



PLANNING STATEMENT

BRANDON ESTATES LIMITED

COVENTRY STADIUM, RUGBY ROAD, BRANDON



PLANNING STATEMENT

On behalf of: Brandon Estates Limited

In respect of: Coventry Stadium, Rugby Road, Brandon

Date: December 2020

Reference: LOO1

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1.0 Introduction

1.1 This Planning Statement has been prepared by DPP on behalf of Brandon Estates Limited ('the Applicant') to accompany a revised submission package, submitted in relation to pending application ref: R18/0186 – Coventry Stadium, Rugby Road, Rugby. The revised suite of information accompanies the amended plans, which have been prepared to address concerns previously raised at the time the application was originally considered by Officers. The description of development, which has been amended to reflect the amendments that have been made to the scheme, is as follows:

Demolition of existing buildings and outline planning application (with matters of access, layout, scale, and appearance included) for residential development of up to 137 dwellings (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 (details to be confirmed).

1.2 National and local planning policy has been reviewed in the preparation of this application. This planning statement focusses particularly on the main planning policies considered appropriate to the issues raised by the proposal:

- National Planning Policy Framework policies
- Rugby Borough Council Local Plan 2011-2031 (2019)
- The Brandon and Bretford Neighbourhood Development Plan to 2031 (2019)

1.3 This planning statement is accompanied by, and is to be read in conjunction with, the following supporting documentation:

- Cover Letter
- Revised Application Forms and Certificate
- Site Location Plan
- Illustrative Site Masterplan
- Full Plans Package
- Updated Planning Statement
- Updated Design and Access Statement
- Updated Landscape and Visual Assessment
- Noise Assessment Addendum
- Updated Ecological Appraisal, Bat Report and Biodiversity Impact Assessment Calculator
- Transport Assessment Addendum
- Updated Tree Survey
- Updated Flood Risk Assessment
- Updated Air Quality Assessment
- Viability Assessment
- Speedway Viability Appraisal
- 3G Artificial Grass Pitch Feasibility Study

- Updated Archaeological Assessment

1.4 The Statement is structured as follows:

- Section 2: outline the context against which this revised submission has been made;
- Section 3: describes the Site and its location;
- Section 4: describes the proposed development;
- Section 5: provides a planning policy summary;
- Section 6: provides an assessment of the proposals; and
- Section 7: summarises the proposals and the planning balance.

CHAPTER 2: BACKGROUND

2.0 Background

- 2.1 In 2018, the applicant submitted a planning application to Rugby Borough Council, which sought the granting outline planning permission with all matters reserved, save for access, for the demolition of the stadium, and the erection of 137 dwellings, including means of access into the site, and provision of new open space, and other associated infrastructure.
- 2.2 The submission of the planning application in 2018 followed extensive discussions with the local authority, local residents and other key stakeholders regarding a redevelopment of the site. As set out in the original submission, the redevelopment of the site was sought on the basis that the stadium had become operationally redundant following the relocation of the Coventry Bees to Leicester Speedway. In this period, Coventry Racing Club Limited also decided to relocate their events to Stoke Stadium in the same year.
- 2.3 In addition to such, Coventry Dogs Limited, who previously held greyhound racing events at the stadium, had their licence revoked, and the company subsequently dissolved. The culmination of these events left the stadium operationally redundant. As a result, no events have been held at the stadium for a number of years now.
- 2.4 As explained in the original submission package, the applicant fielded a number of enquiries from parties interested in either acquiring or operating Coventry Stadium since its original purchase. However, none of the parties in question were able to demonstrate a credible business plan, nor indeed the funds required to acquire the stadium outright.
- 2.5 On this basis, and with the condition of the stadium fast deteriorating, the applicant submitted the current planning application, to enable the clearance and redevelopment of the site. Indeed, since the submission of the application in 2018, Officers will be well aware that the condition of the stadium has deteriorated further. Despite the applicant's efforts to secure the premises, the site continues to be targeted by trespassers. The site has been the subject of several break-in and arson attempts, and Warwickshire Fire and Rescue have been called out to the site on a number of occasions.
- 2.6 Officers will recall that the planning application was met with a significant amount of public interest, much of it concerning the demolition of the stadium and the loss of speedway and motor racing events in Brandon. In particular, the Save Coventry Speedway (SCS) and Stox Campaign Group (SCG) were formed to oppose the application. In their consultation responses, both parties challenged aspects of the supporting information, and in particular the submitted viability assessment submitted.
- 2.7 Their concerns were noted within a subsequent objection, submitted on behalf of Sport England in April 2018. Sport England Officers advised that the application could not be supported, on the basis that the applicant had failed to demonstrate that the requirements of paragraph 74 of NPPF (now paragraph 97 of the revised NPPF 2019) had been complied with, and that the loss of the stadium as a sporting / recreational offer, could be justified under the provisions of the Framework.

- 2.8 In particular, Sport England referenced the objections submitted by the various governing bodies associated with the sports previously hosted at Coventry Stadium. The Officer also highlighted the concerns raised by the Stox Campaign, and Save Brandon Speedway, which both suggested that the return of the Coventry Bees to the stadium, ran alongside additional Stockcar racing events could be achieved, which would make the operation of the site a viable proposition.
- 2.9 Thereafter, the applicant submitted a Speedway and Stock Car Needs Assessment, which sought to address the Sport England objection. The report considered a number of issues, including the provision of nearby stadia, the quality of facilities and offer at Coventry Stadium, and the health of Speedway and stock car racing as a whole. The report concluded that there remained sufficient quantity, accessibility and availability of provision of stadia in the defined catchment area, and that Coventry Stadium could therefore be deemed surplus to requirements (as per the requirements of NPPF).
- 2.10 The Council commissioned its own independent review into the sports planning case made by the applicant as set out in the Speedway and Stock Car Needs Assessment, and whether the development proposals could be considered compliant with the requirements of paragraph 97 of NPPF.
- 2.11 The review was conducted by WYG, and published in September 2019. It concluded that demonstrating that the stadium was surplus to requirements (as per para 97 exception A of NPPF) would be difficult to achieve and justify:
- ‘Coventry Stadium holds a special significance in motorsport, which makes the tests even harder. The re-location case central to the SNA is also now no longer valid. Stoke has also now closed. It is therefore difficult to argue that Coventry Stadium is surplus, with no alternatives put forward...*
- With the current evidence available we do not believe there is an unequivocal case that the Coventry Stadium is surplus to requirements. There is therefore no clear-cut case that NPPF test a) has been met as set out by the applicant.’*
- 2.12 This being the case, WYG considered whether the loss of the stadium could be justified under exception b or c of paragraph 97 of NPPF. WYG suggested that a case for the provision of a replacement speedway facility could represent an appropriate means by which the policy requirement could be met. Likewise, they suggested that exception c of the policy could also be exercised, which would involve development for an alternative sports and recreational provision (the benefits of which would need to clearly outweigh the loss of the current or former use).
- 2.13 Since the WYG report was published, the application has been held in abeyance. In this time, the applicant has worked closely with DPP, and the wider design team to develop an alternative scheme, devised to specifically address the requirements of Paragraph 97 of NPPF through the provision of a replacement sports facility to serve the wider community (in accordance with exception c). The applicant has remained in contact with the LPA throughout this period.

