

**Appendix 3.37 - LCCC
Objection Letter**

HILL DICKINSON

Trafford Council
Planning & Development
Trafford Town Hall
Talbot Road
Stretford
M32 0TH

Our Ref: GGA/DD

Date: 8 October 2020

Please ask for Grant Anderson

Dear Sirs

Re: **Former B&Q Site, M32 0ZW**
Planning Application (Ref: 100400/OUT/20)

We act on behalf of Lancashire County Cricket Club ("LCCC") and have been instructed to write in respect of the above planning application ("Application").

An appeal for non-determination has been submitted in respect of the Application and the Council's Planning and Development Management Committee is due to consider on 15 October how it would have determined the Application had it not been appealed. The officer's report to Committee in respect of the Application recommends refusal on seven grounds.

LCCC supports the recommendation of officers and objects to the Application for the reasons set out below. LCCC requests that this objection is brought to the attention of Committee in their consideration of the Application.

Lack of Consultation

The Application is a revised proposal to a previous application on the B&Q site (ref 94974/OUT/18) which was refused by the Council on 29 March 2019.

LCCC wishes to point out that the applicant has not engaged with LCCC directly in respect of either the previously refused scheme or the Application. Given the strategic importance of LCCC and the Emirates Old Trafford Cricket Ground Complex as an international sporting, cultural and tourism venue and the proximity of the development proposed in the Application, LCCC is extremely surprised that the applicant has failed to consult it directly and considers that this represents poor practice.

Background

LCCC is over 156 years old with a strong heritage as both a much-loved North West professional sports club but also as an international sports venue having hosted international cricket for over 130 years.

LCCC has just completed a ten year £60million stadium redevelopment programme including The Pavilion, The Point, new stands and a 150-bedroom Hilton and a Caffe Nero. This programme

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has acted as a catalyst for further urban regeneration and development and as a key anchor for the Area Action Plan which was published by the Council in April 2020 (“AAP”).

The impact of Covid 19 on professional sports clubs and hospitality businesses nationwide has been devastating and LCCC is no different. What this means is that as LCCC plots a business recovery plan during 2021 and beyond, the cricket ground complex will be a critical asset and managing visitors and overall attendance to the site in a safe and profitable way will become paramount as LCCC looks to recover from the virus.

LCCC is reviewing its own site masterplan and development priorities and how it can maximise the opportunities within the AAP in the post Covid world going forward. A key element of this strategy is not only maximising LCCC’s own development opportunities but importantly ensuring that all development within the AAP is both appropriate and consistent with the objectives of the AAP (in particular the promotion of the cricket ground complex as a centre of excellence and internationally significant visitor attraction) and ensuring that development within the AAP does not prejudice the future development of the cricket ground complex by putting the future trading opportunities of LCCC at risk.

Strategic Vision for the Area

In 2018, the Council published the draft Civic Quarter Masterplan SPD for consultation. The aim of that document was to build on the Refreshed Stretford Masterplan which adopted by the Council in January 2018 and to provide further guidance to assist the coordinated and comprehensive regeneration of the Civic Quarter.

The Emirates Old Trafford Cricket Ground Complex and the former B&Q site which is the subject of the Application were identified in the draft Masterplan as a key quarter referred to as the Leisure Quarter. The draft Masterplan identified the vision for the Leisure Quarter as being a *“vibrant quarter celebrating wellbeing, sport and active lifestyles and the renowned sports club”*.

LCCC actively participated as a key stakeholder in the preparation of the draft Masterplan.

The Council decided not to continue with the Masterplan as a policy document and instead published in its place the AAP for consultation in April 2020. The AAP includes the area of the earlier Masterplan as part of a larger area. Whilst the AAP is a draft document, the fact that it is consistent with and is effectively a progression of the earlier draft Civic Quarter Masterplan, that it is consistent with the adopted Refreshed Stretford Masterplan and the principles of the Core Strategy mean that material weight can and should be attached to it.

The Emirates Old Trafford Cricket Ground Complex and the former B&Q site are identified as the Southern Neighbourhood in the AAP. The vision for the Southern Neighbourhood is to create *“a public centre of excellence for health, wellbeing and sport and exercise – using the great sporting and educational assets to leverage greater potential”*.

The AAP vision identifies opportunities in the Southern Neighbourhood for a new leisure centre with synergies with LCCC and consolidating surface car parking into active uses. The AAP identifies the former B&Q site as a *“significant opportunity for development complementing the cricket club’s sporting history and centre of excellence”* and an *“optimal location for consolidated car parking and complementary leisure based activities, combined to serve as a centre of excellence for health and wellbeing, recreational and sporting offer for the area, working collaboratively with Stretford High School, UA92 and other schools and communities”*. The AAP proposes a leisure centre and multi-storey car park on the former B&Q site.

