

By email only

16 September 2026

**Town & Country Planning (Development Management Procedure) (England)
Order 2015 / National Planning Practice Guidance**

Application Reference: 26/00509/NMA

Site: Westfield Farm, Keats Lane, Earl Shilton, LE9 7DS

Proposal: Non material amendment to planning permission 22/00446/CONDIT to allow for a fence in place of the cricket netting, minor adjustment to the location of the NEAP and creation of two ponds at a size of 150m²–200m² and a minimum depth of 1.5m for GCN habitat creation to the rear of Plots 1 to 8

Sport England Reference: PA/26/EM/HIN/74889

Thank you for consulting Sport England on this application.

Sport England – Statutory consultee role and policy

As a statutory consultee, Sport England has considered the application against the National Planning Policy Framework (NPPF), including Policies HC7 and P4, and Sport England's Playing Fields Policy: www.sportengland.org/playingfieldspolicy

The Proposal and its Impact on the playing field

The residential scheme granted approval under ref: 22/00446/CONDIT required the development to be carried out in strict accordance with the cricket ball stop netting drawing (EARL-CN-01) submitted on 1.10.2018 (Condition 1). Condition 2 required the netting as detailed on the Cricket Netting Details drawing (EARL-CN-01) to be erected along the full length shown on the Planning Layout Rev F before the first occupation of Plots 633-643 and to be maintained and retained for the life of the development.

The aspect of application ref: 26/00509/NMA relevant to Sport England is the proposal to amend the approved cricket ball stop netting drawing. The Cricket Pitch Netting Drawing (ref: 3187-CAN-001 Rev A) shows details of an amended cricket boundary fence comprising of a minimum 2.0 metre high green powder coated metal fence with posts and wire mesh, along approximately 120 metres of

the boundary. Drw ref: 3187-CAN-001 Rev A describes the alignment as following the “legal boundary.”

A Cricket Ball Strike Assessment produced by Labosport (13.04.2026) accompanies the amended application.

Any reduction in the height or change in the alignment of cricket boundary protection could prejudice the safe and effective use of the adjoining playing field if the revised details are not appropriately located, secured and maintained.

Assessment against Sport England’s Playing Fields Policy and NPPF

The proposal is sited adjacent to a playing field and therefore needs to be assessed against the exceptions in Sport England’s policy and the specified justifications included in Policies HC7 and P4 of the NPPF which seek to protect playing fields and established sports facilities from development that would prejudice their use.

Of Sport England’s playing field policy’s five exceptions, E3 is potentially relevant. This allows developments which affect 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.

Keats Lane Playing Field is identified in Hinckley and Bosworth’s Playing Pitch and Outdoor Sport Strategy (2025) (PPS) as being a key site for cricket. It has a good quality grass wicket square, a non-turf pitch and is used by Earl Shilton Cricket Club. The PPS’s Action Plan recommends that the site is protected and enhanced.

Sport England has consulted the England and Wales Cricket Board (ECB) on the proposed amendment. The ECB notes that the results of the Labosport Ball Strike Risk Assessment conclude that the vast majority of risk from cricket ball strike would be addressed through the construction of a 2-metre-high fence. On that basis the ECB confirm that they are satisfied with the amended fence height proposed.

However, the ECB has raised concerns about the proposed fence alignment. The application form states that the 2.0-metre-high green metal fence would be constructed along the same line as the proposed cricket net. Drawing 3187 CAN 001 Rev A, however, appears to show the fence on a different alignment from the approved cricket netting shown on Drw No: EARL-RPSL-0001 Rev F. That approved drawing, referenced in condition 2, shows the cricket ball netting along a hatched green line and “set out between the existing landscaped boundary and adopted road.” This discrepancy must be resolved before the amendment is approved.

Policy P4 in the NPPF 2026 requires that the operation of an existing facilities such as sports clubs should not have unreasonable restrictions placed on their current or permitted operation as a result of development being approved after they were established. The ECB has advised that the fence should be delivered entirely on the developer’s land consistent with the ‘agent of change’ principal. The applicant must also remain responsible in perpetuity for the fence’s maintenance, upkeep and replacement. The ECB’s position is that the residential development must not result in any prejudicial impact, financial liability or maintenance burden for the cricket club.

Sport England considers that the proposal would meet exception 3 of Sport England’s Playing Fields Policy and the requirements of Policy HC7 and Policy P4 of the NPPF (2026) provided the revised 2-metre-high mesh fence was constructed along the hatched green line as shown on approved Drawing No: EARL-RPSL-0001 Rev F.

It appears that the plots referred to in Condition 2 of permission ref: 22/00446/CONDIT may already be occupied and that the approved cricket ball stop netting as detailed on the Cricket Netting Details drawing (EARL-CN-01) has not been erected in accordance with that condition. Condition 2 should therefore be amended to require the revised fence details are constructed along the full length of the approved alignment shown on Drawing No: EARL-RPSL-0001 Rev F within a timely manner and no later than three months from the date of the decision notice. The fencing should then be maintained and retained for the lifetime of the development.

Sport England’s Position

For the reasons set out above, Sport England raises **no objection** to the application subject to the revised 2.0-metre-high mesh fence being constructed along the hatched green line shown on approved Drawing EARL-RPSL-0001 Rev F and Condition 2 of permission 22/00446/CONDIT being amended accordingly. The amended condition should require the fence to be delivered within a timely

period, and no later than three months from the date of the decision notice, maintained and retained for the lifetime of the development, and kept as the applicant's responsibility in perpetuity.

Sport England therefore requests that the local planning authority confirms the approved alignment before determining the application and secures the amended fencing by condition in the terms set out above.

Please contact me if you wish to discuss the above further.

Yours sincerely,

Sharron Wilkinson, MRTPI
Planning Manager, Sport England