

## MSDC response to Action Point AP-005

### Action Point AP-005

Council to provide evidence on sports and play requirements and existing provision. It should set out how this has informed the Plan and is consistent with the provisions of the Framework and the Planning Practice Guidance.

### Context

1. Managing the Council's parks (including playgrounds), open spaces and sports pitches is a corporate function of the Council, within the Commercial Services and Contracts directorate. Two relevant studies have been published:
  - [O14] Playing Pitch Study (2019)
  - [O13] Play and Amenity Green Space Study (2019)
2. Both have now been added to the examination library.
3. The two studies ensure that all Mid Sussex residents have access to a network of high quality and accessible outdoor play areas and green spaces. They established future need based on future housing and population growth and in accordance with the spatial strategy and distribution/quantum of development set out in the adopted District Plan 2018. To facilitate meeting potential future needs, the adopted District Plan [BD1] contains two supportive policies (**DP24: Leisure and Cultural Facilities and Activities** and **DP25: Community Facilities and Local Services**) that support provision of new/extended facilities and restricts their loss.
4. In October 2023, the Council published its Green Spaces Investment – Strategic Vision<sup>1</sup>. This builds upon the findings and recommendations in the two studies and provides a Strategic Vision and priorities to deliver them for the period 2023/24 to 2035.

## How has the evidence informed the submitted District Plan 2021-2039?

### Plan Strategy

5. The District Plan is supported by 15 strategic objectives to help guide the strategy and policies within the Plan. The objectives are set out on pages 28-30 and include:

*“6 – To ensure that development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable communities.*

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<sup>1</sup> [\(Public Pack\)Agenda Document for Scrutiny Committee Place and Environment, 18/10/2023 19:00](#)

*This includes as a priority the provision of efficient and sustainable transport networks”*

*“15 – To create places that encourage a healthy and enjoyable lifestyle by the provision of first class cultural and sporting facilities, informal leisure space and the opportunity to walk, cycle or ride to common destinations”*

6. Both objectives support delivery of the two studies and Green Spaces Strategic Vision.

### *Policies*

7. The submitted District Plan [DP1] contains two specific policies on this matter:

- **DPI5: Open Space, Sport and Recreational Facilities.** This provides policy support for new, improved and/or enhanced open space, leisure, sport and recreational facilities and refers directly to the Playing Pitch Study [note that a proposed modification will remove direct reference to this and other studies in the policy itself, they will be moved to supporting text – as set out in document reference DP2 and response to AP-009]. It provides a hook for Neighbourhood Plans to allocate sites to meet local need. It notes that, to ensure adopted standards for open space, sport and recreation to be met, existing facilities will be protected. Furthermore, proposals which include the loss of such facilities will not be supported, subject to criteria.
- **DPI6: Community and Cultural Facilities and Local Services.** This provides policy support for the provision/improvement of community and cultural facilities and local services, including Sports club houses and pavilions. Similar to DPI5, it protects existing facilities and does not support their loss unless criteria are met.

8. Both policies reflect the Council’s ambitions to support additional and enhanced provision and to protect existing facilities, which aligns with the findings of the two studies.

### *Site Specific Infrastructure Requirements / IDP*

9. The District Plan proposes allocation of three significant-sized Sustainable Communities (refer to Policies DPSC1 – DPSC3). These sites provide a quantum of growth that will support provision of new services on-site, including open space and recreation.

10. Policy DPSC GEN includes a specific policy requirement for the significant housing allocations (DPSC1-3 and others that may come forward during the plan period) on this matter:

*“5. Provide high quality, easily accessible green space, central to the development with formal and informal areas for play and include opportunities for food growing areas.”*

11. In addition, specific policies require the following:

<b>DPSC1: Land to the West of Burgess Hill / North of Hurstpierpoint</b>	<ul style="list-style-type: none"><li>● Play area</li><li>● Other outdoor provision including a Multi-Use Games Area (MUGA)</li><li>● Informal outdoor space</li></ul>
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	<ul style="list-style-type: none"> <li>Financial contributions towards the provision of Outdoor Sports where need is not met on-site</li> </ul>
<b>DPSC2: Land at Crabbet Park</b>	<ul style="list-style-type: none"> <li>Leisure</li> <li>Play area</li> <li>Other outdoor sports provision</li> <li>Outdoor sports</li> <li>Informal outdoor space</li> </ul>
<b>DPSC3: Land to the south of Reeds Lane, Sayers Common</b>	<ul style="list-style-type: none"> <li>Leisure</li> <li>Play area</li> <li>Other outdoor sports provision</li> <li>Outdoor sports</li> <li>Informal outdoor space</li> <li>Financial contributions towards the provision of Outdoor Sports where need is not met on-site</li> </ul>

12. For other allocations, including DPSC 4-7 and housing sites DPA1 – DPA17, each site-specific policies sets out the infrastructure requirements required both on and off-site. Those requiring on-site provision are as follows. These requirements have been informed by the two studies and the yield and impact of the site and consequent need for such facilities.