The AAP builds on the Core Strategy (in particular place objective OTO 11 and policy SL3 both of which seek to promote the cricket ground complex as a key asset in the Borough), the refreshed Stretford Masterplan, the previous draft Civic Quarter Masterplan and represents the Council's current strategic vision for the area. When adopted, the AAP will sit alongside the adopted Core Strategy as the statutory development plan for the area and will form the starting point for planning decisions in the area.

The Application is at odds with the strategic vision for the area and the proposals within the AAP. In terms of land use, the development proposed in the Application is inconsistent with the AAP vision and will prejudice the delivery of the vision outlined for the Southern Neighbourhood in the AAP. This is an important consideration as the AAP states "*the full socio-economic benefits can only be achieved if there is certainty about the delivery of a comprehensive scheme that provides the appropriate development of the right type in the right place*". The APP has a residential and commercial development focus to the East focusing on the old Kellogg's site and the new UA92 development.

The Application, therefore, conflicts with the strategic vision for the Southern Neighbourhood and will prejudice the comprehensive delivery of that vision. In doing so, it will also prejudice the future development of the Emirates Old Trafford Cricket Ground Complex as an internationally significant visitor attraction, cultural and tourism venue.

Scale of Development and Impact on Amenity

The AAP notes that the former B&Q site is in close proximity to existing suburban housing and provides that development should not therefore exceed a maximum of six storeys. The Application which proposes development of upto nine storeys conflicts with this policy advice.

Policy L7 (Design) of the adopted Core Strategy states inter alia that development must: -

- be appropriate in its context.
- make best use of the opportunities to improve the character and quality of an area.
- enhance the street scene or character of the area by appropriately addressing scale, density, height, mass and layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment.

The development proposed in the Application would be significantly higher than the existing residential development in particular the suburban two-storey residential housing in the locality. The proposed development would represent overly dominant development in the local street scene and would not be in keeping with the existing character or urban pattern due to its scale and massing. The Application is therefore contrary to policy L7.

Policy L7 also deals with the protection of amenity and requires that the development must not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.

The scale and massing of the development will result in an overbearing development that causes overshadowing and visual intrusion of the existing properties by virtue of the proposed height and massing of the building.

In addition, the density of the development would mean potentially over 700 new residents living in a relatively small physical space with very little additional public amenity. The proximity of the development to the LCCC building immediately to the north east of the Application also means that occupiers of the proposed ground floor dwellings will have a poor outlook.

The development overall would therefore generate unacceptable amenity impacts contrary to policy L7.

Impact on LCCC's Operations

LCCC considers the location of the residential development proposed in the Application will lead to conflict with the existing activities of LCCC at the cricket ground and will prejudice the future operation of the cricket ground.

The commercial operations of LCCC as an international cricket venue particularly on large scale events will inevitably impact on the amenity of future residents occupying the development proposed in the Application leading to complaints.

The noise assessment submitted with the Application accepts that noise from concerts at the cricket ground cannot be fully mitigated. It concludes however that this is acceptable and can be managed because there will only be one – two concerts per annum. What the noise assessment fails to recognise however is that LCCC is legally entitled to host seven concerts per annum.

The assessment also fails to address at all the new forms of cricket which have emerged such as the 20/20 format and the new 100 ball format where entertainment is at the heart of the product with large crowds, audience participation, loud amplified music, PA systems. No account at all is taken of these types of events which will generate significant noise. Whilst the noise assessment claims to have assessed a typical one day County cricket match, that is not representative of the far noisier forms of cricket which have emerged as an integral part of the future of domestic and international cricket.

Similarly, the noise assessment fails to take account of major international cricket events where capacity crowds and significant noise can be expected.

All of the above events which could exceed 20 days/evenings per year will generate significant noise/disturbance for residents in the development proposed in the Application. The submitted Application fails to take proper account of these impacts.

LCCC considers that permitting the Application will lead to complaints from future residents and that will inevitably lead to pressure then being brought to bear on LCCC to curtail its operations thereby prejudicing the future operation and development of the cricket ground by LCCC.

It is vital (all the more so in the post Covid world) that LCCC's ability to maximise the potential of Emirates Old Trafford as a world class international venue is not prejudiced by permitting the development proposed in the Application in such close proximity to the cricket ground. To do so would be contrary to policy L7 of the Core Strategy and would be inconsistent with the vision for the cricket ground and surrounding area being promoted by the Council.

