

# Google Arena Essex Consultation

**Q1:** Do you have any comments on our early proposals for Thurrock Data Centre, including the potential design and layout?

Your answer

Yes.

The early proposals for Thurrock Data Centre;

- (a) do not comply with the Local Plan
- (b) do not comply with local policies:
  - CSSP4 - Sustainable Green Belt
  - CSTP9 - Well-being: Leisure and Sports
  - PMD5 - Open Spaces, Outdoor Sports & Recreational Facilities
  - PMD16 - Developer Contributions
- (c) do not comply with national policies, in particular National Planning Policy Framework paragraph 103
- (d) are not in accordance with the site's green belt designation
- (e) are not in accordance with the precedent set by the application of national and local policies by Thurrock Council in the case of Aveley Football Club
- (f) are not in accordance with the section 106 budget proposed for the planning application made by the previous owner of the Arena Essex site in 2018 (18/01671/FUL)
- (g) do not comply with the Coventry Stadium Appeal Decision precedent of 19 January 2024.

The Arena Essex site had been used for a Speedway track for 35 years since 1984.

Local and national policies protect sporting facilities at risk from development.

In terms of local policies the following Thurrock Council policies apply;

## **CSSP4 Sustainable Green Belt**

### **i. Opportunities for Leisure and Sport in the Green Belt**

- (i) The Council's policy is that the constructive and positive use of the Green Belt for sports and leisure purposes is an essential component of the Thurrock Spatial Strategy that will underpin the sustainable development and regeneration of Thurrock to the long-term benefit of local people.
- (ii) The Council will actively encourage the pursuit of leisure and sports activities appropriate to the Green Belt by improving connectivity between Thurrock's Urban Areas and the Green Belt to promote this asset for the enjoyment and wellbeing of Thurrock's communities.

## **CSTP9 - WELLBEING: LEISURE AND SPORTS**

The Council and Partners will support the delivery of a physically active, socially inclusive and healthy community through the provision of high quality sports and leisure facilities and appropriate spaces for those that live, work, and visit the borough. To achieve this, the Council and Partners will:

## 1. New and Existing Facilities

- (i) Safeguard existing and future provision of leisure, sports and open space facilities. The Council will only allow the loss of a particular facility where appropriate alternative provision can be made elsewhere.
- (ii) Support the provision of new or improved leisure and sports facilities to address deficiencies identified in the Thurrock Outdoor Sports Strategy, Sports and Active Recreation Strategy and the Community Needs and Open Spaces Study.
- (iii) Promote smaller-scale sports and leisure facilities in town centres, local centres and Lakeside Regional centre.
- (iv) Ensure that new or improved facilities are in locations that are accessible to the local community and create or improve links to Thurrock's network of green and historic infrastructure, including the Thames riverside.
- (v) Provide facilities for schools and other institutions which can be linked and shared with the community.
- (vi) Where appropriate, encouraging development proposals that seek to support the development of the Olympic and Paralympic Games and legacy.
- (vii) Ensure that the potential health impacts of development are identified and addressed at an early stage in the planning process

## 3. Developer Contributions

Proposals for new development will be required to contribute towards the leisure and sports needs generated by the development and address any deficiencies in the locality that they may generate or exacerbate.

## **PMD5 - OPEN SPACES, OUTDOOR SPORTS & RECREATIONAL FACILITIES**

### **EXISTING FACILITIES**

1. The Council will safeguard all existing open spaces, outdoor sports and recreational facilities. Development proposals that would result in their complete or partial loss or cause or worsen a deficiency in the area served by the space or facility will not be permitted unless:
  - (i) conveniently located and accessible alternative facilities of an equivalent or improved standard will be provided to serve current and potential new users; or improvements to remaining spaces or facilities can be provided to a level sufficient to outweigh the loss;
  - (ii) proposals would not negatively affect the character of the area and/or the Greengrid.

Any alternative and improved facilities should be available for use before an existing open space or facility is lost.

### 2. The Council may also allow:

- (i) a partial loss of an open space or outdoor sports pitch site, where that partial loss would be due to the development of facilities ancillary to the use of that space or site (e.g. changing rooms) and would not result in a loss in the quality or number of pitches provided and their use; or
- (ii) the redevelopment of an existing open space, outdoor sports or recreational facility where redevelopment would incorporate a type of open space, outdoor sports, or recreational facility for which there is greater need.

