

Warwick District Council

Local Plan Examination

Response to Inspector's Matters and Issues

Matter 8

Policy DSNEW4 – Land for the provision of outdoor sport

Issue

Whether the proposed site allocations for education, a country park, a community hub and outdoor sport are justified, effective and consistent with national policy.

October 2016

Policy DSNEW4 – land for the provision of outdoor sport

1) What is the justification for the proposed allocation? What is the situation regarding the need for additional / improved outdoor sports facilities? How would the additional housing proposed in Kenilworth affect this?

- a) The Proposed Modifications allocate land in Kenilworth at Castle Farm (SP1) and land at Warwick Road (SP2) for the provision of outdoor sport.
- b) The Playing Pitch Assessment (I06) identified quantitative and qualitative deficiencies in the provision of facilities for rugby, cricket and football in Kenilworth. Team generation rates as a consequence of projected growth in population would exacerbate these issues. Amongst other things, the Playing Pitch Strategy (I05) has identified the relocation and expansion of Kenilworth Wardens and Kenilworth Rugby Club as ways to address these issues. It is considered that neither club has the ability to improve pitch quality or expand on their current sites sufficient to meet their needs. The PPS is supported and regularly reviewed by the Council and the steering group consisting of representatives from Sport England, key National Governing Bodies for sport and the County sports partnerships.
- c) Land East of Kenilworth at Thickthorn (H06) is the current location for both Kenilworth Rugby Club and Kenilworth Wardens. In order to provide certainty of the delivery of H06, and demonstrate compliance with paras 73 & 74 of the NPPF, it is considered important to identify appropriate land for both clubs to relocate to.

2) Why were these locations chosen?

- a) The Council have identified Land at Thickthorn as a preferred option for housing growth within Kenilworth. Therefore the Council has worked with both sports clubs over a number of years to explore various relocation options. As for housing allocations, suitable land within or adjacent to Kenilworth is limited, and for sports allocations is further limited by land availability.
- b) Castle Farm is owned by Warwick District Council and currently has existing under-used playing pitches, which require improvement. In addition, a field adjoining the existing facility has been made available for the expansion of Castle Farm playing fields. The Council's Executive has approved the relocation of Kenilworth Wardens to Castle Farm (see Appendix 1). Concerns have been raised about the over development of sports facilities here and the inadequacies of the highway network in this area. However, it should be noted that facility will not be the only sporting facility in Kenilworth and the highway authority are satisfied with the utilisation of the existing access. Any concerns regarding amenity issues such as noise and lighting effects can be dealt with fully at the planning application stage.
- c) Land East of Warwick Road has been made available for the potential relocation of Kenilworth Rugby Club. This is supported in representations made to the Proposed Modifications by the landowners representatives (see Rep ID: 68550 – Mrs S & R Grimes and Hiorns [13978]). Landscape evidence (LA09PM) has assessed the suitability of this land for sporting purposes and has made recommendations about the siting of lighting columns, built facilities in order to mitigate effects to the landscape and amenity. Representations from the Woodland Trust [RepID 69443] have raised concerns about the proximity of the proposed allocation to the adjacent Ancient Woodland site of Bullimore Wood. However, it is considered that there would be limited impact on the woodland given

the nature of the proposal as playing fields. Any impacts and appropriate mitigation can be dealt with fully at the planning application stage.

- d) In addition, representations by both the sports clubs concerned and Sport England [RepID 69727] support the proposed allocation.

3) What is intended to be developed on the sites in terms of sports pitches / facilities? Which communities are they intended to serve?

- a) It is intended that SP1 would deliver two cricket squares with football pitches of varying sizes. There would also need to be appropriate built facilities associated with the provision of outdoor sport and in accordance with para 89 of the NPPF. Any buildings in this location will have to take full account of the Registered Park and Garden of Kenilworth Castle
- b) SP2 would deliver approximately 8 rugby pitches of varying sizes and would also need to provide appropriate built facilities associated with outdoor sport.
- c) Both facilities would predominantly serve the existing Kenilworth population and are in accessible locations to travel by means other than private car.

4) Is the proposal realistically viable and deliverable? How will it be funded both in terms of initial and ongoing costs? What is the timescale?

- a) In order to deliver SP1 and SP2, both sites are dependent on the allocation of H06. This will enable clubs to capture housing value uplift on their existing sites sufficient to generate capital to layout pitches and build necessary facilities. Given that both relocation sites will need to be built prior to clubs moving from their existing sites it is likely that agreements would be needed with a development partner to pump prime the project. There is also potential for future section 106 agreements or CIL receipts to be utilised. In terms of ongoing costs it is anticipated that both would be self-sustaining much as they currently are, through subscription, facilities hire and refreshments etc.
- b) Once the Local Plan is adopted in mid-2017, both clubs will be able to market their existing sites and subject to agreements made and how funds and the land is secured, it could mean securing planning permission in late 2017/18. This in turn could mean the laying of pitches and facilities in 2019 and the potential to be operational by 2020/21 subject to pitches being established.



