

Bury MBC

FAO: Dean Clapworthy

By email

16th July 2024

Town & Country Planning (Development Management Procedure) (England) Order 2015

Application Reference: 70284

Site: EAST LANCS PAPER MILL CRICKET CLUB, Cross Lane, Radcliffe M26 2RF

Proposal: Application for reserved matters approval (appearance, landscaping, layout and scale) for the erection of 400 dwellings, relocation of cricket pitch, including a pavilion, practice nets and scoreboard and including all details required to discharge the following conditions from application 67597; 9 (Acoustic Attenuation); 11 (Surface Water Drainage Proposals); 13 (WSI for Archaeology); 14 (Bat Roost Assessment); 15 (Bat Survey for New Cricket Club Site); 16 (Otter Assessment); 18 (Bird Survey for New Cricket Club Site); 19 (RAMS for Badger Habitat); 20 (Invasive Species Report); 21 (Water Framework Directive Assessment); 22 (No Negative Impacts on River Irwell Ecology); 23 (Landscape & Habitat Creation Details); 24 (Affordable Housing Scheme); 25 (Recreation Scheme); 27 (Phasing Plan); 28 (Internal Road Pattern Details); 29 (Scheme of Levels, Drainage & Modelling to support Approved FRA); 31 (FFL's of Dwellings); 32 (River Irwell Buffer Zone Details); 37 (Replacement Cricket Club Facilities); 39 (Highway Details); 40 (Scoot at Water Street); 41 (Parking Strategy); 44 (Travel Plan).

Sport England Reference: PA/24/NW/BUR/66570

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

Summary: Sport England **maintains its objection** to this application as it has not been demonstrated to meet our adopted Playing Fields Policy or NPPF Para. 103.

A full summary and potential resolution is set out below.

Sport England – Statutory Role and Policy

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 103), 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'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

The Proposal and Impact on Playing Field

The proposal is a reserved matters application for residential development of 400 dwellings and includes the relocation of a cricket pitch and facilities as indicated by condition 37 of the outline planning permission 67597.

The original submission included Drawing No. PL0-P3 – Cricket Club Area, which showed the precise relocation of the existing cricket facility, this is now superseded by Drawing 1149-002 Rev R Proposed Cricket Site Layout. Further drawings; – 1149-001 Rev J Plan and Elevations as Proposed; 1149-006 Cricket Net Plans & Elevations; 1149-007 – Proposed Scoreboard External Store; provide details of the individual facilities proposed. No information in relation to the continuity of cricket delivery has been provided.

The proposal includes a car parking for 42 vehicles and 3 accessible spaces.

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. 103) 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 in terms of school or community playing pitch provision, there is no evidence to suggest that the playing fields affected are not needed.

E2: Does not apply, the proposal affects the quantity or quality of playing pitches.

E3: Does not apply, the proposal affects land forming a playing pitch.

E4: Has the potential to apply as the proposal includes a proposal to replace the playing field which would be lost as a result of the development in accordance with E4 criteria.

E5: The proposal is for a residential proposal and does not meet this criteria.

The National Planning Policy Framework paragraph 103 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 regard the proposal has the potential to meet b) of paragraph 103 of the NPPF.

Consultation with National Governing Body's for Sport

Sport England has a memorandum of understanding with sport's National Governing Bodies and in that case has consulted with the Football Foundation (FF) and England and Wales Cricket Board (ECB) regarding the latest information. Their responses received are summarised as follows and should be read in conjunction with their previous advice in Sport England's response sent 24th January 2024: -

FF:

- *Sport England had suggested the applicant propose 'a revised layout to include the area to the east of the cricket facility to be identified as playing field with an indicative mini pitch football pitch marked out.' The revised the plans instead show a mini 5v5 football pitch within the cricket outfield, rather than on the land to the east, not meeting the purpose of the point. (To establish playing pitch provision on the land to ensure it the protections of SE Playing Field Policy in future and to offer greater securities for the club over its use and function).*

- *The option for mini 5v5 pitches on the outfield to facilitate football use of the site and to boost revenue generating opportunities for the cricket club is also very welcome to be considered and could be delivered in addition to a pitch to the east. The outfield has sufficient space to accommodate 2-4 mini 5v5 pitches if needed. The mini 5v5 pitch shown in the plans meet FA guidance in terms of layout and dimensions.*
- *FF recognises that this proposal is fundamentally for the reprovision of an existing cricket facility to be lost, therefore the needs of ECB and the cricket club should shape the appropriateness of the proposal in the first instance. FF comments are advisory and seeking additional opportunity to wider benefit local football clubs in terms of playing space, and the resident cricket club in terms of increased site usage and revenue generation streams.*