### **NEW DEVELOPMENT**

### 3. Proposed development must ensure that:

- (i) New open spaces, outdoor sports and recreational facilities are provided in accordance with adopted standards to meet the needs of the development and to address deficiencies.
- (ii) New facilities are fully integrated into the design of development schemes as an element of place making.
- (iii) Facilities are safe and easily accessible to all.

Where the Council considers that provision on-site is not feasible or appropriate, it will require developer contributions to improve existing, or provide new, spaces or facilities elsewhere.

## **STANDARDS**

4. The standards for the quantity and quality of open spaces, sports and recreational facilities and accessibility to them that the Council will require to be met are set out in the Layout and Standards SPD (Appendix 5 provides current standards). Consideration should also be given to the Design and Sustainability SPD and the Developer Contributions SPD, which provide related information.

5. In addition, the Council has the following specific requirements:

### **2. Outdoor Sport Facilities (including playing pitches, courts and greens):**

- (i) New developments will be required to contribute to the provision of appropriate outdoor sports facilities.
- (ii) All sports and recreational facilities are required to incorporate appropriate ancillary facilities, such as changing rooms and parking to ensure access for the whole community.

## **(G) PMD16 - DEVELOPER CONTRIBUTIONS**

### **Introduction**

6.81 Thurrock Council needs to be able to assess and understand the implications of the planned growth on the Borough's infrastructure and services. In particular, there is a need to ensure that each local community has easy access to a full range of services. To create and maintain sustainable living conditions and high quality lifestyles for existing and future communities, it is essential that growth is properly accommodated within the Borough and that such growth can assist in creating a better environment for Thurrock. Growth can make a positive addition to an area, for example, providing new homes and jobs. It can also have an impact on the local community, placing additional pressures on local infrastructure and facilities such as local schools, road network, open spaces and other essential services.

6.82 Where new development is acceptable in principle, but the proposal would give rise to negative impacts that could not be controlled by the imposition of planning conditions, developer contributions can help to reduce or mitigate its impact on the locality by requiring a developer to either deliver or contribute to services/facilities by way of either physical works or financial contributions. There are various ways that this may be provided, whether on-site, off-site or through financial contributions in lieu. Some of the infrastructure proposals within the Core Strategy will be implemented by developer contributions. The Council is researching feasible approaches to inform the forthcoming Developer Contributions SPD.

6.83 This policy aims to set out the Thurrock's approach to the delivery of developer contributions. This policy will be supported by a Developer Contributions SPD that will provide greater clarity on the scope and scale of the developer contributions that may be anticipated within Thurrock.

6.84 The statutory provisions for planning obligations are found at Section 106 of the Town and Country Planning Act 1990 and the Community Infrastructure Levy Regulations 2010 (as amended). The NPPF confirms that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations, and that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. The levy regulations indicate that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- i. necessary to make the development acceptable in planning terms;
- ii. directly related to the development, and;
- iii. fairly and reasonably related in scale and kind to the development.

6.85 The Government is currently proposing to revise the way that developer contributions are collected. The Community Infrastructure Levy (CIL) would enable local authorities to levy a standard charge on new development to support infrastructure delivery. Thurrock Council will amend its developer contributions regime, as and when new legislation, guidance and regulations are issued.

### **Thurrock Plans and Strategies**

6.86 Most development proposals in Thurrock will have essential infrastructure requirements, in one form or another, whether it is transport improvements or the provision of community or leisure facilities. The Council's *Infrastructure Prioritisation and Implementation Programme* identifies where deficits in facilities and infrastructure provision currently exist within the Borough and advises on the quantity and distribution of the new infrastructure that will be needed to serve any additional growth in the number of dwellings. The delivery and implementation of some of these facilities will be achieved through developer contributions from new development. The Council is currently producing a Developer Contributions SPD and CIL Charging Schedule which will inform the application of this policy.

