

Kirklees Metropolitan Council

By email only

Date: 6th November 2025

Dear Sir/Madam,

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

Application Reference: 2025/91542

**Site: Erection of 40 dwellings and associated works, including formation of new
vehicular access and erection of cricket netting**

Sport England Reference: PA/25/Y/KK/71268

Thank you again for consulting Sport England on the above planning application.

It is understood that the Local Planning Authority has reconsulted Sport England after the receipt of additional information to address Sport England comments dated 5th August 2025.

Please refer to these comments as to Sport England – statutory consultee role and policy, the proposal and impact on playing field and the initial assessment of the proposal against Sport England’s Playing Fields Policy and NPPF.

Within this letter it also explained that *“Sport England would be pleased to review the objection with a view to considering potentially withdrawing it if the applicant can provide the following:*

- 1. A ball strike risk assessment, undertaken by a suitably qualified consultant, that examines the ball trajectory for cricket for the correct level of play.*
- 2. If ball strike is identified as an issue, then details of the design, specification and layout of any ball strike mitigation (for example ball stop fencing) should be provided. This should also include details of how any ball strike mitigation will be managed and maintained. Any ball strike mitigation provided should not have any encroachment onto the existing playing field/cricket ground and there should be no expectation that any maintenance and management is undertaken by the cricket club or other sport users. This should be undertaken by the applicant.”*

The views of the National Governing Bodies for Sport

As part of the assessment of this consultation, Sport England has again sought the views of the following National Governing Bodies for Sport. These Governing Bodies act as Sport England's technical advisors in respect of their sport and their sport facilities. They also advise Sport England on issues such as ball strike.

The comments of the England Cricket Board (ECB) have been summarised as:

- *We wish to maintain our objection on this proposal.*
- *Firstly the proposed mitigation does not cover the whole development site. This may very well be because of a tree, but the risk assessment is clear that trees cannot be seen as mitigation. We would therefore expect to see ball stop mitigation across the whole site boundary.*
- *We would also expect to see specification details of the proposed mitigation, together with details of the ongoing management and maintenance of the mitigation.*
- *We are comfortable that the correct level of cricket has now been detailed on the risk assessment.*

Further Assessment against Sport England's Playing Fields Policy and NPPF

It is welcomed that the risk assessment has now considered the correct level of play and ball trajectory modelling for cricket. However, the following images appear to show that the proposed location of the mitigation would not cover the whole of the development site boundary with the cricket ground. As explained by the ECB, it is assumed that this may be due to the location of the existing trees between the cricket ground and the proposed housing development.



Image showing the proposed residential development with a blue line indicating the proposed 'cricket netting'

