

From: Sharron Wilkinson <Sharron.Wilkinson@sportengland.org>
Sent: 02 February 2024 16:53
To: Planning Folder New
Cc: Planning Application Comments
Subject: App No: 24/00017/FUL: Replacement of 3G Artificial Turf Pitch (3G ATP) and associated works at Hinckley Rugby Club, Hinckley - Sport England ref: PA/24/EM/HIN/66643

Dear Emma Baumber,

Thank you for consulting Sport England on the above application.

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 2015 Order). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (NPPF) (in particular paragraph 103 that playing fields should not be developed), 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.

The Proposal and Impact on Playing Field

The proposal would involve the refurbishment of an artificial turf pitch surface (3G ATP). A new pile carpet partially in-filled with silica sand and granulate rubber would be laid over a shock pad. The shock pad would allow use of the AGP for rugby as well as football. The proposed site plan shows that the surface of the ATP would be reduced from 106 x 71m to 97 x 61m and that approximately 1220m² of ATP would be returned to grass.

The ATP would be surrounded by a 4.5 metre high perimeter fencing with a 1.2m high rebound panel incorporated into the lower section of the fence. A hard surface spectator area would be created on the eastern boundary of the AGP along with a maintenance equipment storage unit. Six floodlighting columns, each to a height of 15 metres, would be constructed along the eastern and western boundaries of the AGP with 14 no. LED luminaires.

The Design and Access Statement includes details of the containment measures to be incorporated into the proposal to contain the Styrene-butadiene rubber (SBR) infill material. The refurbished AGP, storage area and spectator area would be constructed on playing field.

Prior to preparing this response Sport England has sought the views of the Football Foundation (FF) and Rugby Football Union (RFU) on the planning application. These National Governing Bodies for Sport act as Sport England's technical advisors in relation to their sport and to their sport's facilities.. The comments received from the FF and RFU are summarised as:

Football Foundation (FF)

- The proposed project complies with the FF's technical guidance.
- The surface would be installed over a stiffened shock-pad that allows other sports to be played on the same facility so the facility would be suited for rugby activities too. The surface is World Rugby 2016 Artificial Turf Performance Specification – June 2020 compliant.
- Whilst the usage is predominantly for football, the 3G pitch is used by Hinckley Rugby Club for its 'Hinckley Hares' walking rugby team which has 40 members, mainly male and female retirees. It is also used for non-contact rugby training if grass pitches are not available due to poor weather.

- The information on containment provided within the Design and Access Statement is sufficient and in line with FF requirements and this will be conditioned within the grant award letter.
- As the proposal has been identified for FF funding, the applicant has undertaken community engagement to formalise a programme of use for the facility. The FF has also consulted with RFU as part of the community engagement process.
- The community engagement was led by the Club's Sports Development Office who already interacts with existing users of the 3G.
- A site development plan is also being developed with the support of the FF to ensure the site will contribute to the National Football Facilities Strategy outcomes framework.
- This is a project being supported by Leicestershire & Rutland FA through the FF application process, therefore the FF and County FA are fully supportive. The project was identified within the LFFP as a strategic priority. In addition to the 3G, a new changing pavilion is currently under construction that will service the site.

Rugby Football Union (RFU)

- The proposed pitch would have 4m run off areas. The RFU recommend a 5m run off for training and games. The Club would need to carry out a Risk Assessment prior to each session to mitigate the risk with a reduced run off.
- The RFU confirm that the AGP construction is acceptable and that the pitch would be WR reg 22 compliant.
- The proposed containment measures are sufficient.
- A detailed Community Use Agreement would be required between HRFC and Leicestershire FA.

Assessment against Sport England Policy/NPPF

The application relates to the construction of an outdoor sports facility on an area of playing field at the above site. It therefore needs to be considered against exception 5 of Sport England's policy (which accords with Paragraph 103 c) of the NPPF), Exception 5 states that:

'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.'

The Hinckley and Bosworth Playing Pitch Strategy (2019) (PPS) includes the application site and states that this 3G pitch, built in 2006, is the only full size 3G pitch in the Borough. Due to the condition of the facility, the ATP is not included on the FA register. Issues are raised in the PPS with regards to the lack of use of this ATP and a dispute at the site regarding ownership.

The proposal would involve the much needed refurbishment of this facility through the replacement of the pile carpet along with new fencing and lighting. The installation of a stiffened shock-pad below the surface would allow other sports to be played on the facility as well as football. The surface would be compliant with the World Rugby 2016 Artificial Turf Performance Specification – June 2020 and so suited for rugby activities .

One of the key issues for rugby in the PPS is that all club bases were found to be heavily used when taking into account training. The need for access to a 3G World Rugby Compliant AGP at for Hinckley RFC was raised as a consideration. The construction specification proposed as part of this planning application would allow for some rugby training to take place on the ATP.

One of the key issues for football raised in the PPS was the lack of access to 3G pitches in the Borough. This 3G pitch at Leicester Road (the subject of this planning application) was recorded as being largely unused. The requirement for at least 5 full sized AGPs in total in the Borough was included in the key issues. Based on the findings of the PPS there is a strategic need for the refurbishment of the ATP to meet the demands for rugby and football.

