

Campaign to Protect Rural England: Berkeley Vale Branch

Planning Application Reference S.16/0043/OUT

5,000 capacity football stadium and other ancillary uses (Use Class D2) two full-sized grass pitches and goal practice area (Use Class D2); leisure facilities (Use Class D2), car parking for cars and coaches and highways improvements to the A419 including a signalised site junctions and combined cycle/footway. All matters are reserved save for access.

Introduction

This statement sets out the objections of the Berkeley Vale Branch of the Campaign to Protect Rural England to the development now proposed, noting that the proposed development now consists only of the football stadium and its associated facilities, and excludes the business park, and that the football stadium has been relocated to the north side of the A419 from the south.

We have examined the documents posted on the Council's website using the Eco Park link. We noted that there was a total of about 170 new documents posted under the application number on 21 December 2017, but most of the time since access to documents using this number has not been possible. The Council's website acknowledges the difficulties which have persisted for some months.

These representations are therefore submitted on the assumption that the documents accessible via the Eco Park link are the most important.

Representatives of CPRE also carried out a further site visit on 16 February 2018.

This statement is in broadly two parts. The first reviews the applicant's Planning Statement; the second assesses the current position of Forest Green Rovers FC.

The Site and its Surroundings

Representatives of CPRE visited the site on 16 February 2018 and walked the public rights of way in the area. Signposts and waymarks in and around the site were in place. Stiles were in adequate condition if overgrown in places. There was again evidence of regular use of the footpaths.

It was noted that the fields across which the public rights of way within the site pass were waterlogged. CPRE would ask the Council to give careful scrutiny to the adequacy or otherwise of the proposals for drainage.

The Planning Statement

Issues are dealt with in the order in which they appear in the Planning Statement.

The summary of the scheme at 1.3 refers to car parking for 1,700 vehicles. In relation to bus services, the only improvements proposed are to services which will eventually serve the West of Stonehouse development. Given the isolated location of the proposed development, it is well beyond any distance that local supporters could reasonably be expected to walk or even cycle. Travel to the ground is likely to be overwhelmingly by private car.

2.1 refers to the proposal being designed to have the lowest possible carbon footprint. Whatever may be achieved in this respect on the site itself, any benefits are likely to be at least offset or even outweighed by the carbon footprint brought about by a significant increase in travel by car. The PS says nothing about the catchment area for the football club, other than (2.3) that it is *“an important part of the local community in Stroud and Nailsworth.”* Assuming however that these towns are the principal sources of the club’s support, travel distances from Stroud will be slightly increased, and those for Nailsworth very substantially.

2.2 refers to the using of training facilities at Chippenham, 24 miles distant. There is no mention of any efforts to secure suitable facilities closer to Nailsworth. The current arrangements may be inconvenient, but they will have scarcely any adverse transport impact compared to attendance on match days.

The implications of increasing attendance referred to at 2.3 and 2.4 are addressed in more detail below.

Principle of Development

First of all, we deal with the status of the Eastington Neighbourhood Development Plan (ENDP). Section 3 of the PS summarises its content, but no reference is made to it in Section 4. The ENDP was made in October 2016 and therefore forms part of the development plan. The proposed development falls outside the settlement boundary for Eastington. None of the ENDP’s policies supports development of this scale and nature. The proposed development is therefore contrary to the ENDP. This reinforces the position of the Stroud Local Plan which at the time of our objection to the original proposal in March 2016 was the sole component of the development plan.

Section 4 of the PS begins by addressing Stroud Local Plan (SLP) Core Policy CP15. For ease of reference the first part of the policy is quoted in full here:

“In order to protect the separate identity of settlements and the quality of the countryside (including its built and natural heritage), proposals outside identified settlement development limits will not be permitted except where these principles are complied with:

1. *It is essential to the maintenance or enhancement of a sustainable farming or forestry enterprise within the District; and/or*
2. *It is essential to be located there in order to promote public enjoyment of the countryside and support the rural economy through employment, sport, leisure and tourism; and/or*
3. *It is a 'rural exception site', where development is appropriate, sustainable, affordable and meets an identified local need; and/or*
4. *It is demonstrated that the proposal is enabling development, required in order to maintain a heritage asset of acknowledged importance; and/or*
5. *It is a replacement dwelling; and/or*
6. *It will involve essential community facilities".*

Paragraph 4.3 begins "Whilst there is some conflict with this policy in terms of the above, it is considered that the development does not conflict with the overall purposes of the Policy..." [CPRE emphasis].