2.14 This revised submission represents the culmination of the work that has been undertaken to address the issues raised by Sport England, and also to resolve any other comments / concerns that were raised by the LPA and the relevant consultees at the time the application was originally considered in 2018.

CHAPTER 3: SITE DESCRIPTION



3.0 Site Description

- 3.1 The application site is comprised of a parcel of land, measuring approximately 10.86-hectare in area, located at Coventry Stadium, Rugby Road (A428). The site lies between the settlements of Binley Woods, located to the west, and Brandon, situated broadly to the south. The site at present accommodates the now disused Coventry Stadium, which previously had been used for the hosting of speedway, stock car and greyhound racing events. However, from 2016, the stadium ceased hosting such events, and has laid vacant since.
- 3.2 The main stadium structure is located on the eastern portion of the site, and is comprised of the main grandstand building and the circular track, surrounded by a spectator viewing platform. Otherwise, a number of additional ancillary buildings are located within the vicinity of the main grandstand building, which accommodated the dog kennels, a ticket office, first aid room, and additional storage space.
- 3.3 The remainder of the site, namely the western section, is comprised of a large area of hard-standing, previously used for vehicle parking. Access into the site continues to be gained via two access points located on Speedway Lane and Rugby Road respectively.



Aerial Photo of Application Site

- 3.4 Although the site lies within the Green Belt, Officers will note that it remains bound by existing residential development on two sides. To the southeast, the site is bounded by Speedway Lane, which accommodates a number of existing dwellings which front onto the site. Likewise, the southwest boundary of the site is bound by residential properties located on the north side of

Rugby Road. Otherwise, the site is bound to the north predominantly by New Close / Birchley Wood, which is comprised of Ancient and Semi-ancient natural woodland.

- 3.5 The entire Site boundary is lined by mature trees and hedgerow, which significantly limits visibility into the Site. The Site itself is almost flat, ranging from 97m AOD at its north eastern boundary to 95m AOD at the centre and its western boundary. This slight change in level across the Site is barely discernible. There are no public rights of way across the site, however there is a public right around the perimeter of the site (PRoW Map below). The application site is located within Flood Zone 1 (i.e. is not expected to flood unless a 1:1000 year event takes place).



Extract from Definitive Map

- 3.6 In terms of other notable designations, the site falls within the Green Belt as mentioned. Otherwise, the site is not located within or adjacent to a Conservation Area (CA), and there are no listed buildings on or within the vicinity of the site.
- 3.7 In terms of its surroundings, the site falls within close proximity of the village of Binley Woods. Binley Woods accommodates a number of existing service and amenities, including a primary school, and convenience store, a post office, a village hall, a pub and a church. Officers will note that the Site is connected to Binley Woods via an illuminated footway located on Rugby Road.
- 3.8 Brandon and Binley Woods are located on the eastern edge of Coventry, which access to a wide range of employment, leisure, commercial and educational opportunities. In this respect, Binley Woods is served by the number 86 Stagecoach bus, which runs between Coventry and Rugby, and providing access to various employment, leisure, commercial and education centres. There are a number of bus stops located within the vicinity of the site, which are served by a half hourly service that runs along Rugby Road to both Coventry and Rugby, and provides access to both Coventry and Rugby railway station.

Planning History

3.9 The site has been the subject of numerous planning applications over the years, the majority of which relate to the former use of the site as a speedway stadium. The applications are listed as follows:

- Three sided freestanding non-illuminated signs (ref. R04/0300/6592/A, dated 28th July 2014);
- Single storey kennel block (ref. R04/6392/6592/B, dated 6th August 2004);
- Construction of external lift shaft and housing (ref. R04/0226/6592/P, dated 6th May 2004);
- Erection of kennel building (ref. R03/1085/6592/P, dated 18th February 2004);
- Erection of boundary fence (ref. R03/0820/6592/P, dated 4th December 2003);
- Erection of two storey brick building with tiled pitched roof offices and veterinary treatment room (ref. R03/0684/6592/P, dated 22nd October 2003);
- Cladding of two existing workshops and refurbishment of existing turnstiles (ref. R03/0055/6592/P, dated 4th March 2003);
- 6 no. TV commentary positions (ref. R99/5343/6592/B, dated 29th June 1999);
- 3 sets of steal staircases (ref. R98/5028/6592/B, dated 16h February 1998);
- Erection of additional section of perimeter fencing to enable to enlargement of the internal stock car paddock area (ref. R95/0841/6592/P, dated 31st January 1996); and
- Erection of 10m high lighting stands to perimeter of greyhound racing track (ref. R77/1534/6592/P, dated 29th March 1978).

CHAPTER 4:

THE PROPOSED DEVELOPMENT



4.0 The Proposed Development

- 4.1 Outline permission with matters of access, layout, scale, and appearance is now sought. The full description of development, as agreed with officers, is as follows:

“Demolition of existing buildings and outline planning application (with matters of access, layout, scale, and appearance included) for residential development of up to 137 dwellings (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 (details to be confirmed)”.

- 4.2 To summarise, the revised development proposals are comprised of two component parts; the residential development, and the provision of the 3G sports pitch and pavilion, each demonstrated on the below extract from the submitted site masterplan.



Illustrative Masterplan

- 4.3 Each component part of the proposals are described in turn.

Proposed Residential Development

- 4.4 Notwithstanding the description of development agreed with Officers, outline planning permission is sought for the erection of 124 dwellings, as indicated on the proposed site layout plan 101 prepared by Malcolm Payne Group, as per the below plan extract.



Proposed Site Layout Plan

- 4.5 The residential development is comprised of a mix of detached, semi-detached and terraced dwellings, distributed across the site as demonstrated on the above plan extract. The dwellings are in the eastern section of the site (broadly on the footprint of the existing stadium buildings) as indicated on the submitted illustrative masterplan.
- 4.6 The scheme is comprised of a mixture of housing types, sizes and tenures, including the provision of 20% affordable housing (up to 25 units) as indicated in the below table.

Name	Bedrooms	Sq Ft	Storeys	Total Units	Total Sq Ft
Private					
Montague	2	755	2	2	1,510
Crawford	2	769	2	18	13,842
Barwick	3	863	2.5	18	15,534
Beaufort	3	910	2	23	20,930
Ravenhurst	3	910	2	1	910
Carlton	3	1000	2	5	5,000
Cofton	3	1011	2	7	7,011
Freemont	4	1270	2	11	13,970

Name	Bedrooms	Sq Ft	Storeys	Total Units	Total Sq Ft
Tanslet	4	1392	2	4	5,568
Olton	4	1519	2	10	15,190
Sub Total				99	99,531

Name	Bedrooms	Sq Ft	Storeys	Total Units	Total Sq Ft
Affordable (Rent)					
Crawford	2	769	2	7	5,383
Beaufort	3	910	2	4	3,460
Ravenhurst	3	910	2	3	2,730
Affordable (Shared Ownership)					
Crawford	2	769	2	7	5,383
Beaufort	3	910	2	3	2,730
Ravenhurst	3	910	2	1	910
Sub Total				25	20,776

Grand Total	Total Units	Total Sq Ft
	124	120,307

4.7 As shown on the illustrative masterplan and the table above, the development will be formed from a mix of housing which will include 2, 3 and 4 bedroom detached, semi-detached and terraced dwelling, each afforded adequate parking provision and a private garden. .

4.8 The images below provide a sample of the range of house styles and designs that will be implemented throughout the site.



