (gravel surfaces).

NB: the area of land occupied by the buildings, terracing and sports areas = c2.9ha



Figure 2 Overlay of Appeal Proposals;

Demonstrates that new housing essentially covers most of the footprint of the existing stadium incl 'sports areas' and in addition approx one-third of the new dwellings extend into the main car park.

The coverage of the appeal site with buildings is therefore c33% greater than the existing stadium.

2.16 From Figure 1 and 2 it can be concluded:

- The existing stadium buildings occupy a small proportion of the site. The buildings have considerable mass and, according to the appellants are up to 11.5m in height

APPEAL REFERENCE: APP/E3715/W/23/3322013
Proof of evidence – Green Belt
on behalf of the Save Coventry Speedway & Stox Campaign Group

- Within the core curtilage of the stadium most of the land is occupied by principally surface features (as opposed to three-dimensional structures) – comprising race tracks and extensive pit areas, where racecar transporters park on race days.
- The new housing estate would occupy a significantly greater proportion of the site compared to the stadium. The new dwellings would be up to 2.5 storeys in appearance and are, I understand, proposed to be up to 10m in height (ridge height). Since the existing developed areas include that covered by sports areas then it follows the 3G pitch should also be counted, as it would also comprise permanent surface structures and a pavilion.
- The existing stadium buildings are set back a considerable distance from Rugby Road (c180m at their closest point). All of the existing dwellings would be brought considerably closer to buildings especially those on Speedway Lane (the new housing would be c30m to the site boundary) and those on Rugby Road would also be in close proximity to the proposed 3G Sports pitch and car park. Those facilities would be used daily compared to the stadium once or twice a week.
- The effects on openness would be substantial, caused by the suburbanisation of a large part of this large site which is part of the defined countryside, outside the settlement boundary of Binley Woods. This is because at present the current structures are set back in this very large site with views across the open areas from both outside and from within the site,

2.17 The LVIA (CD2.38) contains much material which I would not seek to challenge (from a landscape and visual impact perspective, though these are separate issues from the question of impact on openness) but there are also some significant elements that I do not agree with including:

- The comparison of the existing vs proposed for the reasons set out above with regard to neglect.
- The proposed development does not lie at the edge of, or be perceived as part of Binley Woods (see for example paras 2.3, 2.9, 5.2 and in Table 1 on p72). The BBNP classifies the dwellings at Speedway Lane and on Rugby Road as Hill Top, separate from Binley Woods.
- The conclusion that the appeal site is contained and therefore can be accommodated without adverse impact on openness. There are views into and out of the site, and these would be stronger in the winter months but also the site is of such a scale that openness is also important within the site itself.
- The analysis seems to suggest that the existing site boundaries would in future form the defensible boundaries to the Green Belt (see for example p82, p95). This in effect argues that the site should be taken out of the Green Belt if planning permission is granted. Para 140 of the NPPF states that: “Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans”. This underlines the importance of considering now the ramifications of allowing the appeal. The Appellant’s argument implies that the appeal proposal could be a ‘Trojan Horse’ whereby further development could be sought on at least some parts left open. If the 3G pitch were indeed found subsequently to be unviable, this argument may well be raised by the Appellant. The proposed road layout, for example, would permit this. Additionally, shouldn’t the purpose of pursuing the redevelopment of the site through a planning application, rather than site allocation in the local plan, be predicated on the basis that the development proposed and has to be acceptable within the Green Belt, and not in relation to new Green Belt boundaries that must be defined by the local plan?

Green Belt objectives

2.18 The NPPF states that the Government attaches great importance to Green Belts and that the fundamental aim of Green Belt policy is “to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.

