

70002 – Site of Radcliffe Leisure Centre, Spring Lane, Radcliffe

Thank you for consulting Sport England in relation to additional information in relation to the above planning application.

Summary: Sport England **maintains its objection** to the proposal as it considers the proposal does not meet any of the Exceptions of the Playing Fields Policy and paragraph 99 of the NPPF.

An assessment of the proposal is set out below.

Sport England - Statutory Role and Policy

It is understood that the site forms part of, or constitutes land last used as playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).

However, as the playing field has not been used for at least five years, the consultation with Sport England would not be a statutory requirement.

Notwithstanding the non-statutory nature of the consultation Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 99) and against its own playing fields policy, which states:

'Sport England's 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's Playing Fields Policy and Guidance document can be viewed via the below link:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

Sport England' applies its policy to any land in use as playing field or last used as playing field and which remains undeveloped, irrespective of whether that use ceased more than five years ago. Lack of use should not be seen as necessarily indicating an absence of need for playing fields in the locality. Such land can retain the potential to provide playing pitches to meet current or future needs.

Sport England also assesses this type of application in light of the National Planning Policy Framework (NPPF) and against its own planning objectives, which are Protect - To protect the right opportunities in the right places; Enhance - To enhance opportunities through better use of existing provision; Provide - To provide new opportunities to meet the needs of current and future generations. Further information on the objectives and Sport England's wider planning guidance can be found on its website:

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport>

Additional Information

- Email to LPA from Tetrattech dated 20th September 2023 – Ref: 784-B047825
- Response to Sport England Consultee Comments by Tetrattech

The Proposal and Impact on Playing Field

The playing field impact has been set out in Sport England's previous response and I refer you to that.

In response to comments made by Tetrattech in their submitted document 784-B047825:-

Playing Field:

- Sport England reiterates the view as outlined in the previous response with regard to the loss of playing field. 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. Development which prejudices the use of playing field is opposed as ultimately it will result in its loss.

The existing MUGA on site is not of a standard size of football pitch and does not constitute playing field.

Sport England, whilst noting the applicant's comments with regard to the changing room provision, does not agree that the existing provision could not provide a supporting facility for the playing fields. The existing building is capable of doing so and once removed that available function would not exist and as the applicant explains, is not proposed in the new temporary school.

Leisure Centre:

- Sport England should clarify that the reference to a temporary facility is in relation to the swimming pool only and the pre-existing facilities which formed part of the school site are not included in that.

It is Sport England's understanding that the completion of the Civic Hub will be later than that stated in the applicant's response. Regardless of this Sport England will still require a legal mechanism by which there is certainty with regard to its delivery.

Sport England's concerns regarding the continuity of sport and leisure provision following demolition of the existing facility remain.

The existing sports hall is declared as a 690sqm 4-court facility on Active Places Power and Sport England will require its like for like replacement. It is noted that the applicant suggests that this can be discussed as part of the application for the permanent school. Whilst Sport England accepts that this can be done, we nevertheless have concerns regarding the assurance of the permanent school's delivery on site and object to the loss of the existing appropriately sized 690sqm sized sports hall and its replacement with a smaller version.

Continuity of Sport:

- Further information is needed to establish that the identified alternative sites have availability across the peak periods and/or whether the impact of increased demand will be detrimental to their use. The applicant has provided a broad description of the strategy for continuity of sport provision without timetabling details.

The applicant has provided an assessment of impact which includes what is being proposed in the permanent replacement school which is not part of this current application and does not form part of the overall assessment.

Assessment is made against the Playing Fields Policy Exceptions E1- E5 as follows:

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, it has not been demonstrated that there is an excess of playing pitches and leisure facilities in terms of school or community playing pitch provision, there is no evidence to suggest that the playing fields and sports facilities affected are not needed.

E2: Does not apply.

E3: Does not apply.

E4: No replacement playing field or sports facilities are provided as part of this proposal. Until such time as replacement playing field is agreed, Sport England maintains its objection to this temporary facility as it results in a prejudicial impact on playing field which has not been addressed in the proposal.

E5: Does not apply, the proposed development is not for a sport facility.

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.

Based on the above assessment the proposal does not meet any of the policy exceptions in Sport England's Playing Fields Policy or paragraph 99 b) of the NPPF because the area of playing field as set out in Sport England's previous response and sports facilities lost – including swimming pool and sports hall - would not be adequately replaced.

Consultation with National Governing Body's for Sport

For NGB responses please refer to Sport England's previous response.

Additional Advice - Active Design 3

For advice in relation to Active Design please refer to Sport England's previous response.

Conclusion

Whilst Sport England is aware of the overall Council ambition to deliver a permanent new secondary school on the site - which would include sports facilities and pitches - and deliver the Civic Hub in Radcliffe town centre; until such time as the permanent school has been agreed

through a planning application, and a legal guarantee has been presented to ensure that the lost playing field and sports facilities will be adequately replaced, Sport England will need to maintain its objection to the current application for the demolition of the existing school buildings/temporary leisure centre and the erection of a temporary school building and associated infrastructure.

Given the above assessment, Sport England **maintains its objection** to the proposal as it considers that it does not meet Sport England's Playing Fields Policy or paragraph 99 of the NPPF.

If this application is to be presented to a Planning Committee, Sport England would like to be notified in advance of the meeting date(s) and the publication of any agenda(s) and report(s). Sport England would also like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

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.

Sport England