

**PLANNING CONSULTATION BY
EAST HERTS DISTRICT COUNCIL**

**RETROSPECTIVE PLANNING APPLICATION FOR THE REMOVAL OF
SPEEDWAY TRACK AND THE FORMATION OF GRASSED FOOTBALL
PITCHES AT RYE HOUSE STADIUM**

Presented by Head of Planning

SUMMARY

This retrospective planning application seeks to obtain permission for the creation of grassed football pitches on the site of the Rye House Speedway track at Rye House Stadium. The Authority owns the Rye House Stadium site and it is the tenant that has submitted the current application. Whilst the proposed sports pitches are considered an appropriate use in terms of the Park Development Framework (PDF) Area Proposals, Green Belt and Local Plan policy there are some concerns about disturbance to the adjoining Site of Special Scientific Interest (SSSI)/Special Protection Area (SPA) habitat and nocturnal wildlife corridors from the use of floodlighting on site and any light pollution they might cause. Conditions are suggested to overcome this matter.

RECOMMENDATIONS

- Members Approve:
- (1) that East Herts District Council be informed that whilst the Authority does not object to the development proposed the following conditions should be attached to any planning permission requiring that:
 - a) the use and maintenance of the existing floodlighting on site should ensure light spill beyond the immediate area of the sports pitches is minimised and that use of the floodlighting is restricted and turned off by 10pm. This is to limit disturbance to the surrounding habitats and their use by protected species (for example bats);
 - b) provision of any new floodlighting should be

accompanied by an ecological appraisal to assess any impacts on nocturnal wildlife, carried out in accordance with 'The Institution of Lighting Professionals (ILP) practical guidance note 08/18 Bats and Artificial Lighting in the UK';

c) the hours of operation are limited to a set time in the evening in order to minimise disturbance from noise pollution; this could be considered in tandem with the restrictions on night time use of the floodlights;

d) biodiversity enhancements are implemented on site, for example native tree or scrub planting along the site boundary, or the creation of wildflower meadow; and

(2) the Authority would welcome further discussion on the above matters.

DESCRIPTION OF SITE AND ITS HISTORY OF USE

1 The application site forms part of the Rye House Stadium located in the north of the Regional Park to the east of Hoddesdon. The River Lee Navigation runs alongside the western boundary of the site and to the east lies the Rye House Showman's Caravan Park. The Rye House Gatehouse and quayside are situated opposite to the north together with the Rye Meads Nature Reserve and SSSI, part of the Lee Valley SPA which extends south of Rye Road to the east of the Stadium site. Please refer to the plan at Appendix A to this report.

2 Access to the site is via Rye Road with a turning off adjacent to the Rye House pub. The adjacent pub has rights reserved to use a section of the entrance car park for car parking, a large proportion of which sits adjacent to the road frontage. As Landlord, the Authority also has rights reserved to use the car park (the Authority's moorings business currently use the southern section of the car park). The Rye House Kart Raceway is located immediately to the south of the application site. Both the speedway and the karting site are located within the Green Belt.

3 Site History

The application site consists of the speedway motorcycle track and forms part of a well-established leisure and sporting venue consisting of the Rye House Speedway Stadium and the Rye House Kart Raceway (Karting). The whole site including the application site falls within the Authority's ownership and is leased to Carter and Bailey Ltd. The Karting venue is operated under a sublease and the current owners took assignment of the sublease in July 2004 when they acquired the Karting business. Since acquiring the business and sublease in 2004 the tenant has reported that over £2million of investment has been expended in improving the Karting business. The Karting track is understood to be one of the oldest and now one of the leading tracks in the UK attracting not only race enthusiasts but also the public. It is understood that the Speedway operation, although popular well into the 1990s, encountered problems from the early 2000s onwards alongside a decline in Speedway's popularity nationwide, and the venue struggled to run meetings and races. It is reported that use of the

site for formal speedway races ended in 2018 and it was occasionally used as a motorcycle speedway test site over the course of 2019 where it varied from 8 to 10 riders on a Saturday and Sunday; this use also ceased in December 2019.

