

1.0 Introduction

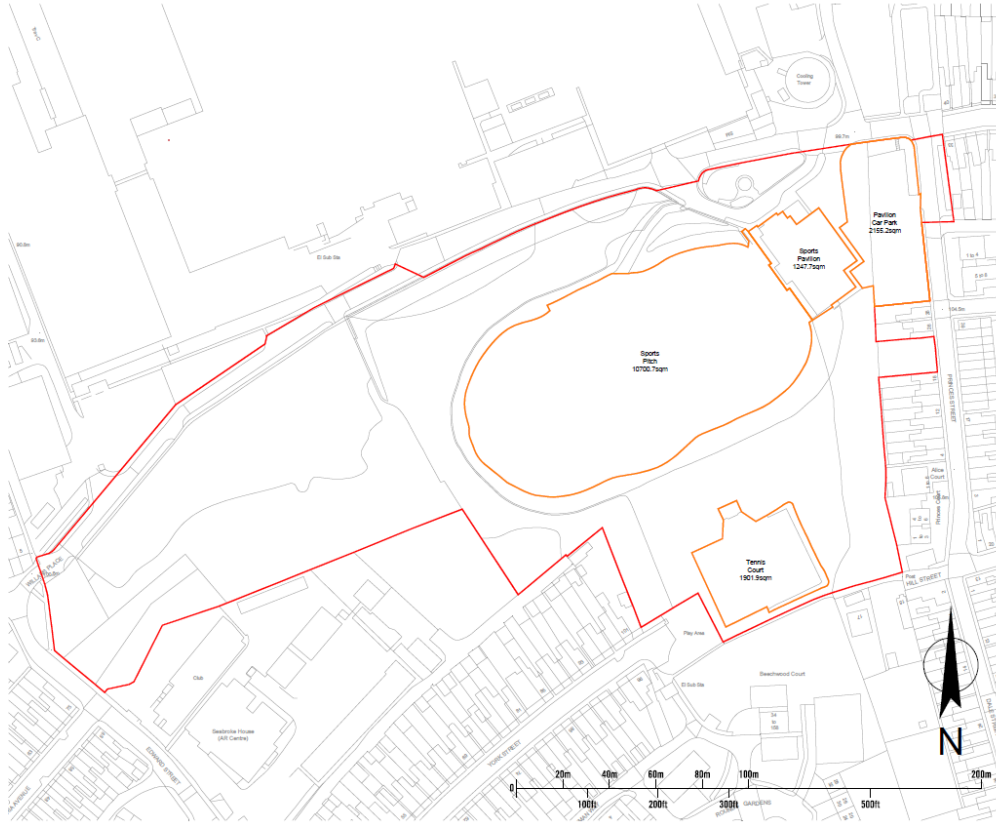
- 1.1 St. Modwen Homes are developing proposals for a residential development on Land North of Rounds Gardens, Rugby, ahead of submitting a full planning application for 134 dwellings on the site. This report supports the planning application and deals solely with the loss of the former sport and recreation provision on the site.
- 1.2 The site is in the centre of Rugby, within walking distance of Caldecott Park and all town centre amenities and is currently vacant. The land has historically been used as a car park, pavilion and recreation ground associated with the employment use to the north. The former pavilion is proposed to be demolished to facilitate the new development. Use of the recreation ground has long since ceased, it is not recorded in any of the Council's published open space and playing pitch assessments and is not proposed to be retained as part of St. Modwen Homes' proposals.
- 1.3 The playing field appeared to be well maintained and in good condition in 2002, but the grounds were no longer being maintained for sport by 2006, as illustrated in the aerial photography from 2006, below. The site has therefore not been used for approximately 20-years. The site is currently completely unplayable for sports and the vegetation and habitat present on site, within the area previously comprising the football pitch, has matured over more than 20 years, with no prospect of it being brought back into use. The former sport and recreation area is being classed for BNG purposes as a natural area by the Council.

Figure 1.1 – Site Location (2006)



- 1.4 Prior to 2006, the site contained a single senior football pitch, served by a now disused pavilion and also 3 tarmacadam (non-floodlit) tennis courts. As stated the site has not been used for sport and recreation for approximately 20-years. The remaining land has also had no recreational or sporting use for over 20 years and functions only as wasteland. It was formally used as car parking and incidental land to service the former industrial use.
- 1.5 Various longstanding residents who attended the public exhibition confirmed that the site was never open to the public and had only ever been associated with the factory and used by factory workers. It was not a publicly accessible facility.

Figure 1.2 and 1.3 – Area of Land Containing Former Playing Field Provision



- 1.6 The area of playing field land, which will be lost as part of the proposed development is illustrated in figures 1.2 and 1.3 on the previous page. The area recognises the banking surrounding the former pitch and wooded area, which are not capable of forming usable playing fields. The measured playing field area to be lost is therefore approximately 10,700.7 square metres or approximately 1 hectare.
- 1.7 Review of the Council's Open Space, Playing Pitch and Sports Facilities Study 2015 and the Sports Facilities and Playing Pitches Strategy (PPS) 2011 suggests the site does not appear to have been considered within either document. The site can therefore be considered to be a lapsed site, rather than disused.
- 1.8 The updated Rugby Council PPS, which we understand will be available from February 2024, will confirm the status of the playing field area as lapsed. The tennis courts, which were also formally part of the site, are not thought to be included in the new PPS. This was confirmed via the discussions with the Rugby Council (see below).
- 1.9 Pre-application consultation was held with the Council on sport and recreation issues on Friday 5th January with Ella Casey, Principal Planning Officer and Tom Allen, Sports Development Officer.
- 1.10 A number of principles were agreed at the meeting, including:
- The site is classed as lapsed
 - The area of playing field loss will be approximately 1.0ha
 - Any development will be subject to appropriate national and local policy as appropriate
 - Given the site has not been used for over 5 years, any consultation response on the site will be on a non-statutory basis.

