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20140/A3/TB/dw

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22nd February, 2012

Dear Chris,

**BATH AND NORTH EAST SOMERSET CORE STRATEGY
REPRESENTATIONS ON BEHALF OF ARENA 1865 LIMITED
COMMENTS ON UPDATED SCHEDULE OF ROLLING CHANGES, FEBRUARY 2012 (CD6/E2.2)**

We are pleased to submit, on behalf of Arena 1865 Ltd., a response to the currently proposed February 2012 Rolling Changes to the Core Strategy with respect of the '*Central Area boundary and sports stadium*', on behalf of our Client, Arena 1865 Limited. These representations also respond to the observations of the Inspector in his note on this matter dated 23rd January, 2012.

Firstly, we are pleased to advise the Inspector that following the EiP sessions on Thursday 19th and Friday 20th January, 2012, discussions have been held between ourselves, the Council and other interested parties who partook in the Hearings. What has become clear is that our clients, and the Council's intentions, have not been as clearly set out within the policy as they could have been, which we believe has led to some unnecessary concerns by third parties.

In this context, we offer the following comments on the Rolling Changes consultation:

Ref. 16, Draft Core Strategy Page 35, Policy B1.8 (b)

The Inspector noted his specific concerns regarding the 'clarity and effectiveness' of the policy, as amended by PC19 post submission.

As discussed in our Hearing Statement (December 2011), this is largely as a consequence of the passage of time, whereby the policy as originally drafted (and amended prior to the Hearings) strived to enable the greatest flexibility in terms of location, in delivering the proposed arena. However, and as the Inspector will note, the firm intention of both the Council and our clients is to provide an enhanced arena facility at the Recreation Ground.

The Council's Rolling Changes document suggests three possible amendments to the policy wording, for debate at the reconvened Hearing session. The Council's and our client's preference is for the first approach suggested, namely:



"b) Adjoining the Central Area, at the Recreation Ground, and subject to the resolution of any unique legal issues and constraints, enable the development of a sporting, cultural and leisure arena. Associated uses may be acceptable but will be considered on their merits."

In our opinion, this form of wording clarifies the intentions of the policy, and will be effective in so much as making it clear that the Recreation Ground is the proposed location for the proposed arena.

As was discussed at the Hearings, there is no other suitable or available site where the proposed arena could be located adjoining the central area, and therefore the clarity that this form of wording brings complies with the PPS12 test of effectiveness. The second and third versions of the wording, which remove reference to the Recreation Ground or the words 'adjoining the central area' in our opinion do not meet the PPS12 tests, as they do not provide the clarity or effectiveness required of the policy by the Inspector.

Comments were made by some third parties that it was not appropriate to identify a specific site for the arena within the Core Strategy – being the high tier document and not a site allocation document. We do not agree. It is entirely appropriate, and in our view, necessary, for the Core Strategy to specify the site, as indeed the document does in identifying other considerations for specific areas within the district.

Indeed, we note that the London Borough of Lambeth's recently adopted Core Strategy (January 2011) makes specific reference to development at the Oval. There are some parallels to be drawn between enhancements the Council seeks at that site, with the proposed enhancement of the Recreation Ground. We enclose extracts of this document with this letter for the Inspector's information.

In addition, we are aware that the London Borough of Haringey is proposing to adopt a similar approach to proposals for the creation of a stadium for Tottenham Hotspur Football Club in the Borough. This document is awaiting Examination.

We consider that the amendments to all three iterations of the policy text to provide a "*sporting, cultural and leisure arena*", rather than a "*sport stadium*", is more befitting of the intentions of the proposals for a multi use facility at the site and are supported by our Client.

The wording set out above, and indeed within all three versions of the policy, also recognises the unique legal issues on the site, and this is considered helpful and appropriate for the policy, and again, is supported by our Client.

The Council's proposed revisions to this policy also remove explicit reference to "*active riverside frontage*". Given the site's location adjoining the River Avon, it is apparent that any redevelopment proposal could, and indeed should, positively enhance the riverside, particularly noting how the current west stand presents itself to the river. We consider that the Council's future Placemaking Plan DPD will be an appropriate development plan document to deal with detailed site design issues, and in the intervening time Saved Policy B2 of the adopted Local Plan provides guidance and requirements in terms of public realm requirements of new development. The policy does not therefore need to make explicit reference to active riverside frontage, and such matters can be fully considered at the planning application stage or in the Placemaking Plan DPD.

The proposed policy refers to 'associated uses'. We are content with this form of wording, and again consider that other existing and future development management policies will guide the form of development proposed, following detailed considerations of proposals for the site which will be informed by a comprehensive community engagement process.

Ref. 17, Draft Core Strategy Pages 33, 37, 38 and 39 - Diagrams 5,6, 7 and 8(i); Ref. 19 Draft Core Strategy Page 40, Policy 2/3 and Ref. 20 Draft Core Strategy Page 40, Policy 2/4

Concern was understandably expressed by third parties that the proposed town centre annotation which encompassed the Recreation Ground could lead to other uses that are not related to the arena being proposed within this area. We expressed at the Hearing that in our opinion this was unlikely and that there were other policies in place that could respond to any such proposals.

