

Subject: F/23/95045 (Response to Sport England comments)
From: Bidwells
Date: 06 June 2023
To: Rachael Morris, Eastleigh Borough Council



MEMORANDUM

Response to Sport England

In its response to the above planning, Sport England states the following:

“Sport England notes the comments and questions from the governing bodies above, particularly in relation to the design and specification of the proposed Artificial Grass Pitches (AGPs) as well as the potential impact on cricket at the site. Sport England’s view is that further information is needed in order to consider whether the application is capable of meeting our E5 exception which states:

“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 asks that further consideration is given to the points and questions raised by the governing bodies and that further information is provided to address them.”

The response concludes that Sport England objects to the application because it is not considered to accord with any of the exceptions to Sport England’s Playing Fields Policy or with Paragraph 99 of the NPPF.

We consider that the proposed development is in accordance with paragraph 99(b) of the National Planning Policy Framework which states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless, *inter alia*, 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.

We consider that paragraph 99 refers substantially to the redevelopment of sites for residential or commercial development etc. It does not necessarily apply to re-provision of sports facilities on a site already used for such purposes. Notwithstanding, it is clear that the proposed development would result in a facility that is of far superior provision in terms of its quality and will deliver improved quantity by delivering enhanced capacity throughout the year. Likewise, we consider that the V5 exception is met as the proposed development will deliver enhanced and improved sporting facilities over and above the loss of existing facilities which cannot be

relied-upon to facilitate sport throughout the year and which continue to promote sports to a wide range of community and University users. On both counts, we do not consider that the Sport England stance is justified.

We note the response from the Council's Leisure Manager which states that *"It is recognised that 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."* This response from a Council officer confirms that the test outlined in paragraph 99 of the National Planning Policy Framework is met and that the principle of the proposed development is acceptable. Significant weight should be afforded to this view in determining this planning application.

In our response, we have provided a 'technical' response and a 'planning' response. Whilst provision of a high-quality facility with appropriate specifications is an important consideration, the specific technical standards for the facility and the Community Use Agreement should be agreed, implemented and maintained by the University of Southampton which owns and maintains the facility. These are not strictly planning matters and it would not be reasonable to request such information now or impose or as a condition. Such matters are essentially, a separate consent and will be agreed as such, outside the remit of the planning application.

It should be noted that the site is affiliated to the British Universities and Colleges Sport (BUCS) League and University games are played according to that league. The University requires the pitches at the site to be of a specification which complies with the BUCS rules and regulations. This forms the ultimate driver for determining the specifications and facilities at the site.

The planning response, shown below outlines the material considerations which should be afforded to each matter raised by Sport England. We trust that the 'technical' information provided will provide comfort to Sport England that appropriate facilities and specifications will be delivered and maintained and permit them to remove their objection.

SPORT ENGLAND COMMENT	RESPONSE	PLANNING POSITION
Could the applicant confirm the exact number of full-size natural turf rugby pitches currently available	Four	
Is the applicant able to quantify the capacity of the existing rugby Natural Turf Pitches (NTPs) either through a non-technical assessment of the surfaces, or with an agronomy or PitchPower assessment? It is anticipated that this would align to the emerging Eastleigh Borough Council Playing Pitch Strategy.	This would require a specialist survey and the information is not available at the current time	The proposed development will deliver enhanced capacity at the site throughout the year. This is demonstrated in the Planning Statement. An additional survey is not required to determine the planning application. The proposed development is aligned to the Council's emerging Playing Pitch Strategy as it will deliver new and enhanced sports provision in the Borough
Could the applicant confirm if either of the existing Artificial Grass Pitches (AGPs) are constructed to World Rugby Regulation 22 compliance	The pitch is not a 'shock pad' specification and is too small	Whilst provision of a high-quality facility and specification is important, this is not directly a planning matter and will

