



Report of the Chief Planning Officer

PLANS PANEL SOUTH & WEST

Date: 19th February 2015

Subject: APPLICATION 14/07015/FU-Temporary change of use of cricket stadium and educational facilities to accommodate up to three music concerts per calendar year for a period of two years at Headingley Carnegie Stadium , St. Michael's Lane, Headingley, Leeds LS6 3BR

APPLICANT

Yorkshire County Cricket Club

DATE VALID

03.12.2014

TARGET DATE

04.03.2015

Electoral Wards Affected:

Headingley

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PERMISSION subject to the following conditions:

1. This permission shall expire on or before the 23.02.2017
2. Approval of plans
3. There shall be a maximum of 3 events (an event being a concert held on one day) each calendar year.
4. Events shall be held on Fridays, Saturdays and Sundays only. Events held on Sunday shall only take place when the following Monday is a Bank Holiday.
5. The events shall cease at 2200hrs and the stadium shall be cleared of spectators by 2230hrs.
6. A construction management plan for the erection and dismantling of the stage including delivery times and times for testing the equipment shall be submitted to and approved in writing prior to any event taking place. Construction shall take place in accordance with the approved details.
7. Construction and dismantling of the stage shall only take place between 0800hours and 1800hrs other than activities not audible beyond the site boundary.
8. At least 4 months prior to any event taking place the developer shall submit an Events Plan for Travel and Transport relevant to that event/artist for written

approval, which shall be carried out during the course of the event. The plan shall include details of :

- Crowd management; with particular regard to the large scale exodus of concert-goers at the end of events.
- Management of any road closures including diversion plans and the implications of this for traffic flows.
- Provision of a park and ride scheme from Becketts park including pedestrian signing, lighting and bus transfers
- Other Car parking locations
- Policing and marshalling plans
- Coning plans
- Telephone hotline for residents complaints,
- letters notifying residents of upcoming concert dates,
- Travel plan including details of how spectators can receive public transport information with their event tickets.

The events shall be carried out in accordance with the approved plan.

9. A working report assessing the impacts of the effectiveness of the traffic management plan shall be undertaken at the end of each year by the developer and agreed in writing by the Local Planning Authority. Any changes required to the plan shall be implemented prior to the next year of concerts taking place.
10. Events shall be attended by a maximum of 14,999 spectators.
11. Noise levels at the nearest noise sensitive properties shall be restricted to a maximum of 75 dBA in accordance with the National Noise Council guidelines.
12. Prior to any event the developer shall submit details of the proposed noise monitoring for that event and for proposed temporary lighting, which shall be agreed in writing with the Local Planning Authority. The event shall be carried out in accordance with the approved noise monitoring and lighting details. A review of the noise monitoring and temporary lighting impact shall be provided to the Council within 4 weeks after each event and any remedial action identified shall be incorporated into the plan for any future events.
13. The permanent flood lights shall not be used in connection with this temporary planning permission.

1.0 INTRODUCTION:

- 1.1 This application is brought to the Panel because of its sensitivity and significance and because objections have been received from Councillors Sue Bentley and Judith Chapman. Members may recall that South and West Plans Panel previously gave planning permission for the Stadium to have a temporary planning permission for a two year period to stage up to 6 concerts with a maximum of 3 per year (12/04557/FU). That permission expired in January 2015. The Stadium did not hold any concerts during the lifetime of the previous permission. The reason being that due to the limited opportunity to align artists schedules with that of the Cricket Season an suitable opportunity did not present itself. Holding music concerts still remains a key objective within the Clubs business plan to generate additional revenue.
- 1.2 As with the now expired previous temporary planning permission Yorkshire Country Cricket Club is applying for a 2 year temporary planning permission for the use of the cricket ground as a venue for staging music concerts. The club propose holding up to 3 concerts per calendar year. Due to the need to erect and then dismantle a stage on the cricket ground the club envisages these 3 concerts would most likely

be held on consecutive days, probably over a weekend in the summer. This is identical to the previous temporary planning permission.

