

Agenda Item A9	Committee Date 19 September 2011	Application Number 11/00655/VCN
Application Site Morecambe Football Club Christie Way Morecambe Lancashire	Proposal Variation of condition 34 on application 09/01035/FUL to allow the use of the stadium for outdoor music events up to three days per year	
Name of Applicant Morecambe Football Club Ltd	Name of Agent Mr Andrew Watt	
Decision Target Date 18 October 2011	Reason For Delay N/A	
Case Officer	Mr Andrew Drummond	
Departure	No	
Summary of Recommendation	Refusal	

1.0 The Site and its Surroundings

- 1.1 The application site at Westgate is partially occupied by Morecambe Football Club's new stadium with associated training pitch, car parking and landscaping.

The site has been levelled in the most part, with the exception of a raised bund along the north boundary close to the railway line. Though the site has low ecological diversity, there are some notable trees and hedges, especially along some of the site boundaries.

- 1.2 The adjacent area to the west is rough grassland with scrub, the ownership of which is unknown. The Morecambe-Heysham railway branch runs at a diagonal across the north of the site, separating the site from an area dominated by 2 storey semi-detached houses. Westgate forms the southern boundary. A church and associated presbytery is located to the south east with a static caravan park to the north east. The residential area of Langridge Way is situated to the east, where there is a mix of 2 and 3 storey residential properties on this estate.

Westgate links to the A589 (Morecambe Road) to the east and again to the A589 (Marine Road West) on the coast to the west. The application site is located about 1km south of Morecambe Town Centre.

- 1.3 The application site is identified under Policies E29, R1 and H2 of the Lancaster Local Plan. The southern part of the site is allocated as Urban Green Space and Outdoor Playing Space.

Development of such areas is only permitted where the site is enhanced and provides community benefits. The northern section of the site, along with land to the west of the application site, is designated as land reallocated for housing (an allocation carried over from the previous Local Plan).

The caravan park to the north east of the site is allocated as a Housing Opportunity Site.

The Morecambe-Heysham railway branch runs at an angle along the north of the site, whilst Westgate, which is an Access Corridor and Primary Bus Corridor, forms the southern boundary. Part of the Strategic Cycle Network falls just east of the site, connecting into Langridge Way.

2.0 The Proposal

- 2.1 The application proposes to vary condition 34 on planning permission 09/01035/FUL to allow the use of the stadium for outdoor music events up to three days per year. The condition currently restricts use of the stadium for sports events only in the interests of the amenity of the area.

3.0

Site History

3.1

A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
08/00174/HYB	Hybrid Application for development of a football stadium and related accommodation, outdoor multi-sports area for club and community use, associated car parking and vehicular access and outline proposals for commercial development on Westgate frontage including hotel, food and drink, drive through restaurant, Morecambe FC club shop, associated car parking and amenity space.	Approved
09/01035/FUL	Revised application for the development of a football stadium and related accommodation, outdoor multi-sports area for club and community use and associated parking.	Approved
10/0787/RCN	Removal of condition 3 on approved application 09/01035/FUL regarding renewable energy	Withdrawn

4.0

Consultation Responses

4.1

The following responses have been received from statutory and internal consultees:

Consultee	Response
County Highways	No comments received during the statutory consultation period.
Environmental Health	Recommend refusal. This condition was specifically applied to protect local residents. Complaints regarding noise have already arisen from the site in its current sporting use, including the use of the training pitches, use of the stadium for football matches and the setting off of fireworks.
Police	<p>Since the Globe Arena opened at the start of the 2010 football season the Police has been closely monitoring the traffic and highway issues associated with this venue.</p> <p>They comment that Morecambe Football Club has “consistently failed to address the parking issues on the highway network in the vicinity of the Globe Arena and on busy match days the adjacent highway network is severely congested with spectators' parked cars”. As part of the original planning conditions/obligations there is supposed to be a Spectator Management Strategy which requires Morecambe Football Club to manage the parking issues on the highway in consultation with the Police and Highway Authority. Despite repeated requests from the Police and the Highway Authority, Morecambe Football Club consistently fails to manage the problems they have created and has not address the parking issues, in particular the parking along Westcliffe Drive.</p> <p>To allow music events at the Globe Arena will create greater traffic congestion and be a serious risk to road safety along the adjacent highway network. Given these concerns the Police asks that the application is refused.</p>
Economy Development Officer (City Council)	<p>Support the application for a number of reasons, including:</p> <ul style="list-style-type: none">a) The development of the visitor economy, including festivals and events, is a key corporate priority.b) Events are nationally recognised as a key mechanism for supporting and developing the visitor economy. Events at Morecambe FC would encourage more visitors to the District, and support increased visitor expenditure through the demand for overnight stays, and related visitor economy expenditure in Morecambe town centre. This supports in full the objective to regenerate Morecambe.c) Events at the Globe Arena offer the opportunity to raise the profile of Morecambe as a visitor destination and attract repeat and new visitor markets in the future.d) Events at The Globe Arena offer the opportunity to raise the profile of Morecambe Football Club as a visitor attraction and attract new visitor markets in the future.
Morecambe Town Council	No comments received during the statutory consultation period.

