

From: Steve Lawrence [<mailto:achieve.planning@gmail.com>]
Sent: 29 September 2015 14:14
To: Sally Smith DC; Heidi.Clarke@sportengland.org; rightsofway@hants.gov.uk
Cc: HRFC Secretary; gordon; Martin Miller
Subject: Re: FW: Havant RFC Fraser Road APP/15/00832

Dear Sally, Heidi and Petronella

Havant RFC Clubhouse - Fraser Road - Bedhampton - APP/15/00832

Thank you for your e-mail Sally. I respond as follows:-

Squash assessment

I query some assumptions made by Sport England that have possibly led to some of its comments. Firstly, the site is not a playing field as set out in - The Town and Country Planning (Development Management Procedure) (England) Order 2010.

Perhaps it came to this conclusion because of the way the site's address has been notified to them (which is not what is stated on the club's application form and where no agreement to vary that was sought with the applicant).

So, I would query why Sport England have been consulted in the first place. Schedule 5 referring to Articles 16 and 17 of the GPDO sets out the following requirement for consulting Sport England

“(za) Development which—

(i) is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field; or

(ii) is on land which has been—

(aa) Used as a playing field at any time in the 5 years before the making of the relevant application and which remains undeveloped; or

(bb) allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement; or

(ii) involves the replacement of the grass surface of a playing pitch on a playing field with an artificial, man-made or composite surface.

- Where (i) "playing field" means the whole of a site which encompasses at least one playing pitch"

In this context the 'site' means the application site and no part of the 15/00832/FUL site as edged red, includes a "playing field".

None of these circumstances apply to the applicant's case and Sport England have even acknowledged this, by recognising the council's consultation to be "non-statutory".

Lastly, Sport England has concluded it has no objection, subject to some planning conditions.

The Club is happy to entertain their suggested condition, so the Club can work in partnership with the Council and Sport England to achieve the best available multi-playing surface.

It is disappointing that Sport England have not commented upon the submitted industry typical 4G specification information available on the council's website for 15/00832/FUL.

I make these further observations -

(a) The Club would not be building on anything. That implies knock the facility down and then building back from the ground up. We are converting the space.

(b) Between each bullet point is the word "or". This implies that any of the three things stated can be acted upon by the applicant. The Club has made its case concerning the third bullet point.

(c) When one thinks about it, how on earth can an applicant prove that something is 'surplus to requirements'? When Havant Borough Council converted most of its internal squash courts inside the Havant Leisure Centre to other sports accommodation, how did it conclude those other squash courts were 'surplus'? I suspect it had a lot to do with (i) a recorded drop off in usage and (ii) the need for the council to make the optimum use of the leisure centre to help it to run in the most efficient and cost effective manner.

Looking at paragraph 73 of the NPPF this also sets out that –

“Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area.”

Looking at the evidence base on-line, on the council's planning webpages, that backs up the Development Plan for Havant Borough, none have made a survey of sports facilities in the Borough. Such evidence is supposed to support and justify Policy CS1 strand 4. To rely on such a broad brush national policy under paragraph 74 of the NPPF is therefore called into question, if the council does not know the circumstances locally to make a proper assessment.

Existing squash courts within the Borough of Havant (distance from PO9 3EJ in brackets) are located at –

Hooks Lane Clubhouse, Fraser Road – 2 Courts

Havant Leisure Centre – 1 Court (there are none at Waterloo Leisure Centre)(0.6 miles)

Avenue Lawn Tennis and Squash Club, Denvilles – 3 Courts (1.6 miles)

Existing squash courts outside but within reasonable travelling distance of Havant Borough (distance from PO9 3EJ in brackets) –

Chichester Racquets and Fitness Club – 5 courts (11.5 miles)

Westgate Leisure Centre Chichester – 2 Courts (10.7 miles)

Fareham Leisure Centre – 3 Courts (11.4 miles)

Taro Leisure Centre Petersfield – 3 Courts (16.6 miles)

Mountbatten Leisure Centre Portsmouth – 2 Courts (6.1 miles)

Nuffield Health Fitness & Wellbeing Centre, Northern Parade, Portsmouth – 2 Courts (5.5 miles)

Alverstoke Lawn Tennis Squash & Badminton Club - 2 Courts (15.2 miles)

Roko Health Club Copnor Road Portsmouth - 2 Courts (5.6miles)

The Club has no means of surveying all those who live in the Borough who participate in squash or to understand trends in participation over time, but is able to evidence the overall decline in squash participation at Hooks Lane since 1986, using old club handbooks, where the number of teams competing in various Leagues has declined and reminds the council that following the last AGM, there no longer is a Squash Section constituting part of Havant Rugby Club.

The applicant does not propose to submit any further information about whether the squash courts are 'surplus' nor 'quality of provision' - (as the applicant is not proposing to build new squash courts and others' nearby facilities surely must be of

a good quality because otherwise they would not be used if they were poor) - and considers it has met the test of paragraph 74 of the NPPF for the reasoning put forward. Those alternative facilities are available and the Avenue Club has offered existing squash players a first free season's membership at The Avenue if they join by October 2015.

By way of extra information please that on 20 September the Rugby Club organised a 'bring a friend' day, where the mini/Junior age groups were undertaking their usual Sunday training. 50 new boys and girls that turned up to give the sport a try.

The Club has also now recruited 12 girls in the formation of our fledgling Girls team (Under 16's) that will complement our excellent Ladies team, which has only come into existence in the last 5 years.

Overall net participation in sport and healthy exercise is and would increase in the Borough if the application was approved.

Right of Way

Answer 6 on the submitted application form alerted the council about the modest diversion necessary to facilitate construction of the new balcony. I attach an exploded view of that area as it exists and as would be proposed.

My colleague has been unable to adjust this drawing as he has just started a new job but we hope to furnish you with a replacement proposed plan soon taking your 'other matters' points on board or could accept a planning condition to submit final details of the side path later.

In the meantime can you consult using this plan, so we can keep the process going and achieve a decision. The new plan will not alter the extent of the diversion sought.

I have spoken with Petronella Natrass at the Hampshire (County Council) Rights of Way team. She seemed happy for HBC to process the matter under S257 of the Planning Act 1990. I am copying this response to that Team.

Your suggestion to also consult the Open spaces Society and the Ramblers' Association does seem rather over the top, especially as they are not even a statutory consultee under The Town and Country Planning (Development Management Procedure) (England) Order 2010.

I am not sure what you want the Club to do to progress the formal diversion of the footpath, where 15/00832 might be favourably determined. Your email says –“*Your email request will not be sufficient*”. What would be sufficient and please explain what will be required?

Please re-consult as quickly as possible using the additional information contained in/attached to this email.

I look forward to receiving the extension of time form at your earliest convenience.

Yours sincerely

Steve Lawrence MRTPI

ACHIEVE