<b>DPSC5: Land at Coombe Farm, Sayers Common</b>	<ul style="list-style-type: none"> <li>Informal outdoor space</li> </ul>
<b>DPSC7: Land at LVS Hassocks, Sayers Common</b>	<ul style="list-style-type: none"> <li>Informal outdoor space</li> </ul>
<b>DPA7: Land east of Borde Hill Lane, Haywards Heath</b>	<ul style="list-style-type: none"> <li>Play area</li> </ul>
<b>DPA9: Land to west of Turners Hill Road, Crawley Down</b>	<ul style="list-style-type: none"> <li>Play area</li> <li>Other outdoor provision</li> <li>Outdoor sports (subject to further discussion regarding overall provision in the settlement)</li> <li>Informal outdoor space</li> </ul>
<b>DPA12: Land west of Kemps, Hurstpierpoint</b>	<ul style="list-style-type: none"> <li>Play area</li> <li>Informal outdoor space</li> </ul>
<b>DPA14: Land at Foxhole Farm, Bolney</b>	<ul style="list-style-type: none"> <li>Informal outdoor space</li> </ul>

#### *Developer Contributions*

13. Due to their scale, the majority of site allocations require financial contributions towards Play, Outdoor Provision and Outdoor Sports. The contribution is determined by formula as set out in **Appendix 5: Developer Contributions** which is consistent with the Council's current adopted approach. The approach is set out on pages 279 – 283 of the submitted District Plan [DP1]. As explained in the supporting text, the two studies have informed this approach, alongside the Fields in Trust standards, relevant governing body

guidance, Sport England Guidance or Play England Design for Play Guidance (or as updated).

*Consultation Responses*

14. The Council has engaged with Sport England during the plan-making process, they responded to both formal consultation stages.

15. At Regulation 18 stage, Sport England commented on three aspects of the Plan:

Section	Sport England Response
Annexe 1: Overview of Policy Requirements for Housing Allocations	“Sport England supports this schedule of requirements for residential schemes.”
DPS6: Health and Wellbeing	“Sport England supports this policy”
DPI5: Open Space, Sport and Recreation	“Sport England supports this policy”

16. At Regulation 19 stage, Sport England made the following comments:

Section	Sport England Response
Evidence Base	The Council’s Playing Pitch Study is out of date
DPSC GEN	Supports the 20 minute neighbourhoods principle, references Sport England’s updated Active Design Guidance
DPI2: Planning Obligations	Specific reference should be made to sports pitches and other sports facilities in the policy
DPI5: Open Space, Sport and Recreation Facilities	Reference to being retained ‘where possible’ should be deleted. Playing Pitch Study is out of date and needs to be reviewed.

17. Sport England has referred the Council to its guidance “Assessing Needs and Opportunities Guide for Indoor and Outdoor Sports Facilities”<sup>2</sup> (2014). The Council reviewed this guidance following the response made at Regulation 19 stage. The guidance notes that authorities should not need to undertake a comprehensive assessment more frequently than every five years, however assessments should be reviewed and updated. The two studies were finalised in 2019 and are therefore less than five-years old at Regulation 19 and Submission stages. Furthermore, the Council’s “Green Spaces Investment – Strategic Vision” notes that an Officer Working Group reviewed the findings (paragraphs 19-20) and set out further priorities for improvement to facilities based on the findings of the original work. The Council concludes there has not been a material change in circumstances since the 2019 work was published.

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<sup>2</sup> [https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/20140722-anog-published.pdf?VersionId=\\_z9TwHG.HE\\_FzoNPhkFZyN\\_yrjq8WPC](https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/20140722-anog-published.pdf?VersionId=_z9TwHG.HE_FzoNPhkFZyN_yrjq8WPC)

- 18. The Council considers the evidence remains robust and fit-for-purpose in informing specific policies, individual policy requirements and approach to securing developer contributions.**

## Consistency with NPPF and Planning Practice Guidance

19. Paragraph 98 of the NPPF (September 2023) states:

*“98. Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.”*

20. As described in previous sections, the submitted District Plan sets out supportive policies in relation to new and enhanced open space, sport and recreation facilities. Where supported by the evidence, new site allocations are also required to provide such facilities on-site or to make financial contributions. **The Council is satisfied its approach is fully in accordance with paragraph 98.**

21. Paragraph 99 states:

*“99. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”*

22. Policies DPI5 and DPI6 are consistent with the requirements of this paragraph.

23. Planning Practice Guidance<sup>3</sup> states it is for local planning authorities to assess the need for open space and opportunities for new provision. It refers to the Sport England guidance for assessing need, as mentioned above. The Council has had regard to all guidance.

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<sup>3</sup> <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>

24. The PPG also refers to consulting Sport England where development would affect existing open space, sports and recreation. Whilst there are no such losses proposed within the District Plan, Sport England has been consulted and not objected on these grounds. Note Sport England would also be consulted at the planning application stage for any proposals that would affect such facilities.
  
25. **The Council is satisfied that the Plan is consistent with the requirements of the NPPF and accompanying Planning Practice Guidance.**