Options for mitigation were also discussed at the meeting with the Council, and these are set out in the relevant sections.

- 1.11 The context of the site is important in the consideration of any mitigation.

Context

- 1.12 The use of the site has clearly lapsed, this is recognised in policy. It was never publicly accessible and was only ever used by factory workers. The site is now overgrown, and unplayable, with no prospect of being brought back into use. The site is therefore now lost for sport and recreation, with little or no prospect of being brought back into use. Indeed the former sport and recreation area on-site is being classed for BNG purposes as a natural area by the Council, for which mitigation will be required in respect of any loss. Any mitigation for sport, covering the same area, would arguably represent a double request to St Modwen Homes.
- 1.13 Whilst the development will still be subject to appropriate national and local policy the lapsed status and nature classification should afford flexible consideration by the Council, in respect of mitigation measures and the balance between sport and nature. These issues are expanded on in subsequent sections.
- 1.14 The prospect of bringing the site back into use for sport and recreation, given the length of time the site has not been used and the nature classification, would be very difficult to achieve. Furthermore, as the site is lapsed, rather than disused, it is considered that a flexible approach could be adopted and off-site contributions, rather than any *like-for-like* replacement presents a more proportionate response to the site development.

- 1.15 This report therefore seeks to provide evidence to support the proposed disposal of the site and to demonstrate a proportionate mitigation strategy, which recognises the site context and needs. It considers football and tennis separately and develops strategies for each sport individually as appropriate.
- 1.16 It is understood that further work will be required in relation to delivery of the proposed mitigation strategies and it is anticipated that this will be undertaken following agreement with Sport England and the Council on the principles and suggested approach set out in this report. This will be developed as the planning application progresses. The detailed work will involve the relevant National Governing Bodies (NGBs) in its delivery, to ensure proposals are both deliverable and sustainable.

2.0 Policy Context

2.2 This section summarises the policies against which the planning application will be assessed. An understanding of these policies is essential in order to demonstrate how the proposed disposal of the site can be policy compliant.

National Planning Policy Framework (NPPF)

2.3 National Planning Policy Guidance Paragraph seeks to protect existing open space, sports and recreational buildings and land. Paragraph 103 states that:

'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *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*
- *the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.'*

2.4 The former use of the site therefore means that it falls under the above policy and one of the above exception criteria should be met if development is to be acceptable in policy terms.

Sport England Policy

2.5 Building on the NPPF, Sport England has a statutory responsibility for planning applications involving playing fields specifically, and is also a non-statutory consultee for applications involving all other sports facilities (including tennis courts).

2.6 Sport England guidance states that;

'Even where wider sports facilities fall outside the definition of a playing field, they are afforded protection through the planning system under the provisions of paragraph 99 (now 103) of the Governments National Planning Policy Framework.'

2.7 Sport England has a statutory responsibility for planning applications involving playing fields. Sport England will oppose any proposals that will result in the loss of playing fields unless one of 5 specific exceptions apply.

2.8 The former use of the site as playing fields means that it also falls under Sport England policy and one of the exception criteria must therefore be met if development is to be acceptable in policy terms. This report therefore evaluates the opportunities to meet one of the criteria and the mitigation that may be required in doing so.

2.9 A summary of the 5 exceptions is set out below:

- **Exception 1** - A robust and up-to-date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.
- **Exception 2** - The proposed development is for ancillary facilities supporting the principal use of the site as a playing field and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use
- **Exception 3** - The proposed development affects only land incapable of forming part of a playing pitch.

- **Exception 4** - The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:
 - of equivalent or better quality, and
 - of equivalent or greater quantity, and
 - in a suitable location, and
 - subject to equivalent or better accessibility and management arrangements.
- **Exception 5** - The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

2.10 The Town and Country Planning (Development Management Procedure) (England) Order 2015 (“the 2015 Order”) states that Sport England are to be consulted in a statutory context on 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—*
 - a. *used as a playing field at any time in the five years before the making of the relevant application and which remains undeveloped; or*
 - b. *allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement; or*
- (iii) *involves the replacement of the grass surface of a playing pitch on a playing field with an artificial, man-made or composite surface.’*

2.11 If one of the above definitions does not apply, then Sport England will be a non-statutory consultee. As the land has not been used for sport for at least five years, Sport England will be a non-statutory consultee on these proposals.

2.12 Furthermore, as set out, the land north of Rounds Gardens can be considered to be a lapsed site, when provision has not been marked out for so long, off-site contributions, rather than *like-for-like* replacement (if considered applicable), may be more appropriate. We will explore this for football and tennis individually in this context.

2.13 Contributions may also be required for sport from any new development, to mitigate the additional demand generated by the proposed development. This will be dependent on the scale of residential development and overall approach to s106 and would be subject to wider s106 discussions.

