

Copeland Local Plan 2021-2038

Statement of Common Ground between Copeland Borough Council and Sport England

Introduction

This Statement of Common Ground has been prepared jointly between Copeland Borough Council (CBC) and Sport England (SE). SE are a government body responsible for growing and developing grassroots sport and encouraging people to become more active across England. Sport England's role in the planning system is as a statutory and non-statutory consultee as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015 and in Government Planning Practice Guidance.

The purpose of a Statement of Common Ground is to set out the confirmed agreements and disagreements with regard to strategic and cross-boundary issues surrounding the Copeland Local Plan. This is the result of early, meaningful and continuous engagement between the Local Planning Authority and statutory consultees and key stakeholders in the Local Plan process.

The statement is intended to assist the Inspectors during the examination of the Copeland Local Plan to show where effective co-operation and agreement on key issues has taken place. For more information on how Copeland Borough Council has engaged with key stakeholders throughout the Local Plan preparation process, please see the Duty to Co-operate statement.

Appendix A provides a full breakdown of Sport England's response to the Copeland Local Plan Publication Draft consultation and CBC's response to this. This approach has been agreed by the two organisations.

Copeland Borough Council and Sport England agree the following:

1. Consultation and engagement has been undertaken in accordance with the Statement of Community Involvement and has provided adequate opportunity for Sport England to get involved with the development of the Plan at each key stage.
2. It is important that new development does not have a prejudicial impact on sporting facilities, and where potential impacts are identified, mitigation measures need to be agreed between the two organisations. The Local Plan policies, once updated as proposed in Appendix A below (should they be accepted by the Planning Inspector) will ensure no prejudicial impacts arise as a result of new development.
3. The promotion of active travel through the Local Plan, including supporting development where it connects to existing, or provides new walking and cycling routes, is vital for encouraging health and wellbeing improvements in the borough. The Local Plan gives sufficient support for active travel.
4. The Local Plan protects and enhances existing sporting facilities and playing fields, supports proposals to provide new sporting facilities. It is clear from the Local Plan that future planning decisions should be guided by the Playing Pitch Strategy and Indoor Facilities Study. The two organisations will continue to work together to

ensure that the PPS is completed in a timely manner so that it can be given full weight in decision making.

Signed on behalf of Copeland Borough Council

Name and Position: Chris Hoban, Strategic Planning Manager

Signature: 

Date: 28/07/2022

Signed on behalf of Sport England

Name and Position: Janet Belfield, Principal Planning Manager

Signature: 

Date: 19/8/2022

Appendix A: Sport England Response to Local Plan Publication Draft

Please note that whilst CBC can put forward suggested main and minor modifications to policies and sites in the Local Plan Publication Draft at the time it is submitted to the Planning Inspectorate, these may or may not be taken forward by the Inspector. If they are taken forward, they will be subject to a public consultation during the Examination in Public.

Key: Proposed additional wording in bold, proposed deletion in ~~strike through~~, notes in *italics*

Para/Policy No.	Sport England Comment	CBC Response
General	Sport England welcomes the Local Plan securing planning obligations for sustainable transport solutions community facilities including sports facilities and green infrastructure.	<i>Support welcomed</i>
Chapter 6.4	<p>Chapter 6.4 Design and Construction</p> <p>Modern-day life can make us inactive, and about a third of adults in England don't do the recommended amount of weekly exercise, but the design of where we live and work can play a vital role in keeping us active.</p> <p>Sport England knows sport isn't for everyone, but embracing a lifestyle change to be more active can have real benefits including:</p> <ul style="list-style-type: none"> Improving physical health Increasing mental wellbeing Building stronger communities. <p>As part of Sport England's drive to create an active environment, Active Design wraps together the planning and considerations that should be made when designing the places and spaces we live in. It's about designing and adapting where we live to encourage activity in our everyday lives, making the active choice the easy choice. Sport England welcomes references to Sport England's Active Design and would welcome developers being required to complete Sport England's Active Design Checklist, which is a useful way of applying the Active Design principles to a</p>	<i>Support welcomed</i>