- 1.3 Members may recall that the initial request by the Club during the previous planning application was for a capacity of 25,000 spectators to attend each concert. Through negotiations with officers the applicant previously agreed to a reduced capacity of 14,999 spectators per concert. The concerts would finish at 10pm and the ground would be cleared of spectators by 10.30pm. This time limit and spectator numbers was conditioned on the previous permission and again is proposed to be conditioned under this current application.
- 1.4 Planning permission is required for the staging of non-cricket events because there is a planning condition on the 1995 Outline Planning permission (26/185/95/OT) for the wider redevelopment of the stadium restricting non cricket events to a capacity of 2000 people. The use of the stadium for music events is also a material change of use of the ground which requires planning permission. Members should note that the current planning application is identical to the now expired temporary planning permission reference 12/04557/FU.
- 1.5 The applicant has advised officers that the Club are in negotiations with the band Madness who are likely to play one concert in September 2015, should the application be approved and temporary planning permission be granted.

2.0 PROPOSAL

- 2.1 The proposal is for the use of the cricket ground to hold 3 concerts per calendar year for a 2 year period. The concerts will start around 7pm and finish at 10pm and the ground will be cleared by 10.30pm. A stage will be erected on the cricket field behind the Carnegie Pavilion facing in a southerly direction. The exact position of the stage will differ depending on the artists who are performing.
- 2.2 The applicant has stated that they will be aiming for 'Radio 2 type' acts. The noise level of the music from the concert will be restricted to 75db when measured from the nearest noise sensitive properties.
- 2.3 To manage the event the applicants will produce an event management plan which will include details such as how the park and ride scheme from Becketts Park will be operated through the evening and a coning plan that is relevant to music concerts. The event plan will also include details of how spectators will leave the ground and disperse through the surrounding streets. This may include the need for temporary road closures. In addition the event management plan will also provide details of a telephone hotline residents can call if they have concerns.

3.0 SITE AND SURROUNDINGS

- 3.1 The site is the Headingley Carnegie Stadium, home of the Yorkshire County Cricket Club. The stadium is located within a predominantly residential area, near to Headingley town centre and is surrounded by residential properties. The site is not within but is adjacent to the Headingley Conservation Area.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 12/04557/FU-Temporary change of use of cricket stadium and educational facilities to accommodate up to three music concerts per calendar year for a period of two years at Headingley Carnegie Stadium. Permission expired 10.01.2015.
- 4.2 13/05526/FU - Installation of four floodlights, sub station and associated infrastructure to cricket ground. Approved 04.06.2014.
- 4.3 26/185/95/OT - Outline application to erect new cricket and rugby stands and facilities - Headingley stadium redevelopment. Decision issued 22.08.2000

Condition 14 - The noise levels from plant and activities carried on within the site shall not exceed 60dBA when measured as a 1 minute Leq at the nearest boundary of all properties surrounding the stadium on plan 95013/117 revision D except in the case of safety announcements.

In the interests of the residential amenity of the occupants of nearby property.

Condition 22 - All events at the site which are not sport related shall be limited in attendance to not more than 2000 people and the details recorded which shall then be supplied to the Local Planning Authority at the end of each calendar year.

For the avoidance of doubt and in the interests of the residential amenity of people living near the site.

08/02354/FU – Demolition of existing winter shed stand and erection of 5 storey building for university teaching space and admin offices, new cricket facilities including changing and officials rooms, hospitality facilities, new media centre, replacement spectator seating and admin offices, associated landscaping and car parking off St Michael's Lane (Carnegie Pavilion) – approved 10 March 2009

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 This current application was not the subject of formal pre-application discussions, however the previously approved application had been the subject of pre-application discussions before submission of the application. The applicant states that the previous Concerts proposal was discussed at the Stadium Liaison Group meeting in October, a meeting chaired by Councillor Nell Walshaw, Councillor Martin Hamilton, YCCC and community representatives. The applicant reports that this discussion did not elicit objections to the principle of holding concerts in the form applied for.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been publicised by means of site notices. There have been a total of 26 representations received of which 24 are objections with 1 further letter making comment and 1 letter supporting the application. The Turnways and Laurel Bank Residents' Association have also objected to the application. Councillors Bentley and Chapman have both objected to this planning application.

