

# Commercial Sports Provision

## Introduction

In terms of the number of facilities it provides the commercial sports sector has, in the past, lagged some way behind the public and the voluntary sectors, the two main providers. However, a series of booms in the 1970s, 1980s and 1990s has resulted in new waves of sports facilities appearing in and around towns and cities in the UK.

The 1970s saw a sudden proliferation of squash clubs, the 1980s and early 1990s saw the golf boom, while the late 1990s and the start of the new century have seen a significant increase in the number of private health and fitness clubs.

In August 2001 the *Financial Times* reported that the David Lloyd Leisure organisation was to spend more than £500 million on doubling the number of its health and fitness clubs over the next five years. In the same month Virgin Active raised £100 million to fund the provision of 17 new centres in the UK by the end of 2002 plus the acquisition of 80 clubs in South Africa.

The same report noted that Fitness First, a budget operator with more than 150 clubs in the UK, was looking to expand to 700–800 clubs in the next seven or eight years. Mintel, the market research group, reported that 5% of the UK population belonged to a gym and predicted that the proportion would increase to 8% by 2003.

Other types of commercial sports providers are also enjoying a period of growth. Powerleague, the operator of five-a-side soccer centres in the UK, is undertaking a multi-million pound expansion programme that will increase the number of centres from 15 in 2000 to over 30 by 2002/3. Indoor karting centres offering affordable motor racing in a safe environment have also emerged in recent years, often in former warehouses and factories.

Golf, too, looks set to undergo another period of rapid development. A report produced by the Henley Centre in 1997, the *EMAP Golf Futures* report, has forecast that Britain will need 300 more 18-hole golf courses by 2007 to meet the identified demand. These should be aimed at families and new golfers, rather than the top end of the market. Also required will be another 300 driving ranges.

The report stated that the new facilities would be needed to accommodate 1.2 million additional British golfers in the next 10 years. Women's participation in golf is set to grow twice as fast as men's in the same period and the industry will be worth an extra £580 million in the 10-year period to 2007.

This bulletin will look at the planning issues that are related to commercial sports provision, from smaller-scale health and fitness centres up to tourism/leisure-related golf facilities, and at more unusual proposals such as the Xanadu indoor snow and leisure centre in Greater Manchester. As usual, planning appeal decisions will be used to provide practical guidance to planners, leisure professionals and all those involved in delivering sporting and recreational opportunities.

### The commercial sports sector

For the purposes of this bulletin, the commercial sports sector is loosely defined as 'those sports providers that provide sporting and leisure opportunities for their users and members in order to generate profits for their owners and shareholders.' Excluded, therefore, are the public and voluntary sectors, which are governed, or at least influenced, by other objectives. Professional sports clubs (such as football clubs), which generally raise different types of issues, are also omitted.

Although driven by business demands, companies in the commercial sports sector are increasingly looking to contribute towards wider sports development objectives. For example, indoor tennis centres frequently put forward a package of community sports benefits when

seeking planning permission. These can include a specified number of hours of reduced cost or free community use of the courts, links with schools and local clubs and reduced-price access for talented young players.

Similarly, five-a-side soccer centres might run coaching sessions and after-school clubs for young players, youth tournaments, street leagues and holiday coaching camps.

Clearly, there is a major element of self-interest in such sports development initiatives, aimed as they are at attracting young players into a lifetime of participation in the sport concerned. There is also an element of public relations, particularly for indoor tennis centres, which have sometimes been seen as the exclusive preserve of those who are more affluent and well connected.

However, for whatever reason, commercial sports providers are becoming an integral part of local sports provision and links between them and local authorities and sports clubs are increasingly common.

Predominantly, the commercial sports sector provides the following types of facilities:

- indoor tennis/racquets centres (with/without health and fitness facilities)
- health and fitness clubs
- five-a-side football centres
- golf facilities, including driving ranges



### Indoor tennis and racquets centres

The three main providers of commercial indoor tennis facilities in the UK are David Lloyd Leisure, Next Generation Clubs and Invicta Leisure. Each generally provides upwards of four indoor tennis courts, plus squash and badminton courts and outdoor tennis courts. Most provide a 20 or 25m indoor swimming pool with associated spa facilities such as a sauna, steam room and whirlpool and there may also be an outdoor pool. Gym facilities will generally consist of cardiovascular and aerobic machine stations, computerised weights machines, free weights apparatus, aerobics/dance studios, spinning bikes and other related equipment. All centres will have changing/shower facilities, bar/social facilities, childcare facilities and many will have beauty and hair salons.

