

Town and Country Planning Act 1990 (As Amended)

Planning Appeal:

Danescroft (FREOF v Willingdon) LLP.

APP/C1435/W/22/3293970

Land at Hindsland, Eastbourne Road, Lower Willingdon, BN20 9NU

Report to inform the Inquiry

SPORT PLANNING REPORT: PLAYING FIELDS

Prepared by David O'Neil MRTPI and Sue O'Neil MRTPI, Nortoft Planning, 19/05/22

Report Authors

1. The authors of this report are David O'Neil and Susan O'Neil. Susan O'Neil holds a BSc (Hons) degree in Environmental Science and is a Chartered Member of the Royal Town Planning Institute. David O'Neil holds a BSc (Hons) degree in Ecological Sciences, a Post Graduate Diploma in Town Planning, and is also a Chartered Member of the Royal Town Planning Institute.
2. Both are Directors of Nortoft Partnerships Ltd, a specialist sports planning consultancy they established over 22 years ago, which is based in Northamptonshire but with work across the country. Prior to that, both have worked for Sport England (then the English Sports Council) with roles as Regional Officer for the East Midlands (David) and Regional Facilities Lead for the West Midlands (Susan). David has also held a County Council planning manager role and various other senior sports planning, management, and land development roles.
3. Susan O'Neil and David O'Neil have advised on a very wide range of development planning in relation to playing fields, built sports facilities and open space on behalf of developers, landowners, local authorities, and sports clubs. They have also authored, through Nortoft, over 100 playing pitch, built sports facilities, and open space strategies.
4. They state that "The evidence which we have prepared and provide for this appeal reference APP/C1435/W/22/3293970 is true and has been prepared, and is given in accordance with, the guidance of the RTPI and we confirm that the opinions expressed are our true and professional opinions".

Introduction

5. This report is submitted with respect to an appeal by Danescroft (FREOF v Willingdon) LLP (“Danescroft”).
6. The report provides the sports related evidence which is to be considered alongside the other evidence submitted by the applicant. This demonstrates that the provision of an off-site contribution to sport in line with the Wealden Playing Pitch and Outdoor Sports Needs Assessment (2018) and Sport England advice, fully mitigates the on-site loss of former playing fields that were last used about 20 years ago.
7. This report provides the evidence that confirms that Sport England does not object to the granting of planning permission, and that the s106 proposals are consistent with the recommendations of Sport England.
8. It is understood from the Statement of Common Ground that there are no extant issues of dispute with the Council regarding S106 contributions for sport.

Supporting documents to this report

9. The key supporting documents are:
 - 9.1. Sport England’s email ‘For the attention of the Inspector’ (c/o David O’Neil, Nortoft 11/04/22 - see this report Appendix 1).
 - 9.2. Wealden District Council’s email (Stacey Robins, Head of Planning and Environment, Wealden District Council, 01/04/22) which sets out that the LPA officers recommended granting of planning permission where, in relation to sports pitches, this would have been subject to a financial contribution towards any off-site sports pitches and changing rooms (see this report Appendix 2).
 - 9.3. Wealden District Council’s Planning Committee (South) 24/03/22 Minutes: WD/2021/0594/MEA – Hindsland, Eastbourne Rd, Lower Willington, BN20 9NU (see this report Appendix 2).
 - 9.4. The Appellant’s Sports Planning Assessment Update (Nortoft, February 2022).
 - 9.5. The Appellant’s Sports Planning Assessment (Nortoft June 2021)

The previous use of the site

10. The previous use of the site was as a private playing field by the University of Brighton. There was 4.62ha of useable playing field area. The last use as a playing field was in the 2001/02 season. The former pavilion building has now been demolished.

The current use of the site

11. The site is owned by Danescroft, is vacant private land, and has no agreed public access.

The proposed future use of the site

12. The application will result in the loss, for sports use, of the former playing field.
13. The proposed mitigation for the loss will be via a S106 financial contribution.

Sport England's position on the planning application and proposed mitigation

14. Sport England confirms (email of 11/04/22, see Appendix 1) that it does not object to the granting of planning permission and agrees:

- The approach taken in relation to sports pitch mitigation should be via a financial contribution calculated using Sport England's Playing Pitch Calculator; and
- There are a range of projects in the vicinity of the Appeal Site where the contribution could be applied to enable off site sports pitch upgrades; and
- The agreed contribution should be secured through the S106 Agreement.