- 6.2 The following issues have been raised:

1 The existing planning conditions from the 2005 Outline permission should remain in place.

2. The noise level is currently set at 65db and the stadium should not be allowed to raise it to 75db.
3. The stadium already receive noise complaints from residents.
4. Speaker location may result in speakers exceeding 75db.
5. What is the impact of holding a concert in an open air stadium?
6. What is the monitoring scheme for the speakers?
7. How will the public complain to the council if noise from the concerts is too loud?
8. The location of the stage is shown as variable.
9. The distances from some properties to the stage are not clearly shown.
10. Noise and disturbance from the concerts will be unbearable.
11. Families will not be able to sleep until after the gigs have finished and the crowds have finally dispersed.
12. Residents should continue to be issued free of car parking permits
13. The revenue generated will benefit the club
14. Litter needs picking up after the concerts
15. The Club should continue to have dialogue with residents.
16. The extra traffic and car parking will be a problem
17. The ground is surrounded by residential properties that will all be affected.
18. There are concerns over antisocial behaviour
19. The Council now has an Arena which is more appropriate to hold music concerts.
20. The flood lights recently approved will add to the increased night time activity before any concerts are held.
21. The supporter of the application thinks the Club should offer free tickets to local residents.

6.3 Councillors Sue Bentley and Judith Chapman have both objected for the following reasons:

- The Cricket ground is in the middle of a very densely populated residential area and it is inappropriate to have such events in this area
- Live music events would be very loud, probably end late in the evening with noisy crowds walking to their cars, bars or eateries
- The sound would travel affecting a large part of the local population, including Weetwood residents, and would have an adverse effect on people's lives particularly young children and workers needing to work the next day if woken up
- The area already suffers from a lack of parking facilities and such events would add to the parking pressures in the neighbourhood with probably more irresponsible parking blocking pavements and residents' drive-ways
- Attendees are likely to add to the litter problem in the area – who would pay for clearing this
– the Cricket Club or the council tax payer?
The Council has opened the Arena for such music events which is in more appropriate

7.0 CONSULTATION RESPONSES:

7.1 Highways – no objections subject to conditions relating to a traffic event management plan being provided and approved prior to each concert.

7.2 Environmental Health - Whilst there is always the potential for some disturbance with events attracting large numbers of people (up to 15,000 in this case) in a largely residential setting, given the conditions proposed we do not object to this proposal subject to proper enforcement of the proposed conditions. The need to review the situation after two years if permission is granted is also essential to

ensure any further application is 'informed' by the experience of events subject to the current application.

8.0 PLANNING POLICIES:

- 8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan consists of the adopted Core Strategy (2014) and the Saved Policies of the Leeds Unitary Development Plan Review (2006).
- 8.2 In the "General Policy" the Core Strategy has regard to the NPPF, outlining that it will take a positive and proactive approach that reflects the presumption in favour of sustainable development and will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions of Leeds. Chapter 4.7 outlines the economic development priorities of the area and states in promoting a strong local economy, leisure and tourism are both employment sectors which are of significant importance to the regional economy.
- 8.3 Spatial Policy 8 outlines that a competitive local economy will be supported through leisure and tourism with paragraph 4.7.10 specifically stating that: *"Leeds has a number of high profile sports venues that attract major events. In principle, the Council supports improvement at its major sporting venues, such as Headingley Carnegie Stadium and Elland Road and recognises that such developments may not be financially viable and therefore may require some form of enabling development in order that a valuable sporting resource can be retained and the wider economic and social benefits for the City realised. The Council is in principle willing to consider such enabling development providing it is demonstrated to be necessary and that the scale of enabling development is no more than is required to bridge any funding gap."*
- 8.4 Core Strategy Policy T2 requires that new development is located in accessible locations that are adequately served by existing or programmed highways, public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility.
- 8.5 The most relevant Policies in the Saved Policies Leeds Unitary Development Plan are outlined below.

