

**From:** Roy Warren [REDACTED]  
**Sent:** 30 August 2019 09:48  
**To:** Planning  
**Subject:** [External]..App Ref: UTT/19/1744/OP - Former Friends School, Mount Pleasant Road, Saffron

For the attention of Maria Shoesmith

Dear Ms. Shoesmith

**App Ref: UTT/19/1744/OP - Former Friends School, Mount Pleasant Road, Saffron Walden (Sport England Ref: PA/19/E/UT/53134)**

Thank you for consulting Sport England on the above application. I would wish to make comments on this planning application both as a statutory consultee and as a non-statutory consultee.

**Summary:** An **objection** is made to the planning application as a statutory consultee due to the significant impact on playing field provision. If the Council is minded to approve the application contrary to Sport England's objection, then the application will need to be referred to the Secretary of State.

An objection is made to the loss of the former school's sports hall as a non-statutory consultee. If considered in isolation, Sport England would support the principle of re-opening the swimming pool as a non-statutory consultee. However, this proposal would not represent acceptable mitigation for the loss of the other sports facilities for the reasons set out in the response and there are concerns about the deliverability and sustainability of this proposal.

## **COMMENTS MADE AS A STATUTORY CONSULTEE**

### **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 (NPPF) (in particular Para. 97), and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for 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

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:

[REDACTED]

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

In summary, the hybrid application involves a full application for 30 dwellings on the northern part of the former Friends School's (aka Walden School) playing fields. The full application also involves an artificial grass pitch, multi-use games area (MUGA), LAP and LEAP children's play areas, a sports pavilion building and ancillary car parking to support the sports facilities. As part of the full application proposals, the swimming pool on the former Friends School site would be refurbished and new changing rooms provided to facilitate re-opening the facility to community use. The four (badminton court) sports hall (referred to as a gym) on the former Friends School site would be demolished as part of the full application and redeveloped for residential. The outline application proposes redevelopment of the majority of the remainder of the school's playing fields for residential with the woodland areas around the periphery of the playing fields maintained.

Of the 7.2 hectare application site, it is estimated that when the school playing field was operational approximately 4.56 hectares consisted of natural turf playing field area that would be capable of being used for marking out winter or summer playing pitches. The attached aerial photograph indicates the estimated area that Sport England considers could be used for marking out playing pitches. While the planning application indicates that 1.75 ha of sports provision is proposed, Sport England would only consider that the proposed artificial grass pitch would represent playing field provision as the remaining area would be used for the MUGA, children's play areas and the sports pavilion. As an artificial grass pitch of approximately 0.74 ha is proposed (106x70 metres) this would only represent about half of the area of the proposed sports provision. Consequently, the proposals would be considered to result in the net loss of around 3.82 ha of playing field provision that would be capable of being used for marking out playing pitches.

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

I have considered the proposals with regard to the specific exception criteria identified in the above policy and would make the following assessment:

- Exception 1 – Not applicable. It has not been demonstrated that there is an excess of playing pitches in the catchment in terms of community playing pitch provision. In this regard, to inform current and future playing pitch needs, Uttlesford District Council have recently (May 2019) completed a Playing Pitch Strategy & Action Plan <https://www.uttlesford.gov.uk/article/4942/Infrastructure> which has assessed current playing pitch provision across the district and for the Saffron Walden sub-area of the district. The needs assessment has been prepared in accordance with Sport England's playing pitch strategy guidance and the strategy was endorsed by Sport England and the sports governing bodies which represent the pitch sports. The strategy is therefore considered to provide an up-to-date and robust evidence base to support the implementation of local plan policies and the determination of planning applications.

While the strategy documents provide full details of the conclusions, key data on football pitch provision is provided in Table 2.16 of the strategy's assessment document which shows that there is a total deficiency of 14 natural turf football pitches in the Saffron Walden sub-area in relation to meeting current demand which would extend to 18 pitches after future demand is accounted for. In relation to cricket, Table 5.16 of this document shows a current deficiency of 8 cricket match sessions in relation to meet current demand which would extend to 66 match sessions after accounting for future demand. In relation to rugby union, Table 4.13 shows a deficiency of 3.75 match sessions for the rugby pitches that serve the Saffron Walden sub-area in relation to meeting current demand which would extend to 8.25 pitches after future demand is accounted for.

