

From: Sharron Wilkinson
Sent: 25 August 2023 11:22
To: Planning Folder New
Subject: App No: 23/00368/FUL - Proposed Ground Mounted Solar Array at E M E B Sports and Social Club, Nutts Lane, Hinckley - Sport England ref: PA/23/EM/HIN/65353

Dear Christopher Brown,

Thank you for consulting Sport England on the above application.

Summary: Sport England **objects** to this application which is not considered to accord with any of the exceptions to Sport England's playing fields policy or with Paragraph 99 of the NPPF in that the proposal would lead to the loss of playing field land in an area where a surplus in the provision of playing fields cannot be demonstrated.

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 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.

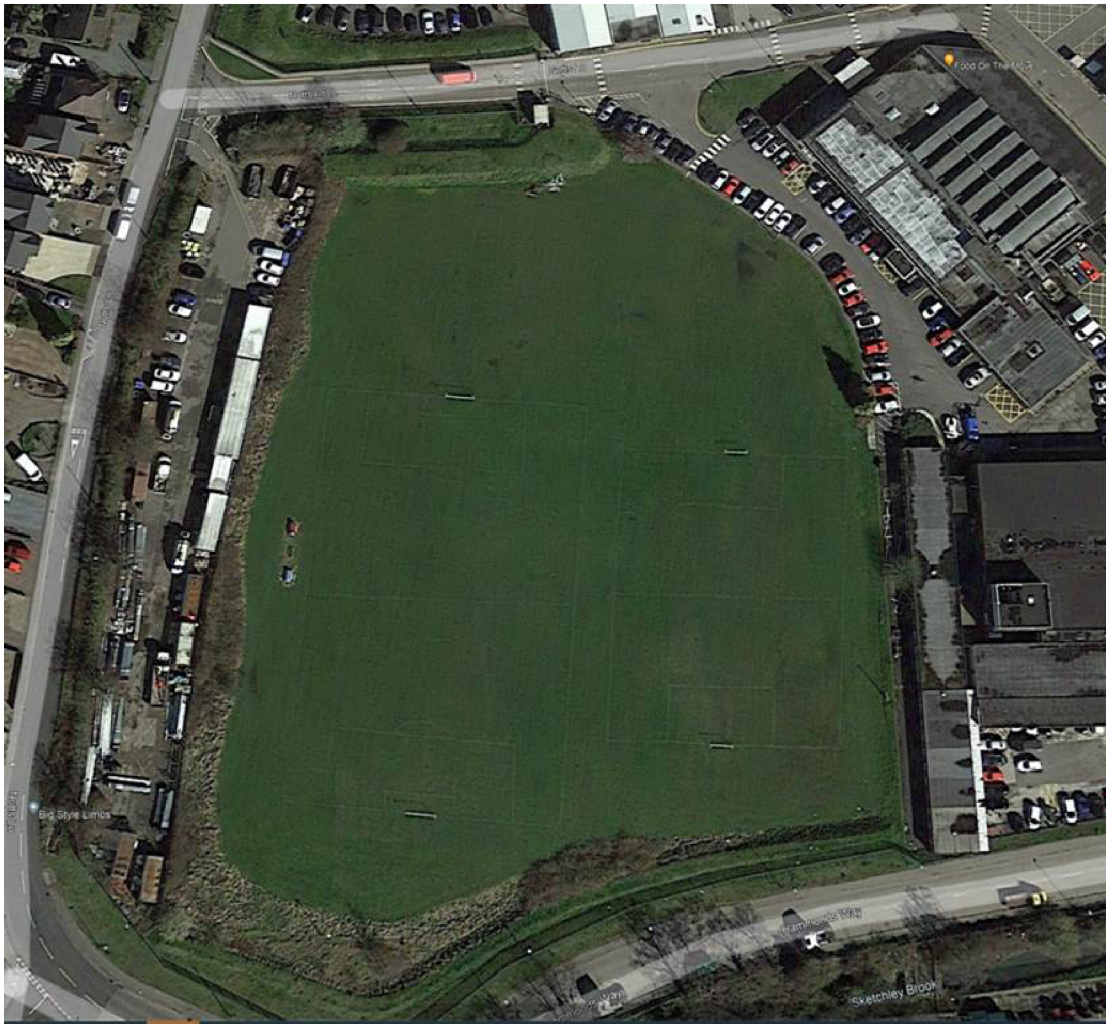
Sport England considers proposals affecting playing fields in light of the National Planning Policy Framework (NPPF) (in particular paragraph 99 and the presumption that playing fields should not be built on) and against its own playing fields policy, which is presented within its 'Playing Fields Policy and Guidance Document.' www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of all/part of a playing field. Exceptions to this policy are contained in the Playing Fields Policy Document.