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		be incumbent on the University to deliver an appropriate specification for the facility
Could the applicant confirm the level of demand from both university rugby teams and external rugby bookings	There are two student games per week, per pitch, plus Locks Heath Pumas, meaning some are three games per week. The University does not have more teams as there is no capacity – If more capacity is created there would be more teams	There is significant pressure and demand for the facility, which will be unlocked by the proposed development. This should be afforded significant weight in determining this application
Could the demand for midweek evening usage be quantified. This should be linked to the query around the need for sports lighting flagged in the design feedback	Currently utilising the Grids, when ground conditions permit, with temporary lighting. The proposed development will enable more mid-week evening student and community usage. This space is used by Locks Heath Pumas and gets very worn and it does not drain well, even after aeration	There is significant pressure and demand for the facility, which will be unlocked by the proposed development. This will include increased participation by community and University users. This should be afforded significant weight in determining this application
The applicant is advised that the rugby AGPs must be constructed to World Rugby Regulation 22 performance specification as a minimum, and meets the recommend playing enclosure dimensions defined in World Rugby Law 1	The layout for the proposed AGPs are in line with Sport England guidance and World Rugby Regulation 22. Construction quality is to be addressed at detailed design by pitch contractor	Whilst provision of a high-quality facility and specification is important, this is not directly a planning matter and will be incumbent on the University to deliver an appropriate specification for the facility
The applicant is advised that the rugby AGP must be tested to World Rugby Regulation 22 specification on completion and then every two years by an accredited laboratory to ensure certification by the RFU.	Testing in accordance with WRR 22 is to be addressed at detailed design by pitch contractor	Whilst provision of a high-quality facility and specification is important, this is not directly a planning matter and will be incumbent on the University to deliver an appropriate specification for the facility
Pricing and access policies must be affordable for community rugby clubs and should be agreed in consultation with a Sport England Community Use Agreement. This should be no more than match-rates for price for natural turf pitches	The site benefits from a Community Use Agreement with Eastleigh Borough Council and Football Foundation. Pricing to be reviewed by the University to ensure it remains affordable	The proposed development will deliver increased capacity for University and community users, in conjunction with a Community Use Agreement. The affordability will be informed and agreed by the Community Use Agreement and is not directly a planning matter

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Ensure that a sinking fund (formed by periodically setting aside money over time in preparation for repair and replacement) is in place to maintain AGP quality to World Rugby Regulation 22 in the long term.	The University does not use sinking funds. It does though have a comprehensive PPM, LTM and Capital plan which covers this - as evidenced by the replacement and upgrading of the hockey pitch and previously the rubber crumb facility	This is not directly a planning matter. Given the facility is owned and run by the University there is no realistic prospect of the facility closing through lack of funds or usership. Funding of the facility is incumbent on the University
In light of the proposed loss of the rugby NTP and in relation to the dual use proposal for the rugby AGP it is anticipated that rugby would be the primary sport and as such the rugby markings should be white.	The 'combined' football and rugby AGP pitch would have Rugby as the primary sport/main pitch layout and the line markings will reflect that. This will be addressed at detailed design by pitch contractor	This is not directly a planning matter. However, the proposed development will deliver a high-quality specification and facility that is in accordance with relevant standards. This will be implemented and managed by the facility
It is noted that the proposed system for the rugby AGP is the LigaTurf Cross R 250 13/8 by Polytan. The RFU would consider rugby the primary user as mitigation for loss of the existing NTP. As such the RFU would anticipate a 60mm carpet in line with World Rugby Regulation 22 ("World Rugby strongly recommend that fields use a 60mm carpet as these have a proven track record for providing excellent surfaces for rugby. Consideration of carpets with pile heights between 50mm and 60mm should be restricted to multi-sport, community-based fields that wish to offer rugby as an additional or optional sport").	A specialist supplier recommended the proposed specification for a multi-use pitch for both Rugby and Football (but with Rugby as the primary sport) and confirmed this was to WR and FIFA regulations. The proposed system will be further addressed by the pitch contractor.	This is not directly a planning matter. However, the proposed development will deliver a high-quality specification and facility that is in accordance with relevant standards. This will be implemented and managed by the facility
Can the applicant advise the specification of the rugby posts intended to be installed on the surface	To be addressed at detailed design by pitch contractor	This is not directly a planning matter. However, the proposed development will deliver a high-quality specification and facility that is in accordance with relevant standards. This will be implemented and managed by the facility