Consequently, there are significant current and future playing pitch deficiencies in the Saffron Walden sub-area relating to all of the playing pitch types that were accommodated on the playing fields when Friends School's playing fields were last in use. As set out below, the Playing Pitch Strategy's recommendation was for the pitches on the application site to be brought back into use to meet current and future community playing pitch needs. The deficiencies in playing pitch provision and the strategy's recommendation are acknowledged in the Planning Statement.

- Exception 2 – Not applicable. The majority of the proposed development is not ancillary to the principal use of the site as a playing field;
- Exception 3 – Not applicable. The majority of the area proposed for the development is capable of being used for a range of playing pitches and was historically used by Friends School and the local community for a wide range of pitches including football, cricket and rugby;
- Exception 4 – Not applicable. No replacement playing field provision is currently proposed;
- Exception 5 – Not applicable. The majority of the development proposal is not for an indoor or outdoor sports facility. While an artificial grass pitch is proposed on the northern part of the playing fields, this only represents a small proportion of the site (0.74 ha of the 4.56 ha playing field area) and regardless of this, the benefits of the proposed artificial grass pitch to community sport are questioned as set out below. The proposed MUGA, LAP and LEAP facilities are children's play or informal sport/recreation facilities that would not represent formal sports facilities and would appear to have been proposed more to meet the needs of the residential development than to mitigate the loss of the playing fields. The proposals for refurbishing and extending the former Friends School's swimming pool represent improvements to an existing indoor sports facility to facilitate re-opening the facility. While the swimming pool proposals are welcomed in principle, as set out in paragraph 75 of our policy, to meet exception 5 proposals need to demonstrate that the loss of any area of playing field will not have an unacceptable impact on the current and potential playing pitch provision on the site. In view of the scale of the impact on the playing field and the scale of playing pitch deficiencies that exist in the local area, re-opening of the swimming pool facility would not in Sport England's view offer benefits that would outweigh the significant loss of playing fields. The benefits to indoor sports facilities associated with the swimming pool proposals are also negated by the proposals to redevelop the former school's sports hall.

On the basis of the above assessment, the proposal would not, in its current form, accord with any of the exceptions to Sport England's playing fields policy or paragraph 97 of the NPPF. In addition to the above summary of how the proposals relate to the exceptions in our playing fields policy and the NPPF, the following considerations are relevant to the assessment:

- **Playing Pitch Strategy:** As well as identifying significant deficiencies in football, cricket and rugby pitch provision, the strategy's action plan (see Walden School entry) specifically recommended that the playing field be brought back into use to support with reducing both current and future shortfalls of football and cricket provision in the Saffron Walden Analysis Area unless the loss of playing fields was mitigated by replacement provision. The loss of the majority of the playing fields would therefore be contrary to the District Council's strategy proposals for the site which are considered to represent one of the few opportunities available in Saffron Walden for helping to address the identified deficiencies;
- **Playing Field Community Use:** The playing fields were significantly used by the community outside of school hours until the Friends School closed in 2017. Paragraph 5.25 of the Planning Statement states that the site had not been available for the public to

use other than occasional evenings and weekends which is not considered to be representative of the actual situation. As set out in the Council's Playing Pitch Strategy, the playing fields were used extensively by local football clubs, Saffron Walden Cricket Club, Wendens Ambo rugby club, Walden Tri triathlon club and Saffron Striders Running Club. The closure of the site in 2017 had a significant impact on community users. For example, some of Saffron Walden Cricket Club's teams that used the cricket pitch on the site now have to travel to villages outside of Saffron Walden to meet their match needs directly as a consequence of being displaced from the site and Wendens Ambo rugby club regularly have to use rugby pitches at Saffron Walden RFC's site in Henham due to the lack of rugby pitches in Saffron Walden. As the site's playing field is one of the largest playing fields in Saffron Walden, the loss of access to all of the pitches that it provided when it closed has inevitably had an impact on the deficiencies in pitch provision recently identified in the Playing Pitch Strategy. Furthermore, community access to the school's sports facilities including the playing fields was formalised by the completion of a formal community use agreement in 2011 between Friends School and Uttlesford District Council. The community use agreement made provision for the pitches to be made available for community use on both Saturdays and Sundays throughout the academic year. As such, this is not a school playing field that had limited access or use by the community when the school was operational.

