

Bury Metropolitan Council

FAO: Helen Leach

By email only

13th October 2023

Planning Practice Guidance: Non-statutory consultees

Paragraph 022 Reference ID: 15-022-20140306

Application Reference: 70071

Site: RADCLIFFE LEISURE CENTRE, SPRING LANE, RADCLIFFE M26 2SZ

Proposal: Erection of new secondary school alongside supporting sports facilities, car parking, landscaping, site infrastructure, new access road and associated access infrastructure

Sport England Reference: PA/23/NW/BUR/65673

Summary

Non-Statutory consultee role

Sport England **objects** to this application as it is not considered to meet any of the exceptions to our Playing Fields Policy or to accord with paragraph 99 of the National Planning Policy Framework (NPPF).

We may reconsider this position should amended/additional details be provided to address the following points.

- An amended plan to show a Sports Hall compliant with Sport England standards for a 4-court badminton size hall of 690sqm.
- An amended plan to show the provision of a 3G full size pitch to Sport England standard of 106m x 70m.
- Justification of need for 3G pitch.
- Specification to show that the 3G pitch will be World Rugby Reg 22 compliant.
- An amended plan to show a marked out mini football pitch provision on the proposed natural turf grass area 61m x 43m.
- Justification for the reduction in size of the proposed MUGA.
- With regard to the sports hall, more details of the timetabling for proposed temporary provision for the continuity of sport and how this is to be secured.
- Agreement to a Grampian style condition or similar legal mechanism related to the delivery of the Radcliffe Civic Hub swimming pool and gym.
- Technical specifications of all new sports facilities (indoor and outdoor) to meet Sport England and the relevant National Governing Body of Sport design guidance.
- Details of noise survey.
- Details of floodlighting for the AGP's.
- Details of ball strike assessment.
- Further information regarding the future use of the land to the east of the site.

Thank you for consulting Sport England on the above proposal.

Sport England – Non-Statutory consultee role and policy

It is considered that the proposal would affect playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).

As the playing field appears not to have been used for at least five years, the consultation with Sport England has been considered as non-statutory.

Notwithstanding the non-statutory status of the consultation, we have assessed the proposal in light of the National Planning Policy Framework (NPPF), in particular paragraph 99, and Sport England's Playing Fields Policy, which is presented within our 'Playing Fields Policy and Guidance Document':

www.sportengland.org/playingfieldspolicy

A lack of use of a playing field, or part of, should not be taken as necessarily indicating an absence of need in an area. Such land can retain the potential to provide playing pitches to meet current or future needs.

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field land remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England the development as a whole meets with one or more of five specific exceptions.

The Proposal and its Impact on playing field

The proposal is for the erection of new secondary school alongside supporting sports facilities, car parking, landscaping, site infrastructure, new access road and associated access infrastructure. The whole site area is cited as 6ha. The proposal includes new sports facilities;- a sports hall, activity studio and designated changing rooms, a 3G playing pitch, a 2G short pile playing pitch and a hard surfaced 3 court multi-use games area (MUGA). The sports facilities would be made available for use by the community outside of school hours. A dedicated entrance is included for community use.

The site contains approximately 3.56ha of playing field:



Natural turf playing field = 2.69ha



Non turf playing field = 0.87ha



Although formerly a secondary school, the existing site is formed in part by a leisure centre and temporary swimming pool and the total sports facilities as indicated in Active Places Power as:

- Temporary 4 lane, 25m swimming pool (consistent 1.2m depth)
- 4 badminton court sports hall 690sqm also containing 1 x basketball court; 1 x volleyball court; and 2 x cricket nets
- Small hall 306sqm marked out with 1 badminton court
- 34 station gym
- 1 x MUGA with tennis court markings

All aside from the MUGA are fully accessible to the public and operated by Bury Leisure.

The former school facilities included: a natural turf athletics track; cricket pitch; 2 x non-standard sized natural turf football pitches; a hard surface track; 4 x floodlit tennis courts.

There is an area of existing playing field which is indicated outside of the application site of approximately 1ha:



It is noted that the proposal includes an access into this area of land and is indicated for an 'area for future development' however no information has been provided in relation to what that development might be. As this is playing field land, Sport England would wish to see it used for sporting purposes and potentially for turf playing pitches. As it is included in the application site red edge, a better understanding of the proposed use is required and if any loss proposed, that would need to meet at least one of the Exceptions of the Playing Field Policy.