Two points arise here. First, no reasonable reading of the six principles quoted above would conclude that "some" conflict would arise; rather, that conflict is complete. Our statement of objection of March 2016 said on this subject: *"The proposed development falls into none of these categories, so the criteria of the second part of the policy do not need to be applied. The proposed development is therefore contrary to the development plan."* The relocation of the stadium from the south side of the A419 to the north makes no difference to this position.

Secondly, the "overall purposes" appear to be imputed rather than derived from anything in the reasoned justification in the SLP itself or any of its supporting documents.

The second part of paragraph 4.3 demonstrates a misunderstanding of the spatial strategy of the SLP. The proximity to the West of Stonehouse development is considered to be not relevant on this context, and the Stonehouse cluster is one of a number of such clusters which indicate a loose association of settlements as part of the spatial portrait of the District; it is not part of a policy for the distribution of development. Close proximity to services and facilities cannot reasonably be claimed; Stonehouse town centre is 3 kilometres away. If as the final sentence states, the revised scheme will also be well served by public transport and the travel plan will discourage travel by private car, the question could reasonably be asked whether it is appropriate to provide as many as 1,700 car parking spaces if the sustainable transport measures are expected to be effective. Instead, the provision of car parking on such a scale is likely to encourage travel by car and discourage the use of public transport.

Paragraph 4.5 sets out the criteria of Policy EI11. CPRE's interpretation is that all the criteria must be met. The first two are of fundamental importance: if development does not comply

with these, then it does not matter whether or not the rest can be met. CPRE consider that the proposed development is contrary to the first two criteria and therefore to the policy as a whole.

The proposed development could be construed as meeting the first part of criterion 1. However, it is not at a site well related to the settlement hierarchy, nor is it intended to meet specific rural needs. The first criterion is therefore not met.

CPRE considers that it does not meet the second criterion as it would harm the character and appearance of the area by reason of the scale, bulk and mass of the built structures and the transformation of a very large area of land – 19 hectares. In our opinion this constitutes an inefficient and indeed profligate use of land.

The matters to which 4.6 refers are active participation; they do not refer to spectator sports.

Paragraph 4.9 refers to transport infrastructure, parking restrictions and capacity. The last of these is dealt with below. In respect of the first two, congestion and heavy traffic on match days are significant features of major sporting events. There are relatively few such destinations in Gloucestershire, but Kingsholm rugby stadium is foremost among them, drawing crowds of 12,000 or more for league games. The City centre and the area around the ground continue to function adequately, and the more extensive management measures put in place to ensure a successful contribution to the Rugby World Cup in 2015 amply demonstrated what can be done when the need arises.

Again, paragraphs 4.10 and 4.11 show a misunderstanding of the spirit and purpose of the development plan system. It does not involve a laxer approach to development around settlements at the top of the hierarchy.

Paragraph 4.12 does not identify what is unique about FGR which might help to justify the proposed development. In relation to 4.13, to relocate a football club in the order of 14 kilometres from the existing ground is stretching the concept of even relative proximity to Nailsworth too far. Very many professional football clubs have built new stadiums in the last three decades. Apart from the unusual (perhaps unique) case of MK Dons, the new grounds have all been in genuine close proximity, thus maintaining their connections with the host community and fan base. This is not the case here.

We understand the nature of the constraints exercise summarised in 4.12 to 4.15. For this to have any value, however, need has first to be demonstrated, and even if such an exercise points (as is claimed in this case) to only one location it does not mean that planning

permission should be forthcoming. Compliance with the development plan, or material considerations sufficient to outweigh lack of compliance, must be shown.

Paragraph 4.20 states that *“accessibility has been at the very heart of these proposals”*. The following paragraph then lists bus services whose routes and frequency make it most unlikely that they will be of any real use in promoting sustainable travel. 4.23 raises the question of the contribution that rail travel will make. Given the frequency of trains stopping at Stonehouse, Stroud and Cam and Dursley, they are likely to be of little use to either home or away supporters. In particular, to the extent to which there is organised travel for visiting supporters, this tends to be by coach.