Due to the size of the tennis element, these facilities require large buildings with a height of around 11.5m. One of the outdoor courts is often designed as a show court with spectator seating and floodlighting to accommodate low-key 'show' matches.

Stand-alone squash clubs are far less common than they were in the 1980s, due to lower levels of participation in the sport (down from 3% of the 16+ population in 1987 to 1% in 1996). Where squash clubs do still exist, they are often provided with health and fitness facilities, frequently located within former squash courts.

In addition to the larger commercial indoor tennis companies, there are a number of smaller providers, often with only one site, such as the Burnley case study referred to later in this bulletin. Finally, there are also many local

- indoor and outdoor karting centres
- tenpin bowling centres
- snooker clubs.

A brief summary of the characteristics of these facility types follows.

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authority indoor tennis centres, some provided through the Indoor Tennis Initiative, and private tennis club facilities, some of which are within air dome structures.

### Health and fitness clubs

As mentioned in the introduction, the health and fitness club market has seen a major boom in the past few years. It is now estimated that 14% of adults use a health and fitness facility, split evenly between publicly and privately owned centres. Growth seems likely to continue over the next five years with all of the major operators planning to open new facilities in the near future.

The term 'health and fitness club' covers a wide spectrum of facilities, from the small free weights-based gym used predominantly by those wishing to develop larger muscles with less attention paid to all-round fitness, through to the very large multi-national operations providing 25m pools, hundreds of exercise stations, exercise studios and social facilities aimed at the family. At the smaller end of the spectrum, most gyms operate in converted factory units, warehouses, shops and even houses. The major centres require large sites with significant car parking provision. The facilities provided in the larger health and



fitness centres are generally similar to the non-tennis facilities described in the previous section. The cardiovascular equipment is often computer-controlled, each member provided with a card or key that holds information on the individual and that can adjust settings on the relevant machines. Entry to the centres can also be card-controlled, thereby providing ease of access to members and valuable user information for the operators.

Most health and fitness centres, certainly the national operators, will be open from around 7am to around 10 to 11pm. The busiest period is normally the evening post-work, pre-home time around 5 to 7pm, although pre-work sessions at the start of the day are also popular.

### Five-a-side football centres

The commercial success of dedicated five-a-side football centres since the 1990s has coincided with a period of relative success for British football teams. Also during this period, the amount of televised football has increased dramatically through digital television – the Premiership clubs recently negotiated a TV rights package worth £1.6 billion over three years. By comparison the income for football from television rights was £2.6 million in 1985.







Until the late 1980s, five-a-side football was normally played indoors in sports centres and school sports halls, or outside on floodlit artificial turf pitches and multi-use games areas. Increasingly, the game is now being played at purpose-built centres accommodating up to 15 floodlit all-weather pitches with associated bar and ancillary facilities.

Operators such as Powerleague and JJB Soccerdome aim to provide for the needs of children and adults and seek to enliven competition through leagues, tournaments and holiday coaching camps. A trend for Powerleague is to enter into partnerships with schools to provide facilities that are used by the schools during school-time and by Powerleague at other times. The implications of this in terms of Sport England's planning policies are considered later in the bulletin.

### Golf facilities

The major boom period for golf was the late 1980s and early 1990s, when proposals for new golf courses and driving ranges were outnumbered only by the number of reports on the subject. Many of the new courses that obtained planning permission did not become reality, often because the course was in the wrong place or

because funding could not be obtained during the downturn in the economy. However, despite these factors a recent report *Sport Market Forecasts 2001–2005* noted that the number of golf courses in Britain increased by 28% in the past decade.