The proposal is stated to provide for 'significant betterment' in terms of sports provision in the form of those facilities which will be provided both on this site and through the relocation of the swimming pool, gym and activity studio to the Radcliffe Civic Hub with the addition of a climbing wall. The on-site reprovision is based on non turf playing field facilities as stated above.

Provision:

The replacement school will provide sports facilities as follows:

- 3G All-weather Pitch (long pile) 97m x 61m (5,917sq.m) indicated for football and rugby use
- 2G All-weather Pitch (Short pile) 66.76m x 48m (3,260 sq.m) indicated for football (x2 5a side) and hockey (x1 7a side) use
- Informal Grass Area (3,185 sq.) not marked out for sport
- Hard Surfaced 3 court MUGA – indicated for Basketball x 3; netball x 3; and tennis x 3 use
- Sports Hall 3 court (504 sq.m) – indicated for Basketball x1; Badminton x 3; 5 a side football x 1; Volleyball x 1; cricket nets (quantity unknown)
- Activity Studio (121 sq.m)

The submitted Planning Statement cites the replacement provision of the following facilities at the now approved Radcliffe Civic Hub:

- x2 Activity Studios (174 sq.m and 144 sq.m)
- Gym / Fitness Suite (499 sq.m) (100 stations)
- Main Swimming Pool, 25m (Permanent) (329 sq.m) and Learning Pool (150 sq.m)
- Climbing Wall 156 sq.m.

Loss of Playing Field Summary:

As a result of the proposal the total area of playing field land which will be lost is 3.56ha with the replacement reprovision of playing field in the form of the outdoor sports provision is 1.4ha, as such a net total of **2.16ha** of playing field will be lost.

Assessment against Sport England's Playing Fields Policy and NPPF

Sport England considers proposals affecting playing fields in light of the National Planning Policy Framework (NPPF) (in particular Para. 99) and against its own Playing Fields Policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England Policy Exceptions	
E1	A robust and up to date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.
E2	The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.
E3	The proposed development affects only land incapable of forming part of a playing pitch and does not: ▪ reduce the size of any playing pitch; ▪ result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);

	▪ reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality; ▪ result in the loss of other sporting provision or ancillary facilities on the site; or ▪ prejudice the use of any remaining areas of playing field on the site.
E4	The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field: ▪ of equivalent or better quality, and ▪ of equivalent or greater quantity, and ▪ in a suitable location, and ▪ subject to equivalent or better accessibility and management arrangements.
E5	The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

Sport England has considered the proposals with regard to the specific exception criteria identified in the above policy and made the following assessment:

E1: Does not apply, Sport England understands that a reliance on Exception 1 is not the applicant's position, however there is no evidence to suggest that the playing field affected is not needed and no evidence has been provided.

E2: Does not apply as the overall proposal is for an educational not a sporting purpose and the development cannot be considered as ancillary.

E3: Does not apply, as the proposal does affect land that could form a playing pitch.

E4: The replacement playing field proposed in the form of the informal grass area; 3G pitch; 2G MUGA; is insufficient to meet this exception. Total existing playing field to be lost is 3.56ha with the replacement reprovision of playing field in the form of the outdoor sports provision is 1.4ha, as such a net total of **2.16ha of playing field will be lost**. The proposal is based on a 'betterment' in the provision of the type of playing pitches and sports facilities, particularly the AGP pitches and it is the applicant's case that the facilities would improve the current on-site provision. However even if that were accepted, which currently is not as discussed later in this response, the facilities are insufficient to meet the quantitative requirement.

E5: Although the existing site is in part a leisure centre, the proposal is for an educational facility on playing field land therefore, although some sporting facilities are proposed and which will be available for community use, it is considered that E5 could not practically apply in this case.

The National Planning Policy Framework paragraph 99 states that 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.

In this case the proposal is assessed against NPPF paragraph 99 b).

Assessment of Need:

The existing Bury Playing Pitch Strategy (PPS) is now out of date and a fresh PPS is being undertaken by the Council. Limited weight should be afforded it, however, given this is the current evidence it is useful its findings are included.