- 4 The tenant also owns and operates the adjacent Rye-Assic Adventure Park site which opened in 2012 and is understood to be a popular venue for families. The land was initially leased from Thames Water and its freehold was subsequently acquired in 2014.
- 5 In 2019 the owners of the Karting attraction purchased shares of Carter & Bailey Ltd and became directors and thereby took over the ownership of the lease of the Rye House Speedway Stadium. Therefore, the owners of the Karting site now hold both the head lease (lease of the whole site) and the sublease (Karting site) and are effectively the only operator of the whole site.
- 6 Carter and Bailey advised that due to the poor state of the area surrounding the race area, it was estimated that to bring the Speedway up to modern standards for paying spectators the investment needed was around £400,000. In addition, due to the reduced numbers to the Speedway motorcycle sport, and from information obtained from the tenant, the business would not be financially viable. Carter and Bailey Ltd approached the Authority with investment plans to improve the site and to bring in new viable business uses.
- 7 Unfortunately, in November 2020 the tenant started to clear material previously deposited on site and commenced works to remove the speedway track without first obtaining planning consent or Landlord's consent to the change of use. Enforcement action was initiated by East Herts District Council (EHDC) in early December 2020, although this has now been paused pending consideration of the current planning application. Change to the permitted use in the lease to allow the use of new facilities is yet to be formally considered by the Authority. In November 2020 the Authority became aware of the Rye House Action Group (RHAG), it is understood this is a group formed opposing the change of use and active in raising the profile of the Speedway venue, promoting the site as a valuable part of motor racing sporting heritage and objecting to the current application.

POLICY BACKGROUND

- 8 Local Plan policy GBR1 states that applications within the Green Belt will be considered in line with the National Planning Policy Framework (NPPF). Paragraph 145 b) of the NPPF states that the construction of new buildings is inappropriate in the Green Belt except for the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreationas long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 9 Local Plan policy is supportive of the Lee Valley Regional Park and the PDF, Policy CFLR51. EHDC seeks to support and work with the Park Authority and other stakeholders to deliver the PDF Area Proposals where these improve leisure and sporting opportunities for local communities, enhance access to open space and nature, and help expand educational, volunteering and health related activities.
- 10 Policy CFLR1 Open Space, Sport and Recreation offers support for proposals that provide "new open space, indoor and outdoor sport and recreation facilities

which meet identified needs". These will be encouraged in suitable locations, served by a choice of sustainable travel options and should include measures to integrate such facilities into the landscape, including the creation of features which provide net benefits to biodiversity (CFLR1 III).

11 Park Development Framework

Sport and Recreation Proposals for Area 8.A.1 'Rye Meads and Stanstead Abbots' identify the need to work with operators and other stakeholders to consolidate and enhance leisure activities at Rye House Stadium and the Rye House Kart Raceway with substantial environmental improvements at the road frontage.

- 12 Landscape Strategy Proposals (A2 Rye Meads) aim to conserve and enhance the area's valued qualities, particularly its value for biodiversity and recreation and its rural, tranquil character, whilst seeking opportunities to improve and re-integrate areas that are more fragmented, such as around the sewage works, depot and stadium which currently detract from the setting.

DESCRIPTION OF DEVELOPMENT

- 13 The applicant proposes the removal of the shale surfaced speedway track and in its place the provision of grassed football pitches to be enclosed by a 2m high chain linked fence with access gates at each corner. Moveable markers will allow pitches of variable size to be created suitable for 5 a side, 7 a side and full team football to be played. No changes are proposed to the existing pedestrian and vehicle access and no changes are being made to the existing 1000 space car parking on site. Flood lights are already present on site, presumably a left over from the speedway use and no additional site lighting is proposed. Operating hours will be from 7am through to 10pm, 7 days a week.
- 14 According to the Environment Agency (EA) flood mapping information, the application site is located in Flood Zone 3 but information supplied by the applicant states that the site is within Flood Zone 2. The applicant maintains that previous flood defence works including flood containment measures in case of flood from the River Lee give substantial protection. All ground level surfaces i.e. the pitches will be permeable and a flood warning system is in place. The EA will have been consulted on the application and the matter of flood risk and any action required should therefore be resolved through this process.
- 15 The applicant makes reference in the planning statement to the demise of the speedway business following poor spectator attendance and the fact that the business went bankrupt. The applicant states that consultation was carried out with users of the site and members of the public in the local area and that this led to the current proposal to provide football pitches on site. The applicant has included a letter of support alongside the application from Hoddesdon Town Youth Football Club (HTYFC), who consider the Rye House proposal as a 'game changer' given their lack of adequate reliable facilities. They consider the current proposal an excellent opportunity to provide a flexible facility for their club, alongside other clubs which would have considerable community benefits.
- 16 The planning statement states that the aims for the site are to make it "more accessible to the local community, provide facilities desired by the public, and to promote the venue as a family entertainment and recreational fitness centre."