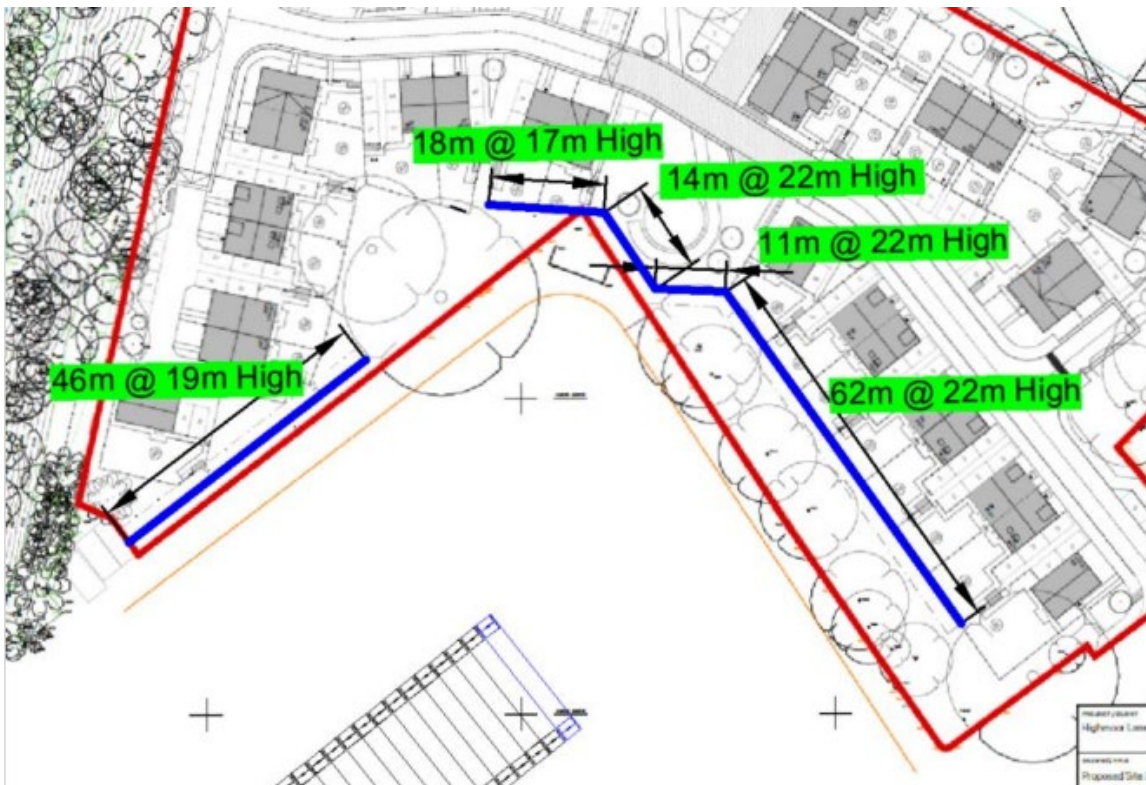


Image taken from Labosport Ball Strike Assessment (Version 7, Date 3/10/2025) showing the recommended location and height of the proposed 'cricket netting'

It is considered by Sport England that trees themselves cannot be considered as a permanent ball stop solution. Trees can be cut down, become diseased, or die from natural causes or even be felled by a storm. Storm Arwen, for example, in 2021 affected trees that do not normally have to yield to strong winds due to blowing in a different direction and many fell as a consequence of the storm. Even if the trees are subject to a Tree Protection Order, this does not protect them from damage or felling due to natural causes. Protected trees can also be felled with the appropriate permission.

Furthermore, this issue appears to be acknowledged at page 6 of the submitted Labosport Ball Risk Assessment report:

Existing Mitigation
<p>There is currently no existing mitigation around the facility.</p> <p>This report does not account for any existing, or planned planting (trees, hedges etc). It is our informed opinion that planting cannot be relied upon to provide protection against ball trajectories. The planting may not be sufficiently dense to stop the ball, nor homogeneous across the length. The planting may change during the seasons, or indeed be cut back or removed.</p>

As such, Sport England concur with the ECB and request that the proposed mitigation is proposed across the whole development site boundary with the cricket ground.

In relation to point 2 of the possible resolution to our objection in the response dated 25th August 2025 (please see above), Sport England requested that “*details of the design, specification and layout of any ball strike mitigation (for example ball stop fencing) should be provided. This should also include details of how any ball strike mitigation will be managed and maintained.*” This information is also requested by the ECB.

Sport England note that the proposed location of the cricket netting is included on the proposed site plan. The proposed boundary treatment plan provides a illustrative drawing of the proposed netting and appears to refer to the Labosport Ball Assessment report. Also, the Design and Access Statement explains how “*the net to protect the units from ball strikes is located at the back of plot with a grasscrete access road for any maintenance requirements.*”

Sport England is aware from experience elsewhere that the location, design and height of mitigation measures in relation to houses has caused concerns for Local Planning Authorities from an amenity perspective. For this reason, Sport England advises that additional full and clear specification details and drawings of the proposed cricket netting should be provided as part of the current planning application in order for it to be considered acceptable to the Local Planning Authority.

Additionally, Sport England are also unable to find any details as to who will manage and maintain the proposed cricket netting. Please note that Sport England would advise that a reputable management company manages and maintains the proposed cricket netting and in perpetuity, rather than individual plot owners.

Sport England again welcomes the fact that the applicant has recognised ball strike as an issue in this planning application and is continuing to try and resolve this issue. However, it is important that the necessary mitigation is agreed prior to determination.

Sport England's position

In light of the above, Sport England **maintains its objection** to the application because of the prejudicial impact it could have on the adjacent cricket ground.

As a point of clarification: Sport England is not against new developments next to sport facilities provided that any ball strike mitigation is addressed with the appropriate mitigation to meet the level of play.

There are numerous examples around the country where new housing can exist adjacent to sport facilities. Similarly, many sports clubs welcome new residential developments as this offers a potential supply of new members and also potential customers who can support club bars and club social events where they exist.

The sports club simply do not want to injure or damage their new neighbours, so mitigation is required to allow the sports club and the dwellings to exist without any conflict or danger.

Potential to overcome the objection

Sport England would be pleased to review the objection with a view to considering potentially withdrawing it if the applicant can provide the following:

1. A ball strike risk assessment, undertaken by a suitably qualified consultant, that examines the ball trajectory for cricket for the entire site boundary with the cricket ground.
2. If ball strike is identified as an issue, then clear and full details of the proposed design, specification and layout of any ball strike mitigation (for example ball stop fencing/netting) should be provided and for the entire site boundary. This should also include details of how any ball strike mitigation will be managed and maintained. Any ball strike mitigation provided should not have any encroachment onto the existing playing field/cricket ground and there should be no expectation that any

maintenance and management is undertaken by the cricket club or other sport users. This should be undertaken by the applicant.

Should the applicant require any technical advice in respect of ball strike they should contact the ECB: richard.dixon@ecb.co.uk

The applicant should note that ECB can only provide technical advice, they cannot provide a planning judgement as that is a matter reserved for Sport England as the statutory consultee.

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 planning application submission and its associated audit trail. The Local Planning Authority can then consult Sport England on receipt of this information.

Yours sincerely,

Christopher Carroll
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