As reported in the introduction, the *EMAP Golf Futures* report predicts a need for a further 300 18-hole golf courses and 300 golf driving ranges by 2007 to meet demand. Given the severely damaging effect of the foot and mouth crisis in 2001, farmers and other landowners may well be considering a move into golf. With the emphasis now seeming to be on lower-cost facilities and golf driving ranges, smaller areas of land could now be considered suitable for development than was the case in the 1980s and early 1990s.

The concept of the golf academy, involving a nine-hole course with an adjacent driving range and clubhouse, and aimed almost exclusively at beginners, could well prove to be popular in the near future. Such a concept could appeal to those who may wish to take up golf but do not have sufficient time to play an 18-hole course, or who may be intimidated by the thought of playing with or against more experienced golfers.



### Indoor and outdoor karting centres

Karting was acclaimed as one of the fastest growing sports in the UK in the 1990s, with new indoor and outdoor tracks emerging in and around many towns and cities. Indoor tracks have operated mainly in warehouses and industrial buildings with tracks from 170 to 750m long. The tracks are designed to utilise all available space by adopting serpentine bends, which also have the benefit of restricting the speed of the karts to around 35–40mph.

There are currently around 140 indoor karting centres in England, all of which offer corporate entertainment. Such sessions provide a good introduction to the sport, using vehicles that are simple to operate, generally with only two pedals (throttle and brake) and safety equipment and coveralls provided. Children from the age of eight upwards can take part in the sport although each centre has its own rules and restrictions. The four-stroke engines normally used in indoor centres are extremely quiet and have helped to overcome perceptions of motor racing as an unacceptably noisy sport.

Those who enjoy the experience of indoor karting can move on to the longer and wider tracks and more powerful karts at outdoor centres. These can range in

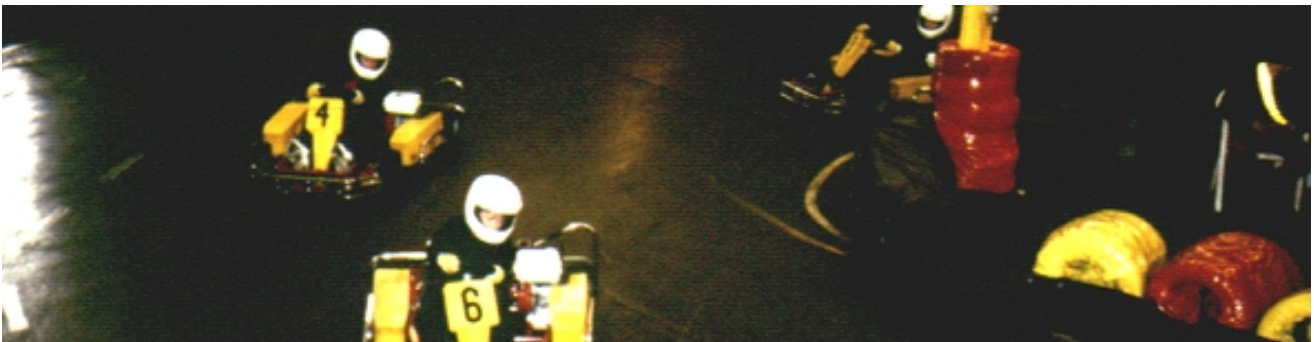
length from 250 to 1500m and longer tracks and larger engines can see speeds of around 70mph. Around 60 outdoor tracks currently exist in England, often located on brownfield sites or on former agricultural land.

### Tenpin bowling centres

Tenpin bowling has enjoyed two major periods of success in the UK, both of which have been heavily influenced by technological changes. In the 1960s the introduction of fully automated pinspotters (first launched in the USA in 1946) led to the first boom, at the peak of which there were over 160 bowling centres in Great Britain. However, within five years of the peak, two-thirds of these centres had closed and the industry nearly collapsed.

In the mid-1980s a simple-to-use computerised scoring system was introduced, which allowed automatic scoring to replace the complex manual system. Reinvestment in bowling centres by the major chains (AMF, Hollywood Bowl and Bowlplex) and by independent operators has resulted in almost 240 bowling centres in England, with a total of almost 4,900 bowling lanes.

Bowling centres are now commonly a part of wider leisure developments including multi-screen cinemas, restaurants and fast food outlets and nightclubs.



