

Thank you for consulting Sport England on the above application.

Summary: Sport England raises **no objection** to this application which is considered to meet paragraph 99(c) of the NPPF and Exception 5 of our adopted Playing Fields Policy, **subject to a condition** for a Community Use Agreement

An assessment of the proposal and reason for the condition with wording 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 paragraph 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'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?section=playing_fields_policy

The Proposal and Impact on Playing Field

The proposal is for a full size (106m x 70m) 3G Artificial Grass Pitch (AGP) with sports lighting and rugby shockpad, storage container, single storey pavilion and 83 space car park. The proposed AGP will be located on an area of the playing field that currently accommodates a variety of football pitches. The site plan shows the AGP with a small sided natural turf football pitch marked out to the south of the proposed AGP, the car park and new pavilion extending into the playing field, and 3 natural turf football pitches marked out to the west and north of the proposed AGP.

Assessment against Sport England Policy

This application relates to the provision of a new outdoor sports facility on the existing playing field at the above site. It therefore needs to be considered against Exception 5 of Sport England's policy, which states:

'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.'

I have therefore assessed the existing and proposed playing fields against the above policy to determine whether the proposals meet Exception 5.

Sport England has assessed the potential benefit of the new AGP and ancillary facilities by taking into account a number of considerations. As a guide, these include whether the facility:

- meets an identified local or strategic need e.g. as set out in a local authority or NGB strategy (rather than duplicating existing provision);
- fully secures sport related benefits for the local community;
- helps to meet identified sports development priorities;
- complies with relevant Sport England and NGB design guidance;
- is accessible by alternative transport modes to the car.

Also considered were any potential negative impacts of the AGP. For example, it is unlikely that a loss would be acceptable if:

- it would result in the main user being unable to meet their own minimum requirements for playing pitches.
- other users would be displaced without equivalent replacement provision;
- it would materially reduce the capability and flexibility of the playing field to provide for a range of sports and natural grass playing pitches; or the area of playing field is significant in meeting local or strategic needs.

Strategic Need and Sporting Benefits of the AGP

Having consulted with the Football Foundation (FF), and with reference to the supporting information supplied by the applicant, the proposal meets the majority of the above points and there are no negative impacts on existing provision.

The Football Foundation (Facilities Planning Manager) has provided the following comments:

1. This project is being developed through the Football Foundation (FF) 3G pitch framework and is one that we will be looking to take forward a funding application for. Consequently, we are content that the design and construction meets FA/FF technical specifications by way of our regulation through the framework process. We are aware of the proposal and are fully supportive.
2. Design and specification have been developed in consultation with FF TPM and is supported. Surplus generated through the 3G FTP is proposed to be reinvested in the maintenance and improvement of grass pitches onsite which are evidenced by PitchPower report as poor quality.
3. Consultation with local rugby clubs of both codes has been undertaken and there is an identified need and desire from Bury Broncos to use a 3G pitch in this area of the Borough. The programme of use is proposed to include use by Bury Broncos RL for training, supported by the rugby shockpad.

As the technical specification includes a rugby shockpad both the Rugby Football Union (RFU) and Rugby Football League (RFL) were consulted as the supporting information did not make it clear which rugby code was intended. The RFL had not responded at the time of writing and the RFU confirmed there was no current demand from Rugby Clubs locally. However, the Football Foundation confirmed Bury Broncos Rugby League would use the AGP for training.

To ensure the sporting benefits of the proposal are implemented in order to comply with Policy Exception E5, a Community Use Agreement is required that should be secured by condition. It should be noted that although the Football Foundation will require a Usage Agreement as part of their conditions of award, that agreement only runs for the duration of the grant award and does not form part of the planning process. A Community Use Agreement required by condition can be enforced through the planning process and runs for the duration of the development. Wording of the condition is set out below.

Conclusions and Recommendation

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to meet paragraph 99(c) of the NPPF and Exception 5 of the above policy. The absence of an objection is subject to the following condition and informative being attached to the decision notice should the local planning authority be minded to approve the application:

Condition Community Use Agreement

Use of the development shall not commence until a Community Use Agreement, prepared in consultation with Sport England, has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the Artificial Grass Pitch and Sports Pavilion, reconfigured natural turf grass pitches and car parking, and include details of pricing policy, hours of use, access by non-partner club users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement, and for the duration of the development.

Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy [insert relevant local plan policy] and paragraph 99 of the NPPF.

Informative: Guidance on preparing Community Use Agreements is available from Sport England.

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

For artificial grass pitches it is recommended that you seek guidance from the Football Association on pitch construction when determining the community use hours the artificial pitch can accommodate.

If you wish to amend the wording of the condition, or use another mechanism in lieu of the condition, please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.

Sport England would also like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

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

Planning Manager – North West