5.0

Neighbour Representations

5.1

7 items of correspondence objecting to the proposal have been received. The reasons for opposition include the following:

- Noise pollution
- Congestion / parking (as demonstrated on match days)
- Light pollution
- Adverse impact on residential amenity
- Increase in anti-social behaviour
- Litter problems
- Reduces safety
- Morecambe Football Club has established a history of being poor neighbours with no consideration of nearby residents

5.2

The Ward Councillor for Harbour has also objected to the proposal on the basis of noise and the negative impact the proposal would have on the quality of life for residents in the surrounding area. Noise is already blighting the lives of many residents.

6.0

Principal Development Plan Policies

6.1

Planning Policy Statements (PPS) and Guidance notes (PPG)

PPG13 (Transport) - provides a national planning policy framework for transport matters. It encourages sustainable travel - ideally non-motorised forms of transport such as walking and cycling, but also other means like public transport. The use of the car should be minimised. This can be encouraged by the location, layout and design of new developments, but also through the implementation of Travel Plans.

PPG17 (Open Space, Sport and Recreation) - advises local authorities to avoid any erosion of recreational function and maintain/enhance the character of open spaces, and to ensure that open spaces do not suffer from increased overlooking, traffic flows or other encroachment. Authorities should also protect and enhance those parts of the rights of way network that might benefit open space, and consider the impact of any development on biodiversity and nature conservation. Stadium and other major sports developments which will accommodate large numbers of spectators, or which will also function as a facility for community based sports and recreation should only be granted planning permission when they are to be located in areas with good access to public transport.

PPG24 (Noise) - advises local planning authorities when determining planning applications for development which will either generate noise or be exposed to existing noise sources to minimise the adverse impact of noise without placing unreasonable restrictions on development or adding unduly to the costs and administrative burdens of business. The authority should ensure that development does not cause an unacceptable degree of disturbance, considering carefully in each case whether proposals for new noise-sensitive development would be incompatible with existing activities. Authorities should consider whether it is practicable to control or reduce noise levels, or to mitigate the impact of noise, through the use of conditions or planning obligations. Ambient noise should be taken into account when considering the application. The impact of noise from sport, recreation and entertainment will depend to a large extent on frequency of use and the design of facilities.

6.2

Regional Spatial Strategy - adopted September 2008

Policy **DP4** (Make Best Use of Existing Resources and Infrastructure) - development should accord with the following sequential approach: first, using existing buildings (including conversion) within settlements, and previously developed land within settlements.

Policy **DP5** (Reduce the Need to Travel, Increase Accessibility) - development should be located so as to reduce the need to travel, especially by car, and to enable people as far as possible to meet their needs locally. All new development should be genuinely accessible by public transport, walking and cycling, and priority will be given to locations where such access is already available.

Policy **W7** (Principles for tourism development) - ensure high quality, environmentally sensitive, well designed tourist attractions, infrastructure and hospitality services that improve, enhance and regenerate whilst meeting the needs of a diversity of people and being sensitive to their environments.

Policy **RT2** (Managing Travel Demand) - measures to discourage car use (including the incorporation of maximum parking standards) should consider improvements to and promotion of

public transport, walking and cycling. Major new developments should be located where there is good access to public transport backed by effective provision for pedestrians and cyclists to minimise the need to travel by private car.

6.3 Lancaster District Core Strategy - adopted July 2008

Policy **E1** (Environmental Capital) - Development should minimise the use of land and non-renewable energy, properly manage environmental risks, make places safer, resist development which would have a detrimental effect on environmental quality and public amenity, taking full account of the needs and wishes of communities and using all practicable means to make places more pleasant and liveable.

Policy **E2** (Transportation Measures) - This policy seeks to reduce the need to travel by car whilst improving walking and cycling networks and providing better public transport services.

7.0 Comment and Analysis

7.1 Principle of the Proposal

It is relatively common practice to use sports stadia for music concerts. Using a sports stadium for a different use is appropriate as it utilises an existing facility without needing to construct another building, especially when the 'pitch' elements of many stadia are only used on a limited number of occasions per year. Furthermore, it introduces another income stream, in some cases helping to make the stadia financially viable. However, as with all planning applications, each case needs to be assessed on its own merits. It is understood that the use of the stadium for music concerts would assist the stadium's owners financially and will also potentially help bring a new visitor attraction to Morecambe, but the application must also adequately assess the key issues arising from the proposal, namely noise pollution and highway efficiency and safety.

