

**From:** Stuart Morgans [mailto:Stuart.Morgans@sportengland.org]

**Sent:** 18 December 2018 15:54

**To:** Close, Roland <Roland.Close@herefordshire.gov.uk>

**Cc:** Jackson, Ruth <rjackson@herefordshire.gov.uk>; Steve Brewster <s.brewster@worc.ac.uk>

**Subject:** RE: Sport England Response : P184032/0 - Land at Dymock Road, Ledbury

Hi Roland,

Since providing my response to you, I have now received further advice from various National Governing Bodies which I have set out below. The advice provided does not alter Sport England's comments, but is relevant to the consideration of the proposals for on-site provision of new playing fields.

Football Foundation:

- Football currently faces challenges with provision in Ledbury, with Ledbury Town FC in limbo with their ground situation (with the property developers owning it) and Ledbury Swifts occupying the rugby pitches which rugby need. This site (Gladmans) has been mentioned previously as a new home for Ledbury football and the Herefordshire County FA do feel it would be perfect to address the current challenges.
- The site has the potential to provide a solution for football but it would be useful to know if there are any challenges to developing new pitch provision on the site, or if there are any other constraints that would impact on developments.
- We would need to understand what procedures would be put in place to manage, operate and maintain the site; however, if it were to become a football specific site we would suggest a project group is formed with representatives from both clubs and the County FA.
- There have been numerous discussions over the course of this year regarding football in Ledbury and this site. From a football perspective we would appreciate having the opportunity to continue to contribute and be involved in future discussions over proposals.

RFU:

- The rugby club currently rent some of their land to one of the junior football clubs (the swifts I believe). This has caused some over use and capacity issues in recent years particularly as a former playing field that was owned by a farmer was taken from the rugby club c3 years ago. This meant that there was less playing field space available and an increase usage on the remaining pitch space. The rugby club have the freehold over their site.
- The RFU do not believe that this site would be readily utilised by the rugby club on a regular basis. This site may provide an option to relocate the Swifts which has been a long term ambition of both clubs.

ECB:

- No additional provision is required in Ledbury

Many thanks

Stuart

**From:** Stuart Morgans

**Sent:** 10 December 2018 09:11

**To:** 'rclose@herefordshire.gov.uk' <[rclose@herefordshire.gov.uk](mailto:rclose@herefordshire.gov.uk)>

**Cc:** 'Jackson, Ruth' <[rjackson@herefordshire.gov.uk](mailto:rjackson@herefordshire.gov.uk)>; Steve Brewster <[s.brewster@worc.ac.uk](mailto:s.brewster@worc.ac.uk)>

**Subject:** Sport England Response : P184032/0 - Land at Dymock Road, Ledbury

Dear Roland,

Thank you for consulting Sport England on the above application.

### **Sport England – Non Statutory Role and Policy**

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space#open-space-sports-and-recreation-facilities>

This application falls within the scope of the above guidance as it relates to the development of more than 300 dwellings and the creation of new community facilities including new playing fields.

Sport England assesses this type of application in light of the National Planning Policy Framework (NPPF) and against its own planning objectives, which are Protect - To protect the right opportunities in the right places; Enhance - To enhance opportunities through better use of existing provision; Provide - To provide new opportunities to meet the needs of current and future generations. Further information on the objectives and Sport England's wider planning guidance can be found on its website:

<http://www.sportengland.org/planningforsport>

The occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facilities Strategy, Playing Pitch Strategy or other relevant needs assessment.

### **The Proposal and Assessment against Sport England's Objectives and the NPPF**

The population of the proposed development is estimated to be up to 966 people based on up to 420 dwellings at an average occupancy of 2.3 persons per dwelling. This additional population will generate additional demand for sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating deficiencies in facility provision. In accordance with the NPPF, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development.

### **Playing Field provision**

In respect of the provision of playing fields, the application proposes to provide an area of land (circa 4.9ha) for community facilities which could include new playing field provision. There are no details provided of the proposed community facilities, there is no assessment that considers whether there are any constraints to the provision of new playing field (such as soils, drainage, levels etc), no details of proposed mix of sports pitches or ancillary facilities such as changing and parking, and no details of how such facilities might be provided, managed and maintained thereafter. The proposal is simply that the applicant intends to transfer the land to the Council so that they then procure the development of community facilities in accordance with local priorities.

