

Mathias Franklin  
Leeds City Council  
Planning Services  
Leonardo Building  
2 Rossington Street  
LEEDS  
LS2 8HD

25 April 2013

Our Ref: Y/LE/2013/31980/S

Dear Mathias Franklin,

**App Ref: P/13/00868/OT/NW**  
**Site: LEEDS GIRLS HIGH SCHOOL Headingley Lane West Yorkshire  
LS6 1BN**  
**Proposal: Outline application for residential development and retail store**

Thank you for consulting Sport England on the above application.

It is understood that the site forms part of, or constitutes a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No. 2184), in that it is on land that has been used as a playing field within the last five years, and the field encompasses at least one playing pitch of 0.2 ha or more, or that it is on land that is allocated for the use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement.

Sport England has therefore considered the application in the light of its playing fields policy. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches. The policy states that:

*“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 last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the specific circumstances applies.”*

*Reason: Development which would lead to the loss of all or part of a playing field, or which would prejudice its use, should not normally be permitted because it would permanently reduce the opportunities for participation in*

*sporting activities. Government planning policy and the policies of Sport England have recognised the importance of such activities to the social and economic well-being of the country.*

The proposal is to redevelop part of a former independent girls' school site, known as Leeds Girls High School and shortened to the initials LGHS in this letter. The school was originally spread over three sites in Headingley until it formally merged with the Boys' Grammar School in 2008 to become the Grammar School at Leeds (GSAL). Soon after the merger the female pupils migrated to the new and expanding boys' school at their site in Alwoodley, north Leeds. Sport England was consulted on an almost identical application in July last year that was subsequently withdrawn before a decision was made

The site subject to this application is to the south of Victoria road and to the west of Ash Grove. The site contains a former playing field area (0.6ha) along with a sports hall and swimming pool. Sport England has treated this as a statutory application because the site is capable of supporting a playing pitch above the statutory size threshold of 0.2ha or more. However there is no evidence submitted or otherwise on aerial photography to indicate that it has ever been formally marked out as a playing pitch.

The site is designated as a protect pitch in policy N6 in the saved UDP. This policy seeks to protect the land designated unless the proposal improves the overall quality of the pitch or provision or provides suitable relocation subject to the sites functions. The policy would also allow the complete loss of a pitch where there is no identified shortage. The approach of this policy is very similar to Sport England's own playing field policy and the NPPF at paragraph 74.

The applicant has prepared evidence seeking to demonstrate that there are substantial new sports facilities provided at the GSAL site that should be considered to more than adequately compensate for the facilities proposed to be lost through this application. The focus of our response therefore will be whether the facilities at the GSAL site can meet our policy exception E4:

*E4 The playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development.*

In order to comply with the full requirements of this exception the facilities at GSAL must be shown to be equivalent or better in quantity, quality and management terms whilst being suitably located.

### Quantitative and Qualitative issues

Dealing first with the quantitative and qualitative issues, the applicant has submitted evidence to show that the facilities at GSAL are superior in area and facility range. For instance the playing field area that was formally used as a hockey training area at Victoria road and the new facilities in Alwoodley include two floodlit short pile full size Artificial Grass Pitches (AGPs) suitable for hockey and tennis which are far superior in quality. The swimming pool and sports hall facilities have also been replicated at the GSAL site since the school merger with a new larger and better standard pool and a two badminton/basketball court sports hall.

In terms of the balance of playing field lost and gained, as previously resolved under the Headingley lane applications (08/084714/OUT and P/12/01236/FU/NW) a new area of playing field to the north east of the GSAL site, previously agricultural land, has been developed into a four pitch area of approximately 5.36ha in size. This is a net gain beyond what was there before the schools emerged and replaces the 0.6ha of playing field lost at Victoria road (this application) and the Headingley Lane tennis courts which equate to approximately 3439sq m or 0.3ha as well as the rugby pitch 0.4ha where the two AGPs were constructed.