## Snooker clubs

The Snookernet website records some 665 snooker clubs in England, a number that would probably be substantially higher if tables at social clubs and local authority sports centres were included. Despite these large numbers of facilities, the *General Household Survey* has noted a reduction in participation in the sport since the mid 1980s. In 1987, 15% of the population aged 16 or more took part in snooker, while in 1996 the comparable figure was 11%.

Snooker clubs can operate in many types of building and do not need major investment other than the snooker tables and ancillary social facilities. They often operate in ex-business premises such as offices on the fringes of town centres and on industrial estates.



## Planning policy

National guidance on commercial sport and leisure facilities is found in the following Planning Policy Guidance (PPG):

- PPG6 – *Town Centres and Retail Development*
- PPG11 – *Regional Planning*
- PPG13 – *Transport*
- PPG17 – *Sport and Recreation*

### PPG6 – *Town Centres and Retail Development*

Leisure uses are appropriate in town centres and PPG6 encourages diversification of uses in town centres. Where town centre or edge-of-centre sites can be found, these are most suitable for major leisure uses, including bowling centres. Where such sites cannot be found, leisure uses are encouraged to locate on sites that are or will be highly accessible by public transport.

### PPG11 – *Regional Planning*

Similar considerations to those applied to major retail developments are applied to major leisure and entertainment facilities. Major leisure facilities should 'promote the vitality and viability of existing town centres' and be accessible 'by a variety of transport modes including good quality public transport.' Major sports facilities are also strongly encouraged to locate within urban areas where they are well served by public transport.

**PPG13 – Transport**

The advice in this guidance concerning jobs, shopping, leisure and service uses is explicitly complementary to PPG6. The need to locate such uses where they are accessible by public transport is emphasised as a means of encouraging social inclusion. Paragraph 37 addresses leisure, tourism and recreation uses that generate large amounts of travel:

‘In determining the acceptability of such developments where they are proposed near to existing buildings, monuments, physical features or landscapes and which will not be well served by public transport, the local planning authority should:

- Consider the extent to which the proposal needs to be in the proposed location, including whether the development has a meaningful link with the particular location or attraction.

- Pay particular attention to the scale, layout, parking and access arrangements.
- Seek measures to increase access to the site by sustainable transport modes, and the use of traffic management and appropriate parking policies near to the site.’

**PPG17 – Sport and Recreation**

In paragraph 6 it is noted that health-related activities and sports such as badminton, swimming and golf are increasing in popularity while team-based sports are declining. It also notes that the 25+ age group, in its capacity as the first generation to experience the wider range of modern sport and exercise facilities available in and outside schools, is demanding a better range and quality of facilities.

Paragraph 29 urges local planning authorities to give sympathetic consideration to intensive forms of sports





provision, such as multi-sports provision with indoor and outdoor facilities. Such facilities can benefit residents and visitors and can take on a regional or strategic role in certain circumstances.

The draft revision of PPG17 reinforces the main thrusts of the other PPGs and also encourages the use of brownfield sites for new sport and recreation facilities as a means of regenerating those areas. Paragraphs 42 to 44 look at intensive sports facilities and stadia, noting that 'many recreational facilities will be similar in their land use characteristics to some forms of leisure (such as cinema).'

Referring to the guidance in PPG6, paragraph 44 of the draft revised guidance goes on to state that major new 'edge-of-town' sports facilities should not include additional facilities such as retail and leisure uses, which would significantly undermine town centres, 'notwithstanding how this would affect the commercial viability of such developments.' The Xanadu case study towards the end of this bulletin considers this type of issue.

### Leisure or sport?

An issue that has caused some confusion in the past is the meaning of the word 'leisure', as it is referred to in PPGs 6, 11 and 13. Should it embrace passive pursuits such as cinema and active pursuits such as tennis? If sports facilities were to be included within the heading of leisure, then proposals for indoor tennis centres or large health and fitness facilities would need to satisfy the sequential tests set out in PPG6. Therefore, town centre, edge-of-centre, district and local centre sites would need

to be identified and discounted before out-of-town sites could be considered.