PLANNING APPRAISAL

- 17 Park Plan proposals identify a need to work with operators and other stakeholders to consolidate and enhance the leisure focus at the Rye House Stadium site. However, successive operators have failed over more recent years to reverse the decline of the speedway venue, and/or to reinvigorate what was a regional sporting and leisure use. This application is seeking to replace the speedway facility with another sporting use, albeit one that is more locally focused.
- 18 In terms of Green Belt policy, the proposed football pitches would be considered appropriate development, providing for outdoor sporting use and preserving openness. Local Plan policies also support the creation of new sporting opportunities where they provide for local communities and the applicant has demonstrated support for the proposed football facilities from the locally based Hoddesdon Town Youth Club. It is understood that this is part of the applicant's aim to engage with the local community and offer a range of family based sporting and leisure activities.
- 19 The site lies within close proximity to the SSSI at Rye Meads which also forms part of the Lee Valley SPA and the wildlife corridor created by the River Lee Navigation to the west. However, the change in use from Speedway circuit to football pitches is unlikely to have a negative impact on these areas providing potential issues of conflict relating to floodlighting and noise disturbance can be controlled via planning conditions and modes of operation.
- 20 The application does not propose any new floodlighting relying instead on the existing floodlights already positioned around the perimeter of the old stadium track. The use and maintenance of these floodlights should take full account of the surrounding sensitive habitats and their use by protected species (bats) and ensure light spill beyond the immediate area of the pitches is minimised and that hours of operation are restricted so that the lights are turned off by 10pm for example.
- 21 If new floodlighting is planned in the future this should be accompanied by an ecological assessment for impacts on bats carried out in accordance with The Institution of Lighting Professionals (ILP) practical guidance note 08/18 'Bats and Artificial Lighting in the UK'. Restricting the hours of operation would also help to minimise disturbance from noise pollution and should be considered in tandem with the restrictions on night time use of the floodlights.
- 22 Some biodiversity enhancements within the site or along its boundaries should also be considered; tree or scrub planting; or wildflower meadow creation for example would be appropriate and provide a net gain to the development of the site.

ENVIRONMENTAL IMPLICATIONS

- 23 These are addressed in the body of the report.

FINANCIAL IMPLICATIONS

- 24 There are no financial implications arising directly from the recommendations in this report.

LEGAL IMPLICATIONS

- 25 Planning applications referred to this Authority are submitted under the consultative arrangements of Section 14 (4-7) of the Lee Valley Regional Park Act 1966 (the Park Act). The Park Act requires a local planning authority to consult with the Authority on any planning application for development, whether within the designated area of the Park or not, which might affect any part of the Park.
- 26 The Park Act enables the Authority to make representations to the local planning authority which they shall take into account when determining the planning application.

RISK MANAGEMENT IMPLICATIONS

- 27 There are no risk management implications arising directly from the recommendations in this report.

EQUALITY IMPLICATIONS

- 28 There are no equality implications arising directly from the recommendations in this report.

