

Message from the Inspector regarding proposed allocation at Bradley Park, Huddersfield (Kirklees Local Plan)

Thank you for attending the recent hearing session(s) relating to the above proposed allocation. Sport England, at the request of the Inspector, has provided written clarification regarding its position on the proposed development – see attached. If you have any comments to make on Sport England's email response, please forward these to me by **Wednesday 2nd May 2018**.

Please note that any comments you have already made relating to sports provision/the proposed allocation still stand, and there is no need to repeat previous points or rehearse arguments again. Responses should be brief and focused on areas of difference/change. If your original position has now altered in light of Sport England's comments, please make this clear in your response.

Dialogue between the Inspector and Sport England

Dave McGuire at Sport England. And copy the Council in too.
Thanks.

Message from the Inspector, Kirklees Local Plan

Thank you for attending the hearing session on Bradley Park, Huddersfield (H351/H1747) on 21st February 2018. At the hearing session you indicated that, in your opinion, paragraph 74 in the NPPF would not be satisfied by the amended proposal put forward by the Council (involving the provision of a 9 hole golf course and other sports facilities). It would be appreciated if you could confirm this in writing – as your verbal position is different to that set out in the Statement of Common Ground which states that 'Kirklees Council and Sport England agree that a repurposed 9 hole course....combined with a modern, floodlit driving range and clubhouse will preserve participation in golf and ensure that para.74 of the NPPF is substantially met.'

Your response may either be in the form of an email/letter confirming Sport England's position, **or** a revised Statement of Common Ground. As part of the response it would be appreciated if you could confirm whether your conclusion takes account of the full range of new sports and leisure facilities proposed by the Council as part of the scheme, e.g. the golfing provision, footballing provision and other running/walking/leisure facilities.

Could you forward your response by **Friday 20th April 2018**. Thank you for your assistance.

Response from Sport England

Thank you for your email and the additional query from the Inspector. I will try and clarify Sport England's position as requested.

I did not have the opportunity to take notes at the Examination in the same way as the Inspector but I'd thought I'd responded to advise that Sport England didn't consider that paragraph 74 had been properly met (as opposed to not met at all). It is not considered inconsistent to hold the view that proposals affecting Bradley Golf Course did not properly meet paragraph 74, but nonetheless substantially met the test. Please accept my apologies if this distinction did not come across clearly at the Examination.

It is necessary to review the proposal against the test in para. 74 of the NPPF to fully explain this distinction and Sport England's position. Para. 74 states;

'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.'*

In respect of the first bullet point, studies undertaken on behalf of the Council have shown that;

- Golf clubs in the locality have sufficient capacity to absorb participants from Bradley Golf Course if it were to close; and
- Due to the distribution of golf courses between the settlements in the West Yorkshire conurbation and the increase in drive-time reach created by the motorway corridor, analysis centred on the Bradley site shows a greater than average level of golf provision within a 20 minute drive time.

Sport England considers that neither matter shows that Bradley Golf Course is surplus to requirements as required by the first bullet. In reaching this position we are mindful of the following;

- Capacity to absorb displaced users is not what the first bullet requires to be shown. Surplus to requirements is a different level of proof
- Per capita level of golf hole (covering 9 and 18 hole courses) provision is lower in Kirklees than the national and regional averages with Bradley Golf Course still open. It would be notably lower without Bradley.
- The Council's own figures show that Bradley Golf Course is both popular and profitable

In light of the above Sport England does not consider that bullet point one is met.

In respect of the second bullet point, Sport England's position reflects the interpretation adopted in respect of exception E4 in our playing field policy. The policy can be viewed in full by following the hyperlink below;

<https://www.sportengland.org/media/12940/final-playing-fields-policy-and-guidance-document.pdf>

As an analogy if a playing field which could accommodate 2 football pitches was reduced in size by 50% so that only one football pitch could be accommodated (with the remainder of the playing field developed for housing) Sport England would not consider that either exception E4 or bullet point 2 had been met. Here the golf course size is roughly being cut in half. It will have 9 holes instead of 18. It would therefore be illogical to conclude that the 9 hole course was either the same quantity or quality of provision as the 18 hole course it replaced. When the Local Plan was submitted for examination no replacement golf course provision was proposed. Clearly from Sport England's perspective at this juncture bullet point 2 was not met. With the LPA's proposed amendment (to retain a 9 hole course and driving range), the analysis against bullet point is not quite as binary. We take the view that the second bullet point is not properly met by partial reprovision for the reasons set out above. Notwithstanding this stance, advice from England Golf clearly articulated that participation in golf (from its target sectors) would be preserved if a 9 hole course was secured. Since Sport England's involvement in the planning system is to ensure that the interests of sport are protected as opposed to the abstract pursuit of policy compliance, we resolved to accept the proposed modification. We had therefore taken the view that the purpose of para. 74 was substantially met.

With regard to the third bullet point the development proposed by the allocation is housing. Housing development cannot be described as development for an alternative sport and recreational provision and therefore the third bullet point is not met.

Again this bullet point is one which Sport England has to interpret regularly in respect of playing fields and we would point the Inspector to Exception E5 in our playing field policy (as it is the same test).

It would be easy (but we consider misleading and erroneous) to look at the proposed artificial and grass football pitches and conclude that this provision along with the retained 9 hole golf course and driving range means that the third bullet point is met. Major residential development should make sport and recreational provision to meet the needs of new residents. Sport England is a recommended consultee on planning applications for 300 dwellings or more and we use this opportunity to ensure that where needed new developments make appropriate sport and recreational provision. This can be in form of on-site provision or off-site in the form of enhancements to existing sport and recreational infrastructure. However for a development of the scale of Bradley, Sport England would expect to see some on-site provision. Sport England encourage Local Authorities to undertake both Playing Pitch Strategies (PPS) and Built Sports Facilities Strategies (BSFS) to help them understand identify specific needs and quantitative or qualitative deficits or surpluses of sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what sports and recreational provision is required (para 73 of the NPPF) from new developments. Local Authorities can then articulate their requirements in regulation 123 lists and CIL mechanisms, Planning Obligations SPDs or masterplans. Kirklees Council have undertaken both a PPS and BSFS and sought the provision of two floodlit artificial grass

pitches and two junior grass pitches within the Bradley masterplan. Sport England considers that the scale of sporting provision is commensurate with the scale of residential development and in line with local requirements.

Finally we promised to provide further advice from England Golf on the sustainability of 9 hole courses. I've attached their response to Sport England.

Regards

Dave McGuire