However, two appeal decisions relating to indoor tennis centres in Surrey and Hertford have shown that the Secretary of State and the Inspectors take the view that sports-led proposals should not be subject to the sequential approach of PPG6. Instead, they should be considered in the light of PPG17, which encourages intensive multi-use facilities. Any search for alternative sites 'should be a local exercise and not strategic' and 'developers can legitimately choose the town in which they wish to develop and should not be forced to go to a different town simply because a site is available.' See the Hertford case study in the Planning Appeals Database section.

### Sport England's Planning Policies for Sport

Sport England's *Planning Policies for Sport: A land use planning policy statement on behalf of sport* (November 1999) contains the following Planning Policy Objectives that are relevant to this bulletin:

- Planning Policy Objective 2: To encourage all those involved in the development and management of places for sport to embrace sustainable development objectives so that sport can play its part in helping to create more sustainable communities.
- Planning Policy Objective 10: To support the development of new facilities, the enhancement of existing facilities and the provision and/or improvement of access to the natural environment

which will secure opportunities to take part in sport and which can be achieved in a way that meets sustainable development objectives.

- Planning Policy Objective 14: To promote the urban fringe as an important resource in providing opportunities for sport, and support proposals for improved access for sport, for the development of extensive facilities such as golf courses and pitches, and for built facilities which can be developed in a way that meets sustainable development objectives and helps to maintain and improve the identity of this resource.



Sport England cooperates with all types of facility provider, including the commercial sector, to assist in the provision of new sports facilities. Although assistance from the Sport England Lottery Fund will not normally be available to commercial providers, advice and other forms of assistance to the private sector is frequently available.

In some instances, however, the objectives of commercial providers and Sport England can lead in different directions. For example, new indoor or outdoor sports facilities may be proposed on a playing field and would thus need to be considered in the light of Sport England's playing fields policies. Although the proposed new indoor or outdoor facilities might be desirable in principle, developers would first have to demonstrate that the local catchment area had a surplus of playing fields or that one of the other exceptions to the normal presumption against the loss of playing fields applied.

The use of school playing fields for commercial sports facilities, such as the Powerleague floodlit five-a-side soccer centres, raises pertinent issues. While such partnerships can and do provide outdoor sports space for the schools, even during wet conditions, the loss of grass pitches must also be taken into account.

Clearly, five-a-side pitches cannot be used for 11-a-side matches and a balance should therefore be sought that retains adequate grass pitches while securing the appropriate benefits offered by potential development partners. The advice of the Sport England regional office should be sought as early as possible in these cases.

A second instance of commercial sports facilities overlapping with local authority and voluntary sector objectives is in the case of indoor tennis facilities. As demonstrated in the Hertford case study, developers often offer a certain amount of free or reduced-price court time to target groups such as young people, the unwaged or talented players. Usually secured via a planning obligation, the court time can be made available to the local authority leisure services department, which will then be responsible for ensuring that the desired target groups do indeed benefit.

Alternatively the operator may undertake these activities, although in such cases adequate monitoring will be necessary to ensure that the court time is being effectively used. In any event, the local planning authority will need to work closely with its leisure department to obtain a good deal for the local community.

To avoid uncertainty an offer of free court time or similar should be clearly set out in terms of the courts and ancillary facilities to be made available, and when they will be made available to the target groups. For example, 52 hours of free court time could equate to one court for one hour per week for a year, or it could apply to four courts being used for one hour every four weeks.

### Development plan policies

Very few development plans contain policies that specifically relate to commercial sports facilities. Those that do include it under some form of commercial leisure facilities policy relating to town centre uses, which also covers shopping, entertainment and cultural activities.

The Warrington case study seeks to apply the sequential test to a range of uses, including indoor sports facilities and health and fitness clubs where they are likely to attract large numbers of visitors. Given the views expressed by the Secretary of State and the Inspectors in the Surrey and Hertford cases, the application of the sequential test to indoor sports facilities would appear to be questionable.

The Warrington Unitary Development Plan (UDP) policy is by no means unusual in its interpretation of PPG6 guidance, as numerous other development plans contain policies with a similar intent.