There is currently an insufficient supply of football and rugby pitch provision in the area, including 3G pitch provision.

In relation to Tennis, sufficient supply was identified with a need to increase participation through community accessible courts.

In relation to cricket the PPS identified some shortfall in match equivalent sessions but overall there was found to be sufficient supply of cricket provision.

In relation to hockey sufficient supply existed with some weekend capacity shortfall.

In relation to athletics, the findings focused on securing the sustainability of Bury Athletics Club to enable long term improvements to existing facilities currently at Market Street Track.

For Netball, although enough outdoor provision was identified, the increase in recreational netball was considered a priority. The latter more likely to take place indoors.

The overall strategic conclusions of the PPS included aims to protect playing field sites through local planning policy, maximise community use of education facilities where there is a need to do so, improve quality, work in partnership with stakeholders to secure funding, rectify quantitative shortfalls in the current pitch stock and identify opportunities to add to the overall stock to accommodate both current and future demand.

It should be noted that whilst the school playing fields are identified as 'disused' in the PPS, this does not alter the way in which Sport England assesses the impact of development that may prejudice their use or future use in its application of the Playing Fields Policy.

Consultation with National Governing Body's for Sport:

Sport England has a memorandum of understanding with the pitch sport National Governing Bodies and consults with them on planning proposals. On this occasion, in relation to the submitted addition information, Sport England has consulted with the Football Foundation (FF); Rugby Football Union (RFU); England Athletics; England and Wales Cricket Board (ECB); Rugby League; Lawn Tennis Association (LTA); Badminton England (BE); Volleyball England; Basketball England; Swim England; England Netball; England Hockey those responses received are summarised as follows: –

Football Foundation: Generally supportive of the need for a 3G pitch but require further technical information to be satisfied that the proposed pitch and changing provision would conform to FA standards and be fully available for community use.

Rugby Football Union: Reiterate the shortfall in rugby pitch provision and 3G provision and would encourage that the 3G pitch is World Rugby Regulation 22 compliant to secure rugby union provision for pupils.

Lawn Tennis Association: Identify a strategic need for tennis and padel tennis in the area and encourage the facilitation of indoor padel tennis.

Basketball England: Concerned that the reduction from a 4 to a 3-court facility would result in the loss of a full-size basketball court in an area where there is an under supply.

Badminton England: Facility has a strong club use and the reduction to a 3-court facility would be harmful to provision in an area of demand. Sport England is currently in discussion with Badminton England to establish the club base in the locality.

ECB: No knowledge of cricket use at the site and informal cricket envisaged at new facility.

Summary:

The proposal does not meet the terms of Exception 4 of the Playing Fields Policy. Sport England could consider the proposal as a departure from this policy if it was demonstrated that there was significant benefit to sport to outweigh the policy objection. However the current proposal does not demonstrate such benefit for the following reasons:

- Sports Hall – Sport England object to the proposed size of the sports hall as 3-court 504sqm. This view is supported by the NGB's for basketball and badminton and will effectively limit its use, in particular by the community. Sport England require the sports hall to be 690sqm 4 court to ensure that this is equitable to the facility being lost. The slightly bigger size allows for courts to comply with the relevant National Governing Body standards to allow community club match play. If courts don't comply with the required size, then clubs may not be allowed to play matches at that venue.

It should be noted that the new Civic Hub leisure facility does not include a sports hall and is for a swimming pool; climbing wall; fitness studio. Sport England therefore require maximum sport hall provision – 4-court 690sqm – in this case.

The following design guidance is available:

<https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/sports-halls-design-and-layouts-2012.pdf?VersionId=KyzONJCF57nztCdd36uQjUctReCIT2g5>

Currently there appears to be minimal options for private changing which will potentially have a negative impact on levels of participation particularly among girls.

There are no details in relation to the internal height clearance which needs internal 7.5m minimum for Club and Community and this needs clarifying. External height is 9.6m.

The applicant should provide additional detail in the form of timetabling of activities and locations in order to provide a deeper understanding of how the continuity of sport will be achieved following the facility closure and before the permanent school is on site.

