

Staffordshire Moorlands District Council

FAO: Chris Johnston

By email only

20/11/2024

Planning Practice Guidance: Non-statutory consultees – Paragraph 022

Reference ID: 15-022-20140306

Application Reference: SMD/2024/0400

Site: Playing Fields , Holt Lane , Kingsley , Staffordshire , ST10 2BA

Proposal: Erection of 10no. bungalows: 5no. for the over 55s and 5no. standard market.

Sport England Reference: 69096

Thank you for consulting Sport England on the above proposal.

Sport England – Non-Statutory consultee role and policy

It is considered that the proposal would affect playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).

As the playing field appears not to have been used for at least five years, the consultation with Sport England has been considered as non-statutory.

Notwithstanding the non-statutory status of the consultation, we have assessed the proposal 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

A lack of use of a playing field, or part of, should not be taken as necessarily indicating an absence of need in an area. Such land can retain the potential to provide playing pitches to meet current or future needs.

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 land 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 its Impact on playing field

The proposal at the playing fields site, Holt Lane, entails the erection of 10no. bungalows: 5no. for the over 55s and 5no. standard market. The development will result in the loss of playing field land which has been marked out for an U15/16s football pitch. It is noted that the playing field site is no longer served by car parking and changing rooms, following the residential development on the ancillary facilities which served the site.

Assessment against Sport England's Playing Fields Policy and NPPF

The proposal is for a residential development resulting in the loss of playing field land which has been marked for pitches. As such, Sport England Exception Policies E2, E3 and E5 are not relevant to the assessment of the proposal.

The Council's Playing Pitch Strategy (PPS) 2017 is out of date with it being over five years old and no review being undertaken to establish if the findings are still relevant. As such, it is unclear what the up-to-date playing pitch supply and demand issues are for the Authority and the sub area the site is located within. Based on the above, it is unclear whether there is a need to protect the site or whether any shortfalls in provision could be addressed through off site contributions i.e. pitch quality issues increasing the capacity of site to address shortfalls.

It should be noted that in consultation with the Football Foundation (responding on behalf of the County FA) that they to note that the PPS needs updating with there being an increase in team numbers within the sub area the site is located within. There has also been a variation in team numbers between the age groups.

The applicant has also not submitted any details to demonstrate that the playing field is surplus to requirement. As such, it has not been demonstrated that Sport England Exception Policy E1 and NPPF paragraph 103a has been met. The applicant has also not proposed replacement playing field provision equivalent in quantity and quality in line with Sport England Exception Policy E4.

The applicant has indicated that they are willing to mitigate for the loss of the U15/16s football pitch at the site, though they would like to understand what improvements have been made to existing sites in the last 2 years (application MD/2021/0826 at the site which was refused). The applicant also states that if

contributions are sought then this should be directed to pitch improvement to both playing fields at Kingsley and Kingsley Holt, as opposed sites that are 3.5 miles away.

In consulting the Football Foundation (FF) on the proposed mitigation, the governing body comment that according to Staffordshire FA affiliation data there are no teams playing in Kingsley and the suggested sites for grass pitch improve are recreational play areas with no pitches marked out. These sites could only potentially provide 5v5 or 7v7 football, so would not compensate for the loss of the pitch at the application site. Therefore the FF and Staffordshire FA deem that works at the proposed mitigation sites would not be a sensible use of funds. The FF suggest that possible alternative sites include Thorley Drive 2 Adult 11v11 (3.2 miles from site), Churchill Road Adult 11v11 (2.3 miles from site) and Ipstones Memorial Hall Adult 11v11 (2.9miles from site).

The Planning Statement appears to state that there could be a contribution figure of £5,000 each at the Kingsley and Kingsley Holt sites for pitch works, additional play equipment and picnic benches, is this correct? This falls below the cost of replacing the pitch proposed to be lost. No details have been provided as to the extent of pitch works proposed (and maintenance) at the mitigation sites and what impact this would have on the capacity of the site to help address playing pitch shortfalls. It is also unclear whether the schemes would be deliverable with it not being on land owned by the applicant. Account should also be had to comments made by the Football Foundation as to the appropriateness of the mitigation site in meeting shortfalls identified within the PPS 2017 (albeit out of date) and its suggested alternative sites.

Please note it is for the applicant to demonstrate compliance with planning policy and to set out any detailed mitigations proposed for the loss of provision.

Sport England's Position

Given the above, Sport England **objects** 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.

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 agenda(s), report(s) and committee date(s). Please notify Sport England of the outcome of the planning application.

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

Yours sincerely,

Rajvir Bahey
Planning Manager

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