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BACKGROUND REPORTS

Application Papers 20.122

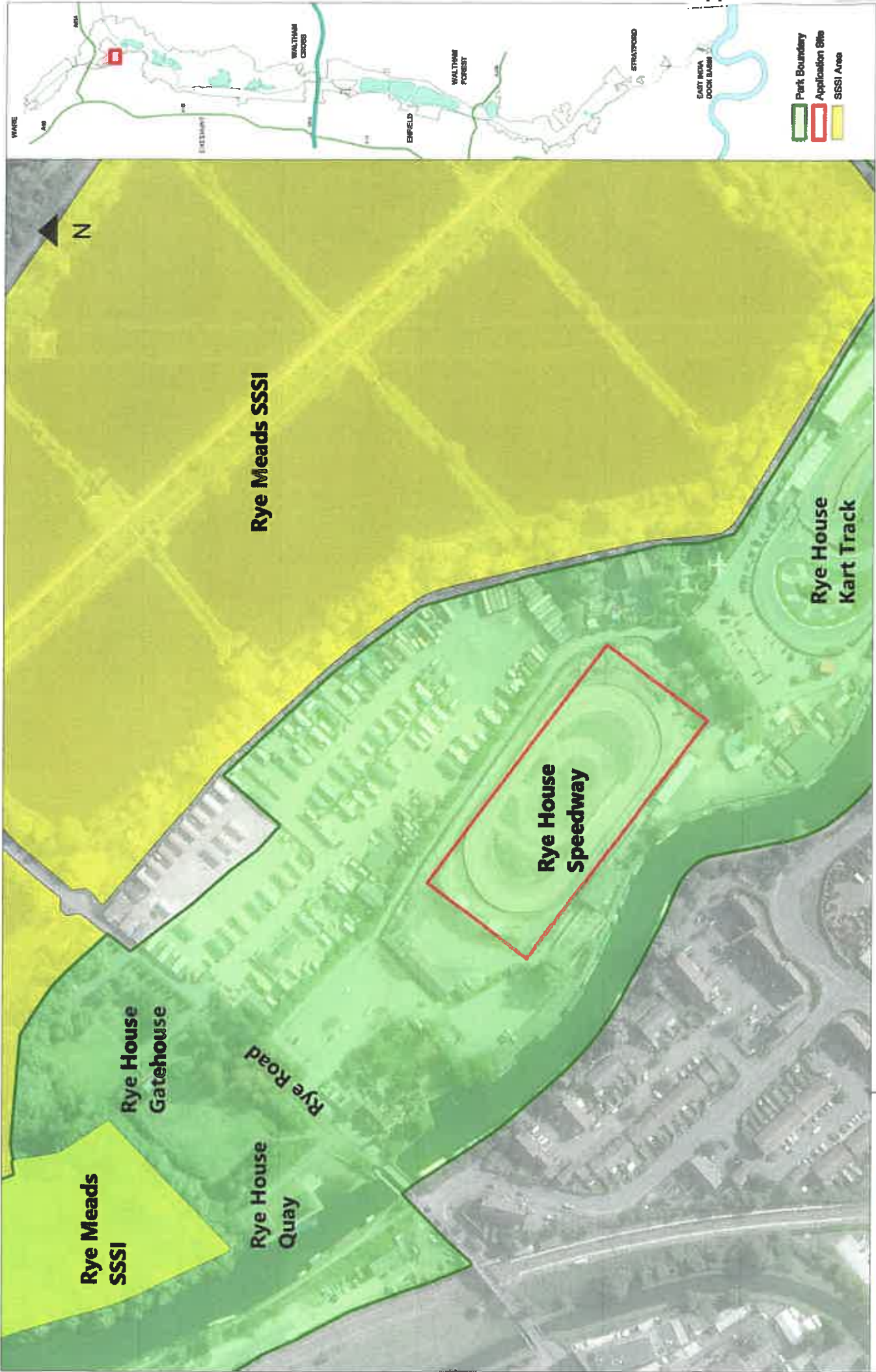
Jan 2021

APPENDIX ATTACHED

Appendix A Plan of the application site

LIST OF ABBREVIATIONS

PDF	Park Development Framework
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
HTYFC	Hoddesdon Town Youth Football Club
RHAG	Rye House Action Group
ILP	Institution of Lighting Professionals
EHDC	East Herts District Council
NPPF	National Planning Policy Framework
the Park Act	Lee Valley Regional Park Act 1966



Proposed replacement of Stadium with new Football Pitches, Rye House Speedway, Rye House

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