Example House Type Plans

- 4.9 The proposed development otherwise includes the creation of green open spaces, including a large area of open space to the north of the site to adjoin the existing woodland which will be accessible to all. The open space contains an area for play (details to be agreed with the LPA), and additional tree planting in the northern section of the site, as well as along the eastern and southern boundaries to allow visual and wildlife integration (the exact specification of landscaping is reserved for consideration at a later date).
- 4.10 The proposed development will be accessed off Rugby Road (A428), via a new T-junction located in the southern corner of the site. Officers will note that the position of the access has been relocated from its original position, so as to avoid the root protection areas associated with a number of TPO protected trees which line the north side of Rugby Road. The proposed access road is of an adoptable standard, and includes pedestrian access into the site. Additional pedestrian links are proposed across the site.
- 4.11 A sustainable drainage system including an attenuation pond is proposed on the site. This will ensure that water is properly managed, and that the development does not adversely affect or result in flooding on site. The attenuation pond will manage surface water runoff, temporarily storing water before it is slowly released. Further details are contained in the Flood Risk Assessment submitted in support of the application.

Provision of 3G ATP Pitch and Pavilion

- 4.12 Permission is also sought for the provision of an artificial turf 3G sports pitch, the erection of a pavilion, and the formation of a car park. Whilst details of the layout of the pitch, pavilion and car park have been included for consideration, the applicant is seeking to reserve the remaining details for consideration at a later date. This is to ensure that any prospective operator has opportunity to input into the design and scope of the facility ultimately delivered.
- 4.13 Notwithstanding such, the pitch has been devised to meet the minimum requirements of the Football Association in terms of its size and composition. It is envisaged that the pitch will be enclosed by a 4.5 metre perimeter fence, in accordance with the relevant Football Association (FA) standards. Likewise, the pitch will be illuminated in accordance with a lighting scheme to be agreed should permission be granted.
- 4.14 The exact details of the pavilion are reserved for consideration at a later date. However, it is envisaged that the pavilion will be fitted with a green roof, and will include home and away dressing rooms, a changing room for officials, and a flexible community space which can be utilised by a variety of different local community and interest groups. The below visual of the proposed pavilion has been submitted for illustrative purposes.



Illustrative Visual of Pavilion

4.15 Permission is also sought for a dedicated car park to serve the pitch and the pavilion, which will be accessed from the primary access road into the wider development. Whilst the position of the car park is fixed, the specific layout is reserved for consideration at a later date. However, the car park will accommodate approximately 70 spaces, including those for disabled visitors. A further two drop off spaces for minibuses are included, in accordance with independent advice provided to the applicant. Otherwise, a number of electric vehicle charging points will be included, as will provision for cycle / motorcycle parking, and a bin store to serve the pavilion.

4.16 Otherwise, the historic access into the site, which is currently stopped up, will be reutilised to allow pedestrian access and access for emergency services.



An aerial photograph of a city grid, likely New York City, with a semi-transparent map overlay. The map shows a dense network of streets and building footprints. The text 'CHAPTER 5: PLANNING POLICY' is overlaid in white, bold, sans-serif font in the upper left quadrant. The map overlay includes various colored areas: a large yellow area in the upper left, a large blue area in the center, and several smaller green and red areas scattered throughout. The text 'CHAPTER 5:' is on the first line, and 'PLANNING POLICY' is on the second line.

CHAPTER 5: PLANNING POLICY

5.0 Planning Policy

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) states that the determination of planning applications should be made in accordance with the development plan unless material considerations indicate otherwise. This section sets out the broad planning policy framework against which the proposals must be assessed, starting with the adopted Development Plan and the other supplementary guidance documents published by the Council.

Development Plan

Rugby Borough Council Local Plan 2011-2031 (2019)

5.2 **Policy GP1: Securing Sustainable Development** reflects the presumption in favour of sustainable development, as set out within the NPPF.

5.3 **Policy GP2: Settlement Hierarchy** outlines that development will be allocated and supported in accordance with the following Settlement Hierarchy. It continues to state that new development in the Green Belt will be resisted and only where national policy on Green Belt allows will development be permitted.

5.4 **Policy GP3: Previously Developed Land and Conversions** expresses the willingness if the council to support the redevelopment of previously developed land where proposals are compliant with the policies within this Local Plan, with consideration given to the following:

- The visual impact on the surrounding landscape and properties;
- The impact on existing services if an intensification of the land is proposed; and
- The impact on any heritage or biodiversity assets.

5.5 **Policy DS1: Overall Development Needs** confirms the need for 12,400 additional homes within Rugby Borough between 2011 and 2031.

5.6 **Policy H1: Informing Housing Mix** states that to deliver a wide choice of high-quality market homes across the Borough residential development proposals must form a mix of market housing house types and sizes consistent with the latest Strategic Housing Market Assessment.

5.7 **Policy H2: Affordable Housing Provision** states that 20% affordable housing will be sought on proposals located on previously developed sites.

5.8 **Policy HS1: Healthy Safe and Inclusive Communities** outlines the need to improve the quality and quantity of green infrastructure networks and need to protect and enhance public access, including to open space.

5.9 **Policy HS4: Open Space and Recreation** states that residential development of 10 dwellings or more should provide or contribute towards the Council's open space standards. New open space should enhance the natural environment and be conveniently accessible.

- 5.10 **Policy HS5: Traffic Generation and Air Quality** states that any development that results in significant negative impacts on health and wellbeing of people in the area as a result of pollution, noise or vibration caused by traffic generation will not be permitted unless effective mitigation can be achieved.
- 5.11 **Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets** states that trees, woodlands, hedgerows and local nature reserves, amongst other assets, are included as important to biodiversity and should be protected. Development will be expected to deliver a net gain in biodiversity and be in accordance with the mitigation hierarchy below. Planning permission will be refused if significant harm resulting from development affecting biodiversity cannot be:
- Avoided, and where this is not possible.
 - Mitigated, and if it cannot be fully mitigated, as a last resort.
 - Compensated for.
- 5.12 In addition, it states that new development will be permitted provided that it protects, enhances and/or restores habitat biodiversity. Development proposals must:
- protect or enhance biodiversity assets and secure their long-term management and maintenance.
 - avoid negative impacts on existing biodiversity.
 - lead to a net gain of biodiversity, where possible, by means of an approved ecological assessment of existing site features and development impacts.
- 5.13 Where a development will have a negative impact on a biodiversity asset, mitigation will be sought in line with the mitigation hierarchy. Impacts should be avoided and if this is not possible, mitigated. Where there would be a residual impact on a habitat or species and mitigation cannot be provided on site in an effective manner, developers will be required to offset the loss by contributing to appropriate biodiversity projects elsewhere in the area.
- 5.14 **Policy NE2: Blue and Green Infrastructure Policy** states that the Council will work with partners towards the creation of a comprehensive borough wide Strategic Green Infrastructure Network. This will be achieved through the following:
- The protection, restoration and enhancement of existing Green Infrastructure assets within the network as shown on the proposals map.
 - The introduction of appropriate multi-functional linkages between existing Green Infrastructure assets.
- 5.15 **Policy NE3: Landscape Protection and Enhancement** states that new development which positively contributes to landscape character will be permitted. Development proposals will be required to demonstrate that they:
- integrate landscape planning into the design of development at an early stage;