Title	Proposed Relocation of Kenilworth Wardens (Community Sports Club) to Castle Farm
For further information about this report please contact	Andrew Jones (01926) 456830 Andrew.jones@warwickdc.gov.uk
Wards of the District directly affected	Kenilworth wards of Abbey, Park Hill and St Johns
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No
Date and meeting when issue was last considered and relevant minute number	
Background Papers	Draft Local Plan and Modifications

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	Yes - 795
Equality & Sustainability Impact Assessment Undertaken	No
Not applicable.	

Officer/Councillor Approval	Date	Name
Chief Executive	10 th May 2016	Chris Elliott
CMT	10 th May 2016	Chris Elliott, Bill Hunt, Andrew Jones
Section 151 Officer	10 th May 2016	Mike Snow
Head of Service	22 nd April 2016	Rose Winship and Tracy Darke
Monitoring Officer	15 th April 2016	Author
Portfolio Holder(s)	11 th May 2016	Cllrs Coker and Cross

Consultation & Community Engagement	
Final Decision?	Yes

1 SUMMARY

- 1.1 This report recommends Executive approval for the relocation of Kenilworth Wardens (a thriving Community Sports Club) from its current base at Thickthorn to Castle Farm. Final legal documents between the parties will be brought to Executive Committee for sign-off.

2 RECOMMENDATIONS

- 2.1 That Executive agrees to Deputy Chief Executive (AJ) and the Head of Cultural Services, in consultation with the Portfolio Holder for Culture, working with representatives of Kenilworth Wardens (Community Sports Club) (hereafter referred to as KW) to agree terms for the relocation of KW from its current site at Thickthorn to Council-owned land at Castle Farm (see plan at Appendix A).
- 2.2 That subject to agreeing recommendation 2.1, Executive agrees that the terms of the relocation shall be broadly in accordance with the principles as detailed at Appendix B to this report and that draft contract and lease agreements are prepared by the Council's legal advisors Warwickshire County Council for subsequent sign-off by Executive Committee.
- 2.3 That Executive notes that proposals for phase II of the Leisure Development Programme - Kenilworth, will inform the arrangements to be agreed with KW.

3 REASONS FOR THE RECOMMENDATIONS

3.1 Recommendation 2.1

- 3.11 Following extensive consultation with Kenilworth Town Councillors, Kenilworth District Councillors and the general public, Warwick District Council agreed in May 2014 that a release of land from the green belt for housing to the East of Kenilworth, (known as Thickthorn), should be included in the Warwick District Local Plan (Publication Draft).
- 3.12 Policy DS11 (Allocated Housing Sites) of the Draft Plan included Greenfield Site H06 (Thickthorn) part of which is the home of KW a Community Sports Club that has been in operation for over 50 years (further Club details are provided in Section 8). In recommending the allocation of this site, officers had been able to reassure Councillors that negotiation for the relocation of KW to Council-owned land at Castle Farm was feasible and deliverable. This was an initiative for which Executive Members and Group Leaders had given their backing.
- 3.13 At its meeting of February 2016, Executive agreed the Local Plan - Proposed Modifications report which included Policy DS NEW4 which states:

"Land at Castle Farm...(is) allocated for the provision of outdoor sport. Appropriate facilities associated with the provision of outdoor sport will be permitted provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land with it."
- 3.14 The consequence of the aforementioned Local Plan provisions is that, should the Local Plan be adopted by this Council, there is a clear policy position to support KW's relocation. It is therefore recommended that Executive gives its formal endorsement as landowner to the relocation of KW to the Council-owned land at Castle Farm (see Appendix A), subject to necessary planning permissions and legal agreements being in place. Members should note that the land shown as hatched on the attached plan is not in the ownership of this Council but is

required to enable the relocation to work and consequently KW is in negotiation with the landowner.

3.2 Recommendation 2.2

3.21 In the knowledge that there was informal Executive agreement to the relocation of KW to Castle Farm, officers have been discussing the terms of the relocation with the representative of KW. The principles of an agreement are shown at Appendix B to this report but in summary can be described as follows:

- KW would relocate its community sports club operation from land at Thickthorn to Council-owned land at Castle Farm and adjoining land in third-party ownership;
- KW would be entitled to exclusive use of Castle Farm Recreation Centre main hall for a mutually agreed number of hours of week;
- KW would take on the day-to-day management of the land shown as (field 1) at Appendix A (2 x full size pitches; 2 x $\frac{3}{4}$ pitches; 2 x 9x9 junior pitches; and three mini pitches) but it would be retained for public use as open space and sports playing fields;
- KW would be granted a long lease of the land shown as red at Appendix A (field 2) for a period of 125 years for a peppercorn rent upon payment by KW of a premium to be agreed by the parties, the amount being informed by a professional valuation of the land;
- WDC would use the premium received for the improvement of sports facilities at Castle Farm Recreation Centre through Phase II of the Leisure Development Programme;
- Subject to planning approval, KW would undertake various enhancements to the sports playing fields 1 & 2 using the capital receipt generated from the disposal of the land they currently hold on a long lease.