2.19 My analysis above concluded that there would be both a greater impact and a substantial impact on openness arising from the appeal proposal. The appeal proposal would result in the loss of a significant area of open land thus undermining the permanence of Green Belt at this location. In relation to the five objectives of Green Belt I draw the following conclusions::

(a) to check the unrestricted sprawl of large built-up areas; SCS believes that the increase in the proportion of the appeal site that would be developed together with the unusual ‘island’ form of development could only be described as urbanisation or suburbanisation of land beyond the extent of the defined settlement without a coherent relationship to the prevailing pattern of urban form. It would have a significant urbanising effect on the land currently occupied by the Stadium car park and would be easily visible from public viewing points including Rugby Road and Speedway Lane. It would be seen as a development within what is otherwise an integral part of the defined rural area.

(b) to prevent neighbouring towns merging into one another. The appeal site is not visible either from Coventry or Rugby. However, it would add significantly to the potential coalescence of Binley Woods/ Speedway Lane/ Brandon which in turn is located directly in the strategic Green Belt gap separating Coventry and Rugby.

(c) to assist in safeguarding the countryside from encroachment; It follows from the previous observations that the new residential development and the associated paraphernalia taking place on the Stadium car park as well as the proposed 3G sports pitch with its associated building, floodlighting and (hard surfaced/tarmaced) car parking would be regarded as encroachment on land that is within the defined rural area.

(d) to preserve the setting and special character of historic towns; This objective would not apply to this part of the Green Belt/the appeal proposal.

(e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. This objective was defined to skew the proportion of development into existing major urban areas (such as Coventry and Rugby) by some restraint of growth to reduce outward migration of people into rural areas. The appeal site would represent a windfall housing site that would not be part of the existing urban area. Development of the appeal proposal would involve previously developed land but in my view would undermine urban regeneration by encouraging suburbanisation in the rural area beyond the level required to meet defined housing needs.

2.20 In relation to Green Belt objectives the appeal proposal would have an adverse effect on objectives (a), (b), (c) and (e) and a neutral impact on objective (d). Overall, my professional view is that the adverse impact on Green Belt objectives would be substantial.

2.21 To conclude on this issue, the appeal proposals fail to meet the requirements of paragraph 149 and in particular 149(g) because, for the reasons already set out above. The appeal proposals would have a substantial adverse impact on the openness of the Green Belt.

2.22 As regards what is the relevant test, while the appeal proposal would make provision for some affordable housing, the Local plan specifically states (para 5.14) that the Local Plan’s housing requirement (which includes 2,800 dwellings (including associated affordable housing)

APPEAL REFERENCE: APP/E3715/W/23/3322013
Proof of evidence – Green Belt
on behalf of the Save Coventry Speedway & Stox Campaign Group

in Rugby's administrative area to meet Coventry's needs in Rugby will meet all of the affordable housing for existing and future Rugby residents. On that basis the development will not be contributing to an identified need.. The affordable housing aspects of the appeal proposal are considered further below.

Conclusion

4.23 It follows from this analysis that the appeal proposal would amount to an inappropriate development within the Green Belt. It would have a greater and substantial adverse impact on openness and the objectives of Green Belt as well as conflicting with the approach to Green Belt set out in Section 13 of the NPPF and the relevant policies of the local plan and BBNP. Very special circumstances are not put forward by the Appellant.

APPENDICIES

1. R07/1268/PLN) for the change of use of part of the Stadium's car park to use for a Sunday Market. Copy of Officers Report, Decision Notice and plan of the proposals.
2. Ref R18/0167 Oakdale Nurseries, Rugby Road, Coventry, Masterplan showing the extent of proposed development compared to the extent of the agreed developed area.

APPENDIX 1



THE RUGBY BOROUGH COUNCIL TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) REFUSAL OF PLANNING PERMISSION

Notice is hereby given that the Borough Council in pursuance of its powers under the above mentioned Act, as amended and Rules, Orders and Regulations made there under, refuses planning permission for the development referred to hereunder for the reasons specified.

APPLICATION NUMBER:

R07/1268/PLN

DATE OF APPLICATION:

20/06/2007

ADDRESS OF DEVELOPMENT:

Coventry Stadium
Rugby Road
Brandon
Coventry
Warwickshire
CV8 3GJ

APPLICANT/AGENT:

Greyhounds At Coventry Ltd
Coventry Stadium
Rugby Road
Brandon
Coventry
Warwickshire
CV8 3GJ

APPLICATION DESCRIPTION:

Change of use of the car park to use for a Sunday market.