Wealden District Council's position on the site as a previous playing field use

15. WDC does not object to the loss of the former playing field to the proposed development as it follows planning policy (see planning policy section below), subject to suitable mitigation (see Statement of Common Ground section below).

Planning Policy

16. This Sports Report has as background Nortoft's Sports Planning Assessment (June 2021) and the Sports Planning Assessment Update (February 2022) for the Hindsland application (WD/2021/0594/MEA). These reports identified that the former playing pitches did not need to be retained and that an off-site contribution as mitigation would be acceptable.

17. As such, the planning approach including the s106 mitigation is compliant with the following key planning policies:

- NPPF para 97 (see Nortoft's Sports Planning Assessment June 2021 para 50ff).
- WDC Local Plan, 2013, Policy WCS13 Green Infrastructure (see Nortoft's Sports Planning Assessment, para 55ff).
- WDC Open Space, Sports and Recreation Assessment, 2016 (see Sports Planning Assessment, para 57).
- WDC Playing Pitch and Outdoor Sports Needs Assessment, 2018 (see Sports Planning Assessment para 58ff).

18. Neither the Council nor Sport England have disagreed with the appellant in relation to their interpretation of the relevant policies.

Statement of Common Ground

19. The SOCG considers the former playing pitch use and its loss to the proposed development in the section on 'Playing Pitches' where at para 6.8 it states:

"It is agreed that the approach taken in relation to sports pitch mitigation via a financial contribution calculated using Sport England's Playing Pitch Calculator is appropriate. Furthermore, it is agreed that there are a range of projects in the vicinity of the Appeal Site where the contribution could be applied to enable offsite sports pitch upgrades. The agreed contribution is secured through the S106 Agreement".

S106 contributions

20. The S106 contribution amount is to be derived by use of the Sport England Playing Pitch Calculator. These have been calculated by Sport England as set out in its two emails to Nortoft of 16/07/21 (see Appendix 1).
21. The inputs are the number of dwellings, being up to 180, with 2.3 persons per household, and so a population of 414. The Calculator uses the local population profile for the district.
22. The Calculator outputs from Sport England are set out in the table below, and also includes the latest available (Q2/2021) updated calculator costs.

Item	As at Q2/2020	As at Q2/2021
Pitch capital costs (grass and AGP):	£70,947	£70,947
Changing facilities	£110,500	£114,883
Total		£185, 830

23. The current update of the Wealdon Playing Pitch Strategy is not advanced sufficiently to identify priority projects (Sussex FA, email 21/01/22 and Nortoft reply 14/06/22). Therefore during late January 2022/early February 2022 Nortoft reconsulted key stakeholders in order to confirm potential local projects which could be used in the proposed S106 agreement. Those consulted included: the Football Association/Sussex County FA (03/02/22); relevant local town and parish councils (Polegate TC (24/06/22), Willingdon and Jevington PC (26/06/22), Halisham TC (03/02/22); and relevant sports clubs and organisations: Polegate and Stonegate Cricket Club, the Polegate Town Football Club, Willingdon Athletic FC (09/02/22), Polegate War Memorial Ground CIC (06/02/22).
24. The outcome of this further consultation suggests that contributions should be targeted towards the following playing field projects.
- Polegate War Memorial Ground (up to £200k of investment needed)
The site is less than 1 mile away from the application site, is owned by the Polegate Town Council, but with a long lease to the Polegate War Memorial Recreation Ground CIC. The CIC is formed of directors from the Polegate and Stonegate Cricket Club, the Polegate Town Football Club, and the Town Council. The PWMRG-CIC confirm that there is need for funding but does not have the funding for the following facilities, with a combined cost of about £199,000:
 - Ball stop fencing: This needs to be 6m high and around 2 sides of the ground. It has planning permission. The CIC have quotes at a cost of £26,000.
 - Football pitch drainage: One adult pitch needs drainage. Nortoft's piped drainage cost estimate based on Sport England/Football Foundation costs (at Q2/2019) would be around £41,000 (plus inflation since 2019).
 - Pavilion refurbishment: A full refurbishment or rebuild is required. The cost is to be confirmed but the CIC's very initial estimate is £100k-£150k. Nortoft's own initial estimate (based on 50% of new build cost for a 2-team changing room, using SpE Q2/2022 prices) is a cost of around £132,000.