The Hinckley and Bosworth Borough Council Playing Pitch Strategy Assessment Report (March 2019) (PPS) provides the evidence base for playing fields as required by paragraphs 98 and 99 of the NPPF.

The Proposal and Impact on Playing Field

The proposal would involve the construction of ground mounted solar panels. As shown in the google aerial imagery below (2018) the proposed solar array would result in the loss of the whole of the playing field land which has previously been marked out with football pitches. Sport England's Active Places Power database includes the site (Hammond Park) as providing an 11v11 junior football pitch and a 7v7 football pitch for community use which have access to changing facilities and car park. For this site, the database was last updated on 5 January 2023 and states that currently there are no grass pitches marked out on the site.



As stated above, the proposal would result in the loss of 1.3 hectares of playing field land. The planning definition of playing field is the whole of the site that contains a pitch. Sport England's Playing Fields Policy covers the entire playing field site and not just the areas currently marked out with pitches. This is because playing field is seen as a resource for pitches to be marked out on, repositioned to allow areas of the playing field to rest from over play, and to change from one pitch sport type to another to meet demand.

As part of the assessment of this proposal Sport England has sought the views of the Football Foundation (FF) who act as Sport England's technical advisors in relation to football and its facilities. A summary of their comments is provided as follows:

- Pitches were marked out on this site in the 2018 Google Earth image.
- The Hinckley and Bosworth BC PPS (2019) indicates that the site has very limited or no commercial usage at the time of writing due to poor pitch quality impacting on the desirability of the venue. The site acts as an overspill venue with free capacity at weekends and peak slots. There is a need for football pitches in the area with Hinckley Borough FC and FC Burbage playing across multiple sites or even having to leave the catchment area to play. Overall, the analysis has demonstrated that supply in the Borough is very closely balanced with demand both across the week and at peak time. This situation is particularly apparent in youth, 9 v9 and 7 v7 pitches, but even for adult and 5v5 pitches, the amount of spare capacity is relatively limited especially with team numbers predicted to grow.
- Due to the local demand for pitches, coupled with the desirability of the site and limited spare capacity, off site mitigation would need to be provided to compensate against the loss of these playing pitches. One option would be the creation of new grass pitches elsewhere in the catchment.

Assessment against Sport England Policy/NPPF/Development Plan Policy

The proposal would lead to the loss of the whole of this playing field site. The proposal therefore needs to be considered against the exceptions in Sport England's policy which accord with the specified justifications included in paragraph 99 of the NPPF which both protect playing fields from being built on.

Of Sport England's playing field policy's five exceptions – two could potentially cover the proposed development:.

Exception 1 and paragraph 99a) of the NPPF

Exception 1 allows the loss of playing field where 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 would remain the case should the development be permitted.

The application site is included in the Hinckley and Bosworth BC Playing Pitch Strategy (2019) (PPS) and is known as Hammonds Park. The report states that there are 2 7 v 7 pitches and 1 9v9 pitch of standard quality. The site inspection included details of the low standard quality of the pitches and the lack of existing community use. The summary of the site was that it had the potential to accommodate more play for football as the site received minimal community use and served as an overspill venue.

The PPS confirms that supply in the borough is very closely balanced with demand and the declining pitch quality and lack of security of tenure having an impact on the capacity of sites. The PPS concludes that there is a need to protect all existing pitches if football participation is to be retained. The pitches at Hammond Park were existing at the time of writing the PPS and so are included in this statement – “need to be protected.”