- consider its landscape context, including the local distinctiveness of the different natural and historic landscapes and character, including tranquillity;
 - relate well to local topography and built form and enhance key landscape features, ensuring their long-term management and maintenance;
 - identify likely visual impacts on the local landscape and townscape and its immediate setting and undertakes appropriate landscaping to reduce these impacts;
 - aim to either conserve, enhance or restore important landscape features in accordance with the latest local and national guidance;
 - avoid detrimental effects on features which make a significant contribution to the character, history and setting of an asset, settlement or area;
 - address the importance of habitat biodiversity features, including aged and veteran trees, woodland and hedges and their contribution to landscape character, where possible enhancing and expanding these features through means such as buffering and reconnecting fragmented areas; and
 - are sensitive to an area's capacity to change, acknowledge cumulative effects and guard against the potential for coalescence between existing settlements.
- 5.16 **Policy SDC1: Sustainable Design** states that all development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. All developments should aim to add to the overall quality of the areas in which they are situated.
- 5.17 **Policy SDC2: Landscaping** states that the landscape aspects of a development proposals will be required to form an integral part of the overall design and that a high standard of appropriate hard and soft landscaping will be required. It also highlights the importance of retaining the landscape character of the area and, where possible, minimise visual intrusion through perimeter planting.
- 5.18 **Policy SDC3: Protecting and enhancing the Historic Environment** states that development will be supported that sustains and enhances the significance of the Borough's heritage assets including listed buildings, conservation areas, historic parks and gardens, archaeology, historic landscapes and townscapes.
- 5.19 **Policy SDC5: Flood Risk Management** states that Applicants will be required to demonstrate how they comply with this Policy by way of a site-specific Flood Risk Assessment (FRA) which is appropriate to the scale and nature of the development proposed. The FRA must assess the flood risk from all sources and identify options to mitigate the flood risk to the development, site users and surrounding area.
- 5.20 **Policy SDC6: Sustainable Urban Drainage** requires Sustainable Drainage Systems (SuDS) on all major developments. Such facilities should preferably be provided on-site or, where this is not possible, close to the site, and:

- Be designed and located outside the floodplain and to integrate with Green and/or Infrastructure functions;
- Be appropriate for the needs of the site;
- Promote enhanced biodiversity;
- Improve water quality;
- Increase landscape value; and
- Provide good quality open spaces.

- 5.21 **Policy SDC 9: Broadband and Mobile Internet** confirms that developers of new developments will be expected to facilitate and contribute towards the provision of broadband infrastructure suitable to enable the delivery of broadband services across Rugby Borough to ensure that the appropriate service is available to those who need it.
- 5.22 **Policy D1: Transport** confirms that development will be permitted where sustainable modes of transport are prioritised, and measures designed to mitigate transport impacts arising from either individual development proposals or cumulative impacts caused by a number of proposals, are provided. All large-scale developments which result in the generation of significant traffic movements, should be supported by a Transport Assessment and where necessary a Travel Plan, to demonstrate practical and effective measures to be taken to avoid the adverse impacts of traffic.
- 5.23 **Policy D3: Infrastructure and Implementation** states that permission for new development will only be granted where additional capacity can be released through better management of existing infrastructure, or through the provision of new infrastructure. Developer contributions may be sought to fund new infrastructure and a programme of delivery will be agreed before development can take place.
- 5.24 **Policy D4: Planning Obligations** sets out the circumstances by which planning obligations will be sought from developments, in line with the Community Infrastructure Levy (CIL) Regulations 2010.

The Brandon and Bretford Neighbourhood Development Plan to 2031 (2019)

- 5.25 This Neighbourhood Development Plan aims to make the parish of Brandon and Bretford an even better place to live, now and for future generations. It covers the period to 2031 which is consistent with the emerging Rugby Local Plan. The relevant policies within the Neighbourhood development plan are as follows:
- 5.26 **Policy H2 Development of Brownfield Land** will be supported in principle subject to the following:
- The land is not of high environmental value;
 - The residential use is compatible with the surrounding uses and means of access;
 - The impact, including visual impact, on the surrounding landscape and properties is assessed as acceptable;

- No loss or displacement, complete or partial, of employment, community, sport or recreation uses unless it can be demonstrated;
 - That the existing uses are no longer viable or required in accordance with other Development Plan policies and
 - On the basis of an objective assessment, the benefits of residential development outweigh the loss of its current use;
 - The site in its setting and its appearance are enhanced;
 - There is no conflict with national Green Belt policy where applicable
- 5.27 **Policy H3 Affordable Housing** will be supported as part of any redevelopment of brownfield land, all in accordance with the relevant adopted policies in the Development Plan and the NPPF.
- 5.28 **Policy LF 1 Community Facilities**, proposals which assure the retention, enhancement or improvement of valued community facilities will be supported; if the relocation of a facility is involved the new location must be equally well located for the community it serves. Proposals that would diminish or remove a community facility will be required to demonstrate that the facility is no longer needed or viable and that there is no realistic prospect of viability being improved with either the current or other community use(s).
- 5.29 It confirms that new community facilities will in principle be supported, such as the sports pitch and open space created by the proposal.
- 5.30 The current community facilities are: the public house and village hall in Bretford, and in Brandon the public house, the Brandon Club, the Brandon Hall Hotel and the Brandon Stadium (presently closed).
- 5.31 **Policy LF 2 Safe Walking, Cycling & Horse Riding**, wherever possible, new development should incorporate provisions for improving the usability, connectivity and attractiveness of footpaths, cycle ways and bridleways to further encourage their use.

Supplementary Planning Guidance/Documents

- 5.32 Rugby Borough Council have published a number of Supplementary Planning Documents, which provide further guidance above and beyond the adopted policies of the Development Plan.

Housing Needs Supplementary Planning Document (March 2012)

- 5.33 The Housing Need SPD concerns the provision of affordable housing, and confirms what the LPA will seek to achieve from various sites. However, the SPD predates both the NPPF, and the adopted Local Plan, rendering it somewhat out of date.

Planning Obligations SPD (March 2012)

- 5.34 The Planning Obligations SPD outlines what the LPA will seek to achieve by way of planning obligations. However, this SPD has also largely be superseded by the NPPF and the new Local Plan.

Sustainable Design and Construction Supplementary Planning Document (February 2012)

- 5.35 The Sustainable Design and Construction SPD was adopted in 2012. The purpose of the document is to support the increasing requirement to create more sustainable development. It focuses on the design and construction of built development, considering resource efficiency, the impact of climate change and the creation of places where people can live, work and play.

National Planning Policy

National Planning Policy Framework (February 2019)

- 5.36 A revised version of the NPPF (NPPF) was published in February 2019, which sets out the Government's proposed economic, social and environmental planning policies for England.
- 5.37 The NPPF confirms that the Development Plan remains the statutory basis for the determination of planning applications unless material considerations indicate otherwise. The NPPF constitutes guidance for Local Planning Authorities and decision-takers both in and drawing up plans as material considerations in determining applications.