Rugby Borough Council Policy and Evidence Base

2.14 Policy HS4 of the adopted Local Plan deals with open space, sports facilities, and recreation and states:

‘Public open space, sports and recreational buildings and land, including playing fields within the Open Space Audit evidence and/or defined on the policies map and/or last in sporting recreational use should not be built upon unless:

- *An assessment has been undertaken which has clearly shown the open space/land to be surplus to requirements; or*
- *It can be demonstrated that 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*
- *The development is for an alternative sports and recreational provision, the needs for which clearly outweigh the loss.’*

- 2.15 The above also reflects the tests set out in Paragraph 103 of the NPPF and in-turn Sport England's Playing Field policy.
- 2.16 The local evidence base is now out of date. The published Playing Pitch Strategy (PPS) is from 2015 and is now nearly 10-years old. The PPS analysed the Council area on the basis of north, urban and south analysis areas. The site is located in the urban area.
- 2.17 An updated PPS is due to be published in February 2024, it is our understanding that the same analysis areas have been adopted.
- 2.18 It is understood that the existing position for all sports, set out in the new PPS, is either that demand is being met or that there is a shortfall, the future position shows the increase of current shortfalls and the creation of additional shortfalls for some sports where demand is currently being met. There are deficiencies in football pitch provision, but these are not significant and are lowest in the urban area. In terms of tennis, it is understood that club demand is being adequately met, with a priority on informal activity and improving the recreational tennis offer.
- 2.19 It is considered that the shortfalls identified across sports can in most instances be met by better utilising current provision, through improving quality, pitch re-configuration, installing additional sports lighting, improving ancillary facilities and opening up access to existing unused sites. There is also a requirement for new provision, particularly in relation to 3G pitches, where there is considered to be a shortfall of circa 2.25 pitches.
- 2.20 Whilst not a policy document the Local Football Facilities Plan (LFFP), also provides context for football needs across Rugby. The LFFP highlights the key strengths of local football in Rugby include youth, mini and adult provision and it is recommend that this is sustained and also encouraged to grow further. However, gaps in provision do exist, these include girls and woman's, disability, futsal and recreational football. It is therefore recommended, within the LFFP, that the future football development priorities for Rugby are:
- Girls and Woman's
 - Disability
 - Recreational
 - Futsal
 - Wildcats Centres.
- 2.21 The facilities required to assist this are set out in the Assets and Opportunities section of the LFFP. Local assets and opportunities have been reviewed in line with four investment priorities:
- 3G AGPs
 - Improved grass pitches
 - Changing room pavilions / clubhouses
 - Small-sided facilities.
- The geographical spread of existing 3G facilities is focused around the town of Rugby, which is the area of highest population in Rugby. Additional provision is considered to be required to support current and future demand, due to the rural nature of the authority, there is considered to be limited demand away from the town itself for any additional 3G provision. The role of smaller MUGAs is also identified in the LFFP as important, small sided facilities are prioritised at Avon Mill.
- 2.22 In terms of improved grass pitches, these are prioritised at; Rugby Town Junior Football Club, Whinfield Recreation Ground, Frobisher Recreational Ground and Avon Mill Recreational Ground, where works to natural grass pitches is prioritised.
- 2.23 Changing and pavilion schemes are also highlighted at the above sites and include in addition, Alwyn Road recreational Ground, where a changing pavilion upgrade is also prioritised.

Summary

- 2.24 It is clear therefore that both national and local policy seek to protect outdoor sport and recreation facilities, unless a case can be made and appropriate mitigation put forward. This report therefore reviews the needs in terms of tennis and football in order to determine how the proposed disposal of the site can be delivered and what represents an appropriate mitigation package.
- 2.25 The next sections, set out an outline needs assessment for tennis and football, reflecting on the former use of the site, the site context, the wider strategic position and demand for tennis and football in the urban catchment area. It then puts forward a proposed mitigation strategy, which reflects a proportionate strategy in line with the identified needs.

3.0 Tennis

Introduction

- 3.1 There are no records for when the tennis courts were last used on the land north of Rounds Gardens. It is believed the courts were for use by the employees of the former industrial site only. No club has ever been recorded on the site. The site does not feature in any Council policy documents, including we understand, the upcoming PPS. The courts are therefore not included in any consideration of current supply and demand balance across Rugby or the urban analysis area. The site has not been maintained for tennis for over 20 years and are clearly lapsed, with no prospect of being brought back into use.
- 3.2 We understand the emerging PPS reflects a position where club demand is being met and the priority for tennis in Rugby is to focus on informal activity at non-club courts and improving the recreational tennis offer. Improving recreation tennis, within the urban area at Caldecott Park is recognised as a priority.
- 3.3 This section sets out the findings of a local needs assessment for tennis, which provides the context for the proposed mitigation.
- 3.4 In order to present a picture of need, we have sought to understand the adequacy of provision by:
- Considering *demand* issues, the context for tennis and tennis participation
 - Evaluating the *supply* picture and adequacy of provision within the catchment area.

Consultation with Rugby Borough Council has also helped to present a rounded picture of need and a proposed approach towards mitigation.

