

Application Ref. 21/01028/OUTMAJ

Land adjacent to HMP Garth and HMP Wymott, Leyland

Response to Sport England Comments

November 2021

On behalf of Ministry of Justice, the following is provided in response to the comments submitted by Sport England on 4th October in relation to the development proposed under application ref. 21/01028/OUTMAJ.

We understand Sport England's concerns relate to the loss of an area of playing fields within HMP Wymott, and a request for further information about the replacement bowling green and club facilities.

The application was made further to pre-application discussions with Sport England in February 2021 where no objection was raised.

Replacement Bowling Green

Sport England confirmed in pre-application discussions that as the existing bowling green was evidently a separate facility to any existing playing fields, they would have a non-statutory role with regards to this element albeit it would still be considered under paragraph 99 of the NPPF.

The following comments were provided in Sport England's response to the application:

Whilst the bowling green and club facilities would be replaced there is insufficient information provided about the existing facility to understand if the replacement would meet the requirements of paragraph 99 of the NPPF and Exception E4 of Sport England's Playing Fields Policy.

A table is provided below comparing key parameters of the existing and proposed bowling green and club facility.

	Existing facility	Proposed facility
Bowling green dimensions	38m x 38m	40m x 40m
Run-off/ surround dimensions	3.8m to south, 1.5m to north, west and east	2m width
Floodlighting?	Yes	Yes
Club house floorspace	Approximately 36 sqm	72 sqm
Other club house details	No level access No disabled WC	Level access throughout Dedicated disabled WC
Car parking spaces	Approximately 32 (not formally marked out)	2 disabled 35 standard

The “Wymott Bowling Club” currently leases the existing site from the Ministry of Justice, and a similar arrangement will be put in place for the proposed replacement facility.

The replacement bowling green and club facilities have been submitted in full detail as part of the planning application. This is to ensure that, if planning permission is granted, construction can begin at an early stage on the replacement facility so that the new facility is available for use in advance of the existing facility being demolished.

As set out within the Statement of Community Involvement and Planning Statement, the “Wymott Bowling Club” has been closely engaged with throughout the pre-application stage and is supportive of the proposed location and standard of the replacement facilities. It is widely agreed that the proposed replacement is of a significantly better quality and well-suited to the needs of the club members.

It is considered clear from the above that the proposed replacement bowling green, which is conveniently located just 635m to the south-west of the existing bowling green, offers a significant qualitative improvement and is thus compliant with paragraph 99 of the NPPF as well as Policies HW2 and HW6 of the Chorley Local Plan and Policy 24 of the Central Lancashire Core Strategy.

We trust that this information is sufficient to overcome Sport England’s concerns regarding the replacement bowling green and club facilities.

Impact on Playing Field

Existing Site

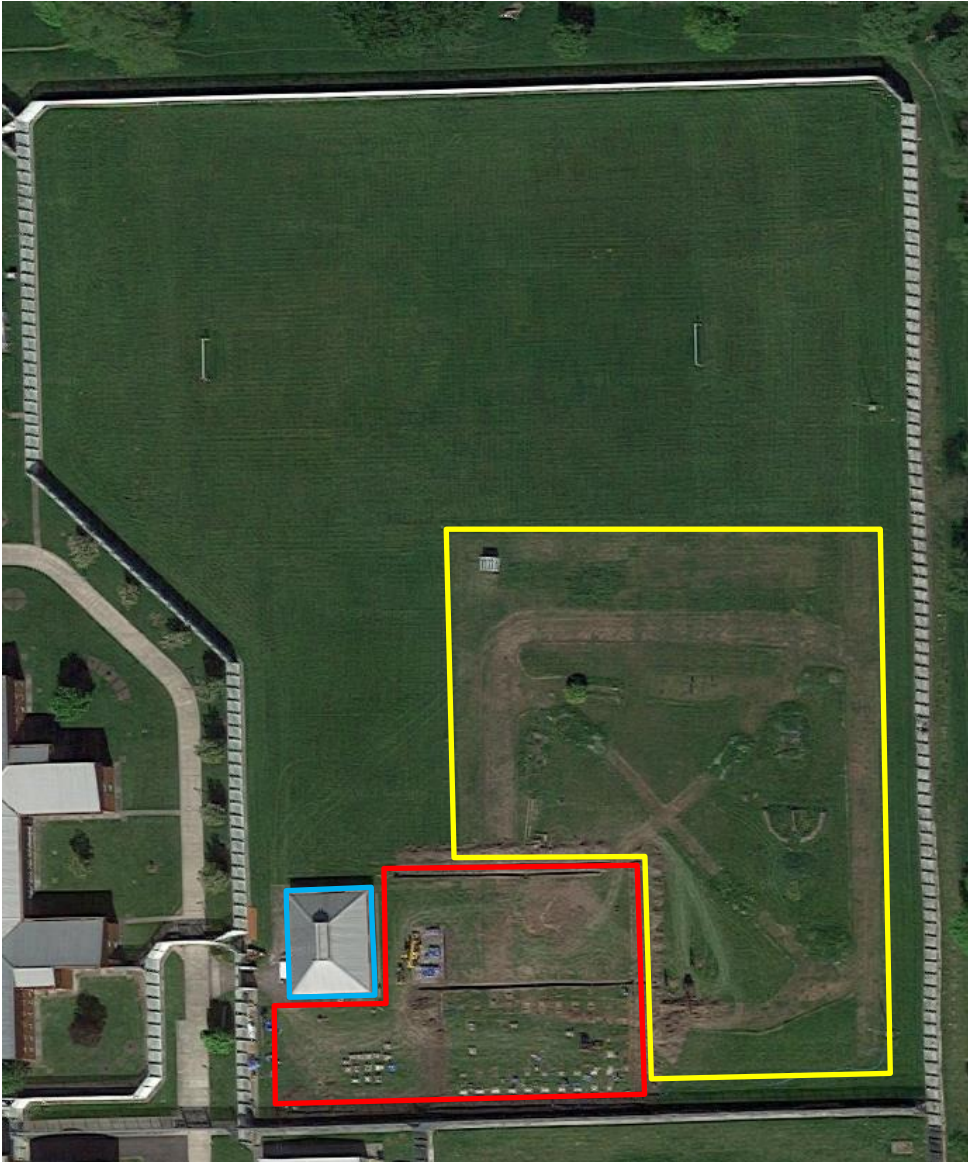
We note Sport England’s comments that an area currently within the secure fence line of HMP Wymott has been *“marked out for pitch sports in the past... would be lost in its entirety, and there is no supporting evidence from the applicant to demonstrate how and where the amount of playing field lost would be replaced. Therefore, in this instance the proposal would be considered contrary to the National Planning Policy Framework (NPPF) and to Sport England’s Playing Field Policy.”*