- **Playing Field Status:** Sport England considers proposals for the development of playing fields that are no longer in use in the same way as playing fields that are in active use because development on them would permanently prevent such sites from being brought back into use. Even if the playing fields are no longer needed for educational use this does not affect our position. Sport England's playing fields policy and the Government planning policy on playing fields (in paragraph 97 of the NPPF) does not distinguish between public and school playing fields and whether playing fields are currently in use or not. The policy approach that is applied is the same and this is the approach established through planning case law. It should be emphasised that Sport England's role is to safeguard playing fields for meeting the needs of current and future users. While this playing field may not be needed for educational use now or in the future, safeguarding it is justified for meeting current and future community playing pitch needs as set out above. While there is no current community use of the playing fields, this is because the site closed for security reasons when the school closed in 2017 and access has not been permitted since then. This is not because there was a lack of demand for using the playing field by the community. While it is noted from paragraph 5.26 of the Planning Statement that the school site was unsuccessfully marketed for educational use following the closure of Friends School, no evidence appears to be submitted with the planning application to demonstrate that opportunities to bring the site back into educational use have been fully explored. Furthermore, regardless of this, there would not appear to have been any attempts made to make the sports facilities available for potential management by community bodies (e.g. local authorities and sports clubs) to allow the facilities to re-open. Even if it could be demonstrated that there was a lack of interest in re-opening the site as a school, this should not be interpreted as lack of interest or demand in re-opening the playing fields for community sports use.
- **Artificial Grass Pitch:** The Council's Playing Pitch Strategy has identified local deficiencies in artificial grass pitch (AGP) provision especially for AGPs with a 3G rubber crumb surface suitable for football use. The provision of an AGP suitable for football would be welcomed in principle on the site as part of a playing field mitigation strategy. However, I have the following concerns:

- Sports Lighting: The absence of sports lighting significantly diminishes the benefits of an AGP and would be likely to prejudice the operational sustainability of the facility. The principal use of AGPs with a 3G surface suitable for football use is to meet training needs on weeknight evenings during the football season. While they can be used for matches at weekends as well and use by schools during weekdays, the main justification in terms of meeting community football needs and providing an operationally viable business model is to meet training needs in the evenings. I have consulted the Football Foundation (who represent the Football Association and Essex County FA) and they have advised that a non-floodlit AGP would represent minimal mitigation for the loss of the natural playing fields. Without lighting, an AGP on the site would not meet the local football facility needs identified in the Council's Playing Pitch Strategy and would not help address the deficiency of AGPs in the area (as suggested in paragraph 5.38 of the Planning Statement) because lighting is a pre-requisite of meeting these needs. It is also noted from paragraph 5.35 of the Planning Statement that part of the rationale for the AGP is to reduce demand to use local sports halls for indoor football thereby freeing up space in sports halls for other sports use. However, this does not recognise that the majority of the current demand for indoor football in sports halls is during the evenings and consequently AGPs have only been effective in transferring demand where they are floodlit. AGPs require intensive day to day maintenance programmes which are more costly than natural turf pitches and the artificial carpet has to be replaced after around 10 years of use. Significant revenue therefore needs to be generated by the operator in terms of maximising the use of the facility in order to ensure that the revenue generated is sufficient to cover the day to day and lifecycle maintenance. In practice, in general terms, 3G AGPs without lighting are rarely built where they are intended for meeting community needs because the peak period of community use is in the evenings during the football season and consequently they would not be responsive to needs or financially viable to operate. I can also advise that Sport England and the Football Foundation in their capacity as investors (through lottery and other funding) would not invest in a full size AGP unless it was floodlit for these reasons.
- Design: Despite being a full planning application, no detail is provided of the design of the AGP in terms of the dimensions, pitch layout, the artificial carpet type, construction and drainage proposals, relationship with surrounding trees, spectator areas and goal storage recesses, fencing type and height etc. This information would be expected to be submitted in support of a full application for an AGP in order to allow the local planning authority and consultees to make an informed assessment of the proposals regardless of its merits in relation to mitigating playing field loss. A 3G AGP would be expected to be designed to meet the FA's guidance on 3G pitches  
[REDACTED]  
[REDACTED] Of particular concern is the absence of any reference in the planning application to fencing the AGP. As set out in the FA's guidance, 4.5 metre high fencing is recommended on all sides. Fencing of this height is required for an AGP for ball stop, maintenance and security purposes. Without adequate fencing the facility would not be fit for purpose and the operation of the pitch would be prejudiced. In view of the sensitive location of the facility in terms of the conservation area, clarity on the fencing proposals is required to allow the Council to consider the planning implications as well as to assess the acceptability of the design of the facility.
- Residential Amenity: Even if the facility was not floodlit and there was limited evening use for most of the year, an AGP would be used more intensively than a natural turf pitch which would generate potential noise impacts. Given the close proximity to

existing and proposed residential uses surrounding the facility this would need to be adequately considered and addressed as part of the planning application (e.g. through an acoustics assessment) in order to avoid residential amenity becoming an issue or restrictions being placed on the use of the facility through planning conditions which would further diminish its benefits.