Green Belt Development

- 5.38 A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. However, there are exceptions to this, and the relevant expectations in this case as stated in paragraph 145 are:
- *g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority."*

Achieving sustainable development

- 5.39 The NPPF defines Sustainable Development as 'meeting the needs of the present without compromising the ability of future generations to meet their own needs'. At paragraph 8, it sets out three overarching and interdependent objectives, stating that these should be pursued in mutually supportive ways:
- *'An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

- **A social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- **An environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. ‘

Delivering a sufficient supply of homes

- 5.40 Paragraph 59 states: “to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”

Making effective Use of the Land

- 5.41 Section 11 of the NPPF encourages the effective use of land in meeting the need for new development, while safeguarding and improving the environment.
- 5.42 Paragraph 118 outlines that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for identified needs. It also sets out that local planning authorities should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively.
- 5.43 Paragraph 122 states that local planning authorities should support development that makes efficient use of land, taking into account:
- “the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - Local market conditions and viability;
 - The availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future care use;
 - The desirability of maintaining an area’s prevailing character and setting, or of promoting regeneration and change; and
 - The importance of securing well-designed, attractive and healthy places.”

Achieving well-designed places

5.44 Section 12 of the NPPF identifies that good design is a key aspect of sustainable development. It sets out a list of design-based criteria against which policies and decisions should aim to ensure that development achieves. These are as follows:

- *Function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.*
- *Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.*
- *Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).*
- *Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.*
- *Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.*
- *Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience” (paragraph 127).*

Meeting the Challenge of Climate Change and Avoiding Flood Prone Areas

5.45 Paragraph 153 of the NPPF expects new development to:

- “comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.”

5.46 Paragraph 155 states that *“inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”*

Open Space and Recreation

5.47 Paragraph 97 states that existing sports and recreational buildings should not be built on unless:

- *“a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*

- *b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”*

5.48 An assessment has been undertaken to show that the vacant Brandon Stadium is surplus to requirements and its state of disrepair means it is financially unviable. The proposals also include provision of a sports pitch and new open space which is of better quality and more sustainable than what is there currently. The benefits here clearly outweigh the loss of the speedway stadium.

CHAPTER 6: PLANNING CONSIDERATIONS



6.0 Planning Considerations

6.1 This section of the statement considers whether the revised proposals can be supported in principle, having particular regard to the impact of the proposals on the Green Belt, the need for housing, and the requirements of paragraph 97 of the NPPF, amongst other considerations. Thereafter, this section will assess whether there are any other technical matters that would preclude the granting of permission.

Appropriate Development in the Green Belt

6.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that the statutory Development Plan will continue to be the starting point for the consideration of planning applications for the development or use of land, unless material considerations (namely National Planning Policy Framework) indicate otherwise.

6.3 The site falls within the Green Belt, as indicated on the Local Plan Proposals Map. The principle planning policy consideration therefore concerns the location of the site within the Green Belt. The Local Plan for Rugby Borough was adopted in 2019 and makes reference to Green Belt policy as set out in GP2, which states that:

“New development will be resisted; only where national policy on Green Belt allows will development be permitted.”

6.4 The policy effectively requires that planning applications concerning development on land in the Green Belt, are determined in accordance with national policy.

6.5 Paragraph 145 of the NPPF (2019) confirms that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. However, the framework lists certain forms of development which may not be considered inappropriate. In particular, the framework makes reference to the development of previously developed land within the Green Belt:

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- *not have a greater impact on the openness of the Green Belt than the existing development; or*
- *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”*

6.6 The framework confirms that the redevelopment of brownfield sites in the Green Belt can be supported, where the resulting development would not give rise to additional impact in openness terms.

- 6.7 In the case of the revised proposals, permission is sought for the redevelopment of the existing stadium buildings. Officers must therefore determine whether the impact on openness associated with proposed development would be greater than that associated with the existing buildings.
- 6.8 These revised proposals are accompanied by an updated Landscape Visual Impact Assessment, prepared by Barton Willmore Planning and Design (BW). BW have been involved with the project since the outset and have remained heavily involved with the development of these revised proposals. In particular, they were tasked with ensuring the revised development proposals, including the pitch and pavilion, did not give rise to additional harm in openness terms.
- 6.9 As stated in their LVIA, and indeed within NPPF, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. In their assessment, BW note that the site contributes little to the purposes of the Green Belt. In fact, its inclusion within the wider Green Belt is somewhat of an anomaly, given that the site shares very few characteristics of what one would reasonably consider to be *open countryside* or *Green Belt*.
- 6.10 The site is previously developed land – it contains and comprises the former Coventry Stadium, including a number of sizeable buildings and structures, and its car park and access road. The majority of the site is covered in hardstanding.
- 6.11 Equally, BW note that the site is completely obscured by the existing boundaries, the majority of which consists of established hedgerow and mature trees, which prevent views into and out of the site. In particular, the site is bound to the north by Ancient and Semi-natural woodland. This further diminishes the sense of openness achievable within the site.
- 6.12 The site is bound on its southeast boundary by Speedway Lane, which is populated by a number of sizeable residential dwellings, which all front on to the site. The dwellings in question are densely populated on Speedway Lane, and the character of the street could quite reasonably be described as suburban. They're certainly not interspersed or rural in character.
- 6.13 On its southwestern boundary, the site is bound by Rugby Road, which like Speedway Lane, accommodates a number of residential dwellings. The rear gardens of these dwellings back on to the site, and again serve to diminish and reduce any sense of openness, or open countryside, given the domestic association that they conjure.
- 6.14 On this basis, BW determined that a development of the site, if undertaken sensitively, could be achieved without increasing the impact upon openness, taking into account the existing built development. A number of recommendations have been incorporated into the design of the layout.
- 6.15 Most notably, the scheme has sought to ensure that all existing boundaries are retained, and strengthened where possible, to enhance the sense of containment. Although matters of landscape are reserved for consideration at a later date, the submitted illustrative masterplan indicates how such could be achieved.

- 6.16 Officers will otherwise note that the Proposed Development has been embedded in green open space. It will be set back from most of the boundaries to provide areas of green space either to form a buffer area for existing properties or to provide a gradual progression to wider countryside and Green Belt land to the north and south-east.
- 6.17 Consideration has been afforded to the location and the height of the proposed dwellings. Officers will note that the majority of proposed dwellings are located on the footprint of the existing stadium buildings, whilst the ridge heights associated with the various dwellings are not greater than the height of the existing stadium structure.
- 6.18 Turning to the pitch, whilst the final details of such are reserved for consideration at a later date, BW have been able to assess the impact of such from the fixed layout of the scheme, and using some reasonable assumptions concerning the scale of the pavilion and the perimeter fence / floodlights (guided by the minimum FA specifications, and additional input provided by the wider design team).
- 6.19 In terms of landscape effects, BW conclude the development will fill a void in the landscape and restore the landscape character and unify it with its surrounding context. Overall, it is considered that at Year 1 there would be beneficial effects of minor-moderate at a Site level and of negligible beneficial significance at the level of the LCT Dunsmore Parklands. At Year 15, once the proposed planting has established, there would be beneficial effects of moderate - major at a Site level and of minor beneficial significance at the level of the LCT Dunsmore Parklands.
- 6.20 For the reasons as set out above a judgement has been formed that the development would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. On this clear basis, the proposal complies with the paragraph 145 requirement concerning previously developed sites within the Green Belt. Consequently, the proposals can also gain support under policy GP2, which reflects the national policy position in place at the time.