However, of concern, is the proposed reduction in size of the ATP. The proposed site plan shows that approximately 1220m² of the ATP would be returned to grass and that the surface of the ATP would be reduced to 97m x 61m. The Design and Access Statement is silent on the reasons why the new pitch would measure below the recommended dimensions of 106 x 70m for a full sized ATP. The proposed site plan does show that multiple pitch markings would be provided on the AGP although many of these would fall below the recommended sizes set by the FA but they would be acceptable for match play use. The proposed community pitch measuring 91m x 55m would meet local league requirements. However, the ATP could no longer be marked out for two 9v9 training sessions to take place. The RFU has also raised a concern that the recommended 5 metre run off for training and games could not be

achieved and so the Club would need to carry out a Risk Assessment prior to each session taking place to mitigate the risk with a reduced run off.

The proposal to reduce the size of the ATP is disappointing particularly as the ATP is the only facility in the Borough and there is a need for football and rugby to use this facility as identified in the PPS. The measurements proposed would be below the FA's standards and the RFU's standards. However, as confirmed by the FF and the RFU the specification of the ATP would comply with the FF's technical guidance and provide a WR reg 22 compliant rugby facility whereas the current facility does not comply with any technical guidance. The proposed measurements of the refurbished ATP would also meet local league requirements. Other sports can still take place on the grass pitches around the proposed site and these would be unaffected by the refurbished ATP.

In addition to the above, as recognised in the PPS, the current ATP is underused due to the condition of the facility and issues with access. There is a need for a planning condition to be attached to the decision notice (if the Council is minded to approve the application) to ensure that a Community Use Agreement is agreed for the facility which includes key partners being signatories to this agreement to allow the ATP to be used to its full potential for multiple sports including football and rugby.

Based on the evidence above, whilst the reduction in size of the ATP is of concern, the proposal for an ATP which meets the FF's technical guidance and provides a WR reg 22 compliant rugby facility, along with a condition requiring the approval of a Community Use Agreement would, on balance, meet exception 5 of Sport England's playing fields policy and paragraph 103c) of the NPPF in that it would constitute the development of an outdoor sports facility which is of sufficient benefit to sport to outweigh the loss of playing field. The proposal would not adversely affect the use of the adjoining grass playing pitches.

Conclusions and Recommendation

In light of the above, Sport England has **no objections** to the proposal which is considered, on balance, to accord with exception 5 of Sport England's Playing Fields Policy and with Paragraph 103 of the NPPF subject to the following conditions being attached to the decision notice if the Council is minded to grant planning permission:

Condition – The development hereby approved shall be constructed in full accordance with Drws No: S23-281/DWG/0003 (Proposed Site Plan), 0008 (Elevations Plan), 0005 (Lighting Plan) and 0006 (Construction Management Plan).

Reason – To ensure that the development is fit for purpose and sustainable and to accord with the requirements in the NPPF (2023).

Condition – Prior to the development being brought into use, a Community Use Agreement shall be submitted to and approved in writing by the local planning authority, after consultation with Sport England. The Agreement shall include details of pricing policy, hours of use, access by non-members, management responsibilities and include a mechanism for review. A copy of the completed approved agreement shall be submitted to the local planning authority prior to the commencement of use of the development. The development shall not be used otherwise than in compliance with the approved agreement.

Reason – To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with guidance in the NPPF (2023).

Informatives:

1. More information on Community Use Agreements is available using the following link: <https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport/community-use-agreements>

If you wish to discuss the above please contact the undersigned.

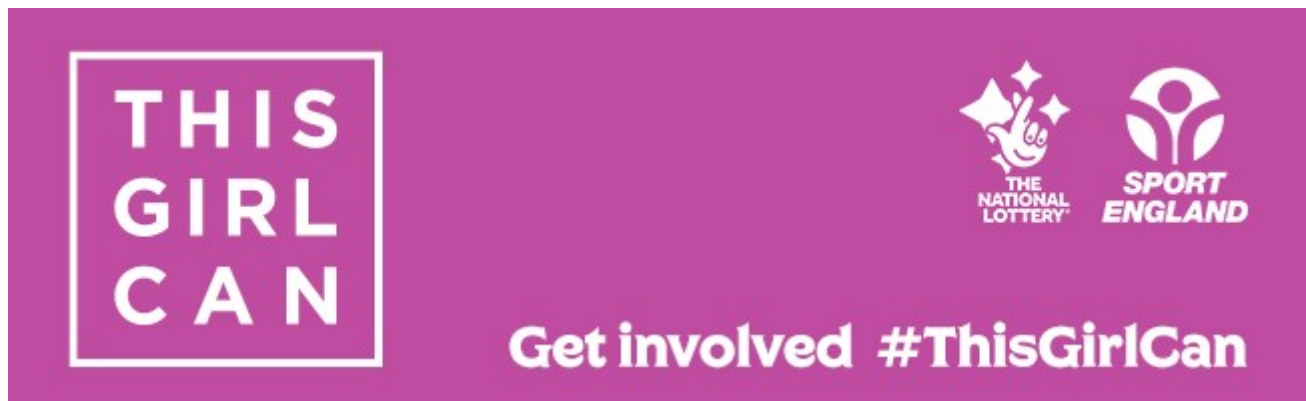
Yours sincerely,

Sharron Wilkinson MRTPI
Planning Manager, Planning & Active Environments

Sport England

T: 020 7273 1685

E: Sharron.Wilkinson@sportengland.org



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