Paragraph 4.45 again refers to “some” conflict with CP15. To repeat, we consider this conflict to be fundamental. The purpose of settlement boundaries is to enable the clear, unambiguous and consistent application of policies in the management of development within and outside settlements. The proposed development lies outside any settlement boundary. CPRE does not take issue with the need to improve FGR’s facilities, but this does not automatically mean that an alternative site is needed.

Highways

CPRE understands that the most recent of a number of holding directions by Highways England is still in force. We may wish to comment further on this issue when HE has issued its substantive response to consultation.

Design

Reference in this section to the highest architectural standards and to a landmark building add no weight in our opinion to the case for a development when it is fundamentally in conflict with the development plan. We note the point made about paragraph 63 of the NPPF; but the later point to which paragraph 4.57 of the PS refers is in paragraph 65. This is considered to not apply, as the proposed development does not promote high levels of sustainability, and since the development is in the countryside the question of compatibility with an existing townscape does not arise.

Flood Risk and Drainage

We noted the current condition of the site under the heading The Site and its Surroundings above.

Sustainability

Paragraph 3.54 (sic) addresses the criteria of Policy CP14, stating that the proposed development meets all of them.

In respect of criterion 13, we consider that since the proposed development is located far from significant settlements, it lies beyond distance that it would be reasonable to expect people to walk or cycle. The only exception would be the nearer parts of the west of Stonehouse development on which work has begun but which will not be complete for a number of years.

The public rights of way network in the vicinity consists mostly of footpaths (as opposed to bridleways, on which cycling is permissible). Although no obstructions were found on footpaths in the vicinity, their general condition, and that of the stiles, are not conducive to walking as a means to an end as opposed to an end in itself. The local road network and the levels of traffic on it, especially on the A419, are likely to deter cycling.

Accessibility is also the subject of criterion 14. It is not true to say, in CPRE's opinion, that the proposed development is *"near to essential services and good transport links to services by means other than the motor car"*. We also consider that the proposals are unlikely to be effective in promoting the use of sustainable transport.

We therefore disagree with paragraph 4.82 which states that the proposed development is fully consistent with Policy CP14. In addition, it is worth emphasising at this point that the development plan must be read as a whole, and to the lack of complete compliance with CP14 must be added the lack of compliance with other key policies, notably CP15.

In respect of 4.84, the PS again misunderstands the spatial strategy of the SLP. Stonehouse is, as this paragraph states, a first-tier settlement. However, as we have observed in relation to facilities and services, the proposed development lies 3 kilometres from the centre of Stonehouse, and it is not part of the settlement. Once again, the concept of the Stonehouse cluster is not part of any policy for the distribution of development.

It does not follow (as 4.85 states), that the site is in a sustainable location. In terms of the dimensions of sustainable development, any economic case for a club at this level rests primarily on revenues from ticket sales, as opposed to television rights which form such a large proportion of revenue for clubs at the highest level. The growth in attendance at home matches is dealt with in detail below, but here it is sufficient to note that the recent rates of growth are unlikely to continue indefinitely. In any event, the capacity of the proposed new stadium adds only about 11% to the capacity of the existing ground. The isolated location of the proposed new stadium will actually make it more difficult for local supporters to attend matches. The level of revenues will also affect the club's ability to pay its employees; there is no suggestion however that remaining at New Lawn will jeopardise their future.

In CPRE's opinion the bullet point on the social dimension entirely misses the point. High quality design is not relevant in this context; (once again) the significant fact about local

services and facilities is their almost complete absence. FGR may be a focal point for community activities in its present location; next to M5 Junction 13, there is no community.

Turning to the environmental dimension, even if it is accepted that the proposal brings about no significant adverse impact in terms of design and the carbon neutrality of the development in itself, there is likely to be a significant adverse impact in terms of transport. We so conclude even if the deliberations of Highways England eventually show that the capacity of junctions and nodes on the road network will be sufficient to cope on match days. The wider issue is one of not encouraging development which would lead to an avoidable increase in the use of the private car.

In summary, the proposed development would have little positive economic impact except in the construction stage, its social benefits would be negligible and the impacts in the environmental dimension on transport constitute a significant disbenefit.

We therefore disagree with the conclusion at 4.86 that the proposed development constitutes sustainable development.