Housing Need

- 6.21 In policy terms, the Framework sets out a clear priority to significantly boost the supply of housing across the country. At local level, this is reflected within Policy DS1, which establishes a target of 12,400 units across the plan period (663 dwellings per annum from 2018 onwards).
- 6.22 The Local Plan has yet to undergo any review since its adoption (although it's anticipated that such will be required in the not too distance future). As such, no up to date data has been published which would reveal whether the Council are on target to meet the Local Plan target.
- 6.23 Notwithstanding such, the Local Plan does not preclude the development of windfall housing. In fact, the Council make an allowance of 630 dwellings from windfall sites within the Local Plan. Notably, the allowance is neither a maximum or minimum figure. It is to be applied flexibly to ensure the Council are able to meet the relevant target.

6.24 The proposed development, which as noted above, can be supported under Policy GP2, would be deemed a windfall site, and the market and affordable housing proposed would assist the Council with maintaining an up-to-date supply of housing land, should any of the other allocated sites fail to come forward during the plan period. The site represents an opportunity for the local authority to significantly boost the housing supply through the delivery of housing on a previously developed windfall site. The proposals therefore gain support under both the framework, and policies GP2 and DS1.

Sporting Provision

6.25 As noted in section 2 of this report, the main issue that arose at the time the application was originally heard related to the requirements of paragraph 97 of NPPF. Sport England in particular objected to the development proposals, on the basis that, in their view, insufficient justification had been provided to demonstrate that the stadium was surplus to requirements, and could therefore be demolished.

6.26 Since the application was initially considered, and more notably, following the independent report produced for the Council by WYG, the applicant set to work on submission of a revised proposal to address the requirements of paragraph 97. In doing so, the applicant commissioned Knight, Kavanagh and Page Ltd (KKP), an independent research consultancy, to explore how best the requirements of Paragraph 97 could be met in an achievable way, that would provide the great benefit to the local community.

6.27 KKP subsequently produced two reports which are enclosed with this application. The reports assess whether the NPPF policy requirement could be met through a scheme which sought the retention of speedway in some form (either on site or in a new location). The second report considers whether an alternate sporting provision, consisting of a 3G pitch and associated facilities, could be viably achieved in lieu of speedway. Each of these reports is briefly summarised in turn.

Viability of Speedway

6.28 Drawing on evidence and all available research, KKP assess the health of speedway and indeed speedway stadia across the UK. KKP paint a troubling picture of decline and financial unsustainability. KKP cite a number of factors contributing to the decline of the sport, including a significant reduction in attendance at events, declining viewership and TV revenue, and less participation in the sport across the board. KKP note that a significant number of teams across the UK have dissolved, and the number of speedway meetings is also falling year on year. The decline of Speedway, in tandem with the reduction in both greyhound and stock car events has resulted in the closure of several speedway stadiums in the UK.

6.29 The WYG Report stated that the option of developing a new build facility should be considered by the applicant as part of any revised submission. KKP consider the possibility of this in their report, making reference to National Speedway Stadium in Manchester, which was redeveloped in 2016 following a £7 million capital investment from Manchester City Council. KKP note that even prior

to the Covid-19 pandemic, the facility has yet to make a profit since it was reopened. The lack of profitability for involving a recently redeveloped facility, serves to exemplify the financial challenges associated with the sport.

- 6.30 On this basis, KKP are clear that addressing the requirements of Paragraph 97, exception b, through facilitating a return of speedway in some form, is simply not a viable proposition. In contrast, KKP are of the view that the inclusion of an alternative sports and recreational provision as part of a scheme of redevelopment is almost certainly a more realistic and achievable option.

Viability of the 3G Pitch

- 6.31 In the first instance, the KKP report confirms that there is a clear need for increased provision to service both Rugby and Coventry, as evidenced in the Playing Pitch Strategy documents in place for both local authorities (whilst accepting that both reports are out of date). However, the need locally for full size 3G pitches is further emphasised in the Local Football Facility Plan, which provides a more up to date and relevant picture.
- 6.32 The demand for such facilities was reflected in the level of interest the prospective pitch has generated. KKP confirm that a number of community football clubs were contacted to ascertain the likely level of interest that a new 3G pitch would generate. Of the clubs contacted, five community clubs (each of which consists of several teams) expressed an interest in utilising a prospective pitch.
- 6.33 KKP also contacted Sky Blues in the Community (SBitC), the charitable arm of Coventry City FC, to ascertain whether they would have any interest in managing such a facility. SBitC already manage and operate a pitch at Coventry Blue Coat School and confirmed that they benefitted from the requisite experience and knowledge required to operate such a facility. The cumulative interest from the local community teams, combined with that of SBitC is such that KKP are satisfied that a sufficient level of need and interest exists to sustain the provision of a pitch. It is noted that SBitC would be able to operate several of their own initiatives from any prospective pitch, including walking football, Wildcats (a girl's football initiative) and disability football. Officers will note that a letter of support from SBitC is enclosed with this revised submission.

Summary

- 6.34 To summarise this sub-section, the applicant has gone to significant lengths to determine how best the requirements of Paragraph 97 of NPPF can be positively addressed to the satisfaction of Sports England. The research undertaken by KKP has culminated in the decision by the applicant to incorporate a 3G sports pitch and associated pavilion into the development proposals. Whilst regrettable, the reports are clear that addressing the policy requirement through the provision of speedway in a redeveloped or new build facility is simply not viable and is ultimately not sustainable.
- 6.35 The reports demonstrate that the only means by which the policy requirement can be met is through the implementation of an alternative sports provision, taking the form of a fully

equipped 3G pitch. These revised proposals have been developed accordingly, with KKP providing further input as to the required specification of the pitch to ensure it is able to generate sufficient demand to remain viable. These specifications have all been included in the scheme, and will also guide the final details of the pavilion and car park.

- 6.36 In this respect, the applicant will seek to confirm the exact details with the LPA once an operator has formally agreed to take on the operation of the pitch (should the LPA be minded to grant consent). It is envisaged that any permission granted could include a condition, requiring submission and approval of a detailed management plan for the facility, prior to occupation of the first completed dwelling. Such would include the final design and operational details, as agreed with the prospective operator. The Applicant is open to discussing the manner in which the development and final design of the pitch is tied to the implementation of the development. The crucial point is that the pitch is a prerequisite to the implementation and occupation of the wider residential scheme. Local residents and the wider community can therefore be reassured that the requirements of NPPF will be met, and that the scheme will deliver the benefits associated with the provision of the pitch required to outweigh any impact arising from the demolition of the stadium buildings. On this basis, it is clear that the requirements of exception C of paragraph 97 of the NPPF has been met, and the proposals can therefore be supported in light of such.

Achieving Sustainable Development

- 6.37 In terms of general sustainability, the purpose of the planning system is defined by the NPPF as the contribution to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs as per paragraph 7. This sentiment is echoed at local level under Policy SDC1 of the Local Plan.
- 6.38 To achieve such a purpose, development must adhere to an economic, environmental, and social objective. On reflection, it is clear that the development will give rise to benefits relation to all three objectives.

Economic

- 6.39 The proposed development will give rise to a number of economic benefits. It is widely accepted that significant economic benefits are realised throughout the construction phase of such developments, namely through job creation, and by virtue of increased opportunities for existing local businesses in the construction industry and in the supply chain. In addition to such, the provision of additional housing will further enhance the viability of various existing businesses located in Binley Woods and beyond.