- Facility Management: No details have been provided of how the AGP would be managed or what security of tenure an operator would have plus there are no details of any feasibility study or business plan that may have been prepared to inform the viability of operating the facility. Unlike natural turf pitches, due to their intensive use and need for appropriate maintenance and security, AGPs require relatively intensive on-site management. In practice, most AGPs are operated by local authorities, leisure operators, sports clubs and schools as part of the management of a wider range of facilities rather than a standalone facility. It is essential that appropriate feasibility and business planning is undertaken at an early stage and potential operators (that would be willing to manage the facility) are identified at the planning application stage in order to demonstrate that the operation of the facility has been fully considered and that its long term management would be sustainable. It should not be assumed that, in this case, the district or town council would be willing and able to manage the facility for the community. If the facility is to be managed directly by the developer, then the Council would be urged to request details of feasibility and business planning to consider before the planning application is determined to ensure that the facility would be deliverable and sustainable in practice.

Regardless of our position on the planning application, if the above concerns could not be satisfactorily addressed, there would be a high risk that any AGP provided on the site would not be responsive to local community needs, would not be fit for purpose in terms of design and would not be sustainable to operate. It would be preferable to maintain a natural turf football pitch in this area than provide an AGP if the above concerns could not be addressed. While a natural turf pitch would not offer the same benefits as an AGP due to its limited carrying capacity, it would not pose the same risks in terms of deliverability and operation. However, it should be emphasised the provision of a natural turf pitch would not mitigate the impact of the development on the rest of the playing field.

- Sports Governing Body Consultation: I have consulted the Football Foundation, ECB and RFU who represent community sports interests for football, cricket and rugby respectively. All of the governing bodies have advised that they object to the planning application due to it resulting in the permanent loss of playing fields that are needed for addressing community playing pitch needs in Saffron Walden without any acceptable mitigation proposals. The governing bodies consider that the proposals would be contrary to the recently completed Playing Pitch Strategy that they have contributed to which has identified significant local deficiencies in pitch provision that the safeguarding of this site for playing fields would provide the opportunity to address. The loss of the site would further reduce the opportunities for addressing the identified deficiencies.

Notwithstanding the above comments, Sport England would support the provision of a sports pavilion and ancillary car parking to support the use of an AGP or a natural turf pitch as such facilities would be essential to support the operation of a playing pitch. Furthermore, such facilities are needed to mitigate the loss of the existing changing facilities that support the playing field provided in the former Friends School's sports hall and the existing car parking adjoining the sports hall that would be lost as result of the proposal. It should be emphasised that these ancillary facilities should not be treated as contributing towards mitigating the loss of playing pitches as they are replacing

essential ancillary facilities that currently support the use of the existing playing field (that are located outside of the playing field area) that would be lost as a result of the development. Sport England has some concerns over the design and layout of the sports pavilion. While this is a secondary matter, advice should be sought from Sport England if the Council is minded to approve the application.

## **Conclusion**

In light of the above assessment, Sport England **objects** to the application in its current form because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 97 of the NPPF. The proposal would also be considered to be contrary to policy LC1 of the adopted Uttlesford Local Plan and policy INF2 of the emerging Uttlesford Local Plan which both take a similar policy approach to our playing fields policy and the NPPF.

Options for addressing the objection are limited on this occasion due to the scale of the loss of playing fields and the importance attached in the Council's Playing Pitch Strategy to reinstating the playing fields to community use to address local playing pitch deficiencies. The only clear option would be for the applicant to make direct replacement playing field provision off-site in accordance with exception 4 of our policy e.g. an existing playing field in Saffron Walden could be extended or a new playing field created to mitigate the impact but it is acknowledged that opportunities for this in the local area are likely to be limited. Any on-site mitigation solution would need a much larger proportion of the playing fields to be maintained to allow a range of sports to take place on the site and would need to include a floodlit 3G AGP which addresses the above issues to mitigate any net loss in provision. I would be happy to discuss such options with the applicant and/or the District Council.

Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection, then in accordance with the Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit. This is because the land has been used by an educational institution as a playing field within 5 years of the planning application being received. For the avoidance of doubt, the application would need to be referred on the basis that Sport England is objecting in accordance with section 7b(i) of the Direction i.e. objecting on the grounds there is a deficiency in the provision of playing fields in the area of the local authority concerned.

## **COMMENTS MADE AS A NON-STATUTORY CONSULTEE**

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

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>. This application falls within the scope of the above guidance as it relates to a residential development of 300 or more dwellings and the loss of a major sports facility.

Sport England assesses this type of application in line with its planning objectives and with the National Planning Policy Framework (NPPF). Sport England's planning objectives are to PROTECT existing facilities, ENHANCE the quality, accessibility and management of existing facilities, and to PROVIDE new facilities to meet demand. Sport England's Planning for Sport guidance can be found

here: [REDACTED]

### Loss of Sports Hall

It is proposed that the former Friends School's sports hall be demolished as part of the planning application and redeveloped for residential use. This would include the changing rooms provided in the sports hall that support the use of the playing fields and the ancillary car parking that supported community use of the sports facilities.

Like the playing fields, the school's sports hall was used by the community when the school was operational and was included in the formal community use agreement that applied to the site from 2011. Uttlesford District Council's recent Indoor & Built Sports Facilities Strategy (2019) <https://www.uttlesford.gov.uk/article/4942/Infrastructure> identified that sports hall demand in the district is high and the only dedicated community sports hall in Saffron Walden (Lord Butler Leisure Centre) is operating almost at capacity at peak times. The needs assessment identified a small existing deficiency of sports hall provision which would increase in the future. The strategy has recommended that the Friends School be considered in relation to whether it could provide additional sports hall capacity to meet community demands.

The justification for the loss of the sports hall in the planning application appears to relate to its retention causing harm to the conservation area rather than it not being required for meeting community needs. An independent needs assessment has not been undertaken to demonstrate in accordance with Sport England's guidance and paragraph 97 of the NPPF that the facility is genuinely surplus to requirements in terms of meeting community needs. Furthermore, it does not appear that options for bringing the facility back into community use have been explored such as investigating whether local authorities would be willing to manage the facility. Reference has been made to the sports hall not meeting fire regulations but no conditions survey has been submitted to verify this or to demonstrate that it would not be viable to address this matter. It is also unclear why the application has focused on re-opening the adjoining swimming pool but not taken a similar approach to the sports hall.

Consequently, there is not considered to be currently a robust basis to justify the loss of the sports hall without mitigation. An **objection** is therefore made to the loss of the sports hall. I would be willing to review this if an independent needs assessment was prepared which satisfactorily demonstrated that the sports hall was surplus to community needs or if off-site mitigation was made in accordance with the NPPF.

### Swimming Pool Refurbishment

The planning application includes proposals for refurbishing the former Friends School swimming pool and extending the pool building to provide changing rooms in order to facilitate the reopening of the facility to community use. The impact of the closure of the swimming pool when the school closed was assessed as part of the Council's recent Indoor & Built Sports Facilities Strategy. The needs assessment identified a small deficiency of swimming pool provision in relation to meeting existing needs and that future demand will result in a significant increase in demand which the existing supply of pools will be inadequate for meeting. In response, the strategy recommends that the Friends School pool be considered for providing additional swimming pool space to complement the pool at the Lord Butler Leisure Centre and the strategy recommendations specifically support re-opening the pool. The proposal to refurbish the facility and re-open it for community use would therefore be a positive proposal that would offer potential to help address needs identified in the



Council's strategy. **If considered in isolation**, Sport England would **support the principle** of refurbishing and extending the pool to facilitate its re-opening for community use as it would accord with Sport England Planning for Sport principles especially principles 6 and 7 which relate to enhancing existing facilities and securing use of existing facilities.