Strategic Context

- 3.5 The Lawn Tennis Association (LTA) is the organisation responsible for the governance of tennis and administers the sport locally across Rugby. It has recently restructured its strategic approach to target several national focus areas, with a priority on developing the sport at park sites. The LTA's mission is to grow tennis and padel by making them *accessible, welcoming, and enjoyable*. Ensuring local communities have access to quality facilities is considered critical to attracting and retaining more players.
- 3.6 The LTA has developed a support package for local authorities to grow use of tennis courts by removing key barriers to participation, products such as *ClubSpark, Play and Gate Access* have been established, to support the delivery of this growth.
- 3.7 Furthermore, there are other formats away from traditional tennis that the LTA is supporting to further increase usage, these include *local leagues, youth programmes, Youth Start and free parks tennis*. All of these programmes focus on public access and making the sport more accessible.
- 3.8 In-line with this, the LTA has secured a £22 million investment fund to be put into public tennis courts across Britain, together with an £8.5 million investment from the sports itself. The *Parks Investment Strategy* will see public park tennis courts that are in poor or unplayable condition improved for the benefit of local communities.
- 3.9 The LTA's ambition is to drive participation across park tennis sites, as well as ensuring the future sustainability of these facilities. As well as paying for the refurbishment of public park courts, the new investment will also pay for the implementation of sustainable operating models for the facilities, utilising the gate access initiatives to ensure courts are both affordable and utilised.

3.10 At present, *Caldecott Park* in Rugby has been identified for investment as part of the Parks Investment Strategy for Rugby.

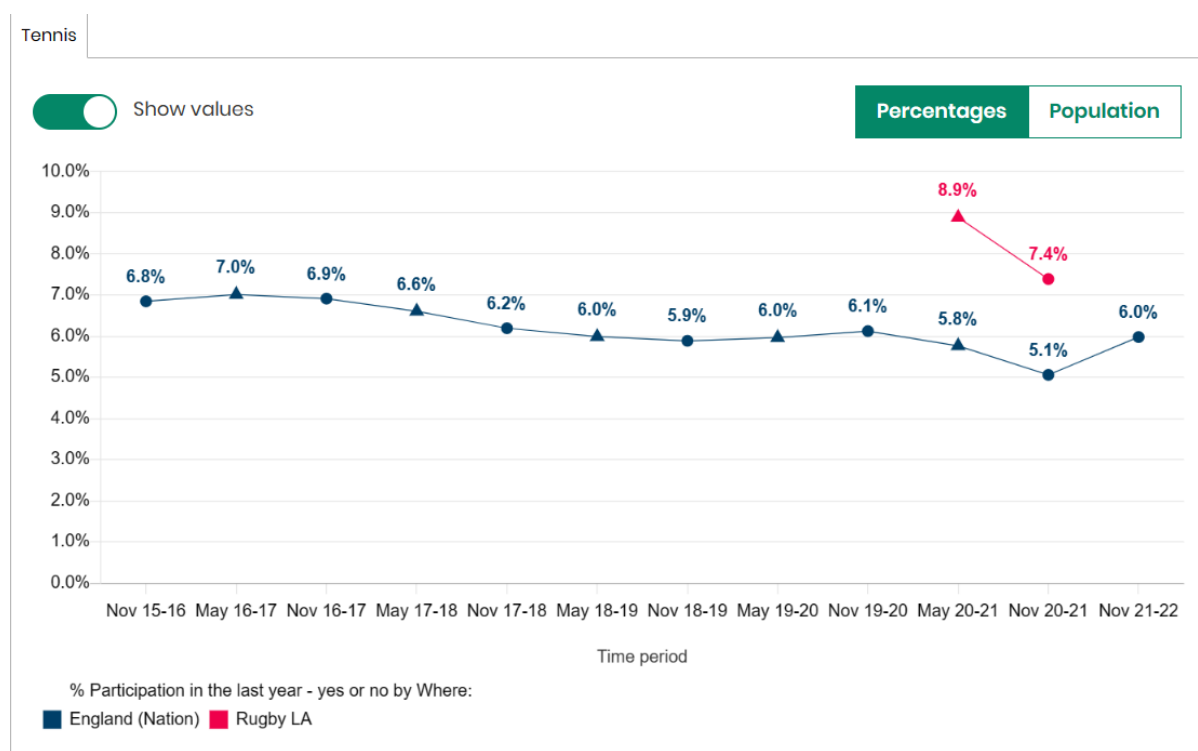
Participation Context

3.11 Nationally, the LTA participation figures for 2022 show success in getting more people playing tennis more often, with growth across all demographics, regions and nations of Great Britain. This is particularly amongst 16-34 year-olds and those from lower socio-economic backgrounds.

3.12 The number of adults reporting that they had played tennis during the year increased 43% compared to the previous year (2021), rising from 3.3 million to 4.7 million from January through to December. This is the highest total recorded since 2017 and has continued the growth seen in 2018-19 before being interrupted by the Covid-19 pandemic. In addition, more than two million adults play monthly, and this is the highest level recorded since the LTA started tracking this measure seven years ago. Children’s and weekly participation in tennis has also seen positive growth in the past year with over three and a half million children playing tennis and with an extra 328,000 children playing tennis in schools.

3.13 Chart 3.1, extracted from the Sport England Actives Lives Survey demonstrates that once a year participation in tennis in Rugby is high compared to the national average. Demand has fluctuated since 2015 nationally and has reduced from 6.8% to 6.0% according to the latest data. There has also been a reduction in Rugby according to Active Lives.

Chart 3.1 – Participation in Tennis – Rugby and National



Tennis Supply within the Catchment Area

- 3.14 An audit of tennis provision illustrates there are approximately 44 tennis courts in the Rugby urban area across 12 separate sites. Of the courts, 28 are categorised as being available for community use at 7 sites, across a mix of school, club and public facilities.
- 3.15 The quality of tennis courts is generally good, with the exception of Caldecott Park at a publicly accessible site, which are considered poor quality by the Council. 17 courts are floodlit across the area. 36 of the courts are tarmacadam with the remaining artificial grass.
- 3.16 There is therefore a good mix of good quality accessible provision, offering opportunities for both club play and open access recreational opportunities. The analysis reveals that there appears to be more than adequate capacity for tennis in the area. The list of provision is set out in the table below.