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	<p>specific proposal or measuring and assessing the ability to deliver more active and healthier outcomes from development.</p> <p>Sport England welcomes references to Sport England’s Active Design and would welcome developers being required to complete Sport England’s Active Design Checklist, which is a useful way of applying the Active Design principles to a specific proposal or measuring and assessing the ability to deliver more active and healthier outcomes from development.</p>	
	<p>Sport England welcomes the desire to create healthy places and the policy approach to create layouts that encourage walking and cycling based on Active Design principles and connect the development to existing walking and cycling routes where possible. The policy could go further and require developers to complete Sport England’s Active Design Checklist in order to provide an assessment of the developments contribution to active design. The policy could go further and be reworded to incorporate specific elements of active design in accordance with Sport England’s Model Policy for Active Design: https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design</p>	<p><i>Modification proposed - Additional wording added to paragraph 6.4.4:</i></p> <p>Developers are also encouraged to use Sport England’s Active Design Checklist which is a useful way of applying active design principles to specific proposals.</p>
Policy E4PU	<p>Strategic Policy E4PU: Cleator Moor Innovation Quarter</p> <p>Sport England notes that part of one of the areas lies adjacent to a playing field site. New development needs to ensure that it does not prejudice the use of the adjoining site as a playing field. Area 2, (land to the east towards Heather Bank and Cleator Moor Medical Centre) backs onto a playing field, part of the Cleator Moor Celtic Football Club. Development of this area will need to factor in ensuring that the development does not prejudice the use of the playing field and consider the risk of ball strike. In bringing the site forward for development any planning application would need to be include a ball strike risk assessment and if any mitigation is required, for instance ball stop netting, then this should be provided by</p>	<p><i>Comment noted – no change proposed. The site is Council owned and any future planning applications on Area 2 will be submitted by the Council who are aware of the adjacent playing field and will give it due consideration at application stage. The development would have to comply with Policy SC4PU (Impact of new development on sporting facilities) before permission could be granted.</i></p>

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	<p>the developer, and maintained in perpetuity by the developer. There is no mention of this locally relevant information in the policy or the supporting text. Sport England would welcome additional text within the policy.</p>	
	<p>Sport England broadly supports proposals for new and improved public realm; and enhanced connectivity, but it should also support providing active travel links to public transport hubs. Sport England’s ‘Active Design’ is useful reference here, advocating for walkable communities, connected walking and cycling routes, co-location of community facilities, high quality streets and spaces and appropriate infrastructure. Applying and extending the active design principles to towns, key service centres, villages etc, to promote sustainable transport links to retail areas is important when designing the places and spaces we live in. It’s about designing and adapting where we live to encourage activity in our everyday lives, making the active travel the easy choice. Securing cycle parking is just as important as car parking provision, and there should be a commitment to secure adequate secure cycle parking and wider links to sustainable transport choices and public transport in the policy.</p>	<p><i>Comments noted. There are references to Active Design throughout the Plan.</i></p> <p><i>Modification Proposed – Additional text included in Policy CO7PU(first sentence):</i></p> <p>Proposals for new development will be required to provide adequate parking provision, including cycle parking and accessible parking bays in accordance with...</p>
Policy SC1	<p>Sport England broadly supports inclusion of policy SC1PU that promotes health and well-being in Copeland. Sport England supports delivering healthy communities, protection and delivery of sports facilities, securing community access to sports facilities on school sites through Community Use Agreements (where needed) (duplicated twice in the policy); the use if Health Impact Assessments, development that promotes active travel, securing developer contributions towards new or improved sports facilities, and support for strategies that improve health and well-being.</p>	<p><i>Support welcomed. Modifications Proposed – Removal of duplication and also addition of following sentence after bullet list:</i></p> <p>The Council will seek developer contributions where appropriate towards new or improved sports, recreational and community facilities taking into account needs identified within its Sports and Playing Pitch Strategies and other relevant documents.</p>