In the context of the revised policy wording, it is however apparent that the need for a diagrammatic annotation is not necessary, as the revised policy wording clarifies the intentions whilst being effective in clarifying the proposals for the arena.

At this stage, an exact 'site boundary' line for the arena cannot be identified, and in any case is not appropriate for a Core Strategy document. Our Client is therefore content for the Central area boundary to be amended as suggested in these Rolling Changes.

SUMMARY

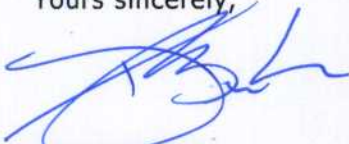
In summary therefore, we trust that the Inspector will find the dialogue between the parties and the proposed amended wording of assistance. We respectfully request that the Council's first form of words for policy BA1.8(b) are taken forwards into the final version of the Plan, as being the most clear, appropriate and effective, and as such meet the tests of soundness set out in PPS12.

In our opinion, to omit explicit reference to the Recreation Ground in the policy would result in an ineffective policy.

As requested, two paper copies of this letter are enclosed, and it has also been sent electronically to you. We look forward to partaking in the reconvened debate and receiving details of the next Hearing session.

Please can you provide confirmation of receipt of these representations, and that they have been duly lodged.

Yours sincerely,



TIM BURDEN
Associate

Encs.

Lambeth Local Development Framework

Core Strategy Adopted January 2011



If you need any further information, please go to: www.lambeth.gov.uk/planning or email planningpolicy@lambeth.gov.uk

Planning Aid for London can also provide advice: www.planningaidforlondon.org.uk

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Oval

- 5.55 The Oval includes the local centres along Clapham Road and Brixton Road. It is at the junction of major roads with a Northern line tube station. It has a very clearly defined and distinctive sense of place arising from this and the presence of St Mark's Church, a grade II* listed building at its very centre; Kennington Park, a registered Historic Park; and the nearby world famous Oval cricket stadium. The park, station, street frontage area and adjoining area are in a conservation area. The pavements are relatively wide but the roads are extremely busy. There is a diverse mix of building types with Victorian terraces and public housing estates predominating.
- 5.56 The centre is very well served by public transport with a tube station at its heart served by the Northern line which together with the various bus routes makes it a popular transport interchange. Part of the Oval lies in Flood Zone 3 and is at risk of flooding and so Policy S6 will apply in this area.
- 5.57 In 2008 the Clapham Road centre provided a good range of goods and services with an 11 per cent vacancy rate, comparable with the national average. The Brixton Road centre also provided for a good range of local needs, although the vacancy rate was higher at 15 per cent (Borough Retail Capacity Study 2008).
- 5.58 The demographics of the area are broadly in line with that of the borough as a whole though the resident population is younger than the borough and London averages. Car ownership is low compared to the rest of the borough and use of public transport to work is high. Accommodation in the area is overwhelming in flats and home ownership is considerably lower than in the borough overall.
- 5.59 The major issues for the area are how to: derive more benefit economically and for the community from the use and events at the Oval stadium, which included many conferences and a proposed hotel; improve the quality of the environment and public realm for residents and visitors to a level appropriate for an attraction of such standing; realise the added potential contribution of St Mark's churchyard to the public realm; support improvements to Kennington Park including its heritage attributes; make more effective use of premises and sites within the centre and the opportunities they provide – including at Kennington Business Park and those arising from the Oval House Theatre's intention to relocate to Brixton - in order to build on and contribute to the area's qualities.
- 5.60 In addition, there are various opportunity sites for development in the wider area including Offley Works; 43-55 Clapham Road; the former Freemans site (137-143 Clapham Road) and St Agnes Place for a range of employment and housing uses.

- 5.61 Delivery and implementation of public realm and improvements to the environment will be taken forward with the Oval Partnership and other stakeholders, particularly through the development of a public realm strategy.
- 5.62 NHS Lambeth wishes to locate one of its network of Neighbourhood Resource Centres in the wider Oval/Kennington/Waterloo area. There is also work planned through the BSF programme to Archbishop Tenison School, which will be partially rebuilt and refurbished both to expand its intake and to improve its facilities.