Policy GP5 refers to detailed planning considerations and states that development proposals should seek to avoid loss of amenity.

8.6 National Planning Policy Guidance:

The National Planning Policy Framework came into effect on 27th March 2012, and replaces the advice provided in Planning Policy Guidance Notes and Statements. The aim of this document is to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. Local planning authorities are expected to "plan positively" and that there should be a presumption in favour of sustainable development:

“At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.” (para 14).

8.7 The Government’s pursuit of sustainable development involves seeking a wide variety of positive improvements including:

1. making it easier for jobs to be created in cities, towns and villages
2. replacing poor design with better design
3. improving the conditions in which people live, work, travel and take leisure

9.0 MAIN ISSUES:

9.1 The following main issues have been identified:

- Principle of the development and change of circumstances since previous temporary permission was granted.
- Impact on residential amenity
- Highway safety
- Benefits of the development

10.0 APPRAISAL:

10.1 Yorkshire Country Cricket Club state that it is applying for the use of the grounds to include concerts to help the club generate additional revenues. The Club needs to secure its financial position, as international cricket, which is the only profitable element for the club, is only secured until 2019. The club provides the City with a major international sporting venue that is a positive asset for the image and status of the city both domestically and internationally. The presence of Headingley Stadium for cricket events has been shown to benefit the City and the wider region. The use of the ground for 3 music concerts a year over a 2 year period is also likely to have benefits to the City and the wider region both in economic terms and in raising the profile of the City and also Headingley Carnegie Stadium.

10.2 The ground is located in a very sustainable location. The ground is well served by public transport options. The club is committed to promoting sustainable forms of travel and has given a commitment to ensure that the park and ride scheme that operates on major cricket match days from Becketts Park will be used on concert days. They have also committed to ensuring they produce an events management plan which will address the highway impacts of the development on the surrounding network and will also help address the impacts of the crowds when they leave the venue at 10-10.30pm.

10.3 Members are reminded that this current application seeks an identical temporary planning permission to that granted in January 2013 (12/04557/FU). Since that permission was granted the Council has adopted its Core Strategy in November 2014. The site has also benefited from the planning permission for the erection of 4 permanent flood lights. The Council has also opened the First Direct Arena in the city centre. These changes in circumstance are not considered significant in the determination of this application. The adopted Core Strategy was in draft form at the time of the previous permission and the adopted version retains its importance of preserving and enhancing strategically important assets that enhance the City.

The recently approved permanent floodlights will not be used in connection with this temporary planning permission and a condition is attached to ensure this. The now expired temporary permission 12/04557/FU was a material consideration at the time of the determination of the flood lights application and the use of the flood lights is restricted to cricket only events. The opening of the First Direct Arena is not relevant to the determination of this application.

