

Kirklees Metropolitan Council

By email only

Date: 8th June 2026

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 following the receipt of additional information which includes a revised Ball Strike Assessment (Report Number: LSUK.24-0418_CBA Version 9.0 Date 30/04/2026).

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 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.

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:

- *Revised ball strike risk assessment reduces the height of the mitigation required from the previous report. It appears the variable here is the metric now being used of 95% protection rather than "vast majority" of protection. There is no reasoning attached to that amendment and therefore we consider that unacceptable as additional risk would be transferred to the cricket club.*
- *Our previous comments regarding the ball stop netting not covering the whole development site appear to have not been attended to and therefore we continue to object on that basis. Mitigation should cover the whole development site and trees cannot be used as mitigation. Individuals walking through the grounds will be at risk.*
- *There is insufficient information as to how the ball stop netting can be accessed for management and maintenance purposes.*
- *The ECB continue to object to this scheme until we can see revised plans which consider the whole ball strike risks.*

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

Sport England notes that the revised ball strike risk assessment now applies a 95% level of protection. However, no justification has been provided for adopting this approach in place of the previous assessment method and level of protection. The ECB consider this proposal represents a reduction in the level of protection and would result in additional risk being transferred to the cricket club, which is unacceptable.

Furthermore, our previous comments regarding the extent of the proposed ball stop netting do not appear to have been addressed. The current proposals do not provide mitigation across the entirety of the development site, and therefore individuals moving through the area would remain at risk. It should also be noted that existing trees cannot be relied upon as suitable mitigation.

In addition, there is insufficient information provided regarding the design and construction of any proposed ball stop netting. There is also insufficient information on how it would be accessed for ongoing management and maintenance, which raises further concerns about the long-term effectiveness of the mitigation.

Planning policy requires that new development is integrated effectively with existing community facilities, such as sports clubs. It also requires that established uses are not subject to unreasonable restrictions from later development. In line with the 'agent of change' principle, where an existing use may adversely affect a new development, the applicant must ensure that appropriate mitigation is secured.

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.

Again we would like to state that 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 revised 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. The assessment should clearly address the concerns of the ECB.
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. 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.

***Given the concerns raised by the ECB regarding the assessment methodology and proposed level of protection, it is strongly advised that either the applicant, agent or the author of the assessment seek technical advice in respect of ball strike from the ECB. The Delivery officer is Richard Dixon (Email: 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