Social

- 6.40 The revised proposals concern a deliverable residential development in a sustainable location to meet local housing need. The scheme includes the provision of affordable housing at a policy compliant level, which will help the Council address the wider shortfall of such located across the authority area.
- 6.41 The revised proposals include a sizeable area of open space, made accessible to members of the public. The delivery of open space as part of the wider scheme not only serves to reduce the visual impact of the scheme. It also accords with the Council's policy concerning the provision of Open Space. Policy HS4 advises that schemes of 10 or more dwellings should contribute to the wider provision of open space. In this instance, the open space proposed as part of the revised proposals meets the Council's listed requirements, which states that all open space should:
- *Be appropriately maintained, if necessary, through the use of developer contributions;*
 - *Be secure and safe;*
 - *Attractive in appearance;*
 - *Enhance the natural and cultural environment;*
 - *Conveniently accessed and facilitates access to other areas of open space, including the countryside;*
- 6.42 In addition to the open space, the provision of new public footpaths across the site, and enhanced pedestrian and cycle links into and out of the site also provide a notable social benefit.

Environmental

- 6.43 The proposal concerns the redevelopment of a vacant brownfield land. The development of such reduces the need for the development of greenfield sites across the authority area. Indeed, the development of brownfield sites is advocated in both NPPF, and throughout the Local Plan. This is a significant environmental benefit.
- 6.44 As outlined in the submitted LVIA, the scheme does not result in harm to the openness of the Green Belt. In fact, the provision of a comprehensive scheme of landscaping, required to strengthen the existing boundaries, will give rise to considerable gains for biodiversity. Such will be supplemented through the provision of the attenuation ponds, and the scheme of additional tree planting proposed.
- 6.45 A Sustainability Statement has been prepared and submitted with this planning application, to set out to demonstrate how the development will deliver sustainable new homes in an environmentally sustainable manner. The development will deliver resource efficient, climate resistant, low carbon homes in a sustainable location, responding positively to the Council's local sustainability policies and latest sustainability appraisal objectives.

- 6.46 Further environmental gains are achieved by virtue of the accessible location of the site. Indeed, Section 9 of the NPPF indicates that the planning system should actively manage patterns of growth. Paragraph 108 places particular emphasis on the need to provide appropriate opportunities to promote sustainable transport modes that can – or have been – taken up, given the type of the proposed development; that safe and suitable site access can be achieved for all users; and that any significant impacts on the transport network (in terms of capacity and congestion) can be cost effectively mitigated to an acceptable degree.
- 6.47 This is echoed within policy GP2, which outlines the settlement hierarchy. The policy acknowledges that whilst the Local Plan provides clear sequential approach to the selection of locations for sustainable development, there are locations that are specifically excluded from this hierarchy which could be considered accessible locations for development. It is up to the decisionmaker to determine whether other sites are sufficient accessible on a case-by-case basis.
- 6.48 In the case of the application site, it is clear that the site is sustainably located, as confirmed within the Transport Assessment Addendum submitted with this revised submission. As noted within the report, the site falls adjacent to Binley Woods. Binley Woods accommodates a number of existing services and amenities which will be accessible to residents of the prospective development. Binley Wood falls within reasonable walking distance to the site, whilst pedestrian access is achievable via an illuminated footway located on Rugby Road. Equally, the site is well served by an existing bus link, accessible from Rugby Road, which provides frequent services into Coventry. Officers will note that the proposed layout provides for pedestrian and cycle links into the application site, therefore encouraging accessible means of travel, in accordance with the requirements of the Framework.
- 6.49 Finally – the scheme includes the provision of a 3G pitch, which will be made available to both local residents and the wider community. The pitch will address the shortfall of pitches identified by KKP in this locale and can be used to host a number of teams and initiatives designed to promote healthy lifestyles. The promotion of healthy communities is a key objective of both NPPF and the Development Plan, specifically policies HS1 and HS4.

Summary

- 6.50 To summarise the first part of the planning considerations, it is clear that the revised proposals accord with a number of the Council's spatial policies, and indeed gains support under the NPPF. Crucially, the site addresses the paragraph 145 Green Belt requirement, as the revised proposals do not give rise to any additional harm in terms of openness.
- 6.51 In addition to such, the revised scheme is now consistent with the requirements of paragraph 97 of NPPF, in that the development will result in an alternative sporting provision to account for the regrettable yet necessary loss of the stadium. The proposed pitch will result in significant benefits by providing an alternative facility to serve local residents and the wider community, in an area where a shortfall of pitches has been identified.

- 6.52 Otherwise, the revised proposals are consistent with the achievement of sustainable development, and would contribute to the overall supply of housing on a brownfield site which lies in an accessible location.
- 6.53 It is noted that Officers raised no significant *principle* concerns at the time the application was initially assessed, aside from the loss of the stadium which has now been addressed. On this basis, the principle of development is considered acceptable.
- 6.54 The remainder of this section of the planning statement will consider the relevant technical considerations relevant to the development proposals.

Other Technical Matters

Affordable Housing and Housing Mix

- 6.55 Policy H2 concerns the provision of affordable housing. It states that Affordable housing should be provided on all sites of at least 0.36 hectares in size or capable of accommodating 11 (net) dwelling units or more (including conversions and subdivisions). On previously developed sites a target affordable housing provision of 20% is sought by the Council.
- 6.56 The revised proposals include a policy compliant level of affordable housing. The scheme includes 25 discounted units, which comprises 20% of the scheme, to be secured via Section 106 Agreement to be agreed with the Council.
- 6.57 Turning to Housing Mix, the Framework requires local authorities to plan for a mix of housing and to identify size, type, tenure and range of housing that is required in particular locations (paragraph 50).
- 6.58 Policy H1 of the Local Plan states that in order to deliver a wide choice of high quality market homes across the Borough residential development proposals must form a mix of market housing house types and sizes consistent with the latest Strategic Housing Market Assessment. Furthermore it states that new residential development should contribute to the overall mix of housing in the locality, taking into account the current need, particularly for older people and first time buyers, current demand and existing housing stock.
- 6.59 As outlined in the housing mix table included within section 4 of this statement, the proposed development has addressed the requirements of Policy H1 of the SHMA through including the provision of a broad range of houses, varying in size and scale, and varying in type and tenure.

Design

- 6.60 NPPF states “Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”. It goes on to states that “it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.” The Framework confirms that the Government attaches “great

importance to the design of the built environment” and that good design is a key aspect of sustainable development and should contribute positively to making places better for people.

- 6.61 At local level, Policy SDC1 confirms that development should demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated.
- 6.62 The Design and Access Statement submitted outlines the design concept which underpins the revised proposals. It confirms how the requirements of the framework and Policy SDC1 have been met, through the adoption of three structuring principles which have guided the scheme; Connected Green Infrastructure; Linking the Community; and Creating Places and Spaces. The statement outlines how these three principles have been adopted within the scheme, which ensures that the requirements of Policy SDC1 and NPPF are met.

Flood Risk and Drainage

- 6.63 A flood risk assessment was submitted as part of the original application documentation and it highlighted that the site lies within Flood Zone 1. The report, which has since been updated, concludes that there will be no increase in the residual flood risk to other areas as a result of the development proposals. The changes to the proposals will not affect this conclusions and the findings remain applicable to the revisions sought by this application. The submitted drainage strategy confirms that surface water will drain to two attenuation ponds, with subsequent controlled discharge into the nearby watercourse. Otherwise, the foul Sewage & Utilities Assessment confirms that there is sufficient capacity in the existing network to accommodate the proposed development.

