

Hinckley and Bosworth Borough Council

FAO: Joseph Fleetwood

By email only

16th August 2024

**Town & Country Planning (Development Management Procedure) (England)
Order 2015**

Application Reference: 24/00720/FUL

Site: Ratby Sports Club, Desford Lane, Ratby, LE6 0LE

Proposal: Proposed change of use of existing sports pavilion (F2 Local community) to educational facility (F1 Learning and non-residential institutions) and external alterations including amendments to windows and doors and the installation of render and cedar cladding.

Sport England Reference: PA/24/EM/HIN/68315

Thank you for consulting Sport England on the above application.

Sport England – statutory consultee role and policy

We understand that you have consulted us as a statutory consultee in line with the above Order. Therefore, we have considered the application in light of the National Planning Policy Framework (NPPF), in particular paragraph 103, and Sport England's Playing Fields Policy, which is presented within our '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 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. The exceptions are provided in the Annex to this response.

The proposal and impact on playing field

The proposal involves the conversion of the existing cricket pavilion at Ratby Sports Club into an educational facility. This would replace existing temporary teaching facilities which are located in the car park at Ratby Sports Club. It is understood these temporary teaching facilities relate to application 21/00691/FUL.

Assessment against Sport England's Playing Fields Policy and NPPF

The proposal will result in the loss of an ancillary facility which supports the use of the playing field. The proposal could therefore prejudice the use of the playing field. The cricket pavilion includes changing provision, bar/ kitchen and ancillary accommodation.

As part of the assessment of this application Sport England has sought the views of the ECB and Football Foundation. Their views have been summarised as:

ECB:

- The existing pavilion has not been used by Ratby CC for many years.
- The central pavilion needs to be completed as a sports pavilion.
- The previous planning application proposed to convert central pavilion changing areas into classrooms and SE, ECB & FF objected as they wouldn't work for sport. Is this previous application now being amended to complete the pavilion for sport?
- Temporary changing has been in place for some time and the need for a permanent solution is long overdue.
- No ball strike concerns as the facility won't be in use when cricket is played in the evenings and weekend and security shutters are proposed on the doors/ windows.

Football Foundation:

- Anstey Nomads use the site regularly and have ambitions to develop the site further for better community use.
- The FF and Leicestershire & Rutland FA do not anticipate any implications of just the south pavilion being used for sport and community use. Access and parking is already established at the site, as is the dynamic between parking for the sports clubs and school. The FF are not aware of any flood risks to the site.
- The development of the unfinished pavilion at the south of the site is within the PPS for Hinckley and will likely be considered in a refreshed LFFP. The pavilion would serve multi-sport outcomes for both cricket and football. The FF and Leicestershire & Rutland FA are supportive of the proposal on the basis that changing provision is retained at the north pavilion until the south pavilion has been completed to support community users.

The Design and Access Statement advises that the unfinished sports pavilion to the south of the site, referred to as the southern pavilion, would be completed as set out in the extant planning approval and the cricket facilities moved into the completed sports pavilion prior to the conversion of the northern cricket pavilion into an educational facility. The teaching facilities would then be moved out of the temporary cabins into the converted pavilion and the temporary cabins removed from the site.

Exception 1 – The information submitted doesn't seek to demonstrate that there is an excess of playing provision in the catchment, so the proposal does not meet Exception 1.

Exception 2 – The proposal would not meet Exception 2 as the proposal is not for development of ancillary facilities.

Exception 3 – The proposal affects only land incapable of forming part of a playing pitch but the proposal results in the loss of ancillary facilities on the site, the proposal therefore doesn't meet Exception 3.

Exception 4 – The proposal would not meet exception 4 as a replacement area of playing field is not proposed, the southern pavilion was intended to be in addition to the northern cricket pavilion rather than a replacement for it.

Exception 5 – The proposal would not meet Exception 5 as it does not relate to provision of an indoor or outdoor facility for sport.

The proposal does not comply with paragraph 103 of the NPPF as it has not been demonstrated that the building is surplus to requirements, the loss would not be replaced by equivalent or better provision as the southern pavilion was intended to provide an additional facility for football, and the development is not for alternative sports and recreation provision.

As outline above, the proposal does not meet any of the exceptions to our Playing Fields Policy or Paragraph 103 of the NPPF. As the proposal does not comply with any of the exceptions, Sport England's policy is to object to the application.

However, it is understood that the southern pavilion remains unfinished and that currently the northern cricket pavilion is used by the football club and the cricket club use temporary changing provision. It is not clear where the temporary changing provision is located. The FF comments advise that the completion of the southern pavilion is identified in the PPS and is likely to be considered through the review of the LFFP. If the completion of the southern pavilion to provide a dual use facility can be secured as part of the development, there is potentially a benefit to sport which may overcome Sport England's objection. The removal of the 4 temporary cabins would also enable this area of the site to be returned to car parking which would also be a benefit.

There is currently limited information available regarding the southern pavilion. It is understood that this was originally constructed to provide a clubhouse for football to separate the two sports and to allow for expansion. No floor plans have been provided showing the layout and level of ancillary accommodation which would be provided. Sport England would wish to fully understand the level of ancillary provision which would be provided at the southern pavilion and how this could support both football and cricket. As the southern pavilion was originally intended to cater just for football Sport England would wish to understand how the southern pavilion would accommodate the uses which are currently accommodated in the northern cricket pavilion.

Sport England would also wish to understand what mechanism would be put in place to ensure that the southern pavilion is completed and made available for use prior to the loss of use of the northern cricket pavilion and the timescales for completing the southern pavilion.

Sport England's position

Given the above, Sport England raises a **statutory objection** to the application because it is not considered to accord with any of the exceptions to our Playing Fields Policy or paragraph 103 of the NPPF.

Potential to overcome the statutory objection

Sport England would review this position if additional information is provided to address the following points:

- Information to demonstrate how the southern pavilion could accommodate both football and cricket and accommodate the uses which are currently accommodated in the northern cricket pavilion.
- Detail of the mechanism which would be put in place to ensure that the southern pavilion is completed and made available for use prior to the loss of use of the northern cricket pavilion and the timescales for completing the southern pavilion.

If you would like any further information or advice, please the undersigned.

Yours sincerely,

Julia Baish

Planning Manager

E: Julia.baish@sportengland.org

Annex

The Five Exceptions to Sport England's Playing Fields Policy

Exception 1

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 will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

Exception 2

The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

Exception 3

The proposed development affects 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.

Exception 4

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.

Exception 5

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 full 'Playing Fields Policy and Guidance Document' is available to view at:
www.sportengland.org/playingfieldspolicy