RELEVANT DEVELOPMENT PLAN POLICIES & PROPOSALS/REASON(S) FOR REFUSAL:

REASON FOR REFUSAL: 1

The site is located in the Green Belt where there is a presumption against inappropriate development. It is the policy of the Local Planning Authority, as set out in the Development Plan and having regard to guidance contained in PPG2 Green Belts not to grant planning permission except in very special circumstances, for changes of use other than for the purposes of agriculture and forestry, outdoor sports and recreation facilities, cemeteries and other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it.

The proposed development does not fall within any of the categories which are normally acceptable in the Green Belt and as such, constitutes inappropriate development having an adverse effect on the rural character of the area and detrimental to the openness of the Green Belt. In the opinion of the Local Planning Authority, there are no special circumstances, which would justify the granting of planning permission in the face of a strong presumption against inappropriate development derived from the prevailing policies and it is considered that the development fails to preserve the openness and character of the Green Belt. The proposed development is therefore contrary to Policies E1 and E2 of the Rugby Borough Local Plan 2006.

R07/1268/PLN

REASON FOR REFUSAL: 2

The proposals would introduce a range of stalls and vehicles into the area. These would be out of keeping with the character of the area and would have a detrimental impact on visual amenity. The proposals are therefore contrary to policies GP1 and E5 of the Rugby Borough Local Plan 2006 which seek to ensure that all new development is in character with its surroundings.

REASON FOR REFUSAL: 3

Due to the nature, scale and intensity of the proposed use the development would be detrimental to the amenity of the occupiers of nearby residential properties by reason of noise and nuisance generated by the use of the land and associated vehicular activity. The proposals are therefore contrary to policy GP3 of the Rugby Borough Local Plan 2006 that specifically seeks to protect amenity.

REASON FOR REFUSAL: 4

The site is situated outside the boundary of Rugby Town Centre as defined in Rugby Borough Local Plan 2006. Policy TCR2 of the Rugby Borough Local Plan 2006 state that retail uses should be developed in town centre locations unless it can be demonstrated that there is a need for the facility and that no suitable sites are available in a town centre, or edge of centre, location. No information has been submitted with the application to demonstrate that there is a need for an additional market in the Rugby area. The proposal is therefore contrary to policy TCR2 of the Rugby Borough Local Plan 2006 that requires a need for facilities to be demonstrated when they are proposed outside of the town centre.

REASON FOR REFUSAL: 5

The application has not been accompanied by a Transport Assessment to demonstrate whether the impact of the proposals on the local highway network, as such it has not been demonstrated whether the proposals meet the current highway standards set out in PPG13 Transport. Based on the information submitted the Local Planning Authority is of the opinion that the possible intensification of the use of the access, may be detrimental to highway safety and contrary to policies T1 and T3 of the Rugby Borough Local Plan 2006 which seek to ensure that development does not affect the safety of road users.

REASON FOR REFUSAL: 6

The site is located in a rural location that may not be easily accessible by sustainable modes of transport. The application has not been accompanied by a Green Travel Plan to demonstrate what measures will be implemented to reduce the reliance on private car travel and promote sustainable travel. The proposal is therefore contrary to policy T2 of the Rugby Borough Local Plan 2006 that specifically requires the submission of a Green Travel Plan for none residential developments of this size.

ADOPTED POLICIES:

Policies GP1, GP3, E1, E2, E5, T1, T2, T3, T5 and TCR2

The development plan policies referred to above are available for inspection on the Borough Council's web-site www.rugby.gov.uk or at the Council Offices.



ANNA E. ROSE Head of Planning and Culture

PLANNING DEPARTMENT,
TOWN HALL,
EVREUX WAY,
RUGBY,
CV21 2RR

DATE: 26/09/2007

Report

Coventry Stadium, Rugby Road – Use of car park for a Sunday market

Authorised Use

The application relates to part of the car parking area that is used in association with the sports stadium.

