

**From:** Janet Belfield <[Janet.Belfield@sportengland.org](mailto:Janet.Belfield@sportengland.org)>

**Sent:** 25 November 2021 23:17

**To:** DCON <[dcon@chorley.gov.uk](mailto:dcon@chorley.gov.uk)>; Iain Crossland <[iain.crossland@chorley.gov.uk](mailto:iain.crossland@chorley.gov.uk)>

**Cc:** Contact <[contact@chorley.gov.uk](mailto:contact@chorley.gov.uk)>

**Subject:** App Ref: 21/01028/OUTMAJ - HMP Wymott, Walton Lane, Leyland, PR26 8LW - Sport England Ref: PA/21/NW/CHO/59676

**CAUTION!** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Iain,

## **SUMMARY: OBJECTION MAINTAINED**

Thank you for your consultation on the additional information provided by the applicants' agent in response to Sport England's objection submitted on 4 October 2021.

The applicants' agent did contact Sport England for preapplication advice but that request was in relation to replacement of the bowling green and club, not loss of playing field inside the prison. No information was provided about development within the existing prison fence. There was also limited information provided due to matters of national security.

### **Replacement bowling green**

Sport England considers that the bowling green does not form part of the site containing a playing field because in physical or functional terms it is separate from the prison site. The bowling green is a sports facility that it afforded protection through the planning system under the provisions of paragraph 99 of the Government's National Planning Policy Framework (NPPF). Consultation with Sport England on the bowling green element of the proposal is therefore on a non-statutory basis. However, insufficient information has been provided to be certain of the quantity and quality of the replacement bowling green facility. The agents additional information provides quantitative information but needs to also include precise details for the construction of the green and the floodlighting. Therefore a detailed specification by a qualified sports turf agronomist is required for the for construction of the new bowling green; along with a specification for the sports lighting for the facility. In order to be able to assess the replacement there should also be an assessment and specification of the site to be lost in order for the Local Planning Authority to fully understand and assess the loss against the replacement. Leaving the detail to a later planning application is not acceptable. This detail is required in order for the local planning Authority to properly assess whether the replacement of the bowling green would be of equivalent or better provision in terms of quantity and quality in the location indicated in accordance with paragraph 99(b) of the NPPF.

### **Development on the playing field**

Consultation on the development on the playing field is a statutory consultation. The proposed development includes car parking, and this instance the playing field would be lost in its entirety to provide more parking for the prison. The grassed area to which the applicants' agent refers has been marked out in the past for a variety of pitches and meets the definition of a playing field. It has been measured as 1.58 Hectares. The area to the south of the assault course also previously has been marked out for football and contained a cricket wicket. The area is now fenced out and it appears to be unused. A series of images

of the site are included with this response to show the different markings on the site over the past 20 years for your reference.

The lack of use of the playing field has no bearing on its lawful use. It is understood that the playing field has not been used for pitch sports since the covid pandemic and the need for social distance. The agents statement about the poor drainage on the playing field again has no bearing on its use and the use of any facility requires a landowner to keep it in a useable fit for purpose condition. The statement about rare use is contested by the local community. Government guidance and planning regulations make no differentiation between public or private playing fields, and playing fields for private not community use are still playing fields irrespective of whether they enjoy or do not enjoy ancillary changing facilities.

The development does propose 4 multi use games areas (MUGAs) to serve the new prison blocks. Sport England ask that consideration be given to designing and constructing the MUGAs in accordance with Sport England's technical design guidance on MUGAs which can be found here: <https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/multi-use-games-areas-part-one.pdf> and <https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/outdoor-surfaces>

Sport England do not consider that building on the playing field and the provision of 4 Multi use games areas in its place is adequate replacement. Those detained in the prison system need access to adequate sports and leisure facilities for their health and well-being; it is just as important for them as it is for the local community. Whilst the information states that there is insufficient space within the secure fence line to provide a replacement, there is no detail to support that statement. If genuinely there is no space within the fence it could none the less be re-provided for the community on land outside the security fence. Therefore, even with the additional information provided Sport England still considers that the proposal would be considered contrary to the National Planning Policy Framework (NPPF) and to Sport England's Playing Field Policy. The loss of this playing field, that was large enough to hold a full sized football pitch with large hinterland, and a smaller pitch without direct mitigation for loss results in a proposal that fails to meet the requirements of paragraph 99 of the NPPF and Exception E4 of Sport England's Playing Fields Policy.