Table 3.1 – Facilities within the urban area of Rugby

Site Name	Number of Courts	Type	Community Use	Floodlights	Quality	Capacity
Rugby Lawn Tennis Club	2	Tarmacadam	Yes	Yes	Good	360
	4	Artificial	Yes	Yes	Good	
Ashlawn School	1	Tarmacadam	No	No	Good	40
Avon Valley School	4	Tarmacadam	No	No	Poor	160
Bilton School	4	Tarmacadam	Yes	No	Good	160
Rugby Free School	3	Tarmacadam	No	No	Good	120
Clifton Playing Fields	2	Tarmacadam	Yes	Yes	Good	120
Harris Academy	4	Tarmacadam	No	No	Good	160
Rugby Girls School	4	Tarmacadam	No	No	Poor	160
Rugby School Sports Centre	5	Tarmacadam	Yes	Yes	Good	600
	3	Artificial	Yes	Yes	Good	
	3	Tarmacadam	Yes	No	Good	
The Grange Bowling Club	2	Tarmacadam	Yes	No	Good	80
Bilton BC	1	Artificial	Yes	Yes	Good	60
Caldecott Park	2	Tarmacadam	Yes	No	Poor	80
Total Theoretical Capacity						2080

- 3.17 Rugby Lawn Tennis Club is the only club based facility in the urban area. It has extensive provision, with 6 floodlit good quality courts. The 2023 club AGM noted the membership at over 300 members, which is under the theoretical capacity of 360. The AGM recorded this as a healthy but not full membership. As set out the majority of other sites in the area allow for pay and play usage from non-members. There is therefore a good level of publicly accessible tennis.

- 3.18 The LTA suggests that a hard court with no sports lighting can accommodate 40 members, whereas a hard court with sports lighting can accommodate 60 members. It is understood that this should only be used as a guide as capacity can, in reality, vary from site to site depending on how the demand operates and the programmes of use in place. Some clubs can comfortably operate over capacity guidance, whilst others may have pressures without theoretically being over capacity. Given the majority of sites in the urban area offer community access, there is significant theoretical capacity of 2,080, for tennis in the area. Alongside Rugby Lawn Tennis Club, there is also extensive provision at Rugby School Sports Centre and significant opportunities provided at other school and public sites, to further enhance usage, via the LTA programmes, as set out previously.
- 3.19 Away from clubs, community usage is difficult to quantify as it is not always monitored, especially at sites that are free to access as is the case at the majority of sites listed in table 3.1. Demand for such provision is generally at its highest during summer months, especially following events such as Wimbledon, but capacity is likely to exist outside of this.
- 3.20 For non-club courts, analysing supply and demand is therefore difficult as usage figures are not generally known. However, in discussion with the Council there are not considered to be any significant capacity issues, other than at Caldecott, where the quality is considered to be impacting on use. As set out, the theoretical capacity for tennis in the urban area of Rugby is therefore significant.
- 3.21 All this means that within the urban area of Rugby, where the site sits, there would appear to be significant resources for tennis. New provision has also come on stream recently at the David Lloyd Centre in Houghton, which adds to the offering for those in the catchment. The closure of the 2-courts at Rugby Railway Club has also seen amalgamation and consolidation at Clifton and the Grange.
- 3.22 As set out previously in addition to the changes above Rugby Council are engaged with the LTA's Parks and Refurbishment and Gate Access Programme. LTA have made an offer of funding to improve the tennis courts at Caldecott Park, which are in poor condition. This will see a further improvement in the infrastructure in the urban area.

Summary

- 3.23 Whilst it is clear that the tennis courts on the land north of Rounds Gardens are surplus to the requirements of the current owners, and have no prospect of being brought back into use, in order to meet wider policy requirements, it is necessary to also consider the wider strategic need for the former facilities.
- 3.24 The analysis set out demonstrates that there appears to be enough alternative tennis provision in the urban area, and that the priority is enhancing the quality and sustainability of the existing facilities. There does not appear to be a requirement for additional or new courts.
- 3.25 Crucially, we are led to believe, the proposed development site is not identified as a tennis facility within the upcoming PPS. As a lapsed site it is not current provision. Given this, the retention or reinstatement / replacement of the facility would not deliver against policy, instead it would provide an additional facility that the analysis set out would suggest is not required. Loss of the tennis courts on the site would not reduce the number of courts identified in the urban area, which are significant.
- 3.26 There appears to be no unmet demand that the proposed development site is needed to meet, over and above investing in the existing infra-structure, particularly given the proximity of the site to Caldecott Park and the priority for investment at this site.
- 3.27 The above evidence we believe confirms that there is no clear strategic need for the reinstatement of the tennis courts at the proposed development site, or their replacement, indeed the former courts could justifiably be deemed *surplus to requirements*.