### Management Arrangements and Suitable Location

It is clear that the range of sports facilities available at GSAL are now open and available to the public outside school hours. The sports facilities are listed on Sport England's website [www.activepowerplaces.com](http://www.activepowerplaces.com) which lists all community accessible sports facilities in England and is updated annually.

In management and community access terms it has been acknowledged that the swimming pool at Victoria road was available for some limited community access. The applicant has identified that three groups made use of the pool under formal agreement between 2002 and 2004, two of which have since migrated to GSAL. This starts to tally with the comments made by community groups living locally in Headingley, who have commented that there was some community access which until recently, was disputed by the applicant.

Whether the sports facilities at the GSAL site in Alwoodley could be considered a fair replacement for the facilities lost on the wider LGHS sites was considered in depth by a planning inspector at an inquiry against the council's non-determination of a range of applications submitted in 2008. Although this application site at Victoria Road was not part of the appeal the issue remains similar in some respects. The inspector concluded that as the UDP policy N6 referred to the site's previous functions, this was what had to be used to consider the nature of its replacement. As at this time the sites under appeal at LGHS had sports facilities used by the private school only and with no public access, GSAL was considered an appropriate replacement. In effect the users of the sports facilities were the school pupils who moved with the facilities to Alwoodley.

The applicant still maintains that there was never any formal open community access to the playing field and sports hall at the Victoria road site, e.g. it was not open fully to the public regularly at evenings and weekends. What some members of public describe outside this appears to be informal access, either by trespass or perhaps ad hoc use enabled by relaxed caretaking. Given this was not formal and secured community use Sport England cannot give weight to this in considering E4.

We as an organisation only deal with formal sports and their competition and training. Informal recreation is not part of our remit. This is something for the council to consider however as it indicates some unmet or latent demand for sport and recreation in the local area. The council should be planning strategically to create new facilities to meet the existing (where deficits are present) and the growing population, something required by the NPPF, paragraph 73.

The local community action group has however found evidence about the site being used by an organisation called 'Kings Camps', who run school holiday activity schemes, and a netball club, who used the sports hall for training.

Firstly dealing with Kings Camps, we understand this organisation operates from a range of sites across Leeds and offers sport and activity sessions during the summer and Easter holidays. It is understood they made use of the playing field at the application site before the school closed. The organisation charges commercial rates for this service which is provided outside local authority support or any support from GSAL or former LGHS. We note that this offered a very limited community use and that children attending would have come from a far wider catchment than that of the local community and indeed paid handsomely for the programme. It is highly unlikely these courses supported a genuine use by the local community.

It is interesting to note that the closure of the LGHS site has not stopped this business operating in north Leeds. Not only is the Alwoodley GSAL site listed as a previous venue, Leeds University (0.8 miles from the application site) and Leeds Metropolitan University campus at Becketts Park in Headingley (2 miles from the application site) are both current venues listed for Kings Camps sessions. Therefore this activity still operates within the local area despite the loss of this site.

Recent correspondence submitted to Sport England would indicate that local state primary schools are lacking in playing fields and open space, and that this is reason to retain the sports facilities on this site. This however is an issue for the Local Education Authority, Leeds City Council, as it is under their remit to provide sufficient space for school sport based on government guidelines. Sport England's remit does not cover school sport.

In addition to the issues above there are relatively new powers available to the local authority through the Localism Act (2011) to safeguard sites that are important to local communities and when recognised assets come up for sale or change of ownership, the Act then gives community groups the time to develop a bid and raise

the money to bid to buy the asset when it comes on the open market. Again this is the Local Authority's role to respond on these matters and not Sport England.

### Conclusion

Therefore we conclude that GSAL has superior facilities and management arrangements compared with LGSH. The LGSH site had some very limited community access and this largely been migrated to GSAL alongside genuinely new sustained community use of the new sports facilities.