- Leisure Centre: The site currently accommodates a temporary Leisure Centre. The submission states that the temporary leisure centre is scheduled to remain open until late 2023. The new Civic Hub development is stated to be scheduled for completion in Winter 2024. Sport England will require a legal mechanism to be satisfied that the planned Civic Hub which includes the reprovided swimming pool, will be delivered and to an agreed timescale. Currently there is no assurances that this will be achieved.

In addition, the applicant should provide additional detail in the form of timetabling of swimming/aqua activities and locations in order to provide a deeper understanding of how the continuity of sport will be achieved following the facility closure and before the permanent school is on site.

- 3G Pitch: Sport England object to the pitch size which is required to be a standard full size of 106m x 70m. In addition further information will be required to establish that it will be playable for rugby and technical details are needed as to its construction.

The existing natural turf playing field has the capacity to provide 2 x U15/U16 pitches and a U9/U10 mini pitch as well the area to the northeast of the site which has formerly provided a hard surfaced pitch but of a size that could also provide for a U15/U16 pitch. In addition the natural turf area was overmarked for athletics and a cricket pitch.

Any replacement 3G facility would need to demonstrate that it can provide for all age groups; is fully accessible and provide for club and community and to this end, the applicant should provide a programme of use.

The Football Foundation has stated a need for them to understand how the facility will be available to serve clubs and the community.

Details will be needed in relation to:- ball strike with particular regard to the proximity of the proposed pitch to the adjacent tram infrastructure; noise and floodlighting with particular regard to the potential impact on the nearest residents and property.

- MUGA: Sport England object to the proposed size of the MUGA which replaces a 4-court facility. Further information is needed to justify the reduction and with regard to technical details of its construction.

The MUGA needs to meet Sport England's 'Artificial Surfaces for Outdoor Sports' design guidance and the Sports and Play Construction Association (SAPCA) guidance for MUGAs.

- 2G Pitch: More on justification is required in relation for the need for a 2G surface and hockey provision. The PPS, albeit out of date, did not identify a need for additional pitches in the Bury area.
- Grassed Area: Sport England notes reference to a 'Soft Informal; grassed area for outdoor play. If this is to be included in overall justification this needs to be provided as FA standard mini pitch and demonstrated by being marked out on an amended drawing.

Sport England's Position

Given the above, Sport England **objects** to the application because it is not considered to accord with any of the exceptions to our Playing Fields Policy or paragraph 99 of the NPPF. For Sport England to consider the proposal acceptable, it will need to be demonstrated that there are significant overriding benefits to sport provision and to the wider community to outweigh its inability to meet the policy exceptions, in particular Exception 4.

Potential to overcome the objection

- An amended plan to show a Sports Hall compliant with Sport England standards for a 4-court badminton size hall of 690sqm.
- An amended plan to show the provision of a 3G full size pitch to Sport England standard of 106m x 70m.
- Justification of need for 3G pitch.
- Specification to show that the 3G pitch will be World Rugby Reg 22 compliant.
- An amended plan to show a marked out mini football pitch provision on the proposed natural turf grass area 61m x 43m.
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- With regard to the sports hall, more details of the timetabling for proposed temporary provision for the continuity of sport and how this is to be secured.
- Agreement to a Grampian style condition or similar legal mechanism related to the delivery of the Radcliffe Civic Hub swimming pool and gym.
- Technical specifications of all new sports facilities (indoor and outdoor) to meet Sport England and the relevant National Governing Body of Sport design guidance.
- Details of noise survey.
- Details of floodlighting for the AGP's.
- Details of ball strike assessment.
- Further information regarding the future use of the land to the east of the site.

I feel that given the issues that are associated with the site it would be helpful to arrange a meeting by Teams or in person, to discuss Sport England's position. If you agree please contact me to make the necessary arrangements.

Notwithstanding the objection from Sport England there is a need to agree the conditions. However much of these will be relating to matters as yet not agreed and it may be more helpful to discuss those first if a meeting takes place. If not, I will send a further document to supplement this current response, with those

conditions set out. As such I would appreciate your confirmation of whether a meeting will be required.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agenda(s), report(s) and committee date(s). Please notify Sport England of the outcome of the planning application.

Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State, via the Planning Casework Unit.

If you would like any further information or advice, please contact planning.north@sportengland.org

Yours sincerely

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