The application site includes a grassed area within the secure fence line of HMP Wymott, which has been used in the past by the existing prison for outdoor exercise and recreation.

A large area in the south of this part of the site (outlined in yellow on the aerial photo below) contains a disused outdoor assault course comprising earth mounds and ditches. A small disused store building is located in the south-west (outlined in blue), with the land outlined in red having been recently used to provide temporary covid isolation units (constructed under permitted development rights). This area previously formed part of the outdoor assault course.

These areas are considered incapable of forming a playing pitch or run-off area in accordance with the definition of a ‘playing field’ set out within the Town and Country Planning Act (Development Management Procedure) (England) Order 2015.

The remaining area of playing field extends to approximately 1.5ha.



The area to the north has historically been marked out for pitches, however has not been used by HMP Wymott for a number of years. Whilst this area of the site is within flood zone 1, the grass pitch is understood to have poor drainage and was only capable of being used at certain times of the year due to the dependency on good weather.

Of greater significance to its utilisation, the grass pitch is located adjacent to the outer perimeter of HMP Wymott and thus is at risk from throw overs. A grass pitch presents a greater security risk as grass can disguise objects, making it easier for prisoners to collect items.

Due to the poor quality and security risks, the existing grass pitch was very rarely used by HMP Wymott, eventually falling out of use in recent years. Prisoners at HMP Wymott have access to a range of other sporting facilities, including a sports hall and gym, and thus the pitch is surplus to local MoJ requirements.

HMP Wymott is a closed prison (Category C) and thus there is no public access to this area. There is no competitive play, e.g. league games. There are no ancillary facilities e.g. changing facilities or car parking, associated with the playing field. The loss of the pitch will therefore have no impact on the community.

Proposed Development

The proposed development includes the following sporting facilities for the new Category C resettlement prison:

- Total 4 new MUGA pitches with landscaped areas allocated to each houseblock. Access is controlled by prison staff.
- A new Gym within the Central Services Hub. Access will be controlled by prison staff.

No replacement grass playing field is proposed.

Notwithstanding the earlier comments regarding the security risk presented by grass pitches adjacent to the secure fence line and there not being any requirement from HMP Wymott for a replacement grass pitch, there is insufficient space within or adjacent to the secure fence line of HMP Wymott to provide a replacement grass playing field of at least 1.5ha in area.

Due to constraints around the site size and shape and the requirement to deliver a certain capacity on the site due to the significant national and regional need for prison spaces, it is not possible to incorporate a grass playing field within the layout for the new prison.

Any replacement playing field provided outside a secure fence line would not be capable of being used by prisoners at the existing Category B prison (HMP Garth), Category C prison (HMP Wymott) or the proposed new Category C resettlement prison for security reasons. As such, any such replacement pitch would be an isolated playing field, lacking in natural surveillance and ancillary facilities, and thus unlikely appealing to members of the public.

Furthermore, there is no suitable area within the Ministry of Justice's land ownership at the site where a pitch could be provided without resulting in harm to protected species, trees or other significant habitats, or otherwise preventing the delivery of 20% biodiversity net gain.

Playing Field Summary

In summary, the existing playing field is of poor quality, presents a security risk, is very rarely used by HMP Wymott, and is thus surplus to MoJ requirements.

It is not possible to provide a replacement grass pitch due to there being insufficient space within or adjacent to the existing secure fence line of HMP Wymott, insufficient space within the area for the new prison and there being no suitable area outside the secure fence line without risking harm to ecology or prejudicing the delivery of biodiversity net gain.

The new prison will include 4 no. new MUGAs as well as a new gym, increasing the amount of space in active sports use across the existing and proposed new prison.

Whilst we acknowledge Sport England's statutory position regarding the loss of a grass playing field that has previously been marked out for pitch sports, for the reasons set out in this note and the submitted planning application documents, we consider that the loss of the playing field is compliant with local planning policy, specifically Policy 24 of the Central Lancashire Core Strategy and Policy HW2 of the Chorley Local Plan.