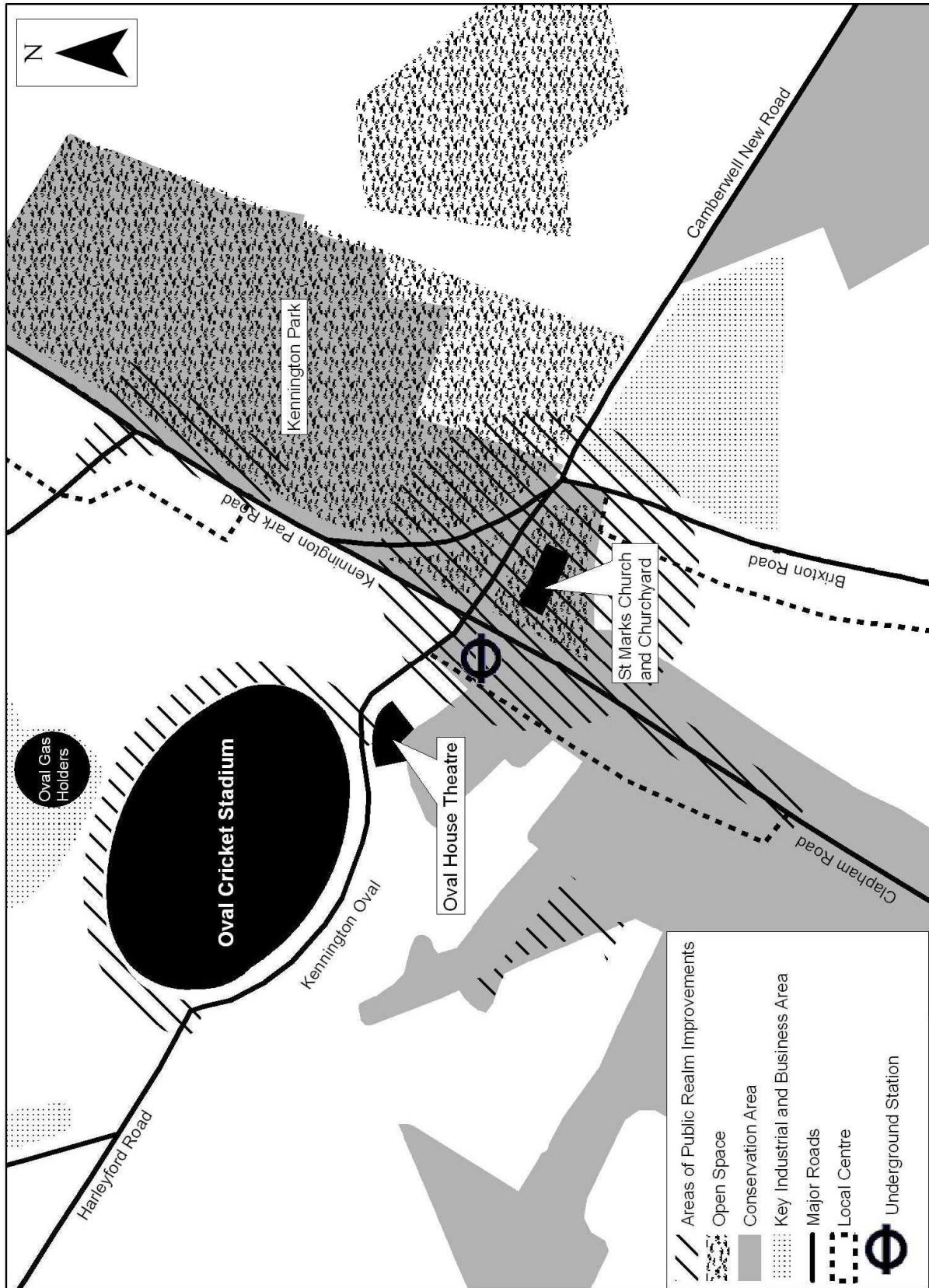
Policy PN7 – Oval

The Council will support the role of Oval as a local centre through reinforcing and adding to the quality of its existing well defined character and sense of place. This will be sought through:

- (a) Supporting development at the Oval stadium to extend the range and quality of facilities including those to serve the local community; improving the relationship of the stadium with the adjoining area particularly the quality of the linkages with the local centre along Clapham Road, by improving the attractiveness of the public realm, the creation of appropriate public spaces, interesting features and promoting active frontage uses along the route.
- (b) Seeking to improve the quality and extent of shopping and other appropriate town centre uses within the centre and various opportunity sites identified in the Lambeth site allocations Development Plan Document including appropriate re-use of the Oval House Theatre as necessary as well as sites in the wider area to improve the range and quality of employment and housing. Kennington Business Park provides opportunities to increase the vitality and attractiveness of the Brixton Road centre through provision of active frontage and other uses beneficial to the function of the centre. Appropriate proposals that achieve these objectives and do not result in the net loss of employment floor-space, and ensure that the role of Kennington Business Park as a KIBA is maintained, will be supported.
- (c) Supporting and enhancing the heritage quality and attributes of the conservation area, Kennington Park, St Mark's Church and the use of its churchyard for community and town centre uses.
- (d) Seeking the improvement of traffic and environmental conditions for pedestrians, the quality of the public realm and linkages between Kennington Park and other spaces and the shopping frontages in Clapham Road and Brixton Road.

Implementation of public realm and other traffic and environmental improvements will be taken forward with the Oval Partnership and other stakeholders particularly through the development of a public realm strategy.

Diagram 7. Places and Neighbourhoods: Oval



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