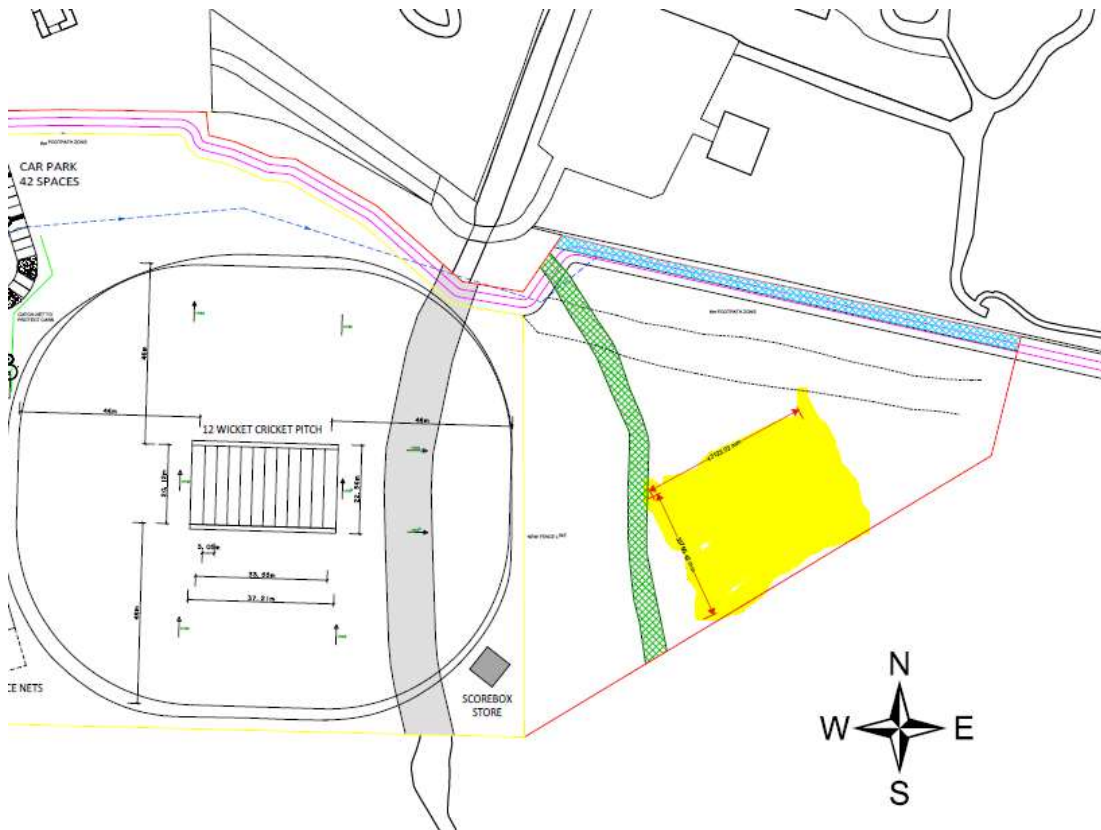
ECB:

- *From the previous response (24th Jan 2024) there are 2 items still outstanding. Firstly the detailed construction plan for the cricket ground and then the specification of the cricket nets.*
- *We note the small-sided football pitch on the outfield. It would not be the club's position to allow football straight away, but it is something they would consider once the ground conditions are known.*

Evidence Base – Playing Pitch and Outdoor Sport Strategy

Sport England refer to the LPA's adopted Playing Pitch Strategies or Playing Pitch and Outdoor Sports Strategies as evidence base to identify specific requirements for sports provision. It is noted that the Bury PPOSS is in draft form, but that it has identified shortfall in football provision as indicated in the response from the Football Foundation and given its advance stage of preparation, is considered as reliable to enable full considerations of pitch provision in the area.

With regard to the request of the Football Foundation, below is an indication of the approximate area where it would be preferable for a mini 5v5 football pitch to be sited. Sport England would welcome further discussion with the LPA and/or the applicant to this end. There is the potential to identify this land indicatively a playing field to enable a planning condition on this reserved matters proposal, to offer it protection for pitch sports that would then allow the cricket club some flexibility for its future use for either football or cricket. Whilst Sport England cannot insist on its provision, we encourage it as a viable opportunity to deliver much needed playing field land for pitch sports in this area.



Conclusions and Recommendation

Having assessed the proposal against Exception 4, Sport England is of the view that, subject to further information as required by the ECB, the proposal has the potential to broadly meet its requirements of Exception 4 and to discharge condition 37, however, further information needs to be submitted to demonstrate that there will be sufficient replacement sports facilities to an accepted standard.

As such, currently the proposal does not provide sufficient information to meet the requirements of the Playing Field Policy Exception 4 and paragraph 103 of the NPPF and Sport England needs to **maintains its objection** to the proposal.

Potential Resolution:

The following needs to demonstrate how the proposal meets Exception 4 and enable Sport England to recommend condition 37 discharge:

- Further details of the non turf practice facility to meet ECB technical requirements.
- Further specification and details of the cricket pitch construction to meet ECB technical requirements.
- Information with regard to the continuity of cricket provision prior to the availability of the proposed replacement pitch and club facilities and clarification of specific timing of pitch and facility delivery.

Informative – Playing Field Identification

The land to the east of the site as shown on the attached Drawing 1149-002 Rev R – as annotated in orange by Sport England, shall be identified for playing field use.

*Reason: In the interests of the provision of additional playing field for the benefit of sport facility delivery and to accord with Development Plan Policy **.*

Sport England – Additional Advice

Sport England promoted the use of Active Design to encourage activity in everyday lives and further advice to inform the final design of the proposal can be found here:

<https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design>

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 agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

Please note that this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.

Any further information or correspondence should be forwarded to planning.north@sportengland.org

Yours sincerely

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