

Hinckley and Bosworth Borough Council.

FAO: Laura Ashton

By email only

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Planning Practice Guidance: Non-statutory consultees – Paragraph 022

Reference ID: 15-022-20140306

Application Reference: 25/01192/FUL

Site: EMEB Sports and Social Club, Nutts Lane, Hinckley, LE10 0NT

Proposal: Erection of an industrial/logistics unit within flexible B2/B8 Use Class (General Industrial/Storage and Distribution) with associated landscaping, yard, parking, access and other supporting infrastructure

Sport England Reference: PA/25/EM/HIN/72693

It is understood that the proposal would lead to the loss of use of playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). Playing pitches were marked out on this site in 2018 (see Google Earth image below) and the site was included in the Hinckley and Bosworth BC Playing Pitch Strategy (2019) as having very limited or no commercial usage at the time of writing the PPS due to poor pitch quality impacting on the desirability of the venue.

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. The database has recently been updated on 28 February 2025 and the database now states that the site closed in 2018.



It is agreed that from the information held by Sport England from a previous planning application submitted for the site that for the purposes of the 2015 Order the application site has not been used as playing field within the last five years. As such, Sport England is a non-statutory planning consultee on this planning application submission.

Nevertheless, the five-year rule in the 2015 Order mentioned above is just for the purpose of consulting Sport England, it does not mean that a site loses its lawful use. The existing lawful use of the site remains as playing field. There has not been a material change of use of the application site. The requirement of paragraph 104 of the NPPF (2024) is that *“existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on”* unless one of the three exemption criteria applies. Paragraph 104 does not differentiate between used or unused playing fields. Nor does it differentiate between playing fields in public or private ownership.

As discussed in the Planning Statement (December 2025) submitted with the application and information included on the application form, the existing use of the application site is a playing field as defined in Annex 2 of the NPPF. There is no evidence or argument put forward of any other lawful land use. The recent

planning permission granted at the site for a solar array has not been implemented.

As also discussed in the Planning Statement, most of the application site is designated as Site HIN45 in the Site Allocations and Development Management Policies DPD (2016) – as outdoor sports facility designated within Policy DM8 (Safeguarding Open Space, Sport and Recreational Facilities).

The Proposal and Impact on Playing Field

The proposal would involve the construction of a Use Class B2 & B8 warehousing building (General Industrial/Storage Distribution) with ancillary offices, associated landscaping, yard, parking, access and supporting infrastructure. The proposal would result in the loss of the whole of this 1.3 hectare playing field. 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.

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 104 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 104a) 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.

Sport England has been involved in a pre-application enquiry for the proposal. As discussed in the enquiry response 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 27 v 7 pitches and 19v9 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 Council has recently adopted a revised Playing Pitch and Outdoor Sport Strategy (2025) (PPS). Hammonds Park is included in the PPS as being a disused site which previously provided grass pitches but has now been lost for the construction of ground mounted solar array.

The PPS does show that there are deficiencies in the current supply/demand and future supply/demand of grass football pitches, 3G football pitches and cricket pitches in the Hinckley area.

The Football Foundation (FF) has commented that the PPS shows a current shortfall of youth 9v9 pitch capacity amounting to 2.5 match equivalent sessions per week. When factoring in future demand, the overall shortfall increases to 7.5 match equivalent sessions per week. Mini 7v7 pitch capacity in the area has actual spare capacity amounting to five match equivalent sessions per week. When factoring in future demand, a shortfall is created to 0.5 match equivalent sessions per week. The largest shortfall in the area is for youth 11v11 pitches. There is a current shortfall of youth 11v11 pitch capacity amounting to 12 match equivalent sessions per week. When factoring in future demand, the overall shortfall increases to 18 match equivalent sessions per week.

The FF has previously commented 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. The FF confirm that there is a need for offsite mitigation to be provided before it can be agreed that this playing field site can be lost and so they would object to the current proposal.

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 104 (a) of the NPPF.

The Council's Playing Pitch Strategy Assessment Reports provide the evidence base for playing fields as required by paragraphs 103 and 104 of the NPPF.

Exception 4 and paragraph 104b):

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. Reference is made to a recent planning permission being granted at the site for a solar array. As set out above, *"the protection of open space, sports and recreational land is a key policy of the Framework which carries significant weight in the [planning] balance."* Whilst a previous proposal for renewable energy has been approved at the site, any proposal which differs from this approval would need to be weighted accordingly in the planning balance against the requirements of paragraph 104 of the NPPF and the Council's Development Plan Policies that playing fields should not be built on.

The FF has previously stated that 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 or an off-site planning contribution towards increasing grass pitch provision or 3G pitch provision in the area. Sport England publishes sports facility cost guidance (Latest costs are Q3 2025) on how much would need to be invested to build and maintain different sports facilities. It is important to note that these costs do not include land acquisition costs:

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

Based on the information contained within the planning application submission, an area of playing field land would not be provided of equivalent or better quality and quantity in a suitable location to replace the area which would be lost as required by exception 4 of Sport England's Policy and Paragraph 104b) of the NPPF.

The proposal would lead to the loss of playing field which would not be replaced. Therefore, the proposal would be contrary to exception 4 of the Sport England's Playing Fields Policy and with paragraph 104(b) of the NPPF.

Conclusion

Given the above assessment of the information submitted with the application, Sport England's position is to raise a **non-statutory objection** to the planning application as it would not accord with any of the exceptions to Sport England's playing fields policy or with Paragraph 104 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.. There would also be conflict with the Council's Development Plan Policies which offer the same protection to playing fields.

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 pre-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, MRTPI
Planning Manager, Sport England