The Council's policies in the Hereford Core Strategy support the provision of new sports and recreation facilities to meet identified needs (policies OS1 and OS2). The site is located within the Ledbury Neighbourhood Plan area, which has recently completed the local referendum having met the basic conditions for soundness, subject to various modifications. The plan also supports investment in sports and recreation facilities, the examiner commenting that the plan was in general conformity with policy OS2. The plan comments that:

*Ledbury Rugby Club have secured ownership of the main sports field in town by asset transfer from HCC, and by doing so the club is able to meet its own future needs. Ledbury Swifts football club however, with 14 teams for boys and girls between the ages of 5 and 17 currently share the facility, and need to re-locate to be able to survive and expand. The Swifts require an area of 15 – 20 acres to satisfy the FA development programme requirements. Suitable locations for new facilities are limited, by Ledbury's physical and geological constraints and by Sport England accessibility criteria (as shown on Map 4). New facilities must be easily accessible for all ages and abilities in order that the club can maintain its role within the community, and must comply with Sport England criteria in relation to accessibility and safety.*

The Council's Playing Pitch Strategy (PPS) was adopted in 2012. Since that time, a pitch sport implementation group has regularly met to consider how identified proposals might be delivered, through secured section 106 investment and match funding from other sources. At over 6 years old, the PPS would no longer be considered to be up to date, nonetheless, the need for additional playing pitches in Ledbury is well-established, and the commentary in the Neighbourhood Plan provides support to this proposal in making on-site provision for new playing pitches. As such, Sport England is supportive of the provision of new playing field on the site to meet the needs of the proposed development and to help address identified local issues of playing field provision. The quantity of playing field provision should be at least in accordance with the Council's policies. Sport England wishes to work with the applicant, the Council and its partners to ensure that the proposed community facilities makes appropriate provision for new pitches, together with associated ancillary changing and car parking facilities to ensure that this meets local needs and is provided to the right specification to be fit for purpose, and establish how these pitches are to be delivered, managed and maintained to be sustainable going forward. By providing new pitches that could help address established playing pitch deficiencies, the proposal would meet objective 3, and therefore Sport England **supports** this application in principle.

It is recommended that any new playing field area be assessed by a suitably qualified sports turf consultant to provide a detailed assessment of ground conditions together with proposals to address any identified constraints (such as levels, drainage, soils structure etc). Preferably, these details should be sought at outline application stage before the masterplan for the site becomes 'fixed'. In any event, the details should be required prior to the approval of site layout at reserved matters stage to ensure that the area of land can be suitably designed to be fit for purpose, which should accord with Sport England's guidance in 'Natural Turf for Sport', and details of maintenance should also be agreed. (see attached link).

<https://www.sportengland.org/facilities-planning/design-and-cost-guidance/natural-turf-for-sport/>

The following conditions are recommended to secure these details:

### **Condition 1**

- (a) Prior to the approval of reserved matters for site layout, the following documents shall have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:
  - (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and
  - (ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.
- (b) The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

*Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy \*\*.*

*Informative: The applicant is advised that the scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to 'Natural Turf for Sport', (Sport England, 2011).*

### **Condition 2**

No development shall commence [or other specified time period] until a schedule of playing field maintenance including a programme for implementation for a minimum period of [five] years starting from the commencement of use of the development [or other specified time period] has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport

England. Following the commencement of use of the development the approved schedule shall be complied with in full.

*Reason: To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose and to accord with Development Plan Policy \*\*.*

*Informative: It is recommended that the maintenance schedule and programme for implementation is developed by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled 'Natural Turf for Sport' (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the Football Association.*

There are currently no details provided to show the proposed playing pitch layout or any details of essential ancillary facilities to serve the use of any new playing field, including changing rooms and car parking. Outline details should be provided as part of this application so that it is clear what is to be provided, to include sufficient changing room space to serve the proposed number of playing pitches. The detailed design of the changing rooms can be agreed at reserved matters stage. The provision of playing field without such essential associated facilities is not supported as this will inhibit the use of the sports facilities to meet identified local needs. Therefore, it is important to establish the provision of such facilities as part of the outline application, and for the illustrative development framework plan to be updated to include changing and car parking. The following condition is recommended:

### **Condition 3**

Prior to the approval of reserved matters, details of the design and layout of the proposed sports and recreation facilities at the site, including proposed playing pitches, associated changing rooms and car parking to serve the proposed new playing pitches have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The sports facilities shall not be constructed other than in accordance with the approved details.

*Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy \*\*.*

*Informative: The applicant is advised that the design and layout of the [sports facility] should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to: [insert document titles].*

The design and specification of associated ancillary changing facilities should be in accordance with any relevant design guidance for the relevant sports. A link to Sport England's guidance is provided below.

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

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

There are no details provided to set out how the proposed community facilities are to be delivered, managed and maintained. Sport England considers that this should be clearly established at outline stage to demonstrate that this can be suitably delivered to be available for use when it is needed. Sport England wishes to work with the applicant and the Council to ensure that the section 106 agreement suitably secures the delivery of any proposed pitches and ancillary facilities to an agreed programme of phasing and implementation (relative to occupation of the development) and with a clear proposal in place for the operation and maintenance of the sports facilities that are to be provided. The following condition is recommended to agree phasing details:

#### **Condition 4**

No development shall commence until details for the phasing of the development, including the provision of the [named playing field/sports facility], have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development hereby permitted shall not be carried out other than in accordance with the approved details.

*Reason: To ensure the satisfactory playing field provision is in place to meet the needs of the development and to accord with Development Plan Policy \*\*.*

The use of the proposed playing fields should be suitably secured via a community use agreement. Please see the advice contained on Sport England's website (see link below).

<https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/community-use-agreements/>

The following condition should be imposed to agree suitable details:

#### **Condition 5**

Use of the development shall not commence [or no development shall commence or such other timescale] until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the proposed new playing field and its associated facilities, and include details of pricing policy, hours of use, access for all users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement."

*Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy \*\*.*

*Informative: Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.*

In order to protect and maintain the playing field quality and to prevent its condition being affected by non-sports uses, the following condition is recommended:

### Condition 6

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order amending, revoking or re-enacting that order), the playing field [or other specified outdoor games/sports facility] shall not be used other than for outdoor sport.

*Reason: To protect the [playing field/outdoor games area/sports facility] from loss and/or damage, to maintain the quality of and secure the safe use of [sports pitch/es /sporting provision] and to accord with Development Plan Policy \*\*.*

### Built Sports Facilities

You may be aware that Sport England's Sports Facilities Calculator (SFC) can help to provide an indication of the likely demand that will be generated by a development for certain facility types. The SFC indicates that a population of 966 people in this local authority area will generate a demand for:

Sports Halls	
Demand adjusted by	0%
Courts	0.26
Halls	0.07
vpwpp	57
Cost	£158,169

Swimming Pools	
Demand adjusted by	0%
Square meters	9.78
Lanes	0.18
Pools	0.05
vpwpp	59
Cost	£169,353

In 2014, a Sports Facilities Strategy Framework was prepared to consider the case for future investment in built sports facilities in Hereford. This sets out that '*utilising the Sport England data, consultation feedback and Active Places information, it is clear that the focus should be on improving quality of provision as there is no identified need for additional quantities of provision in either Sports Halls or Swimming Pools, unless additional demand is generated from housing growth development*'.

In respect of swimming pool provision, Ledbury Swimming Pool is the closest facility to this development. Having been refurbished in 2016, it is likely that additional investment in this facility is not required at this time, but this should be established locally. In terms of sports halls, the nearest sports hall facility is at Ledbury Leisure Centre. Sport England's facilities

planning model indicates that this facility is operating at 100% capacity, where usage over 80% is considered to be above comfortable capacity and where the quality of experience for users is then affected by being too busy. The model indicates that 186 visits per week in the peak period are redistributed elsewhere, and in part this is likely to be due to the relatively limited hours of opening on weekday evenings and Saturdays only. It is unlikely that there would be sufficient demand to justify additional sports hall provision in Ledbury, though consideration could be given to making the existing facility more widely available outside of current opening hours.

Sport England, in conjunction with Public Health England, has produced 'Active Design' (October 2015), a guide to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design. Sport England would commend the use of the guidance in the master planning process for new residential developments. The document can be downloaded via the following link:

<http://www.sportengland.org/activedesign>

## **Conclusion**

This being the case, Sport England offers its **support** for this application, as it is considered to meet Objective *Provide* as set out above.

Sport England recommends, based on our assessment, that if the Council is minded to approve the application, the above planning conditions should be imposed.

If you wish to amend the wording of the recommended condition(s), or use another mechanism in lieu of the condition(s), please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

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 agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

Yours sincerely,

**Stuart Morgans**  
Planning Manager



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