The Planning Balance

For the reasons given above we disagree entirely with the conclusion at 5.13 that the proposed development is consistent with the development plan when read as a whole. In this context, any consistency with the NPPF and the guidance of Sport England is less important; both are material considerations but in this case we do not accept that they outweigh what we regard as a lack of compliance with the development plan, including the Eastington Neighbourhood Development Plan.

Forest Green Rovers FC: Current Position

Since the proposed development now consists only of the football stadium and its associated facilities, the current circumstances of Forest Green Rovers (FGR) become even more important as a material consideration.

We note the content of the applicant's covering letter for the revised scheme dated 20 December 2017.

As the letter states, FGR won promotion from the National League (the fifth tier of English football) to League 2 at the end of the 2016-17 season. Shortly afterwards, the club's owner stated that it would be easier to gain further promotions. This is true, but in a narrow sense only: four clubs are promoted from League 2 to League 1 every year, but only two from the National League to League 2.

In the first case there are three places for automatic promotion, and one contested via the play-off finals. The play-off finals involve four clubs, those finishing in fourth, fifth sixth and seventh place. FGR (or indeed any club) would have to finish in seventh place or better at the end of the normal season to stand any chance of promotion.

At the time of writing, FGR lie in 21st place in League 2, with a record so far this season of played 31, won 9, drawn 6 and lost 18. Far from chasing a second successive promotion, the club stands on 33 points, six points above the relegation zone. In fact, recent form has improved, with two wins and a draw in the last five matches. However, CPRE has examined the final League 2 tables for the past 10 seasons. The seventh placed club secured between 68 and 78 points in this period; the average was 71-72 points. There would need to be a very significant improvement in the club's form to enable it to reach 72 points in the remaining 13 matches of the season; indeed, it would have to win all of them.

CPRE has also examined the recent attendance figures at home league matches, using the data on FGR's own website:

2014-2015 Average 1,502, lowest 956, highest 2,674.

2015-2016 Average 1,777, lowest 1,076, highest 3,127.

2016-2017 Average 1,753, lowest 1,143, highest 2,383.

2017-2018 Average 2,676, lowest 1,887, highest 3,623 (15 home fixtures out of 23)

The figures for the current season exclude the visits of Cheltenham Town and Stevenage for which no figures are published on the FGR website. Clearly however the promotion to League 2 has resulted in a significant increase in attendance, an average increase in the number of additional spectators of 923, or 53%, over the average for the previous season. CPRE's experience is that attendance in the away section is often announced on the day, but these figures are not recorded on the website. To a certain extent however the increase will reflect the fact that the present season involves the visits of larger and better supported clubs such as Coventry City and Swindon Town, so although home and away fans have to be accommodated, the increase in the level of local support is not likely to be as great as 50%.

Whether arising from home or away fans, the rate of increase has not been so great as to put pressure on the capacity of the existing stadium, noted in earlier representations as 4,500. The highest attendance of 3,623 (Coventry City) still falls about 900 short of the New Lawn's capacity, and the average about 1,900 short.

There is no correlation between attendance at matches and the size of the population of the host settlement. Nevertheless, Nailsworth was by far the smallest town in the National League last season, and the same is true this season in League 2.

To the extent that the future can be predicted with any certainty, CPRE considers that a necessary but not sufficient condition for further increases in attendance will be a significant improvement in the club's form and position in the Football League. To put it another way, further increases in support are unlikely to arise if the club continues to occupy a lowly position in League 2, or in the worst case, is relegated to the National League. At the same time, there is no guarantee of further increase in attendance even if the team performs better for the rest of this season or in the future.

In the light of the above, we consider that there is no "accelerated need", as the covering letter puts it, for a new stadium.

Conclusion

CPRE acknowledges that the total impact of the revised scheme would be less than that of the original proposals.

Nevertheless, the revised scheme is in CPRE's opinion still wholly contrary to the development plan. CPRE disagrees entirely with the applicant's view of the planning balance. Given the large scale and isolated location of the proposed development, the conflict with Policy CP15 cannot reasonably be described as "minor"; it is wholly contrary to this policy. Nor have the applicants properly taken account of policies CP2 and CP3, which provide the clearest possible indication of where major development should take place. For the reasons given above, the applicants have once again failed to identify other material considerations of an extent which would be sufficient to outweigh the lack of compliance with the development plan.

For these reasons, the Council is respectfully requested to refuse the application.

David Crofts

Director, Estcourt Planning

22 February 2018