Relevant decisions

There have been a large number of applications relating to this site. The most relevant was an application to use part of the car park (in a different location to the current application) as a Sunday Market. This application was refused in May 1995.

Technical Consultations

Environmental Health WCC Highways	No objection Objection	Subject to conditions Documentation does not set level of car parking or account for service vehicles, Transport Assessment is required, should consult Highways Agency, use of 3 accesses is unacceptable.
--------------------------------------	---------------------------	--

Third Party Consultations

Cllr Timms		Submitted information from FACT web site regarding the proposed market operators being charged for benefiting from the sale of counterfeit goods.
Binley Woods PC	Objection	No traffic assessment has been submitted, area is busy with little public transport, no local need for the facility, will affect local business.
Brandon & Bretford PC	Objection	Should not be allowed in the Green Belt, previous application was refused, when market was included in proposed masterplan there was strong opposition (copy of petition and minutes submitted), contrary to shopping policies, not connected to sporting used, no traffic assessment, no environmental assessment, no local need, impact on residential amenity
Wolston PC	Objection	Problems with noise and traffic would increase, there are already problems on this busy road, site is in the Green Belt, will affect rural area and rights of way, previous applications was refused, will impact on local shops and charity boot sale,
Neighbours (36)	Objection	

Detrimental to residential amenity, would prevent enjoyment of properties, considerable noise and fumes from vehicles, radios, tannoys & setting up stalls particularly early in the morning, already suffer noise from kennels and pits, food smells, have problems when the circus is on the site, very large number of vehicles, road infrastructure is not suitable, owners do not manage traffic, is already dangerous crossing the road, transport assessment has not been submitted, roads are already busy, access for emergency vehicles blocked, car park is not hard surfaced leading to dust, insufficient parking, people will park on nearby roads and verges, properties share access with the site, access will be blocked, only 1 exit is used worsening congestion, photographs submitted of access situation, markets should be located in town centres where they are easily accessible, no need for a market of this size, would affect local retailers, farmers and charity boot sale, would prevent people enjoying rural rights of way and woodlands, increased danger to horses and riders, cyclists and pedestrians, routes are maintained by volunteers, site is in the Green Belt, problem of litter would worsen, previous application was refused, when this was included in the stadium masterplan there was clear objection, existing uses impact on residents this will worsen the situation, conditions on previous consents have not been adhered to, stadium should be used for sporting purposes, may propose other uses of the car park in future.

Other relevant information

This application is to use part of the stadium car park for a Sunday market. It is proposed to locate market stalls on part of the car park, close to the stadium building within the application site and use the remainder of the car park for parking of customer's vehicles. The stadium itself is set back from the road and the car park is located between this building and properties on Rugby Road. The car park is relatively flat and has a gravel type surface.

The Town & Country Planning (General Permitted Development) Order 1995, as amended does allow the temporary use of land for a variety of purposes, including markets, subject to restrictions. One such restriction is that the land in question should not be a building or within the curtilage of a building. It is considered that the car park area is within the curtilage of the stadium building and planning permission is required to hold any markets on the site.

Planning Policy Guidance

GP1	Conflicts	Appearance and design of development
GP3	Conflicts	Protection of amenity
E1	Conflicts	Development in the Countryside
E2	Conflicts	Green Belt
E5	Conflicts	Landscape and settlement character
T1	Conflicts	Integrated and sustainable transport
T2	Conflicts	Travel plans
T3	Conflicts	Access and highway layout
T5	Complies	Parking facilities
TCR2	Conflicts	Town centre shopping area uses

Determining Considerations

The issues to assess with this application relate to whether the principle of the proposed development is acceptable and whether the proposals would have an adverse impact in terms of visual amenity, residential amenity and highway safety.