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Para 14.6.6	<p>Chapter 14.3 Sports and Leisure - Paragraph 14.6.6</p> <p>Sport England acknowledges that Copeland’s Playing Pitch Strategy is in production, and once it has been adopted Copland can be provided with access to a wider range of Sport England Tools including the Playing Pitch Calculator. The calculator has been developed to support local authorities (LAs) with assessing the need for playing pitches in their area and implementing a related plan/strategy e.g. a Playing Pitch Strategy. It can help LAs with estimating the needs that may be generated for the use of playing pitches by a new population. It looks to provide a consistent ‘starting point’ to estimating the needs which can then be refined locally as appropriate.</p>	<p><i>Comments noted. The Local Plan makes reference to the Playing Pitch Calculator and it is hoped that the PPS will be completed shortly.</i></p>
	<p>Policy SC2PU: Sporting, Leisure and Cultural Facilities (excluding playing pitches)</p> <p>Sport England objects to the wording of the policy as it is not consistent with the National Planning Policy Framework (NPPF) paragraph 99. Paragraph 99 protects existing facilities unless an assessment has been undertaken that shows the open space, buildings or land to be surplus to requirements; 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. The policy as presented covers the need for a new facility and not the benefits of a new facility, is sacrifices a loss if it is for an ancillary purpose, for which it is very unclear what this means, and it makes no reference to the quantity or quality of the replacement.</p>	<p><i>Modification proposed – amendments to Policy SC2PU:</i></p> <p>Applicants must demonstrate that:</p> <ul style="list-style-type: none"> a) The loss is required to in order to provide alternative sport or leisure provision and the needs for the new facility clearly outweigh the loss; The development is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current or former use or b) An assessment has been undertaken which clearly shows the existing facility is surplus to requirements; or c) The land in question only forms an ancillary use and its loss would not affect overall public usage of the facility; or

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		<p>d) c) The facility would be replaced by equivalent or better provision in terms of quantity and quality, with equivalent or better access and management arrangements within a suitable location.</p>
SC4PU	<p>Sport England welcomes a policy to protect sports facilities and playing fields from prejudicial development. Sport England seeks clarity or rewording the policy and title to be clear that it includes playing fields.</p> <p>Sport England seeks clarity or rewording the policy and title to be clear that it includes playing fields.</p>	<p><i>Proposed Modification – Additional wording to be included in policy title:</i></p> <p>Impact of new development on sporting facilities (including playing fields and playing pitches)</p> <p><i>Proposed Modification – additional wording to be included in first sentence:</i></p> <p>New development must not prejudice the use of existing sports facilities, including pitches, within the vicinity...</p>
Policy N9PU	<p>Sport England seeks clarity on whether playing fields are included in green infrastructure?</p> <p>Sport England seeks clarity on whether playing fields are included in green infrastructure, and if necessary changes to the wording of the policy.</p>	<p><i>Proposed Modification – playing fields to be added to list of bulletpoints on page 207 (between bullets 5 and 6):</i></p> <p>Playing Fields: Playing fields have been identified within the Council’s Playing Pitch Strategy and are protected under Policy SC3...</p>

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		<p><i>Proposed Modification – Additional text to be inserted into paragraph 1 of Policy:</i></p> <p>....open countryside, green wedges, protected green spaces, local green spaces, playing fields...</p>
Para 15.15.10	<p>Open Space Paragraph 15.15.10</p> <p>Sport England seeks clarity about which typology playing fields fall within.</p>	<p><i>Playing fields are in general considered in the PPS rather than the OSA. The only cases where a playing field is found in both is if the space is also used for other forms of recreation such as dog walking. Where this is the case the site would fall under the amenity greenspace typology.</i></p> <p><i>Not all pitches are therefore identified as Protected Green Spaces under Policy N11PU, but all playing fields are protected under Policy SC3PU.</i></p>
CO2PU	<p>Sport England broadly supports Strategic Policy CO2PU, and the allocation and safeguarding of land to deliver active travel.</p>	<p><i>Support welcomed</i></p>
CO4PU	<p>Strategic Policy CO4PU: Sustainable Travel</p> <p>Sport England broadly supports policy to promote safe and direct connections to active travel.</p> <p>Broaden the policy to include standards for cycle parking where appropriate.</p>	<p><i>Modification proposed – Additional text added to policy CO7 (Parking Standards) rather than CO4 as suggested:</i></p> <p>Proposals for new development will be required to provide adequate parking provision, including cycle parking and accessible parking bays in accordance with...</p>