- 3.28 We understand there are no clearly defined parameters by Sport England (or in the NPPF) as to what level of provision constitutes a *surplus*. Whilst it is never clear where this bar lies and can be interpreted differently by different planning officers, often depending on the wider planning issues in respect of a specific scheme, this report presents the available evidence, which suggests that the facility is not required and *could* justifiably be deemed surplus.
- 3.29 Having said this we note that even where it is accepted that a site is surplus to requirements, Sport England guidance suggests that contributions towards qualitative contributions may also still be required.
- 3.30 Whilst the former tennis courts could be argued to be surplus to requirements, it is acknowledged that there are qualitative issues at nearby sites, particularly Caldecott Park, it is therefore recognised that contributions may be required to support improved infrastructure. Having said these should be proportionate, given the site context. This view is shared by the Council, who would like to see investment in Caldecott Park.
- 3.31 In terms of Caldecott Park it is our understanding that the LTA are currently scoping the extent of works and amount of funding required to address the qualitative issues at Caldecott Park. Discussions are currently on-going, it could be that potential LTA funding and available match funding focusses either on addressing one of the courts in full or specific issues across the courts, in which case future S106 funding would be required to address any remaining issues, this could for example incorporate floodlighting of the courts.
- 3.32 The cost of floodlighting a single court is estimated to be circa £15,000. In light of this and the priority of Caldecott Park, mitigation of £30,000 in total (equivalent to 2-courts), is proposed for the loss of tennis facilities on the site. This sum is to be allocated to improvement works at Caldecott Park through a s106 agreement, to be finalised in agreement with the LTA and Rugby Council, in the context of on-going discussions regarding the Parks Investment Strategy.**

4.0 Football

Introduction

- 4.1 There are no records for when football was last played on the site. It is believed the pitch was for use by the employees of the former industrial site only. The site does not feature in any current Council policy documents, although it is our understanding the upcoming PPS, will class it as a lapsed site. The pitch is however not included in any consideration of current supply and demand balance across Rugby or the urban analysis area. The pitch has not been maintained for football for approximately 20 years and is clearly lapsed, with no prospect of being brought back into use.
- 4.2 The 2015 Council PPS, and so we understand the new 2024 PPS, will identify deficiencies in pitch sports across Rugby and the urban area, including for football. Whilst these are not thought to be significant, it is understood in this context that the policy compliant solution for the loss of the playing field area on the site, is to replace the 1.0ha that will be lost.
- 4.3 However as a lapsed site, the former pitch on the land north of Rounds Gardens is not current provision. When a site has not been in use for so long, off-site contributions, rather than *like-for-like* replacement may be considered more appropriate.
- 4.4 Furthermore our discussions with Rugby Council has indicated that they have reviewed all of their existing sites and cannot currently propose a suitable location for a new football pitch which would replace the provision on the site. Their preference is for investment on multi-pitch sites, with existing infra-structure, to improve pitch quality, capacity and overall sustainability.
- 4.5 This approach is in-line with the emerging PPS and LFFP, which as set out previously notes, there are deficiencies in football pitch provision, but these are not significant and are lowest in the urban area and that the shortfalls identified can in most instances be met by better utilising current provision, through improving quality, pitch re-configuration, installing additional sports lighting, improving ancillary facilities and opening up access to existing unused sites. The LFFP also prioritises investment in grass pitch provision and wider infrastructure to address football needs.
- 4.6 In terms of improved grass pitches, these are prioritised at; Rugby Town Junior Football Club, Whinfield Recreation Ground, Frobisher Recreational Ground and Avon Mill Recreational Ground, where works to natural grass pitches is prioritised. Changing and pavilion schemes are also highlighted at the above sites and include in addition, Alwyn Road recreational Ground, where a changing pavilion upgrade is also prioritised.

Mitigation Options for Football

- 4.7 In the context of the site and Council priorities a series of options have been put forward, these include:

Addison Road

- 4.8 This is an identified pitch within the upcoming PPS and is referred to as available but unused. It is currently not marked up and needs work in order to be brought back into use. The site could provide a home for Bilton FC who currently do not have their own site. A pavilion and car park may also need to be provided, depending on the end use. This is the site identified as a priority by the Council.

Whinfield Recreation Ground

- 4.9 The existing pavilion on-site is in need of refurbishment, with a new facility required to deliver the needs of Hillmorton FC and Rugby Parkrun needed. There are understood to be long standing issues of car parking and conflicts with residents, and it would also benefit from

increased provision if this can be achieved, within the constraints of location and the site. Bringing more areas of the recreation ground into pitch usage would also be beneficial but would require significant ground works and cut and fill of uneven land to create usable space for new pitches. This would only be suitable for pitches of smaller size/age groups.

GEC

- 4.10 Rugby, football and junior parkrun currently take place at the site. The overflow car park on lower Hillmorton Road could benefit from improvement to address issues with the surface, also potential for possible limited extension.

Ashlawn Road Recreation Ground

- 4.11 Rugby and football currently take place on the site. The existing car park is in need of resurfacing and improvement works. Car parking is an issue on match days and would benefit from increased provision if possible within the site constraints.

Alwyn Road Recreation Ground

- 4.12 Rugby, football, and cricket are played on the site. Works are already planned for refurbishment of the pavilion, although there is a current budget gap between the clubs aspirations and budget available.