The site is located within the countryside and Green Belt as defined in the Rugby Borough Local Plan 2006. Within the Green Belt there is a general presumption against inappropriate development. Although this application is for the use of the land as a market for part of the time PPG2: Green Belts is clear that changes of use of land are inappropriate development unless they maintain the openness of the area. It is considered that the use of the car park as a Sunday market constitutes inappropriate development that would adversely affect the openness and character of the area. No very special circumstances have been demonstrated to overcome the presumption against development. The proposals are therefore contrary to policies E1 and E2 of the Local Plan and the principle is not acceptable.

Although the site is currently used as a car park in association with the stadium use it is considered that its use as a Sunday market would have an increased impact on the area in terms of visual amenity. There would be increased levels of activity within the area as well as the introduction of a wide range of stalls and vehicles. It is considered that the proposals would have an adverse impact on the visual amenity of the area contrary to policies GP1 and E5 of the Local Plan.

There are residential properties in close proximity to the site. Environmental Health have made comments on the application and have no objection subject to the addition of conditions, including an hours restriction. However, it is considered that the proposals would have an adverse impact on the amenity of neighbouring residents in terms of increased activity which could lead to increased traffic movements, noise, dust and other disturbance. It is therefore considered that the proposals are contrary to policy GP3 of the Local Plan.

Issues of highway safety and the access to the site must be considered. The Highway Authority have objected to the application on the grounds that the documentation does not give clear information regarding levels of car parking and service vehicles and that this and a Transport Assessment are required to allow the impact on the highway network to be considered, this is also required by policy T1 of the Local Plan. Given the other concerns in relation to this application it is not considered reasonable to request a Transport Assessment at this time. Objections are also raised to the use of 3 separate accesses to the site. The Highways Authority have also suggested that the Highway Agency may wish to be consulted on the proposals, however as sufficient information has not been provided this is not

considered necessary at this stage. As it has not been demonstrated that a satisfactory means of access can be provided to the site the proposals are also contrary to policy T3 of the Local Plan.

Policy T2 of the Local Plan requires Green Travel Plans to be submitted for large development, to demonstrate how sustainable methods of transport will be encouraged. A Green Travel Plan has not been submitted with the application, contrary to this policy.

The Council's parking standards do not include a specific level of provision for market uses. However, a large car parking area would remain and the applicants have advised that there would be the capacity to park up to 1200 cars, there is also sufficient space for cycle parking and it is considered that the proposals comply with policy T5.

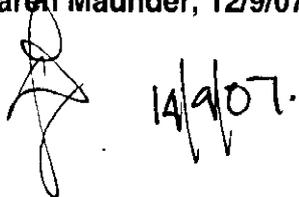
Local plan policy TCR2 relates to retail uses. It states that these should be located within the town centre. If this is not possible information must be submitted to demonstrate that there is a specific need for the development and that there are no suitable locations within the town centre or on the edge of the centre. No information has been submitted with the application to demonstrate that there is a need for a retail market, or whether other, more centrally located and sustainable sites, have been considered. The proposals are therefore contrary to policy TCR2.