- William Daly Recreation Ground aka Brightling Road Ground (Up to £60,000 of investment needed).

The site is about 1 mile from the Hindsland application site. The FA confirms (27/02/22) that the William Daly Recreation Ground is a potential location for investment. The Polegate Town Council Clerk, as owners of the ground, confirm (03/02/22) that there are 5 mini football pitches marked out on site (as can be seen on Google Earth) but that the Stonegate Royals FC (minis) used to play there but had to move last season because of drainage issues. As such there is a need for drainage of the football playing field. This would be for 5 mini pitches set in a 1.45ha of useable playing field. Nortoft's initial estimate based on Sport England/FF piped drainage and surface improvements scheme (Q2/2019) suggest a cost of about £60,000 (plus inflation) for the works.

- Brodericksland new pitches (up to £400,000 of investment needed)

This playing field site at the Brodericksland housing development is less than 1 mile away from the Hindsland application site. Since the Brodericksland development's agreed S106, there is justification for a larger pavilion than planned, with an extension from 2 to 4-team changing, as evidenced by Nortoft's consultation with Willingdon Athletic FC (02/02/22). No funding has been identified for the extension. The priority for investment will be considered as part of the review of the Playing Pitch Strategy by the Football Association and Football Foundation. The cost difference between a 2- and 4-team changing pavilion, based on Sport England Facilities Costs (Q2/2022), is around £400,000.

25. Local Plan Policy WCS13 Green Infrastructure states:

"....Development proposals will not be permitted which would result in the loss of existing open space unless alternative and suitable provision is made that is accessible, of good quality and value to its users, in an appropriate location, at an appropriate scale and nature and would positively contribute to the overall network of green space. All new residential development will be required to contribute to the green infrastructure network and where appropriate to make provision for new or enhancement of existing open space. Where the scale of development would be too small to make on-site provision, as is the case here, the Council will seek developer contributions either towards the improvement of existing open spaces or towards the provision of open space elsewhere."

26. To meet the requirements of Policy WCS13, it is therefore proposed that a S106 contribution, calculated using Sport England Playing Pitch Calculator, is agreed for the provision of off-site contributions to the Polegate War Memorial Ground and/or the William Daly Recreation Ground. The Brodericksland pavilion may also be a potential recipient if confirmed in the playing pitch strategy review.
27. The proposed investment into off-site playing field improvements will also benefit the wider community. For example, investment into pitch drainage at the William Daly Recreation Ground (aka Brightling Road Ground) would enable 5 mini football pitches to be brought back into use, allowing the Stonegate Royals FC (minis) to return to that site.

Conclusion

28. The former private university playing fields at Hindsland have not been used for almost 20 years. It is considered that the provision of an off-site contribution to local playing field projects, in line with the Local Plan Policy WCS13, and as agreed by the Council and Sport England, will fully mitigate the loss of former playing field.

29. The policy compliant, agreed value of the S106 contribution from the proposed Hindsland development is £185,830 (Q2/2021 cost). This should be spent on identified, appropriate and deliverable schemes in the immediate locality.

APPENDIX 1: Sport England emails of 19/01/22, 11/04/22, 16/07/21, and 03/08/21

From: Jo Edwards [REDACTED]
Sent: 03 August 2021 16:34
To: Sue O'Neil [REDACTED]
Cc: David O'Neil [REDACTED]
Subject: RE: App Ref: WD/2021/0594/MEA - The Hindlands, Eastbourne Road, Willingdon, BN20 9NU - Sport England Ref: PA/21/SE/WEA/58181

Hi Sue,
[REDACTED]

The calculator figures are provided only as guide to negotiations between the LPA and applicant. In this instance I would agree that the lifecycle costs would seem unnecessary.

Let me know if I can be of any further help.

Best Regards, Jo

Jo Edwards

Planning Manager

From: Jo Edwards [REDACTED]
Sent: 16 July 2021 13:16
To: Sue O'Neil [REDACTED]
Cc: David Neame [REDACTED] Aidan Robson [REDACTED]
Subject: FW: App Ref: WD/2021/0594/MEA - The Hindlands, Eastbourne Road, Willingdon, BN20 9NU - Sport England Ref: PA/21/SE/WEA/58181
Importance: High

Dear Sue,

I do apologise I forgot to multiply the number of dwellings by the average household size (2.3 pph). On the basis of those figures the relevant costs are set out below.