MUGA Developments

- 4.13 Rugby Council have also proposed various MUGA projects, which are at various stages of development, which could be supported as part of the mitigation, these include:

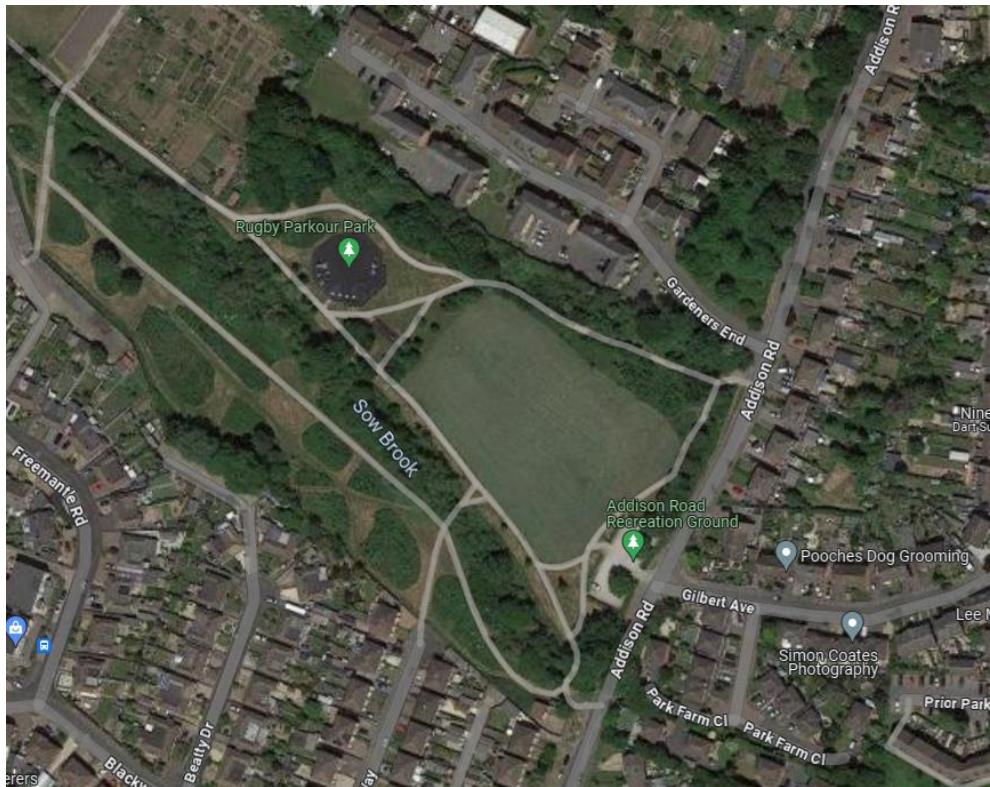
- Caldecott MUGA
- New Bilton Recreation Ground
- Oakfield Recreation Ground
- Jubilee Recreation Ground

Whilst St Modwen are keen to work in partnership and will be guided by the Council and NGBs in terms of priorities and any mitigation strategy, investment in MUGA provision is not considered at this stage.

Summary

- 4.14 Whilst it is clear that the former playing field area on the land north of Rounds Gardens is surplus to the requirements of the current owners, and has no prospect of being brought back into use, in order to meet wider policy requirements, it is necessary to also consider the wider strategic need for the former playing fields.
- 4.15 It is accepted that the site although lapsed cannot be considered surplus to requirements given the deficiencies in the area. The former playing field site therefore has to be mitigated for, although this should be in proportion to the site context.
- 4.16 Addison Road presents a solution, which we believe is appropriate and provides potential to mitigate for the loss of the site. Addison Road is located in the urban area and is therefore within reasonable catchment area, a potential end-user has been identified by the Council in the shape of Bilton FC. The site area as illustrated in the figure overleaf is in-line with the area of loss on the land north of Rounds Gardens.

Figure 4.1 – Addison Road Playing Fields



- 4.17 An agronomy report would be required to evidence the extent of pitch works required at Addison Playing Fields, but at this stage, it appears there is potential for the site to demonstrate significant pitch works being required, over and above simple enhanced maintenance, to constitute *replacement*.
- 4.18 The need for wider infra-structure on-site, would be assessed as part of any feasibility study. Ultimately the end use will shape this. The FA current policy is that changing provision is not required to support mini and junior use.
- 4.19 **The cost of a single full-size pitch is according to Sport England facility cost guidance (2Q 2023) £110,000. In addition an allowance of up to £90,000 is considered appropriate for wider infra-structure costs. Mitigation of £200,000 in total is therefore proposed for the loss of playing fields on the land north of Rounds Gardens. This sum is to be allocated to improvement works at Addison Playing Fields through a s106 agreement, to be finalised following a feasibility study, which will define the scope of works and final costs, in agreement with the FA and Rugby Council.**

5.0 Summary and Conclusions

Introduction

- 5.1 The former use of land north of Rounds Gardens means that the site is subject to national and local planning policy relating to outdoor sport and recreation facilities. Specifically, Sport England playing fields policy and paragraph 103 of the NPPF seeks to protect outdoor sports facilities unless one of a series of exception criteria are met. Rugby Borough Council planning policy HS4 also seeks to protect existing outdoor sports facilities and to ensure that existing deficiencies are identified and addressed.
- 5.2 This report has sought to evaluate the current context for tennis and football in order to determine how the proposed disposal of the site can best be mitigated for in the context of the site status and local priorities.
- 5.3 Previous sections set out the proposed sports mitigation package to offset the proposed loss of the site. This is:
- **Investment in Addison Road playing fields and pavilion to bring a currently disused site and non-functioning playing field land back into use as functioning playing field land. Detailed work will be subject to a agronomy feasibility study, to be agreed by the FA and Rugby Council, to an agreed investment level of £200,000, to cover both pitch and wider infra-structure work as appropriate.**
 - **Investment in qualitative improvements at Caldecott Park to be agreed with the LTA and Rugby Council up to an agreed investment level of £30,000.**
- 5.4 Previous sections have summarised the rationale behind the proposed approach. We believe this is proportionate and represents a significant package for sport of £230,000, reflecting needs and priorities and the status of the site. Other Council options for football will be considered, as set out in section 4, up to the same investment level, should Addison Road prove undeliverable.