Recommendations

Refusal

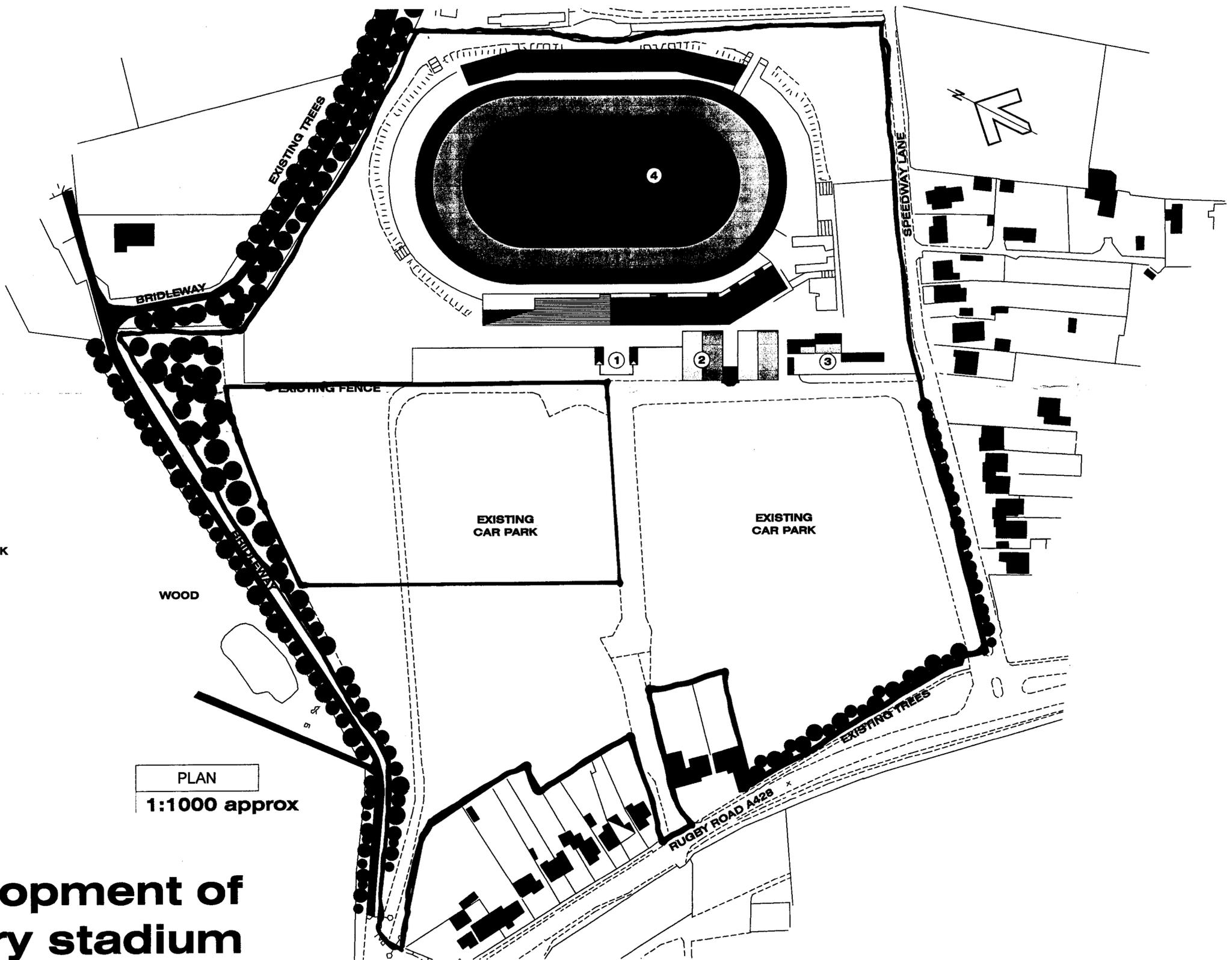
Prepared by: Karen Maunder, 12/9/07

Checked by:

Handwritten signature and date: 14/9/07.



ELEVATION
n.t.s



KEY

- SITE BOUNDARY
- ① EXISTING TURNSTILE
- ② EXISTING SHEDS
- ③ EXISTING BUILDINGS
- ④ EXISTING KART TRACK

PLAN
1:1000 approx

MASTERPLAN

redevelopment of coventry stadium

PHASE
EXISTING
consultation document

Kenneth W Norton RIBA
Architect Development Consultant
King House
2 Ludlow Road, Redditch
Worce, B97 4EN

RUGBY BOROUGH COUNCIL CORPORATE SERVICES DEPT		Scale: As Shown
21 JUN 2007	DATE	21 JUN 07
EXISTING	DRAWN BY	Checked
DRAWING TITLE Coventry Stadium Rugby Road Stadium REDEVELOPMENT MASTER PLAN EXISTING		
Drawing No	200409.01	
Revision		
Telephone	01827 87600	