1. Where needs would arise as a result of development, the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and in accordance with the NPPF and any other relevant guidance.
2. Through such obligations, the Council will seek to ensure that development proposals:
  - i. Where appropriate contribute to the delivery of strategic infrastructure to enable the cumulative impact of development to be managed.
  - ii. Meet the reasonable cost of new infrastructure made necessary by the proposal.
  - iii. Mitigate or compensate for the loss of any significant amenity or resource.
  - iv. Provide for the ongoing maintenance of facilities provided as a result of the development.

The wide range of matters that may be covered by obligations include:

**Education and Training** - Early Years and Childcare, Primary Schools, Secondary Schools, Sixth Form Provision, Higher Educational Provision, School Transport, Adult Learning, Safer Routes to School, Vocational training in employment, Employment of local residents

**Community, Cultural and Social Infrastructure** - Library Services, Community Centres (including Places of Worship), Youth Facilities, Emergency Services (Police Service, Essex Fire and Rescue, Health Care, Ambulance Services), Public Art, Recreational and Leisure Facilities including Open Space, Play Equipment and Pitches

**Environment/ Climate Change** - Renewable Energy Additions, Biodiversity and Landscaping, Green Infrastructure, Greengrid, Carbon Offset Fund, Flood defense infrastructure, District Energy Networks

**Other Utilities and Communications** - Including water and waste water

**In terms of national policies** National Planning Policy Framework paragraph 103 applies and provides that;

- '103. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- (a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - (b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - (c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

NPPF paragraph 103 has been applied to preserve and protect the Coventry Stadium and Peterborough Speedway tracks from development.

### **Green Belt**

Arena Essex is designated as a Green Belt site.

Its use for Speedway is compatible with its designation as a Green Belt site.

The early proposals for a Thurrock Data Centre are not compatible with the Arena Essex site's Green Belt designation.

### **Aveley Football Club**

When planning permission was sought for the development of the Aveley Football Club ground national and Thurrock Council policies were applied.

As a result the creation of a new football stadium was required as a condition of planning permission for the development of the Club's old football ground and stadium.

### **Proposed s.106 Budget for 2018 Arena Essex Planning Application (18/01671/FUL)**

To make its proposed development acceptable in planning terms the previous owner of the Arena Essex site proposed a s.106 budget of approximately £29 million.

Any s.106 budget for the Arena Essex site will be sufficient to make provision for Speedway in accordance with the relevant requirements, policies and precedents.

### **Coventry Stadium Appeal Decision (Appeal Ref: APP/E3715/W/23/3322013)**

The Coventry Speedway Stadium was the target of speculative property development.

At the Planning Committee meeting in November 2022 every member of the Planning Committee voted against the application which was refused.

The Applicant appealed the decision.

After a site visit and a hearing of 9 days during which the evidence of 22 witnesses was heard, the Planning Inspector appointed by the Secretary of State dismissed the Appeal.

Paragraph 103 of NPPF was applied in the Appeal Decision of 19 January 2024 which found in favour of Speedway, preserved the Speedway track and dismissed the Appeal against the Planning Committee's refusal of the landowner's planning application.

### **East of England Showground Planning Application**

The East of England Showground which had been the home of the Peterborough Speedway Stadium for over 50 years was the target of speculative property development.

At the meeting of the Peterborough City Council Planning and Environmental Protection Committee on 15 October 2024 planning permission for the development of a Speedway track site paragraph 103 of the National Planning Policy Framework was applied and the application refused.

The Council resolution made express references to Speedway and NPPF paragraph 103.

Details are in the public domain. An article reporting the refusal was published on the Planning Magazine website on 17 October 2024.

We believe that a land use proposal not in accordance with the protection of sporting facilities set out in national and local policies should be refused.

We also believe that the protection of Speedway facilities set out in the Coventry Stadium Appeal Decision is a precedent which applies to the Arena Essex site.

We also believe that any application for development of the Arena Essex site should have regard to the refusal of planning permission of the Speedway track on the East of England Showground site.

**Q2:** Do you have any information about the local area and local environment which you suggest we consider?

Your answer

Thurrock does not have sufficient sport and leisure facilities.

Speedway clubs have been important members of sporting landscapes up and down the UK for nearly 100 years.

Their contribution to providing safe, exciting sports events that have been enjoyed by generations of fans is undeniable.

Speedway is a big loss to Thurrock residents.

Its loss is regional, national and international.

Speedway was the highest quality and best attended spectator sport in Thurrock for 35 years from 1984.