Ecology

- 6.64 Paragraph 170 of the Framework states the planning system should contribute to and enhance the local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.
- 6.65 Paragraph 174 affords policy protection for protected and notable species at a national level. This policy requires that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a range of principles, including mitigation and/or compensation where appropriate.
- 6.66 An Ecological Appraisal has been prepared and submitted with this application. The sites itself is not subject to any statutory or non-statutory nature conservation designations that poses a constraint to the development layout. New Close and Birchley Wood are designated Local Wildlife Sites that are adjacent to the north of the site. The site itself primarily comprises hardstanding and the derelict stadium buildings, which are of low ecological value.
- 6.67 Detailed reptile surveys and bat assessments were undertaken following the recommendations in the Ecological Appraisal. The reptile assessment recommends that clearance works must be

carried out in a phased and directional manner towards any retained vegetation to enable reptiles and amphibians that may be within the works area to escape. Any herpetofauna or other protected species found during the clearance works which can be moved without requiring a licence (such as frogs, toads, smooth newts and grass snake) should be moved carefully by hand to an area to be left undisturbed by the works in a similar habitat. The assessment concluded that providing this mitigation is undertaken, no adverse impacts to any reptile populations as a result of the proposed development are anticipated.

- 6.68 The bat transect report recommended that a suitable planting specification is implemented based on species which are characteristic of the local area to create a landscaping screen to the active foraging area at the western end of the north-west boundary. The report detailed the specific trees and planting necessary for those areas of the site. Additionally the report found, in relation to the proposed sports pitch, that to reduce the overspill of light from the floodlit pitch on to the neighbouring woodland are to use LED lights where possible due to their low intensity. A warm white spectrum (ideally <2700Kelvin) should be adopted to reduce blue light pollution. It is suggested that this requirement is secured by way of condition.
- 6.69 Otherwise, the Ecological Impact Assessment contains a wide range of recommendations to be incorporated into the scheme. It is suggest that such are secured by way of condition.

Trees

- 6.70 Paragraph 127 of the Framework requires that planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- 6.71 First and foremost, Officers will note that the position of the site access has been relocated under the revised proposals. This is to address concerns raised by the Council's Arboricultural Officer at the time the application was initially considered. Under the original proposals, the proposed access was located in the vicinity of a number of protected trees, and infringed upon the associated root protection areas. The relocation of the access, to the south of the site, ensures that no such infringement will occur.
- 6.72 Otherwise, the proposals form a visually attractive development that incorporates these aspects of architecture and layout, as well as effective and appropriate landscaping (the final specification of which is to be confirmed at a later date).
- 6.73 The Arboricultural Assessment and Tree Survey prepared by FPCR Environment and Design Limited on behalf of Brandon Estates Limited, concludes that:

“On balance, although the proposals would necessitate the loss of a small number of individual trees and understory tree cover, the vast majority of tree cover will be retained and incorporated throughout the site within areas of green space away from areas of development. Mitigation for the small number of tree losses will be extensive and would include landscaping of the new open space; associated gardens and green spaces with new tree planting providing additional green corridors throughout the site. The creation of an extensively planted landscape to the west will also create the opportunity to increase tree cover in the local area along with enhancing the local visual amenity.”

Air Quality

- 6.74 Paragraph 181 of the Framework requires that planning policies sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMA) and Clean Air Zones with considering the cumulative impacts on air quality from individual sites in local areas.
- 6.75 An Air Quality Assessment has been prepared and submitted with this application. The site is not located within a designated Air Quality Management Area (AQMA), however lies 6km west of the Rugby AQMA. The assessment provides a number of recommendations, to ensure the scheme does not give rise to unacceptable harm in relation to air quality. These recommendations will be adopted and implemented should the Council be in a position to grant consent.

Noise

- 6.76 Paragraph 123 of the Framework states planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.
- 6.77 A Noise Constraints Assessment was prepared and submitted to accompany the original planning application. The Noise Assessment methodology was agreed with the Environmental Health Officer at Rugby Borough Council prior to undertaking the assessment. The Noise Assessment assessed the existing levels of noise across the site due to road traffic noise associated with the A428 Rugby Road. The Assessment concluded that “Noise can be heard but does not cause any change in behaviour or attitude. Can slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life.”
- 6.78 For the purposes of this revised scheme and addendum to the original Noise Constraints Assessment has been produced (reference AC107085-1r0). The changes made to the scheme see the majority of facades set further back from Rugby road, aside from 4 plots. This has resulted in a reduced noise impact on most of the proposed facades. The addition of the proposed 3G pitch has been assessed and it was found that it would introduce a slight increase in sound levels during games however characterised by NOAEL where: - *“Noise can be heard but does not cause any change in behaviour or attitude. Can slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life.”*

Site Investigation

- 6.79 Paragraph 178 of the Framework states the planning system should remediate and mitigate despoiled, degraded, derelict, contaminated and unstable land where appropriate. Paragraph 179 states to prevent unacceptable risks from pollution and land instability, planning decisions should ensure new development is appropriate for its location. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the development and/or landowner.
- 6.80 A desk top survey was undertaken and submitted as part of the original application. The report recommended that further investigation work be undertaken, secured by way of condition. The Applicant would agree to this approach.

Draft S106 Heads of Terms

- 6.81 In addition to the provision of the planning benefits directly generated by the development, the Applicant is working with the Council to agree an appropriate package of Section 106 contributions.

A viability assessment is included with the revised proposals. The assessment confirms to what extent the development proposals are able to meet both the affordable housing requirements, and other planning obligations.

7.0 Conclusion

- 7.1 This Planning Statement has been prepared on behalf of Brandon Estates Limited to accompany a revised submission package, submitted in relation to pending application ref: ref: R18/0186 – Coventry Stadium, Rugby Road, Rugby. The revised suite of information accompanies the amended plans, which have been prepared to address concerns previously raised at the time the application was originally considered by Officers.
- 7.2 Principally, this Planning Statement, in tandem with the two KKP reports enclosed, outlines how the applicant has sought to positively address the requirements of Paragraph 97 of NPPF. It has demonstrated that the revised proposals now in front of the Council represents the most viable and sustainable means of facilitating a redevelopment of the site, whilst ensuring an alternative sporting provision is achieved, the benefits of which outweigh the loss of the stadium.
- 7.3 This statement has also explained how the revised proposals have addressed the policy requirements relating to Green Belt, outlined in Policy GP2 and NPPF. The revised proposals, which have been landscape lead, have implemented the various recommendations provided by the Applicant’s appointed landscape and visual consultant. The implementation of these recommendations gives rise to a scheme which ultimately results in a visual enhancement of the site (in the context of its Green Belt designation), and which is of no greater impact in openness terms than the existing structures on site.
- 7.4 The revised proposals otherwise gain support under the wider policies and provisions of both the adopted Local Plan and the NPPF. The scheme will contribute to the achievement a sustainable development, through facilitating the redevelopment of a brownfield site, in a location which is highly sustainable and accessible. The development will contribute to the supply of both market and affordable housing in Rugby, to meet the demand for such identified in the SHMA.
- 7.5 Otherwise, it has been demonstrated that the development proposals are acceptable in all other technical respects, as demonstrated in the wider revised submission package. There is clear justification therefore for the granting of outline planning consent, which would enable the Applicant to resolve the wider issues concerning the site and deliver a policy compliant scheme which will result in a number of benefits.