While local people cannot walk to GSAL as they could LGHS it is evident that they only had very limited access to this site. The vast majority of users of the LGHS site, the pupils, have moved with the facilities to GSAL as previously stated. Other user groups have either migrated to GSAL or found other venues in the local area.

Outside this application there is evidence of unmet demand in this area of the city, something the council should be planning to resolve strategically. Sport England is now working with the council to review and develop its strategic evidence base for sport developing an action plan to resolve the identified deficits. However it must be acknowledged that this is something outside the scope of this application.

While the planning inspector at the appeal considered the pupils the sole users of the facilities, who moved with the sports provision to the new school; we have also considered the nature of the very limited community users and consider that they have found adequate replacement facilities at GSAL or elsewhere.

Taking the above into account we consider this can meet all elements of E4 and **Sport England does not raise a statutory objection to this application.**

### Developer contributions

The National Planning Policy Framework (NPPF) makes clear statements about the role sport and recreation plays in contributing to healthy communities. There are specific references to sport and recreation throughout Section 8 – “Promoting healthy communities”.

This section recognises the important role that sport plays in the planning system to facilitate social interaction and creating healthy, inclusive communities. The Section advises that “planning policies and decisions should plan positively to deliver social, recreational and cultural facilities, such as, sports venues” (paragraph 70). Sport England uses the planning system to seek contributions to formal sport to meet the new demand created by the occupants of the proposed residential development. While this application retains some land as informal open space this should not be seen as a formal sports facility. Instead sporting needs are manifested through increasing demand for formal sports facilities such as natural turf and artificial grass pitches for instance.

We are advised that Leeds Council does not have a SPD on planning obligations relating to money into sport. In assessing the needs arising from the development we would refer you to Sport England's website and the "Planning Tools and Guidance section" which provides guidance and tools to assist in determining the appropriate level of provision/contributions. In particular the sports facilities calculator is of assistance.

The calculator uses population breakdowns from the ONS population projections (2006 base projected to 2010) and from locally derived figures for sports halls, pools and indoor bowls. It then uses information Sport England has gathered from the National Halls and Pools Survey, Benchmarking Service, Indoor Bowls User Survey, and General Household Survey, on who uses facilities and applies this to the actual population profile of the local area. This ensures that the calculation is sensitive to the needs of the people who actually live there.

We calculate that the development at the indicative housing numbers this will require £26,777 of money into sport facilities based on the English average of 2.36 occupants per dwelling (we would accept regional variance to the occupancy figure if it differs in Leeds). This should be seen as in addition to the money we calculated would be needed to resolve the new needs arising from the previous application at Headingley Lane at £48,480, giving a total of £75,257 from two the sites combined.

In the absence of any local sporting benefits for the new occupants of the residential development proposed, Sport England objects to this application until appropriate developer contributions to formal sport are secured by S106 or other legal mechanism. This is particularly paramount as the Headingley area is densely populated and likely has concentrated unmet demand. This is demonstrated in the findings of the council's 2008 open space, sport and recreation assessment.

In responding to the previous application at Headingley Lane (P/12/01236/FU/NW), Sport England made representations on behalf of the Lawn Tennis Association and England Hockey to recommend community sports opportunities worthy of S106 investment; these were as follows:

1. Improve and add value to very popular tennis facilities at the nearby Woodhouse moor/Hyde Park,
2. Improve hockey facilities, and in particular develop the more accessible and informal game of Rush Hockey, by improving facilities at Adel War Memorial Association or Weetwood, University of Leeds. Both facilities draw participants from the Headingley area of Leeds.

This being the case, Sport England **does not wish to raise an objection** to this application.

The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England's or any National Governing Body of Sport's support for any related application for grant funding.

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 the undersigned at the address below.

Yours sincerely



Helen Ledger

**Principal Planning Manager**

Tel: 020 7273 1619

e-mail: [helen.ledger@sportengland.org](mailto:helen.ledger@sportengland.org)