In that time Arena Essex Hammers / Lakeside Hammers;

- won the Knock Out Cup in 1991 and 2009
- reached the Elite League play off finals in 2008
- regularly appeared on live broadcasts on Sky Sports.

Arena Essex Hammers / Lakeside Hammers teams have included riders who have between them;

- won the individual world speedway championship 8 times
- been runner up in the individual world speedway championship 3 times
- won 22 Speedway Grand Prix
- won the world best pairs championship once
- won the world team cup 9 times
- won the under 21 world speedway championship 3 times
- won the British Championship 8 times
- won the Swedish Championship 17 times
- won the Polish Championship 4 times
- won the British under 21 championship 5 times
- won the world longtrack championship 7 times.

The Arena Essex track was licensed by the Fédération Internationale de Motocyclisme (FIM), motorcycle sport's international governing body, to hold World Championship events and hosted the world under 21 team cup semi-finals in June 2012.

It hosted the British under 21 Championship in 2009, 2011 and 2012.

It also hosted the two best attended speedway meetings in the UK other than Grand Prix events in the last 30 years (Lakeside v Poole (2008) and the Lee Richardson Memorial (2012)).

Speedway in Thurrock has supported and been supported by numerous sponsors, many of them local. The Royal Navy was the sponsor in the 2010 and 2011 seasons.

Speedway in Thurrock enjoys a significant social media reach.

For example;

**Council backing for speedway return published on 26 January 2023**

Minimum reach: 51,300.

**Report on the end of the housing planning application / Arena Essex sold published on 29 October 2023**

Minimum reach: 95,930.

**Thurrock Hammers Submission to the Local Plan as part of the Local plan Consultation Process 22 February 2024**

Minimum reach: 114,583.



**Q3:** Do you have any ideas you would like to share about how we could support local community initiatives?

Your answer

Speedway clubs have been important members of sporting landscapes up and down the UK for nearly 100 years.

Their contribution to providing safe, exciting sports events that have been enjoyed by generations of fans is undeniable.

At Arena Essex there is an opportunity for a speedway club to make substantial and valuable contributions to the physical and mental health wellbeing of local residents.

Speedway, more broadly, can offer facilities that address social cohesion, including countering anti-social activities, increase educational provision and substantially improve the quality of local leisure provision.

The Speedway club appointed a Community Liaison Manager in 2009 and ran community events for 10 years until the club's eviction by the landowner in 2018.

Those events were focused on supporting educational and charitable objectives, improving inclusion and establishing sporting links.

The Community Liaison programme attracted corporate sponsorship and established a framework that was copied by Speedway clubs around the country.

Thurrock Hammers' land use proposal for Speedway at the Arena Essex site includes added community value.

Google could support Thurrock Hammers to deliver its planned local community initiatives.

**Q4:** Do you have any thoughts on how our proposals could deliver recreation and amenity improvements in the areas around the lake?

Your answer

For the reasons set out in the answers to questions 1-3 above the Speedway track should be preserved or a new one created on the Arena Essex site.

Any new track as required by the relevant policies and precedent could be located around the lake and satisfy any amenity improvements required.

**Q5:** Are you aware of any local organisations or schools that might be interested in partnering with Google?

Your answer

Thurrock Hammers has a history of delivering community benefits and is interested in partnering with Google to preserve Speedway in Thurrock and deliver added community value in its land use plan.

A Thurrock Hammers director chairs the Strategy Board for Next Top Boss in Thurrock which is an enterprise competition for Thurrock school children. This is a long standing and award winning initiative to benefit the community.

Thurrock Hammers through its participation and support of Next Top Bos in Thurrock is well connected with the local education system and well placed to develop its work with the assistance of Google.

A London organisation dedicated to assisting the lives of challenging young people and their families has expressed an interest in working with us.

A large nearby Comprehensive School has already expressed an interest in using one of the community services planned.

The Thurrock Hammers land use plan includes specific local needs identified by Thurrock Council.

Discussions about delivery are ongoing.

**Q6:** Please leave any further comments or suggestions you have here.

Your answer

By complying with local and national policies and precedent the Arena Essex site presents an opportunity for all parties, Google, the local community and Speedway.

To do so Google should liaise and engage fully with Thurrock Hammers.