Pitch capital costs (grass and AGP) £70,947

Pitch running costs per annum £11,349 (Nortoft added note: this is not needed – see Sport England 3rd Aug 21 email above)

Change facilities £110,500

Source of costs: Capital Cost - Sport England Facilities Costs Second Quarter 2020

Lifecycle Costs - Based on a % of the total project cost per annum as set out in Sport England's Life Cycle Costs Natural Turf Pitches and Artificial Surfaces documents (April 2012)

<https://www.sportengland.org/facilities-planning/design-and-cost-guidance/cost-guidance>

If you require any further explanation, please do not hesitate to contact me.

Best Regards, Jo

Jo Edwards

Planning Manager

From: Jo Edwards [REDACTED]
Sent: 11 April 2022 15:21
To: David O'Neil [REDACTED]
Subject: Hindsland, Lower Willingdon Appeal (APP/C1435/W/22/3293970)

Sport England Position Statement

For the Attention of the Inspector

Having noted, and set in the context of:

- The LPA's email (Stacey Robins, Wealden District Council, 01/04/22) where it sets out that the LPA would have granted planning permission subject to a financial contribution towards any off-site sports pitches and changing rooms, with relevant conditions to control the development; and
- The Appellant's Statement of Case in Relation to Sports Matters (Nortoft 24/02/22); and
- Sports England's previous emails on this matter including to the Council (to Mrs Turner, Wealden District Council, 23/06/21) and to the Appellant (to David O'Neil, Nortoft, 19/01/22)

Sport England confirms that it does not object to the granting of planning permission, and we agree with the Appellants Statement of case where it is said:

- The approach taken in relation to sports pitch mitigation should be via a financial contribution calculated using Sport England's Playing Pitch Calculator; and
- There are a range of projects in the vicinity of the Appeal Site where the contribution could be applied to enable off site sports pitch upgrades; and
- The agreed contribution should be secured through the S106 Agreement.

Please let me know if any further clarification is required.

Yours Sincerely,

Jo Edwards MRTPI
Planning Manager

From: Jo Edwards [REDACTED]
Sent: 19 January 2022 15:10
To: David O'Neil [REDACTED]
Cc: Aidan Robson [REDACTED]; Sue O'Neil [REDACTED]
Subject: RE: Hindsland, Willingdon, Wealden DC WD/2021/05494/MEA

Hi David,

Your understanding of the situation is correct. Sport England would expect the loss of the former playing field at Hindsland to be mitigated regardless of the situation with Mornings Mill Farm.

The new PPS is underway and stage B is fairly near to completion so having been involved in that process, I would expect all the NGBs will have a good idea of what their priorities would be.

Let me know if you need anything more.

Best Regards

Jo

Jo Edwards MRTPI Planning Manager

APPENDIX 2

APPENDIX 2 Wealden District Council email of 29/03/22 (extract) and Committee Minutes (extract); committee recommendations 24/3/22 (extract)

Subject: RE: 3293970 - Hindsland, Eastbourne Road, Willingdon - WD/2021/0594/MEA

Date: Tuesday, 29 March 2022 at 15:22:54 BriGsh Summer Time

From: Stacey Robins

To: Skinner, Helen, David Neame

CC: Samuel Batchelor, Claire Turner, Planning Appeals, Brown, Kerr

Dear Helen,

.....

Position Statement

The Committee agreed that a position statement should be sent.

We can work this up in more detail if needs be, but it is broadly as follows:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that determination must be made in accordance with the plan unless material considerations indicate otherwise. The adopted development plan documents relevant to the application site are the policies of the Wealden Local Plan 1998 which were saved in 2007, the Core Strategy Local Plan, which was formally adopted on 19 February 2013, and the Affordable

.....

To conclude, the development accords with all the relevant planning policies in the adopted development plan with the exception of the two policies GD2 and DC17, which for the reasons set out in the report are given very limited weight.

.....

There are no adverse impacts of the development that would significantly and demonstrably outweigh the benefits of the development proposal

.....

In light of that and whilst duly noting the comments from all consultees and those who have lodged representations, there are no justifiable reasons against the development that could be sustained at the forthcoming appeal.