## Conclusion

**In light of the above, Sport England maintains its objection to the application because there is insufficient information to demonstrate that the replacement bowling facility meets the requirements of paragraph 99(b) of the NPPF; and the development on the playing field fails to mitigate for its loss and therefore 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.**

If you would like any further information or advice, please contact me at the address below.

Yours sincerely,

**Janet Belfield** Principal Planning Manager – North Team



We have updated our Privacy Statement to reflect the recent changes to data protection law but rest assured, we will continue looking after your personal data just as carefully as we always have. Our Privacy Statement is published on our [website](#), and our Data Protection Officer can be contacted by emailing [Gaile Walters](#)

**From:** Janet Belfield

**Sent:** 04 October 2021 17:44

**To:** [dcon@chorley.gov.uk](mailto:dcon@chorley.gov.uk); Iain Crossland <[iain.crossland@chorley.gov.uk](mailto:iain.crossland@chorley.gov.uk)>

**Cc:** [contact@chorley.gov.uk](mailto:contact@chorley.gov.uk)

**Subject:** App Ref: 21/01028/OUTMAJ - HMP Wymott, Walton Lane, Leyland, PR26 8LW - Sport England Ref: PA/21/NW/CHO/59676

Dear Iain

## **SUMMARY: OBJECTION**

Thank you for consulting Sport England on the above application. I have sent it to several email addresses as bounce back's keep being received to Chorley's Planning email addresses.

### **Sport England – Statutory Role and Policy**

It is understood that 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 is presented within its 'Playing Fields Policy and Guidance Document': [www.sportengland.org/playingfieldspolicy](http://www.sportengland.org/playingfieldspolicy)

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

### **The Proposal and Impact on Playing Field**

The application site includes playing fields that are part of the prison and a crown green bowling green and club facilities that are used by the local community.

The playing field has been marked out for pitch sports in the past and would be lost in its entirety as part of the new prison development and a car park would be constructed in its place. Plans to do not show that the playing field would be replaced, although 4 small MUGAs are proposed close to prison house blocks.

The bowling green and club would be lost entirely to the development but would a replacement of some form would be provided to the south of the prison site complex.

### **Assessment against Sport England Policy/NPPF**

Sport England's Playing Fields Policy sets out five Exceptions. This application, on playing field land is considered in respect of Exception 4 which states:

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.

In this instance the playing field 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 loss of this playing field that was large enough to hold a full sized football pitch with large hinterland without direct mitigation for loss results in a proposal that fails to meet the requirements of paragraph 99 of the NPPF and Exception E4 of Sport England's Playing Fields Policy.

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.

## **Conclusion**

**In light of the above, 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.**

If you would like any further information or advice, please contact me at the address below.

Yours sincerely,

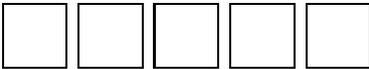
Kind regards,

**Janet Belfield**

Principal Planning Manager - North Team

**M: 07919 044159**

**E: [janet.belfield@sportengland.org](mailto:janet.belfield@sportengland.org)**



We have updated our Privacy Statement to reflect the recent changes to data protection law but rest assured, we will continue looking after your personal data just as carefully as we always have. Our Privacy Statement is published on our [website](#), and our Data Protection Officer can be contacted by emailing [Gaile Walters](#)

The information contained in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000. Additionally, this email and any attachment are confidential and intended solely for the use of the individual to whom they are addressed. If you are not the intended recipient, be advised that you have received this email and any attachment in error, and that any use, dissemination, forwarding, printing, or copying, is strictly prohibited. If you voluntarily provide personal data by email, Sport England will handle the data in accordance with its Privacy Statement. Sport England's Privacy Statement may be found here <https://www.sportengland.org/privacy-statement/> If you have any queries about Sport England's handling of personal data you can contact Gaile Walters, Sport England's Data Protection Officer directly by emailing [DPO@sportengland.org](mailto:DPO@sportengland.org)

This e-mail and any attached files are confidential and may also be legally privileged. They are intended solely for the intended addressee. If they have come to you in error you must not use, copy or communicate them to anyone. Please advise the sender and permanently delete the e-mail and attachments. Please note that while Chorley Council has policies in place requiring its staff to use e-mail in an appropriate manner, any views expressed in this message are those of the individual sender may not necessarily reflect the views of Chorley Council. Chorley Council may monitor e-mails sent or received.