- 10.4 The proposed music concerts are likely to have an impact on the living conditions of the neighbouring residents by reason of the noise of the concert and also from the noise of the crowds as they leave the venue. Clearly some residents may find this disturbing. In order to minimise these impacts a range of mitigation measures dealing with noise levels, hours of operation and crowd management are proposed. The noise from the music at the concert will be restricted to 75db at the nearest noise sensitive properties. This level accords with the guidance of the National Noise Council for the maximum level of noise that a music concert in an urban stadia or arena should be allowed to produce. The Club have stated that Madness are the likely act to perform one concert in September 2015 should planning permission be granted. The applicant states that the types of acts it will be looking to host would be 'Radio 2' type acts, and although this may exclude some types of bands and artists that might require higher decibel levels than Radio 2 acts, it is not possible to use a planning condition to control the types of acts that perform. It is however appropriate and enforceable to use a planning condition to control noise levels. In addition, a planning condition can be used to ensure these levels are monitored through the installation of noise monitoring equipment. The exact location of the stage is not confirmed because each artist may require a slightly different set up. What is confirmed is that the stage will be sited by the Carnegie Pavilion facing roughly south. Residents concerns about where the stage is sited should not affect what the noise level is at the nearest noise sensitive properties. This noise level should be fixed and should not exceed 75db when measured from the nearest noise sensitive location regardless of the slight changes in the direction or set up of the stage.
- 10.5 Originally the applicants had intended to finish the concerts at 10.30pm and clear the ground by 11pm. This is in accordance with the planning conditions on the 1995 Outline planning permission for the wider redevelopment of the stadium. The applicants have since revised this finish time to 10pm with the ground to be cleared 10.30pm. This change is intended to help the situation for local residents to get the ground and the local streets cleared earlier. The reduction in audience size from the originally applied 25,000 down to 14,999 will also have a notable impact on the amenity of local residents and also upon highway safety as the crowds will be able to clear more quickly, and also the impacts on the highway network including the public transport system should be markedly less.
- 10.6 The restriction on the number of concerts allowed each year and when the concerts can be held is also designed to address residents' concerns over noise and disturbance. The applicants have stated it is likely that the concerts will be held over a single weekend with the stage being erected and taken down the weeks either side. Overall it is considered that having the concerts over one weekend is a suitable way to proceed as even though the concerts may cause some noise and disturbance to local residents it will likely be over one weekend. In addition officers are proposing a condition which ensures that if a concert is held on a Sunday the following Monday cannot be a working day, ie a Public Holiday. This is in order to protect residents from 3 nights of continuous concerts when the next day is a working/school day.