That subject to the completion of a legal agreement to secure:

- 35% affordable housing provision;
- 5% serviced plots for custom and self-build units;
- Provision of serviced site for medical centre;
- Financial contribution towards any off-site sports pitches and changing rooms
- Travel plan with £200 flexible voucher for sustainable travel measures; residents information pack, £6000 audit fee and £36,000 financial bond.
- Bus service contribution of £600 per dwelling - total £108,000; RTP1 and bus stop infrastructure for 2 bus stops closest the site; RTP1 board for medical centre foyer.
- Off-site highway works including:
 - S278 for site access and HPEMAC cycle/footway extension along part frontage of site; tie in details, uncontrolled crossing point with refuge; right turn ghost lane.
 - Traffic calming scheme to mitigate cut-through traffic using the residential streets in Wannock area.

and conditions to control the development, the LPA would have granted planning permission.

That being so, the corollary applies, so the Council would not defend the appeal.

Stacey Robins | Head of Planning & Environmental Services

Wealden District Council | Vicarage Lane | Hailsham | BN27 2AX

WDC Planning Committee South - Thursday, 24th March, 2022 10.00 a.m.

Major Application with Environmental Assessment application for:

OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS (EXCLUDING INTERNAL ESTATE ROADS BEYOND THE ACCESS TO SERVE THE MEDICAL CENTRE PLOT) FOR DEMOLITION OF EXISTING VACANT DWELLING AND ERECTION OF UP TO 180 NO. DWELLINGS AND MEDICAL CENTRE TOGETHER WITH ALL PARKING, SERVICING AND ON-SITE OPEN SPACE.

Received date: 18 March 2021

Parish: Willingdon & Jevington

Ward: Lower Willingdon

RESOLVED that subject to the completion of a legal agreement to secure:

- 35% affordable housing provision;
- 5% serviced plots for custom and self-build units;
- Provision of serviced site for medical centre;
- **Financial contribution towards any off-site sports pitches and changing rooms**
- Travel plan with £200 flexible voucher for sustainable travel measures; residents information pack, £6000 audit fee and £36,000 financial bond.
- Bus service contribution of £600 per dwelling - total £108,000; RTPi and bus stop infrastructure for 2 bus stops closest the site; RTPi board for medical centre foyer.
- Off-site highway works including:
- S278 for site access and HPEMAC cycle/footway extension along part frontage of site; tie in details, uncontrolled crossing point with refuge; right turn ghost lane.
- Traffic calming scheme to mitigate cut-through traffic using the residential streets in Wannock area.

That the Council do not defend the appeal at Public Inquiry.

For: Planning Committee South

Date: 24 March 2022

WD/2021/0594/MEA - HINDSLAND, EASTBOURNE ROAD, LOWER WILLINGDON, BN20 9NU

Summary of Proposal

Major Application with Environmental Assessment application for:-

OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS (EXCLUDING INTERNAL ESTATE ROADS BEYOND THE ACCESS TO SERVE THE MEDICAL CENTRE PLOT) FOR DEMOLITION OF EXISTING VACANT DWELLING AND ERECTION OF UP TO 180 NO. DWELLINGS AND MEDICAL CENTRE TOGETHER WITH ALL PARKING, SERVICING AND ON-SITE OPEN SPACE.

Received date: 18 March 2021; Parish: Willingdon & Jevington;

8/13 week date: 12 January 2022

Ward: Lower Willingdon

Grid Ref: 558474 104110

Link to website:

<https://planning.wealden.gov.uk/plandisp.aspx?recno=153207>

<https://council.wealden.gov.uk/ieListMeetings.aspx?CommitteeId=660>

Recommendation

(1) Subject to the completion of a legal agreement to secure:

- ☐ 35% affordable housing provision;
- ☐ 5% serviced plots for custom and self-build units;
- ☐ Provision of serviced site for medical centre;
- ☐ **Financial contribution towards any off-site sports pitches and changing rooms**
- ☐ Travel plan with £200 flexible voucher for sustainable travel measures; residents information pack, £6000 audit fee and £36,000 financial bond.
- ☐ Bus service contribution of £600 per dwelling - total £108,000; RTPi and bus stop infrastructure for 2 bus stops closest the site; RTPi board for medical centre foyer.
- ☐ Off-site highway works including:
- ☐ S278 for site access and HPEMAC cycle/footway extension along part frontage of site; tie in details, uncontrolled crossing point with refuge; right turn ghost lane.
- ☐ Traffic calming scheme to mitigate cut-through traffic using the residential streets in Wannock area.

That the Council do not defend the appeal at Public Inquiry.