7.2 Noise and Light

In Annex 3 of PPG24 (Noise), paragraph 22 states "for these [recreational and sporting] activities (which include open air music concerts), the local planning authority will have to take account of how frequently the noise will be generated and how disturbing it will be, and balance the enjoyment of the participants against nuisance to other people. Partially open buildings such as stadia may not be in frequent use. Depending on local circumstances and public opinion, local planning authorities may consider it reasonable to permit higher noise emission levels than they would from industrial development, subject to a limit on the hours of use, and the control of noise emissions (including public address systems) during unsocial hours.

7.2.2 The application has suggested a condition to be attached (should planning permission be granted) for the provision of an Event Management Plan. Within this plan it would set out the parameters of the event, including times of the events (including set up and take down), sound levels, parking, access/egress, emergency access, disabled access, provision and management of bus services, and the provision of stewards. It should be noted that it is proposed that the concerts would start no earlier than 09.00 and finish no later than 23.00.

7.2.3 Regardless of this and the submission of an accompanying Noise Assessment with the application, Environmental Health has recommended that the application be refused due to the impacts upon neighbouring residents.

7.2.4 Light pollution also needs to be considered as a potential nuisance to local residents. In all likelihood, the floodlights attached to the existing stadium would be the source of the most intense lights to be used at any event within the stadium. However, the use of stage lights, strobes and other light sources can individually and/or collectively have an adverse impact on the nearby residents. Therefore if the application is approved, the use of lights and strobes should be conditioned to protect the amenity of the occupiers of the local residential properties.

7.3 Transport

7.3.1 Whilst a formal response is awaited from the Highway Authority, the comments received from the Police are extremely strong. It is clear that the club, despite the presence of planning conditions and obligations relating to a Travel Plan and a Spectators' Management Strategy, has failed to address the concerns of the Police regarding parking. The parking of spectator's vehicles in the vicinity of the stadium on match days has led to a decrease in highway efficiency and safety. It is the responsibility of the football club to reduce car usage by encouraging spectators to use alternative forms of transport (the Travel Plan) and then to manage the parking situation through the provisions of the Spectators' Management Strategy. In the words of the Police, the club has "consistently failed" to comply with these conditions/obligations and as such it is recommended that the application is

refused.

7.3.2 The application does not provide any indicative numbers of attendees. Given that many concerts also include standing room over the playing pitch surface, the stadium's capacity could be considerably increased over and above that of the number of seats and terraces in the stands. Therefore the number of vehicles arriving at a music event could potentially be greater than that at a home match (especially given that the most home matches do not attract a capacity crowd). If the Police have concerns with parking when the stadium is only partially filled, the problems will be exacerbated when the stadium is potentially filled to capacity, or possibly in excess of the current stadium seating/standing capacity. Furthermore, no details have been provided within the submission regarding parking arrangements. Many concerts attract musicians with an entourage of various vehicles, including staging, sound equipment, and other personnel. The application is silent on how these vehicles will be accommodated within the grounds and hence what residual parking will be available for the attendees. Whilst there is a reference to "use of all car parking spaces within the site" it does not say for what purpose. There is also no commitment to the overflow car park (capacity of 201 spaces) being available on such occasions.

7.3.3 Should Members be minded to follow the Officer's recommendation in refusing this application, the Local Planning Authority would recommend that the club demonstrates its ability to consistently control the parking situation on match days prior to re-applying for planning permission to host music events at the stadium. It should also work with the Police and County Highways in this regard. The local planning authority would be happy to facilitate meetings between all parties regarding this issue.

7.4 Sustainability

Whilst this application proposes to use the existing stadium, which should already be fitted with energy efficiency and renewable energy technologies and measures, the proposed use would increase the energy usage of this building. Following the withdrawal of the previous application for removal of the planning condition relating to renewable energy at this site, the Local Planning Authority has chased the applicant for these outstanding details to comply with Condition 3 of their implemented consent, but to no avail. If this condition is not complied with then the local planning authority may have to reluctantly consider enforcement proceedings.

8.0 Planning Obligations

8.1 As discussed above, the 2010 application was granted planning permission subject to a number of planning conditions and obligations, including the provision and implementation of a Travel Plan and a Spectators Management Plan. These 2 documents would need to be developed further to accommodate music events should planning permission be granted. The football club should be complying with these critical requirements at the present time, regardless of the submission of this application.

9.0 Conclusions

9.1 Despite the principle of using a stadium for music events being one that has the potential to assist the Football club, and indeed raise the profile of the town and the district, for the amenity reasons set out above, and taking into account the Police's comments regarding the current parking situation in particular as well as the noise concerns, the application is recommended for refusal.

Recommendation

That Planning Permission **BE REFUSED** for the following reasons:

1. The proposal would lead to an unacceptable level of noise pollution to the detriment of neighbouring residents with few opportunities available for adequate mitigation
2. The proposal would attract private motor vehicles from visitors and performers, placing significant pressure on on-street parking to the detriment of highway safety and efficiency, contrary to Policy SC6 of the Core Strategy

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

None.