Meeting with Policy

- 5.5 All facilities on the land north of Rounds Gardens are closed and classified as lapsed, having been closed for several years previously. The lapsed facilities are therefore not contributing to sport in their current form, and there is no potential for them to do so in future years. The classification of the facility as lapsed means that they do not currently offer any capacity (and have no realistic prospect of doing so). They cannot be classed as current provision. The proposed mitigation will therefore represent a significant uplift in capacity for both tennis and subject to the agronomy report football.
- 5.6 The mitigation package has been designed to deliver upon the priorities and recommendations of the Council, which will be set out in the forthcoming PPS, thus maximising the benefits that are brought to sport.
- 5.7 Table 5.1 provides a summary of how the proposed mitigation package complies with policy.

Sports Facility	Position	Proposed Mitigation	Policy Comment
Football	Football pitch is not surplus to requirements due to quantitative deficiencies in the area This position to be confirmed in the forthcoming PPS, which requires replacement of current provision, although importance of qualitative improvements is also recognised	<ul style="list-style-type: none"> • Replacement of pitches at Addison Road present potential to require significant agronomy works and be deemed replacement • Appropriate infra-structure will also be supported 	<ul style="list-style-type: none"> • Capacity previously offered on site will be replaced at Addison Road • Use of land previously used as a football pitch means that proposals may not directly meet SE Playing Field Policy, although the result (replacement provision) is the same • Proposed mitigation does however offer potential to deliver replacement facilities, subject to agronomy work

Sports Facility	Position	Proposed Mitigation	Policy Comment
	<p>However as a lapsed site, the former pitch on the land north of Rounds Gardens is not current provision</p> <p>When a site has not been in use for so long, off-site contributions, rather than like-for-like replacement may be considered more appropriate.</p>	<ul style="list-style-type: none"> Up to £200,000 subject to feasibility. 	<ul style="list-style-type: none"> Regardless the proposed approach reflects the priorities of the forthcoming PPS and the Council Context for the site means proportionate approach is appropriate
Tennis	<p>Tennis courts are considered to be potentially surplus to requirements</p> <p>As a lapsed site it is not current provision</p> <p>Quality issues at nearby site mean that it is recognised that contributions may still be required to support improved infrastructure</p> <p>Priority to support further improvements at Caldecott Park.</p>	<ul style="list-style-type: none"> Investment of up to £30,000 to support investment at Caldecott Park, subject to agreement with the LTA and Rugby Council. 	<ul style="list-style-type: none"> Tennis courts are arguably surplus to current and future requirements Proposed mitigation addresses qualitative issues and ensures wider benefits from the mitigation package.

5.8 Table 5.1 sets out our view that the evidence suggests that facilities for tennis are potentially surplus to requirement and therefore the disposal of these components of the site is compliant with Sport England Playing Fields Policy E1 and / or NPPF 103 a) and the local Rugby policy HS4. However, in any event, the applicant has proposed contributions of up to £30,000 for tennis, to address outstanding quality issues in the area.

5.9 Whilst it is not argued that the football pitch is surplus to requirements, this report has set out that the playing field area on the site will be replaced with a new pitch at Addison Road (thereby, subject to feasibility work, seeking to deliver on the requirements of the NPPF 103b, Rugby Development Plan policy HS4 and SE E4 policy).

5.10 Whilst on land formerly used as playing fields, it is not believed to be currently functioning playing field land, the proposed improvements will allow football to return to the site (which is currently unusable and is classed as disused). The new pitch will be accompanied by appropriate infra-structure. The final scope of works will be subject to a feasibility study.

5.11 Given the site context, we believe a more flexible and proportionate approach should be taken in respect of the land north of Rounds Gardens. The proposed mitigation package reflects this. The proposed mitigation represents a compelling package, which meets Council and forthcoming PPS priorities and the overall benefits to sport are indisputable.

Next Steps

5.12 The use of the site has clearly lapsed, this is recognised in policy. It was never public and was only ever used by factory workers. The site is now overgrown, and unplayable, with no prospect of being brought back into use. The site is therefore now lost for sport and recreation, with little or no prospect of being brought back into use. Indeed the former sport and recreation area on-site is being classed for BNG purposes as a natural area by the Council, for which mitigation will be required. Any mitigation for sport, covering the same area, would arguably represent a double request to St Modwen Homes.

5.13 Whilst the development will still be subject to appropriate national and local policy the lapsed status and nature classification should afford flexible consideration by the Council, in respect of mitigation measures, costs and the balance between sport and nature. As a lapsed site it is not considered to be current provision.

5.14 The prospect of bringing the site back into use for sport and recreation, given the length of time the site has not been used and the nature classification, would be very difficult to achieve. Furthermore, as the site is lapsed, rather than disused, it is considered that a flexible approach

could be adopted and off-site contributions, rather than any like-for-like replacement presents a more proportionate response to the site development.

- 5.15 At this stage investment at Caldecott Park and Addison Road are proposed. Other Council options for football will be considered, up to the same investment level, should Addison Road prove undeliverable.
- 5.16 It is understood that further work will be required in relation to delivery of the proposed mitigation strategies and it is anticipated that this will be undertaken following agreement with Sport England and the Council on the principles and suggested approach set out in this report. This will be developed as the planning application progresses. The detailed work will involve the relevant National Governing Bodies (NGBs) in its delivery, to ensure proposals are deliverable and sustainable at both Caldecott Park and Addison Road.