

20221328 - Pavilion, Bowling Green

Sport England 17 Feb 23

Thank you for consulting Sport England on this application.

Sport England – Statutory Role and Policy

The proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 99) and Sport England's Playing Fields Policy which says,

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England Policy Exceptions	
E1	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.
E2	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.
E3	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.
E4	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.
E5	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.

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

* Bowling greens do not fall within the definition of a playing pitch however Sport England considers that they will be included in the area defined as a playing field if in physical or functional terms they form part of an overall playing field site as is the case here.

All sport uses are also to be considered against paragraph 99 of the NPPF that states;

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

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) 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*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

Policy CS13 of the Gravesham Core Strategy says, *The Council will seek to make adequate provision for and to protect and enhance the quantity, quality and accessibility of green space, playing pitches and other sports facilities, in accordance with an adequate, up to date and relevant evidence base.*

The Proposal and Impact on Playing Field

The proposal is for the redevelopment of the bowling green, associated pavilion and a small part of the playing field outside of the bowling area for a 62-bedroom sheltered housing scheme together with a new access road from Ellerslie, a parking court and landscaping. The proposal would result in the loss of some 0.71 hectares of the existing playing field. Although the remaining playing field is outside of the red line boundary of the application, it is understood that the applicant intends to work with Gravesend Rugby Club to make some amendments and improvements to the pitches and a training area to mitigate the impact of the proposed development on their use. A separate application to provide additional floodlighting to one of the existing match pitches has also been submitted by the applicant under reference 20221327. Sport England has responded to that application separately.

At paragraph 2.14 of the planning statement, it is said that the Rugby Club is looking to redevelop the former Bowls Club to enable significant investment in the rest of the site. Improvements are said to include improved security, floodlighting as well as drainage and levelling to the adjacent rugby pitches. It is necessary to recognise that neither Sport England's Policy nor paragraph 99 of the NPPF recognise enabling development as a reason to justify the loss of playing field land. It is also the case that there is no detail available regarding the improvements referred to other than the floodlighting the subject of 20221327. In the absence of this information and notwithstanding that it would not impact on Sport England's assessment of the proposal against our policy, it is not possible to balance any potential 'benefits' against the loss of sport and recreation land proposed.

Assessment against Sport England Policy/NPPF

The proposal is for residential development resulting in the loss of an area of existing playing field. Although the applicant has undertaken an assessment to demonstrate that the loss of the bowling green would meet exception E1 of our policy, Sport England would not agree with that conclusion. While the Council's Playing Pitch Strategy (PPS) 2016-2028 identifies that demand for bowls in the borough is currently being met, an existing and increased projected shortfall in the borough of both football and rugby pitch provision is identified. The PPS is out of date, not having been reviewed in accordance with Sport England guidance in the interim. However, we would expect that any such review to demonstrate E1 is met would accord with our Playing Pitch Strategy Guidance. It would also be expected that all pitch type shortfalls were satisfactorily addressed before any existing playing field land was released for development unless alternative mitigation measures to compensate for the loss were made.

In assessing the application, I have consulted with Bowls England and the RFU

Bowls England has commented that it has been in contact with the previous resident club, Gravesend RFC Bowls Section, that is an affiliated member of Bowls England. The club has disbanded due to the development proposed and its members have joined Gravesend Bowling Club. Bowls England wishes to request consideration of a financial contribution towards the improvement of facilities at Gravesend Bowling Club reflecting the increased pressure that additional members place on that facility as a result of the closure of the application site. The applicant in its planning statement makes reference to an appeal decision APP/G5180/W/20/3249202 relating to the loss of a bowling green (not on a larger playing field) lost as a result of a sheltered housing scheme. In that case, the Inspector

considered that the loss was adequately mitigated by a financial contribution of £50,000 made to Bowls England to invest in the improvement of other bowls clubs in the area.

Sport England is aware that bowls clubs due to their demographic are under particular pressure to maintain their membership and the quality of their facilities. A contribution of a comparable amount would be considered to adequately mitigate the loss of bowling green and in that regard, the applicant's statement at paragraph 6.5.35 that it is happy in principle to explore a mitigation strategy for bowls is welcomed, notwithstanding that this should not be a payment to the Rugby Club, but one to the Council, Bowls England or a specific club with the purpose of improving community-based bowls provision. Sport England would object to the loss of the bowling green area should a financial mitigation not be secured.

With regard to the loss of the small area of playing field outside of the bowling green area, and the impact of the proposal on the existing playing pitches, the applicant discusses these within the planning statement at paragraphs 6.5.28 to 6.5.36 of the planning statement. The discussion focuses on the proposed improvements that the applicant proposes to make to the floodlighting on one of the match play pitches, that is the subject of the separate application.

The RFU commented at pre-application stage *that the rugby club is aware of the proposed development that would necessitate the re-orientation of an existing rugby pitch immediately adjacent to Ellerslie / Donald Biggs Drive from its existing north-east / south-west orientation to one which is north-west / south-east in nature. This would be due to the proximity of the carpark and access road to this existing pitch.*

This re-orientation would impact the existing floodlit training area in the north-east corner of the site. The club has long standing plans to increase the total provision of floodlighting available to players, with the current training area suffering from poor quality due to overuse. The club plan to re-provide floodlighting to the pitch immediately adjacent to the existing clubhouse pitch and directly south-east of the existing cricket square. The club has had discussions with the cricket club to ensure that the floodlighting solution is acceptable i.e. demountable columns and base cover plates are located away from the square and do not impact bowler run-ups.

This full pitch floodlighting solution would provide additional midweek training capacity, as well as retaining informal space for age grade activity. This proposal does not have planning consent at present.

Initial discussions with the developer indicate that they would be willing to support the re-orientation of the pitch and enhancements to on-site power capacity for floodlighting and the planned clubhouse improvements. This is yet to be confirmed formally.

If the benefits outlined to Gravesend RFC were to be secured, the RFU would not have an objection to the proposed development.

In its response to the current application, the RFU recognises that the application for the floodlighting is currently being assessed. It has also commented that it is concerned that the red line boundary and the relationship with the existing pitches / any re-orientated pitch is not clear. An existing and proposed 'masterplan' showing the relationship between the proposed

development and the playing field pitches is required to demonstrate that this is satisfactory and that no adverse impact to the use of the pitches would result. Confirmation is required from the applicant that the northernmost pitch, immediately adjacent to Ellerslie (identified at photo 3 of the Design and Access Statement) is to be relocated prior to the development being occupied or that it would not be impacted by the proposed development. In that regard, a dead ball zone behind the goal posts of 6m and a minimum 5 m safety run off beyond is required to be retained to separate the pitch from the boundary of the proposed development.

Sport England's support for this proposal involving the loss of the playing field area and any impact on the existing pitch and training area would be subject to the current application for additional / relocated floodlighting being approved and that lighting being installed and operational before the existing pitch and training area are lost.

Conclusion

In light of the above, Sport England **objects** to the application because it is not currently considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 99 of the NPPF. Sport England would be willing to reconsider its objection subject to,

1. Financial mitigation relating to the loss of that part of the playing field comprising the bowling green area to be secured through a s.106 obligation for the benefit of community bowls facilities within the Borough,
2. Existing and proposed masterplan drawings demonstrating the relationship of the proposed development with the existing and proposed playing field pitches / training area
3. Planning permission being granted for the additional / relocated floodlighting as sought by planning application 20221327.

If you would like any further information or advice, please contact me