The comments made by the Football Foundation in association with the County FA confirm that there is a need for football pitches in the area with Hinckley Borough FC and FC Burbage both playing across multiple sites or even having to leave the catchment area to play. They agree with the findings of the PPS in that supply in the Borough is very closely balanced with demand both across the week and at peak time. This situation is particularly apparent in youth, 9 v9 and 7 v7 pitches, but even for adult and 5v5 pitches, the amount of spare capacity is relatively limited especially with team numbers predicted to grow. The FF also confirm that there is a need for off site mitigation to be provided before it can be agreed that this site can be lost.

In light of the conclusions in the PPS and the comments made by the Football Foundation, a surplus of playing field provision in the area cannot be demonstrated to meet exception E1 of Sport England's policy exceptions or paragraph 99 (a) of the NPPF.

Exception 4 and paragraph 99b):

Exception 4 of the Sport England's Playing Fields Policy states:

'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.'*

It is therefore necessary to assess the existing and proposed playing fields against the above policy to determine whether the proposal would meet Exception 4. To meet E4, replacement must represent a genuine replacement i.e. creation of a new playing field. Improvements to existing playing field do not represent a genuine replacement because the quantity element of the exception has not been addressed only the quality element. The quantity element can be addressed by bringing into use areas of an existing playing field that are currently incapable of supporting a pitch or pitches without significant works, or creating new playing field on land that is not currently playing field. These areas must be assessed by a suitably qualified sports turf specialist/agronomist to provide the evidence required to show these areas will represent a genuine replacement of playing field.

From the information submitted with the planning application there is no reference to the playing field land being replaced. As such, the proposal would be contrary to exception 4 of the Sport England's Playing Fields Policy and with paragraph 99(b) in the NPPF.

Conclusion

Given the above assessment, Sport England **objects** to this application which is not considered to accord with any of the exceptions to Sport England's playing fields policy or with Paragraph 99 of the NPPF in that the proposal would lead to the loss of playing field land in an area where a surplus in the provision of playing fields cannot be demonstrated..

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.

Possible Resolution:

- Submission of further information showing how the 1.3 hectares of playing field land to be lost as a result of the proposed development along with car parking provision and changing rooms would 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 in a suitable location with equivalent or better accessibility and management arrangements.

Sport England would be pleased to comment on any further documents/amended plans which address the above comments. In providing any further information, Sport England would ask that the applicant submits this to the local planning authority and not to Sport England directly. That way it forms part of the planning application submission and its associated audit trail. The local planning authority can then consult Sport England on receipt of this information.

Yours sincerely,

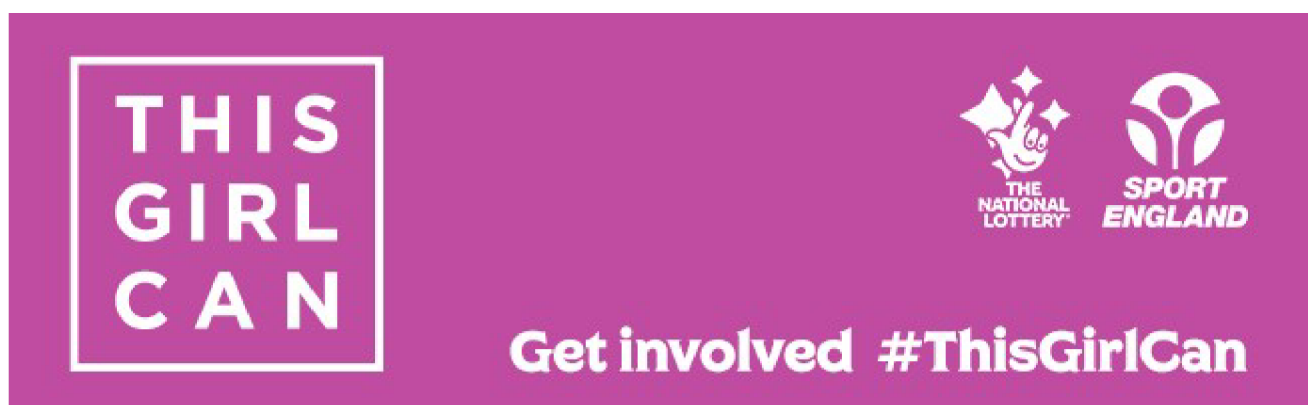
Sharron Wilkinson

Planning Manager, Planning & Active Design

Sport England

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[Redacted address]



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