

Exeter City Council
Planning Committee
13 November 2023

Application 23/0875/VOC

Site: Sandy Park Stadium, Sandy Park Way, Exeter

Applicant: Mr Tony Rowe CBE

Proposal: Redevelopment to increase capacity from 10750 to 20600 by three new grandstands, additional parking, bus/coach drop off and extension to west stand including conference centre to south stand. Variation of condition 7 of 12/1030/FUL to allow up to 6 music concerts per year on weekends only for an attendance of up to 15,500 people per concert to take place between 1st May and 15th July avoiding local school half term and summer holidays. (REVISED WORDING FOR CONDITION VARIATION.)

Case Officer: Catherine Miller-Bassi



- Planning Committee resolved to approve original application, **12/1030/FUL**, 29 October 2012
- Decision Notice issued 30 October 2021
- Original consent partially implemented – extant:
 - Increase capacity – 10,750 to 20,600
 - 3no. new grandstands
 - additional parking & bus/coach drop off
 - extension to west stand
 - conference centre to south stand
- Courtyard by Marriott Sandy Park to south with footbridge from hotel to stadium (17/0665/OUT)

ORIGINAL CONSENT 12/1030/FUL

- Condition 7 of original consent (12/1030/FUL):
Unless otherwise agreed the playing area and spectator facilities in the main stadium shall only be used for the purposes of playing rugby or other sporting activities. The site shall not be used for public performance of musical events.
- Proposed variation to above condition:
Unless otherwise agreed the playing area and spectator facilities in the main stadium shall only be used for the purposes of playing rugby or other sporting activities. The site shall not be used for public performance of musical events except to allow up to 6 music concerts per year on weekends only for an attendance of up to 15,500 people per concert to take place between 1st May and 15th July avoiding local school half term and summer holidays.

- Amendments secured during this planning application in response to Officer & consultee concerns
- Originally proposed variation to Condition 7:
 - *to allow up to 6 music concerts per year on weekends only for an attendance of up to 15,500 people per concert and small events (not including live music) of no more than 5,000 people per event to take place between 1st May and the third week of July avoiding local school holidays.*
- Amended proposed variation to Condition 7:
 - *to allow up to 6 music concerts per year on weekends only for an attendance of up to 15,500 people per concert to take place between 1st May and 15th July avoiding local school half term and summer holidays.*

- Recent application, ref. 23/0151/VOC, was granted by Planning Committee in June 2023 for the variation of Condition 7 of 12/1030/FUL to allow up to **4 music concerts on 17, 18, 24, 25 June** 2023 only for an attendance of up to 15,000 people per concert.
- Advice to applicants issued under, 23/0151/VOC, by technical consultees regarding data to be collected at the above events relating to **noise and highways impacts** – to be used to inform any future application for similar events.
- A Post Event Report by Clarke Saunders, dated 03/07/23, (filed under ref. 23/0151/VOC) sets out this data including complaints received for 2023 events.

- 2no. consultations undertaken for this application
- 17no. representations received – all objections
- Including from McMurdo Ltd on behalf of The Pratt Group (comprising The Sandy Park Farm Partnership together with Sidney Pratt (Builders) Ltd) which owns land immediately adjacent to the Exeter Chiefs Stadium
- Objections mainly:
 - Noise pollution,
 - Traffic & parking issues / impact on M5 junction 30,
 - Antisocial behaviour / alcohol & littering
 - Councillors in receipt of hospitality from Sandy Park

- Technical consultees:
 - **Local Highways Authority** – impact on traffic and parking / access arrangements concerns
 - **National Highways** – impact on Junction 30 of M5 concerns
 - **Environmental Health** – noise impact concerns
- **All concerns overcome** by additional information and recommended conditions

- **Impact on residential amenity**
 - Noise from amplified music
 - Noise from spectators arriving/leaving – see Highways
 - Traffic, parking – assessed under Highways section
 - Antisocial behaviour/alcohol, litter
- **Impact on highways**
 - Additional traffic in residential areas
 - Additional traffic at Junction 30 of M5 during school holidays
 - Additional parking in residential areas

- **Noise from music:**

- Music Events Noise Criteria, by Clarke Saunders, dated 22/09/23, submitted to replace previously proposed noise limits:

Concert days per calendar year	Music Noise Level*	Low Frequency Noise**
3	Not to exceed 75 dB(A) over a 15-minute period	63 Hz and 125 Hz octave frequency bands shall be below <u>Leq</u> 80 dB over a 15-minute period.
3	Not to exceed 65 dB(A) over a 15-minute period	63 Hz and 125 Hz octave frequency bands shall be below <u>Leq</u> 75 dB over a 15-minute period.