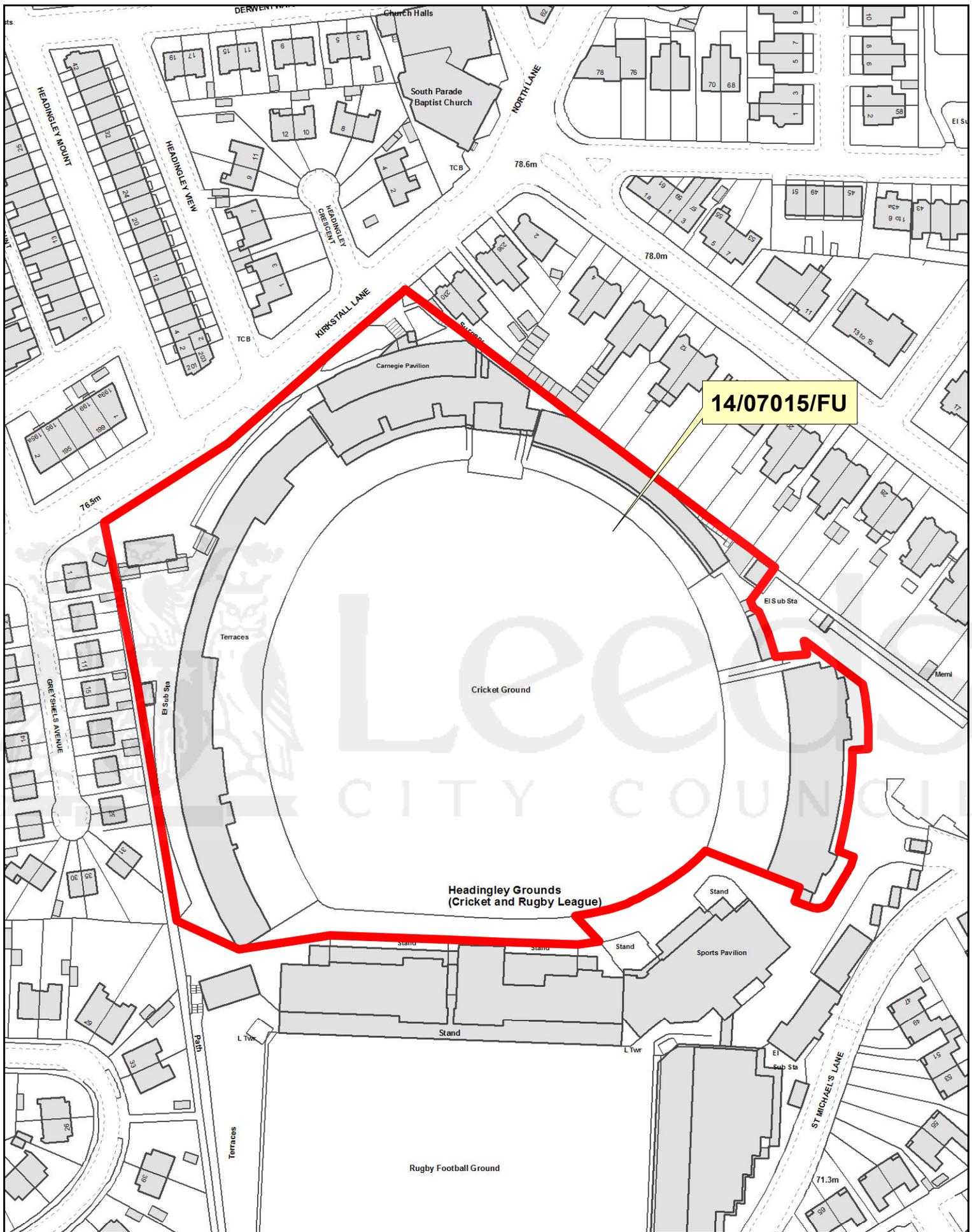
- 10.7 The traffic management plan submitted with the application required amendments to address the specific impacts of evening music concerts. Through the event management plan the applicant will deliver a traffic management plan. A new street coning plan is also required that is relevant to evening music concerts. Different types of artists will attract different crowds and as such the traffic management plan should be flexible enough to cater for different modal patterns which may have different impacts upon both the local highway network and local residents' amenities. With appropriate consultation with officers, Members and residents, this is likely to take up to three months to prepare for each event. Subject to receiving a positive resolution on 19th February, the Club has a major international artist lined up in September, so in practice work on the Traffic/Event Management Plan will begin in the Spring.
- 10.8 After the concerts have been held a working group of Council officers, residents associations, stadium representatives and Councillors is proposed to meet to discuss how the event went and if the event plans require reviewing. This could perhaps be an additional function of the existing Stadium Liaison Group chaired by Councillor Walshaw. The results of these discussions would be fed into the plans for any future events.
- 10.9 A revised Travel Plan would be required by condition that shows how spectators would be informed of the various travel options etc. It is hoped that spectators will be informed of public transport options when they receive their ticket for the concert. It is recognised that the spectators coming for concerts could be less familiar with the ground and the surrounding area than sports spectators. Accordingly the travel plan will be an important document to help spectators in their travel arrangements to and from the ground.
- 11.0 CONCLUSION:**
- 11.1 The benefits to the City from the retention of an international sporting arena are positive. The use of the stadium for the staging of concerts will provide a leisure and amenity benefit to the City and the local area. The temporary nature of the use and the planning conditions suggested should ensure that the harm arising from noise and disturbance is kept to a minimum. The event management plans should also help mitigate the comings and goings of the crowd and should manage the highway safety implications. There are no change in circumstances since the expired temporary planning permission 12/.4557/FU was granted that would warrant a reason for refusal of the current application.
- 11.2 It is emphasised that the recommendation is to grant permission for a maximum of 6 concerts over 2 years. If permission is granted and concerts go ahead the results of the monitoring which would be required would inform whether permissions for any further concerts should be granted.

Background Papers:

Application file;

Certificate of Ownership.

Pervious permission 12/04557/FU



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SCALE : 1/1500