The impact of COVID 19 is highly likely to have a long term impact on visitor behaviours and expectations. From LCCC's perspective, that is likely to lead to LCCC having to maximise visitor-usable space with its site in order to provide the safest environment possible. LCCC anticipate having to make much fuller use of the site for visitor facilities (not just parking) meaning that noise, crowd activity and visitor movement will be much more extensive across the site than before and also on many more days than has previously been the case. This increased activity/noise will inevitably be much closer to the residential development proposed in the Application and will increase the likelihood of conflict between LCCC's operations and the residential use proposed in the Application.

National planning policy (paragraph 182 of the NPPF) advises that new development should be integrated effectively with existing businesses and community facilities and that businesses should not have unreasonable restrictions placed on them as a result of development being permitted after they were established. It is clear that permitting the Application will lead to conflict and pressure for restrictions to be placed on LCCC in the future. Given the strategic importance of the Emirates Old Trafford Cricket Ground as a world-renowned sporting complex, LCCC submits that such a situation would be unacceptable and that the Application should therefore be refused.

The development proposed in the Application will also be highly visible from within and outside the cricket ground not only to spectators in the ground but also to television viewers watching cricket matches. LCCC considers that the scale, height and massing of the proposed development would have a dominant and adverse impact on views from within and outside the ground to the detriment of visitors' experience of the ground and the wider strategic location.

Place Objective OTO 11 of the adopted Core Strategy seeks to "*maximise the potential of Lancashire County Cricket Club as a visitor attraction and its potential to lead major regeneration in the area*". Policy R6 of the Core Strategy recognises the importance of tourist destinations such as the cricket ground complex and seeks to protect and enhance the culture and tourism offer in the Borough. The significant adverse impacts of the Application on LCCC and the cricket ground complex mean that it is contrary to Place Objective OTO11 and policy R6 of the Core Strategy.

Policy SL3 of the Core Strategy identified the cricket ground complex and surrounding area as a strategic location. Whilst that policy included provision for residential development within the strategic area as part of a mixed use development, it does not follow that the Application accords with the development plan. What is clear from policy SL3 is that the principal policy aims underpinning that policy are to improve the visitor experience at the cricket ground, ensure that international cricket is hosted at the ground, to maintain its reputation as an international venue and to use the cricket ground as the catalyst for wider regeneration.

It is also clear that the details of the development of the strategic location and indeed the extent of the quarter were intended to be determined by subsequent planning policy documents. The AAP is the document to achieve that.

In LCCC's submission, policy support from policy SL3 for residential development in the strategic quarter can only be attached if the residential development is consistent with the fundamental aims of the policy ie the promotion of the cricket ground complex. Indeed it would be perverse to conclude that development which has a significant adverse impact on the cricket ground complex could be regarded as being compliant with a policy which seeks to promote the future development of the cricket ground.

Given the detrimental impacts of the development proposed in the Application on the cricket ground complex it is difficult to see how the Application can attract support from the Core Strategy, Refreshed Stretford Masterplan or the AAP.

Sport England Objection

Sport England have objected to the Application on the grounds that they consider the development proposed in the Application would have a serious prejudicial impact on the existing cricket facility. Sport England's objections relate to: -

- the massing of the development proposed in the Application and the adverse effects the development will have on the cricket facility by way of overshadowing. Sport England submit that

this will affect both use of the cricket facility in the summer and importantly will have a seriously detrimental effect on ground maintenance of the fine turf cricket playing surfaces/practice areas;

-the access arrangements and a concern that the creation of a vehicular access next to the B&Q site will create a significant risk to pedestrians using the pedestrian access to the cricket ground in this location on match days;

-conflict with the AAP and LCCC's own masterplan to create outstanding sporting facilities with enhanced community engagement and superior transport links through opening out the site access Old Trafford tram stop and constructing a new leisure centre including wet and dry sport offers and an elite cricket training facility with community access.

LCCC supports Sport England's objections which it considers should be given considerable weight in the determination of the Application.

Whilst the applicant has reduced the scale of the development proposed in the Application from that proposed in the previous application refused by the Council in 2019 (ref 94974/OUT/18) this is not sufficient to address the concerns relating to the impacts of the development on the cricket ground identified by LCCC and Sport England. Indeed, LCCC consider that residential development of any scale on the B&Q site would be unacceptable given the incompatibility of such a land use immediately adjacent to the cricket ground complex and the conflict with the strategic vision. Given the special status of the cricket ground as a renowned international sports venue and the Council's vision to protect/enhance that status in the future, it is important that development which will be prejudicial to that objective is not permitted.

The ECB have also objected to the Application and LCCC also fully supports their objection and would not want the staging of future international cricket matches put at risk.

For all the above reasons, LCCC objects to the Application and submits that the Application should be refused by the Council.

Yours faithfully

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Hill Dickinson LLP