



Castle Point Borough Council

**Developers Contributions Guidance
Supplementary Planning Document (SPD)**

Playing Pitches and Indoor Built Facilities
March 2023

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1. Introduction

1.1. Purpose of this Document

- 1.1.1. This document specifically sets out the types of developer contributions or planning obligations required for playing pitches and indoor built sporting facilities. It will also highlight the process for how contributions will be sought and delivered.
- 1.1.2. This document should be read alongside the [Developers Contributions Guide Cover Document](#), which sets out in greater detail the process the Council expects planning obligations to be sought and implemented.

1.2. Policy Context

- 1.2.1. The National Planning Policy Framework (NPPF) is clear that 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.
- 1.2.2. The NPPF highlights the need for up-to-date assessments to calculate the quantitative and qualitative deficits or surpluses. This has been completed and further detail of those assessments can be found under heading 1.3. These evidence base documents identify where there are opportunities for new or improved provision of sporting facilities.
- 1.2.3. The NPPF specifies that existing sports or recreational buildings or 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.

1.3. Playing Pitch Strategy and Indoor Built Facilities Needs Assessment

- 1.3.1. A [Playing Pitch Strategy \(PPS\)](#) and an [Indoor Built Facilities Needs Assessment](#) were completed in 2018. Both documents have a supporting action plan for the relevant sports active in the borough.
- 1.3.2. The PPS and action plan highlights the current supply and demand of outdoor sports and indicates actions for the sport facilities, such as providing more facilities, enhancing existing facilities or protecting existing facilities. An assessment was undertaken in 2022 with the support of the PPS Implementation Group to help ensure that the actions within the 2018 action plan remains up to date. A 2022 update was therefore prepared to the 2018 report and both reports were endorsed by the Council's Cabinet in 2022 ([Playing Pitch Strategy and Action Plan 2022 Update](#)).

- 1.3.3. Similarly, the Indoor Built Facilities Needs Assessment focuses on supply and demand for indoor sports and provides an action plan to ensure facilities are provided, protected or enhanced. An assessment of changes to supply to squash and indoor bowls were identified by the Council in 2022, these were included as a 2022 update to the 2018 report and both reports were endorsed by the Council's Cabinet in 2022 ([Indoor Built Facilities Strategy and Action Plan 2022 Update](#)).

2. Section 106 Obligations

2.1. Calculating Contributions

- 2.1.1. For development sites that are delivering 10 or more residential units contributions will be sought towards new indoor and outdoor sports infrastructure in the form of Section 106 Agreements.
- 2.1.2. Sport England have a Playing Pitch Calculator and a Sport Facility Calculator. These tools will be used to estimate the demand for playing pitches and indoor sports facilities that may be generated by a new population. The calculator can also be used for identifying the current capital cost of meeting the demand associated with the new population from a particular development site which can then be used for informing the amount of any financial contributions that are secured. Based on the net number of dwellings that are being built these tools will calculate the increase in population and generate the costs associated with growth for the various sports.
- 2.1.3. Sport facility provision may be required to be provided on-site or off-site. In both scenarios the Council will identify the type of infrastructure required based on the level of growth through the use of the Playing Pitch Calculator and Sport Facility Calculator. This calculator takes the population growth figures which is estimated at 2.4 or 2.5 persons per household (dependant on the housing mix on the development site) multiplied by the number of new homes that will be built. For example, for a flatted scheme of 10 one or two bedroom flats the following would be applied:

$$2.4 \text{ persons} \times 10 \text{ new units} = \text{population growth of } \underline{24 \text{ people}}$$

- 2.1.4. For a residential scheme providing a greater mix of homes which include larger family homes of three or more bedrooms a 2.5 person house assumption may be used within the above formula.

2.2. On-Site Provision

- 2.2.1. Where development is large enough to justify on site provision of sporting facilities this will be sought through a Section 106 Agreement. This requirement should be discussed with the Council and may vary from the outputs of the Playing Pitch Calculator and Sport Facility Calculator.

- 2.2.2. The size and type of facilities should be agreed with the Council in consultation with Sport England and the national governing body for the particular sport the facility is providing for.

2.3. Off-Site Provision

- 2.3.1. Where development does not generate a need for new sporting provision on-site or off-site provision is preferred to enhance existing provision and increase capacity, contributions will be sought in accordance with section 2.1 for off-site provision. This could include improvements to existing sporting facilities.

2.4. Pooled Section 106 Agreements

- 2.4.1. Where a small number of large sites generate the need for a new sporting facility, such as a new 3G Artificial Grass Pitch, the cost of this provision will be secured through pooled Section 106 Agreements and the location of the facility identified through the master planning and planning application process.

2.5. Planning Applications for New or Improved Facilities

- 2.5.1. Where an applicant submits a planning application for a new sporting facility or improvements to existing facilities, the Council will where appropriate require a community use agreement, as set out in section 2.6.
- 2.5.2. The applicant should engage with Sport England and the relevant national governing body of the particular sport that the facility is providing for.
- 2.5.3. New and/or enhanced sporting facilities will be expected to accord with Sport England and the relevant sport national governing body design guidance to ensure that they are fit for purpose.

2.6. Community Use Agreements

- 2.6.1. As identified in the Council's Playing Pitch Strategy and Indoor Built Facilities Needs assessments the use of community use agreements can be beneficial to increase the participation levels of sporting facilities by allowing the community to use the facilities. This widens the overall benefit of a new or improved facility.
- 2.6.2. Where appropriate the Council will require community use agreements on development of new or improved sporting facilities. This will be obtained through a Section 106 Agreement or planning condition.

2.7. Compensation

- 2.7.1. Where development results in a loss of a playing pitch or indoor sport facility, compensatory measures will be sought in either the form of financial contributions or reprovision of the facility loss in accordance with the NPPF. The loss should be replaced by equivalent or better provision in terms of quantity and quality.

- 2.7.2. Compensatory measures will be sought in addition to financial contributions sought in accordance with the level of growth anticipated because of the development, as set out in section 2.1.
- 2.7.3. Compensatory measures will need to be agreed with Sport England. In order to achieve the best outcome, this should be discussed with Sport England and the Council at the pre-application stage.

3. Community Infrastructure Levy (CIL)

- 3.1.1. Some sports such as netball, athletics or various indoor sports currently have no algorithm to accurately identify the cost required for development based on the population growth predicted through that development.
- 3.1.2. Where appropriate, and where there are no specific costed schemes for improvements to playing pitches or indoor sports facilities, CIL contributions will be used where growth is likely to lead to increased need for sporting facilities. The PPS and indoor built facility needs action plans will provide the basis of how CIL contributions will be used, this will be in consultation with Sport England and the sporting national governing body where relevant.

4. Timing/Trigger for Payment or Provision of Works

- 4.1.1. The timing for the provision or payment of sporting facilities will be considered on a case-by-case basis, with the specific requirements being set out within any Section 106 Agreement. It is likely to be linked to phases of a development, with facilities being required either upon a certain level of units being completed, or when a certain threshold of occupation at a development is reached.
- 4.1.2. Where compensatory measures are required this will usually need to be implemented and operational before any development starts on the existing facility site. This will be set out in the Section 106 Agreement.