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Can the applicant confirm the proposed specification/installation method for the flags associated with the rugby markings?	To be addressed at detailed design by pitch contractor	This is not directly a planning matter. However, the proposed development will deliver a high-quality specification and facility that is in accordance with relevant standards. This will be implemented and managed by the facility
Could the applicant provide further detail in relation to the future plan to include sports lighting with the AGPs? This should be considered in relation to the previous point around midweek evening demand flagged in the need feedback.	Currently utilise mobile diesel lighting on the grids. This would be discontinued and LED tower lighting, compliant with relevant standards would be specified	The floodlighting will be subject to a separate planning application. In the interim, the proposed facility could deliver a significant increase in capacity throughout the year, even without floodlighting
Sports lighting would have the potential to open up additional community use and income streams. Should sports lighting not be approved at a future date, could the applicant please define the level of community use available as a result of the proposed new provision?	Should sports lighting not be permitted the University would relocate the current temporary lights to the new pitches to maximise community use and income streams.	The floodlighting will be subject to a separate planning application. In the interim, the proposed facility could deliver a significant increase in capacity throughout the year, even without floodlighting
Can the applicant provide a more comprehensive drainage plan with reference to whether the proposed AGP drainage system would have any effect on the retained NTP surface quality?	To be addressed at detailed design by pitch contractor	A Flood Risk Assessment and Drainage Strategy has been provided to the Council and no objection has been received from the Lead Local Flood Authority. The specification of the surface is a matter to be agreed at detailed design stage and is not directly a planning matter
Could the applicant provide some commentary around the ancillary provision and car parking to support the proposed new AGPs?	This development is not anticipating any peak traffic/car parking growth. A net loss of pitches is proposed. The pitches we will have will be used more but the maximum users of the site at any one time will be less - the peak will be flattened - helping with car parking and traffic peaks. The Pavilion is undergoing a refreshment this summer and with 26 changing room is adequate for the site	The local highways authority has not objected to the proposed development or requested additional information pertaining to vehicular use at the site. There is no grounds to request additional information in respect of changes in vehicular traffic to/from the site

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Could the applicant confirm the location of the compound, route for any site traffic, and any mitigation required to ensure impact on existing provision is minimised	The proposed compound will be determined in conjunction with the contractors	A contractor compound would benefit from permitted development rights. Construction traffic management is outlined in the Planning Statement or could be agreed with the Council as a condition or prior to determination of the planning application
How do the new AGPs impact on the existing two cricket pitches in terms of appropriate run off from the existing boundaries (minimum of 3m)	Run-off for the cricket pitch to the west is 7m, to the south the run-off is 2.6m. There is scope to adjust the recess/ dugout width in this location or create two recesses rather than one large recess. This is to be addressed at detailed design by pitch contractor. ECB guidelines (Defining the Boundary) state: On grounds where the boundary is not clearly defined by a perimeter fence or edge of grass area, it must be marked by a rope. For Test and International matches, all boundaries must be designated by a rope or similar object of a minimum standard as authorised by the ICC from time to time. Where appropriate the rope should be a required distance (2.74m minimum) inside the perimeter fencing or advertising signs. For grounds with a large playing area the maximum length of boundary should be used before applying the minimum 2.74m between the boundary and the fence	There is no impact on the cricket provision at the site. The provision of appropriate run-off distances can be managed by the facility and there is no reason to believe that they cannot be delivered or maintained
Noting the suggested increase of activity for football and rugby, the ECB recommends that a full Ball Strike Risk Assessment is undertaken by the applicant as part of the planning process. Details of	It is possible to provide this information	This is not directly a planning matter and no additional information is required to determine the planning application

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this can be found at Labosport, who the ECB recommends for such assessments.		
A full review of cricket at this site in line with the emerging PPS, and suitable Community Use Agreements being completed for existing and future cricket users	University to continue to liaise with Council on cricket provision and complete any review required, and to feed into the PPS and Community Use Agreements	This is not directly a planning matter and no additional information is required to determine the planning application
Is anything being proposed to enhance the cricket offering at the location i.e. new non-turf wickets, improvement in the fine-turf?	Nothing to mitigate as cricket provision is not affected New non-turf wickets have recently been installed on the site (funded by Council)	This is not directly a planning matter and no additional information is required to determine the planning application