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Our Ref: Job-0004887
Your Ref: ST/0754/23/FUL
Date: 05/03/2024

Dear Ms Helen Lynch

PROPOSED CHANGE OF USE OF GRASSLAND TO RESIDENTIAL CURTILAGE

As part of planning application ST/0754/23/FUL we have received an objection from Sport England regarding the loss of peripheral playing field land. Our statement is provided in response.

An application for the development of 5no. dwellings on adjacent land was approved in July 2023 (ST/0139/22/FUL). Following the approval a further application was made for the change of use for the Site from playing field to residential curtilage. This recent proposal has been objected to by Sport England.

The Site is currently under an open space/playing field designation and thus Sport England have objected to the proposal on the grounds of their Playing fields policy and guidance. This states that Sport England will oppose 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

Sport England will uphold their objection until they adjudge the development to meet with one or more of five specific exemptions. In their consultee response, Sport England remarked they did not believe the proposal had demonstrated compliance with Exception 3 of the Playing fields policy and guidance. Exemption 3 states that development is permissible where:

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.*

It is our belief that the proposal does meet the requirements of this policy. We set out the reasons for this belief below:

The Site does not contain any part of the existing playing pitch and therefore change of use would not reduce the size of the playing pitch.

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The development proposal will not result in the inability to use the playing field. The current playing field measures approximately 46m x 34m. Sport England defer pitch requirements for football pitches to the Football Association. The FA recommends that football pitches of this size have a minimum of 3 yards safe runoff area around the entire perimeter of the pitch. A further 2 yards around the entire perimeter are recommended as spectator areas. The development proposal will not impede the safe provision of additional space requirements around the perimeter.

The current playing field arrangements only allow for provision of the one pitch at any one time. There is no space for an alternative to the existing pitch and no space to reposition the pitch either. This is the current situation and would not be the result of the development proposal.

Asides from the existing football pitch marked out there is no other sporting provision on the site. There are no ancillary facilities on the site which consists solely of the playing field and adjacent grassland and perimeter trees. As the development proposal will not affect the existing pitch, there would no loss of other sporting provision or ancillary facilities on-site, and as part of the development proposal the applicant intends to create several parking spaces which will benefit community use.

Sport England considers actions to "prejudice the use of a playing field" to include development in close proximity to a playing field which hinders the use of any playing pitch or development that affects the access of a playing field. The site is only accessible on the east side from North Road which will not be impeded by the development. Adequate space will remain for safe runoff areas around the playing pitch such that use is not hindered.

Review of Sport England's guidance indicates there is policy support for the loss of peripheral areas of playing field provided the development affects only land incapable of forming part of the pitch. As set out above, the development proposal meets the conditions for Exception 3. The development proposal will not detriment the use of the playing pitch or the provision of safe runoff areas along the pitch perimeter. The small size of the playing restricts other sporting provision and thus is a pre-existing condition prior to development. The change of use will therefore not adversely impact the use and accessibility of the designated open space.

Further to this, the Site in question was land previously part of a primary school site owned by the Local Authority which has been demolished. Following demolition, the site was closed to public access. Historic Google Earth images demonstrate the playing pitch was not 'marked up' despite the presence of goalposts, suggesting the pitch was unlikely to be in community use. South Tyneside Council have since sold the Site land to the developer. Had South Tyneside Council feared development would adversely impact community use, the expectation would be for them to have retained ownership of the land for safeguarding. As the land was sold to the developer it stands to reason that the Local Authority did not deem the loss of this land would disadvantage community use of the playing pitch.

On review, the development proposal complies with the conditions of Exception 3 set out in Sport England's Playing fields policy and guidance and we await their reassessment of the proposal. The change of use of the Site from grassland to residential curtilage will not adversely affect community use of the playing field as playing pitch requirements (including safe runoff areas) can continue to be met. The loss of the small parcels of land will not detriment South Tyneside's provision of playing fields.

Yours sincerely

[redacted]

Hannah Wafer
Senior Planning Consultant

For and on behalf of George F. White LLP