* Music Noise level to be measured in accordance with The Noise Council 1995 Code of Practice on Environmental Noise Control at Concerts

** Low frequency noise to be measured at 1m from the façade of any noise sensitive premises

- **Noise from music** continued:
 - Potential impact of this proposal is **greater** than for the previous consent (up to 6no. per year rather than on 4no. dates for 1 year only)
 - To set against this, the applicant has proposed **reduced** overall noise limits and **reduced** low frequency noise limits for three of the six events.
 - Environmental Health consider the noise limits proposed **are appropriate**.
 - A condition is recommended to include:
 - **Event Noise Management Plan and Complaints Procedure** for each year's events to be approved in advance
 - Noise limits – see previous slide
 - Time restriction for music: 16:00 to 22:30
 - Only on Saturday or Sunday evening and no more than two consecutive weekends
 - Post Event Report to be submitted each year – noise and other data including complaints received and changes proposed
 - **Proposal considered acceptable** in this regard

- **Antisocial behaviour:**

- This generally lies **beyond remit of planning legislation**
- Events are subject to **premises licence**, involving **dispersal policy** to avoid nuisance to neighbours
- **Events Management Plan – part of licensing** & approved by Safety Advisory Group (SAG)
- SAG includes:
 - Exeter City Council
 - Principal Health and Safety Officer (Chair)
 - City Arts and Culture Officer (Deputy Chair)
 - Principal Environmental Health Officer
 - Principal Licensing Officer
 - Devon County Council
 - Highways Manager (Exeter)
 - Emergency Planning Officer (Exeter)
 - Trading Standards Officer (Exeter)
 - Devon and Somerset Fire and Rescue Service
 - Devon and Cornwall Police Events Liaison Officer (Exeter)
 - Police Licensing Officer
 - South West Ambulance Service
 - Trading Standards

- **Antisocial behaviour continued:**
 - Event Management Plan for Licensing (not a planning matter):
 - Litter clean up by Sandy Park staff (Bishops Court, Newcourt & down to the station)
 - Sandy Park would provide marshalls to prevent attendees entering nearby residential area before & after events (see Exeter Safety Advisory Sub-Group condition – off-site supervision)
 - Customers would not be permitted to take any drinks/alcohol away from the stadium in open containers
 - **Event Noise Management Plan and Complaints Procedure** to be conditioned & would include measures such as:
 - marshalling and signage
 - effective implementation of the dispersal plan
 - restrictions on patrons taking cups out of the stadium
 - prior notification of residents before events
 - operation of a complaint line
 - monitoring during the event to ensure that any
 - agreed noise limits are not exceeded
 - policy in respect of the use of foul language by the compere or acts
 - policy in respect of the use of fireworks and pyrotechnics
 - **Proposal considered acceptable in this regard**

- **Access & parking:**
 - **Event Access Strategy & Events Travel Plan** to be conditioned
 - based on Match Day Access Strategy (MDAS) & data from 2023 events
 - up to 15,000 spectators on match days
 - approved by ECC, DCC & National Highways
 - focused on enabling access by sustainable transport modes
 - similar level of local bus capacity to that for match days
 - off-site parking at Grenadier Road & Pynes Hill with 1,267 spaces with shuttle buses 4-6min drive to stadium / 30-40 min walk – **conditioned**
 - additional park and ride available near stadium if required
 - **Car Park Management Plan**
 - limited on-site parking for events – essential or VIP (300no. required of 500no. available spaces)
 - staff parking provided on hotel site

- **Access & parking (continued):**

- Transport Technical Note**

- analysis of events in 2023
 - demonstrates that additional traffic would not cause significant impact on operation of strategic or local road networks
 - primarily as a result of the arrival period for events occurring outside peak times

- National Highways**

- proposed events to avoid school holidays at request of NH
 - **previous holding objection WITHDRAWN** subject to conditions
 - NH recommended conditions mostly duplicated those published on Committee Report
 - all new and amended conditions published on Additional Information Sheet on 10/11/23
 - includes **Exeter Safety Advisory Sub-Group condition** with on & off-site access measures eg supervision of pedestrian routes, park & ride, controlled parking zones etc

- **Proposal considered **acceptable** in this regard**

HIGHWAYS

- **Proposed music events** would:
 - be held within an existing stadium
 - not conflict with its primary purpose of holding rugby matches
 - provide **opportunity for employment** together with community and leisure activities & mixed uses to **support vitality of area**
 - be considered acceptable subject to conditions regarding impact on residential amenity & highways
- Potential adverse impacts would be mitigated by measures to be approved and monitored via a number of conditions
- On balance, **benefits of scheme considered to outweigh any adverse impacts & proposal represents sustainable development overall**

CONCLUSION

Planning permission for the proposed S73 Variation of Condition application be **GRANTED**

subject to additional planning conditions

(and inclusion of original or updated conditions from original decision notice, 12/1030/FUL)

RECOMMENDATION