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	<p>HWH2 Red Lonning and Harras Moor, Whitehaven The site includes a playing field. This site has been used as a playing field in the past and goal posts can be seen from satellite images. In order to bring the site forward for development there would need to be mitigation in place to replace the playing field and comply with paragraph 99 of the NPPF and Sport England’s Playing Fields Policy.</p> <p>HWH3 Land at Edgehill Park (former Marchon Car Park), Whitehaven (allocation reduced from 510 to 120 dwellings) The site lies adjacent to a playing field site and may include its access and car park. In this instance the resulting development, coupled with that already granted planning permission would surround the playing field on three sides by residential development. The issue of prejudicial impact on the playing field needs to be assessed and considered either as part of the allocation or planning application process. If mitigation is required, then it should be secured as part of the planning application and constructed and maintained in perpetuity at the developers’ expense. The site appears to include the access and parking that services the playing field which is also a matter of concern. Paragraph 187 of the NPPF applies.</p> <p>HWH4 Land south and west of St Mary’s School, Whitehaven In this instance the resulting development of this site would surround the playing field on three sides by residential development. The site lies adjacent to a playing field site and the issue of prejudicial impact on the playing field needs to be assessed and considered either as part of the allocation or planning application process. If mitigation is required, then it should be secured as part of the planning application and constructed and maintained in perpetuity at the developers’ expense. Paragraph 187 of the NPPF applies.</p> <p>HCM3 Former Ehenside School, Cleator Moor This site is a former school site and a playing field lies adjacent to it. Sport England are concerned about bringing this site forward without an assessment of the</p>	<p><i>This issue has been addressed through the planning application on the site which will provide improvements to sports facilities at the nearby Whitehaven Academy.</i></p> <p><i>Policy SC4PU would apply to any application for development on this site. The presence of an adjacent pitch is highlighted in the Site Profiles document which appends the Local Plan.</i></p> <p><i>Policy SC4PU would apply to any application for development on this site. The presence of an adjacent pitch is highlighted in the Site Profiles document which appends the Local Plan.</i></p> <p><i>Policy SC4PU would apply to any application for development on this site. The presence of an adjacent pitch is highlighted in the Site Profiles document which appends the Local Plan.</i></p>

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	<p>likelihood of any prejudicial impact on the playing field as a result of developing the site for housing. Any allocation should consider the potential prejudicial impact on the playing field.</p> <p>HEG1 Land north of Ashlea Road, Egremont This site has been used as a playing field in the past and goal posts can be seen from satellite images. In order to bring the site forward for development there would need to be mitigation in place to replace the playing field and comply with paragraph 99 of the NPPF and Sport England’s Playing Fields Policy.</p> <p>HSE2 Fairways Extension, Seascale The site lies adjacent to a playing field site and the issue of prejudicial impact on the playing field needs to be assessed and considered either as part of the allocation or planning application process. If mitigation is required, then it should be secured as part of the planning application and constructed and maintained in perpetuity at the developers’ expense. Paragraph 187 of the NPPF applies.</p> <p>HMR1 Land to the north of Social Club, Moor Row The site lies adjacent to a playing field site. Sport England are concerned about bringing this site forward without an assessment of the likelihood of any prejudicial impact on the playing field as a result of developing the site for housing. Sport England would welcome an assessment of the likely impacts on the playing field undertaken as part of the allocation.</p>	<p><i>Policy SC3PU would apply to any application for development on this site. The presence of a pitch on site is highlighted in the Site Profiles document which appends the Local Plan.</i></p> <p><i>Policy SC4PU would apply to any application for development on this site. The presence of an adjacent pitch is highlighted in the Site Profiles document which appends the Local Plan.</i></p> <p><i>Policy SC4PU would apply to any application for development on this site. The presence of an adjacent pitch is highlighted in the Site Profiles document which appends the Local Plan.</i></p>