

**Planning Inspector
Kirklees Local Plan Examination
c/o Programme Officer**

1st May 2018

Our Ref, SHF.1381.001

Dear Inspector,

Kirklees Local Plan – Bradley Park Golf Club (H1747) – Response to post Hearing correspondence between the Inspector and Sport England.

We write on behalf of our client, Bradley Park Golf Club, following your invitation to respond to recent correspondence from Sport England where you asked them to confirm their position, expressed verbally at the 21 February 2018, in writing. At the hearing session they clearly expressed the view that paragraph 74 of the NPPF would not be satisfied by the amended proposal put forward by the Council that now included the provision of a 9-hole golf course and other sport facilities. This was somewhat different from that set out in the Statement of Common ground where Sport England agreed that the provision of a repurposed 9-hole course, combined with a floodlit driving range and clubhouse would result in paragraph 74 of the NPPF being *substantially* met.

From our notes of the hearing session Sport England were quite clear in their view that paragraph 74 of the NPPF was not met and that their position regarding the 9-hole course was a compromise in that some golf was better than no golf. It should also be remembered that the Council were only relying on a position that bullet point one of paragraph 74 was met.

The post hearing response from Sport England confirms that the proposals do not meet the requirements of paragraph 74 of the NPPF. They confirm that it is not surplus to requirements (first bullet point) and that the development is not for alternative sports and recreational provision (third bullet point). In terms of the second bullet point of paragraph 74, they go on to explain why they considered this to be *substantially* met when it was first presented to them by the Council and why they signed the SOCG.

They then go on to explain that, notwithstanding the proposed amendment to include a 9-hole course and driving range, that, in their view, bullet point two is not met and state *We take the view that the second bullet point is not properly met by a partial re-provision*. They then go on to explain that England



Golf's view that participation in golf with a 9-hole course means that activity in sport is protected and as a result take the view that the second bullet point has been *substantially met*. This is clearly contradictory but reflects the compromise position that was articulated at the hearing session. The main point to note is that Sport England's response to the Inspector make it clear that the proposal does not meet the requirements of paragraph 74.

Our position is that the only way the second bullet point could be *fully* met would be the retention of the existing 18-hole course, club house and driving range as part of the wider development. As we stated at the Hearing session the existing UDP housing allocation that forms part of the site and the adjoining proposed allocation H351 could come forward and deliver housing.

If our position is not accepted, then we would like to reiterate the view we expressed at the hearing that any 9-hole provision must be of an appropriate size to ensure it is viable. England Golf refer to a successful and viable 9-hole course in Worcestershire (Churchdown and Blakehill Golf Course). It should be noted that this is significantly larger than the proposed 9-hole at Bradley Park and re-enforces our view that more land would be required to provide a competitive and viable 9-hole course at Bradley Park. More land would be required for such a provision that would reduce the housing capacity of the remaining site.

Conclusion

Our position is quite clear on the matter. None of the bullet points of paragraph 74 of the NPPF are met. This is a view shared by Sport England. The Council position, expressed at the hearing in February, was that they were only relying on compliance with the first bullet point that Bradley Park Golf course was surplus to requirements. This is not a view supported by Sport England and England Golf as well as many other participants.

It should be noted that our barrister wanted to discuss bullet point two but was denied the opportunity to do so by the Inspector, presumably because the Council made it clear that they were relying on the proposal satisfying bullet point one? If judgement is to be made on bullet point two then we would expect the hearing to be re-opened so that we can advance our case as to why this bullet point is not satisfied. The compromise position of Sport England in respect of bullet point two that it has been *substantially* met is queried. In our view it is either met or it isn't. In their written response following the hearing, Sport England are clear in stating that it is not *properly* met. In our view this means it is not met.

We trust our position is clear? However, if the Inspector considers the matter to be unclear, then it may be necessary to hold a further hearing session to allow the matter to be discussed fully.

Yours sincerely,

For Enzygo Ltd

David Storrie

**David Storrie Dip TP, MRTPI
Planning Director**