3.22 The outcome of the aforementioned agreement would be that community access to Castle Farm facilities would by-and-large be as now, save for 10 to fifteen hours per week (but see below) when KW would need exclusive use of the Hall for nets practice. However, given the times that KW is likely to want to use the facilities it is highly unlikely that there will be a material detriment to public access although officers will ensure that the Portfolio Holder is satisfied with the proposed arrangements before sign-off. It is therefore recommended that legal and lease agreements are drawn-up to reflect the principles for subsequent sign-off by Executive Committee with officers ensuring that the Council and residents' interests are protected should KW experience any viability issues in the future.

3.3 Recommendation 2.3

3.31 As part of the Leisure Development Programme report considered by Executive Committee on 4th November 2015, Members were advised at paragraph 3.1.7 that:

"The conclusion of these discussions (*Kenilworth Councillors with officers*) is that it would be premature to recommend an investment programme for the Kenilworth facilities until the Local Plan has been adopted and the funding issues around the relevant site developments clarified and the potential impact of facility development in neighbouring areas is confirmed. Future plans for the Kenilworth facilities should, therefore, be viewed as a second phase to a programme of investment and development."

- 3.32 In relation to Kenilworth facilities, officers will therefore be examining the feasibility of expanding the Castle Farm Recreation Centre gym and adding studio space by extending the footprint of the building as well as constructing a projectile hall that would take cricket nets. The building of a projectile hall would mean that the main hall would be unaffected by KW's requirements.
- 3.33 Should the feasibility study conclude that there is a business case for the ideas at 3.32 then there may be an impact on the *principles* detailed at 3.21 as use of the main hall might not be a KW requirement. So that Members have a complete picture, the feasibility work will be concluded before members are asked to agree the legal agreements referenced at recommendations 2.1 & 2.2.

4 POLICY FRAMEWORK

- 4.1 The Local Plan position is detailed in section 3.1 of this report. Successful relocation of KW helps facilitate delivery of the Plan.
- 4.2 KW's plans provide for an increased number of playing pitches in the District. This would be consistent with the Council's Playing Pitch Strategy as well as contributing to the Sustainable Community Strategy (SCS) objective of "Increasing opportunities for everyone to engage in sport...".
- 4.3 The proposals are consistent with the *Services* strand of Fit For the Future as KW's relocation will facilitate an improvement to outdoor sports facilities.

5 BUDGETARY FRAMEWORK

- 5.1 There is no impact on the Council's current budget or budgetary framework as a consequence of the recommendations in this report, however, there is an opportunity to bring forward capital investment in sports facilities as a consequence of the disposal of land held by KW on a long lease and the capital receipt this will generate for KW.

6 RISKS

- 6.1 There is a risk that KW's relocation has an impact on the Council service currently being offered. This can be mitigated by Executive signing-off the final agreements so that it has the chance to consider the proposals in the round i.e. benefits of KW's relocation versus impact on current service provision.
- 6.2 There is a risk that KW's business case for relocation does not stack-up financially. Officers will work with KW on an open book basis to ensure that the proposal is financially viable. Members should note that Sport England will need to sign-off the relocation and will need to be satisfied as to its deliverability. A finance check and examination of accounts will be undertaken to ensure there are no contra indicators.
- 6.3 There is a risk that the relocation does not go ahead in which case there is a significant impact on the Local Plan as land allocated for housing at Thickthorn may not be able to come forward.

7 ALTERNATIVE OPTIONS CONSIDERED

- 7.1 No alternative options were considered as it is officers' view that the proposal offers the best way of bringing forward land for housing whilst protecting/enhancing sports facilities in the area.

8 BACKGROUND

- 8.1 KW (a limited company) has been in operation for over 50 years with currently c390 paid Members. It is based at Thickthorn and has a Clubhouse that provides office space as well as function rooms accommodating everything from Zumba classes and painting groups to birthday parties for groups of all ages. The facility offers a fully licensed bar and free car parking.
- 8.2 The club provides access to two sports:
- 8.21 Football
- 8.22 Kenilworth Wardens field three senior teams in the Coventry and Leamington Leagues. The Junior section, which is one of the biggest of its kind in the local area, has 21 teams between the ages of 7 – 16 years, including representation in the prestigious Midland Junior Premier League. The football section also holds FA Chartered Status at the higher standard of Development Club level, and it has FA Qualified coaches at every age group plus a number of UEFA B licensed coaches. The club's annual May Day football festival attracts teams from all round the Midlands.
- 8.3 Cricket
- 8.31 Kenilworth Wardens field five (occasionally six) Saturday league teams in the Birmingham Premier League and the Cotswold Hills League and two Sunday league teams one in the Arden League and one in the Warwickshire Sunday League. The first eleven won the Birmingham First Division title in the 2013 season. It also has a strong youth section, with Clubmark accredited coaching available for boys and girls from 7-18. It hosts Warwickshire's only Floodlit Twenty20 Competition every August, while Warwickshire's 2nd XI play an annual championship fixture at Glasshouse Park.
- 8.4 The Club has the desire to improve and expand its facilities (with over 400 junior participants in the various sports) but this is not possible on its current footprint. It therefore approached the Council to see whether an alternative site was available. Discussions between the Council and KW have led to the position described in this report.