However, as it would appear that the re-opening of the swimming pool has been put forward as a key part of the mitigation for the loss of the playing fields and sports hall, I would have to raise the following concerns about the proposals:

- **Refurbishment:** As there are no details provided about the refurbishment of the pool, it is unclear what the scope of the refurbishment involves and what benefits this will offer to the community. Proposals for refurbishing a swimming pool to facilitate re-opening would usually be supported by a conditions survey which identified the issues that require addressing and estimated the costs of undertaking the necessary works. This would usually feed into a wider feasibility study of the proposals for reopening the facility which would consider the viability of reopening the pool. Unless the scope of the refurbishment works is clarified and justified it is difficult to see how the delivery of these works can be secured through a planning permission. This is pertinent if the refurbishment is necessary to provide a safe and attractive facility for the community that will be viable to operate. A conditions survey supported by an outline specification of the refurbishment works should therefore be submitted before a planning application is determined so that is clear what the scope of the refurbishment involves and to secure its delivery through a planning permission;
- **Operational Feasibility:** Standalone swimming pools (especially smaller dated pools) are often only viable to operate if they are subsidised over a long term period by a local authority or educational institution. This is due to the disproportionate costs associated with maintaining a swimming pool compared to other sports facilities. While the principle of re-opening the pool is supported, this should only be progressed if it can be demonstrated that it will be viable to operate it over a long term period and that there are identified operators who would be willing and able to operate it on a sustainable basis. Without this, expectations will be raised in the local community that the pool will be re-opened in practice if planning permission is forthcoming. Given the costs associated with running such a pool it should not be assumed that a local authority such as the district or town council would be willing and able to operate the facility over a long term period. It is therefore advocated that an independent feasibility study is prepared which assesses the options for operating the facility and identifies potential operators who could viably operate the facility if it was to reopen following the proposed refurbishment. Such a study would need to account for the conditions study requested above as the ongoing capital costs associated with medium/long term repairs (e.g. replacing the plant) will influence the viability.
- **Facility Management and Programming:** Linked to the comments on operational feasibility, it is considered essential that details of the proposed management of the pool and its programming are provided before the planning application is determined to demonstrate that the facility could be viably managed and maintained in practice over a long term period. No details appear to have been provided with the planning application, As the facility would no longer be operated by a school and it would not appear that discussions have taken place with the local authorities about managing it, outline details of the proposed management should be provided before the planning application is determined. Assuming it can be demonstrated that a refurbished facility is viable for a

body to operate, details of the potential operator and the indicative programme of the use of the facility should be provided. For example, it will be important to understand whether the facility will be a pay as you play type facility like a leisure centre, a facility for block bookings only by swimming clubs, swimming lesson providers etc or a membership based facility that would only be accessible to those able to meet membership conditions. Furthermore, as the Council's Indoor & Built Sports Facilities Strategy set out the importance of any reopened facility complementing the programming of the Lord Butler Leisure Centre's swimming facilities, the Council would need to be satisfied that the pool would have a programme of use that would complement its own pool rather than compete with it in the interests of the viability of both facilities.

The provision of further information to address the above issues would not be necessary if the proposal to re-open the pool was considered in isolation from the rest of the application as it would not be necessary in planning terms for it to be demonstrated that the reopening of the pool would be deliverable in practice. However, as the reopening of the pool is being put forward as a major part of the mitigation package for compensating for the loss of other sports facilities on the site, it is considered necessary for it to be demonstrated that a refurbished and extended pool will be a deliverable proposal in practice. Without this there is a risk that planning permission could be granted on the basis that the benefits offered by a reopened pool would mitigate the loss of the other facilities but in practice the pool may never reopen (or may only reopen for a short period) because the operational feasibility and potential management options were not properly considered and progressed at the outset. Such a scenario would obviously not be desirable from the District Council's perspective.

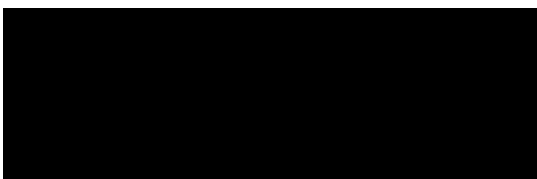
It should be emphasised that addressing the above concerns about the swimming pool proposals would not address Sport England's objection as a statutory consultee for the reasons explained above or our non-statutory objection to the loss of the sports hall. The advice has been provided to assist the Council's assessment of the proposals in the event that the Council is minded to support the application on the basis of the potential benefits offered by the proposal to reopen the swimming pool.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

If you would like any further information or advice please contact me. In view of the range of issues raised in this response, I would be willing to meet with the District Council and/or the applicant to discuss the response further.

Yours sincerely

**Roy Warren**





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