



Kirklees Local Plan Examination – Stage 3, Matter 22
Hearing Statement

For: Bradley Park Golf Club, Huddersfield
SHF.1381.001. P.R.001



Contact Details:

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Kirklees Local Plan Examination

Bradley Park Golf Club, Huddersfield

Stage 3 Hearing Statement

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Issue- Does the Plan set out positively prepared policies for promoting health and supporting communities, which are justified, effective and consistent with national policy?

1.1.1 This Hearing Statement has been prepared by **Enzygo Environmental Planning Consultants** on the instructions of Bradley Park Golf Club. We have submitted representations on their behalf through the consultation process carried out by the Local Planning Authority and will be making site specific comments through the examination process.

1.1.2 For the purpose of this stage we focus on policy PLP50 in the Publication Draft Local Plan.

This is set out in full below.

Policy PLP50 Sport and physical activity

The council will seek to protect, enhance and support new outdoor and indoor sport and leisure facilities where appropriate, encouraging everyone in Kirklees to be as physically active as possible and promoting a healthier lifestyle for all. Sport and leisure facilities will be protected where they are needed to meet current and future demands.

The loss of sport and leisure facilities will only be allowed where:

a. an assessment clearly shows that the site is no longer required to meet identified need for open space, sport, or recreation use; or b. equivalent or better replacement facilities are provided to compensate for those lost as a result of the development and these are within an easily accessible location for existing and potential new users;

or

c. the proposal is for an alternative sport, leisure, or open space use that is needed to help address identified deficiencies and clearly outweighs the loss of the existing facility. Any proposed loss of community sports facilities should be supported by a detailed needs assessment report. The enhancement of outdoor sports facilities through improving the quality and management of sites as identified in the Playing Pitch Strategy will be supported. The creation of new outdoor sport facilities will be supported which help address deficiencies in playing pitches identified in the

Playing Pitch Strategy particularly proposals which help meet the significant shortfalls in football. Support will be given to proposals which expand and enhance the range of indoor leisure facilities on offer in the district, provided this does not conflict with other local plan policies. Where these facilities are included within the definition of town centre uses, such as health and fitness facilities and sports centres, the local plan town centres policy will apply including the sequential test. Support will be given to proposals that enable community use of school facilities, particularly where these help meet sport and leisure needs of the local community as identified in the Built Leisure & Sports Facilities Strategic Framework and the Playing Pitch Strategy. The renewal or redevelopment of secondary school sites will be encouraged to make provision for community use and where possible secured through the planning process.

- 1.1.3 Emerging policy must be consistent with national policy. In terms of PLP50 above, amongst other things, it should be consistent with paragraph 74 of the NPPF. This is set out in full below.

74. 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.***

- 1.1.4 As a starting point we note that whilst NPPF paragraph 74 deals with protecting existing open space, sports and recreational building and land, the first line of Policy PLP50 is unclear and seems to relate to new indoor and outdoor sports facilities only. On reading the policy further it becomes clearer that it also deals with protecting existing facilities, but we consider it should be explicit in the first sentence of the policy and refer to '**Existing open space, sports and recreational buildings and land, including playing fields**' as NPPF paragraph 74 does.
- 1.1.5 We have further concerns about the lack of clarity in the policy. When considering development proposals on recreational land or buildings NPPF paragraph 74 requires *an assessment to be undertaken which has clearly shown the open space, buildings or land to be surplus to requirements*, whilst Policy PLP50 refers to a need to demonstrate that it is '*no longer required to meet identified need.*' We believe the test should be surplus to requirements to be consistent with NPPF paragraph 74.
- 1.1.6 Paragraph c of PLP50 is also inconsistent with the third bullet point of NPPF paragraph 74. The third bullet point of paragraph 74 is quite clear that the development is for alternative sports and recreational provision. This is implicit that it is the development. Emerging policy PLP50 introduces the word 'an'... *the proposal is for an alternative sport, leisure, or open space use that is needed to help address identified deficiencies and clearly outweighs the loss of the existing facility.* Our concern is that this could be interpreted that as long as there was some element of sport, leisure or open space within a development then the policy would be satisfied. Furthermore, the use of the term 'needed to help address identified deficiencies' could be open to interpretation.
- 1.1.7 From the above we are concerned that policy PLP50 lacks clarity and is not consistent with paragraph 74 of the NPPF.
- 1.1.8 The main modification necessary to overcome our concern with this matter is a re-wording of Policy PLP50 as follows:

- 1.1.9 “**Existing open space, sports and recreational buildings and land, including playing fields** will be protected where they are shown to meet current and future demands. The loss of **existing open space, sports and recreational buildings and land, including playing fields** will only be allowed where:
- a. an assessment clearly shows the **open space, buildings or land to be surplus to requirements;**
 - b. equivalent or better facilities are provided **to replace** those lost as a result of the **proposed** development and these are within an easily accessible location for existing and potential new users;
 - c. the proposal is for **development for alternative sport and recreational provision, the needs for which clearly outweigh the loss.”**



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