### Warrington Borough Council Unitary Development Plan, First Deposit Draft, 2001 TCD6 Strategy for Other Town Centre Uses

'In addition to its primary role in the retail hierarchy, central Warrington is the principal focus for a range of other town centre uses in the borough, including cultural, community, leisure, entertainment, commercial and business development. Planning permission will be granted in central Warrington for such development, as either single or mixed-use schemes, provided that the proposal:

- 1 does not give rise to undue traffic congestion which could not be effectively resolved through associated transport measures
- 2 does not have an unacceptable impact on the fabric, character, heritage, general environment and amenity of the locality

- 3 is fully integrated with the town centre in terms of siting, design, layout, appearance, patterns of activity and pedestrian movement, and ease of pedestrian access
- 4 is adequately served by car and motorcycle parking and makes provision for secure cycle parking.

'In this policy, central Warrington is defined as:

- the retail core, within which the above uses will be appropriate as part of retail-led mixed use developments
- an edge-of-centre area within a walking distance of some 500m from the central bus station and station interchange.



'Development that will be subject to this policy is defined as including cinemas, theatres, concert halls, bingo halls, casinos, dance halls, nightclubs, bowling alleys, skating rinks, and other indoor sports facilities, including health and fitness clubs, where they are likely to attract large numbers of people from a wide area across the borough.

'In cases where applicants can demonstrate that no suitable site is available within central Warrington, proposals will be subject to the sequential test approach set out in the locational strategy for new retail development.'

**Rotherham Unitary Development Plan, Adopted June 1999**

**Policy CR2.6 – Indoor Recreation**

'The Council will support proposals for new indoor facilities, and the improvement and adaptation of existing premises to cater for the recreation, leisure and social needs of the community, subject to:

- (i) satisfactory access to the highway network and public transport where appropriate
- (ii) satisfactory means of pedestrian access without disturbance to neighbouring properties
- (iii) acceptable noise levels
- (iv) the provision of adequate car parking
- (v) appropriate limits on hours of use where necessary
- (vi) compatibility with other relevant Policies in the Plan.'



**Planning appeals database**

Although decisions on the database are not categorised by type of provider, it is clear that a significant proportion of the cases are from the commercial sector. For example, the database contains almost 500 cases involving golf, 62 on karting and 80 on health and fitness facilities, which together make up over one-fifth of the total database.

The following case studies have been chosen to reflect a broad range of commercial sports facilities and also a range of locations.

**Indoor tennis centre, golf driving range and associated facilities on land at Welwyn Road, Hertford – East Hertfordshire District Council – July 2001**  
**Reference: E1/J1915/2/3/74**  
**Decision: Planning permission granted**

The site for the proposed indoor tennis centre was located on the western edge of Hertford within the Green Belt. In calling in the application, the Secretary of State wished to be informed not only on Green Belt considerations but also on the need for the development and the extent to which the proposals were consistent with PPG17 and PPG13.

The application site had the benefit of a partially implemented planning permission for a golf driving range, playing pitches and ancillary buildings. At the time of the inquiry, the site was in a partially excavated state, with earth mounding, fly tipping and vandalism leaving its appearance with much to be desired.

The proposed indoor tennis centre building would incorporate four tennis and three squash courts, a 25m pool, a gym and fitness suite and ancillary facilities such as changing rooms. Externally, a number of tennis courts (four of which would be covered in winter), a further swimming pool and grass recreation areas were also proposed. The golf driving range buildings would be similar to those already permitted. The northern part of the 12.8ha site would remain undeveloped and would continue to function as a wildlife and nature conservation area.

It was common ground at the inquiry that the proposed tennis building, which would extend to some 9150m<sup>2</sup> with a height of 11.5m (comparable to adjacent three-storey flats), would be inappropriate development in the



Green Belt. The proportion of the car park that related to this building would also be inappropriate. Consequently, very special circumstances would be needed to outweigh the harm to the Green Belt that would be caused by the building and car park. These very special circumstances were summarised by the Inspector as follows:

- The project was needed.
- It was favourably located.
- It was sustainable as far as was practicable.
- It would confer substantial benefit upon the local community.
- It would afford a gain to nature conservation.
- Impact of noise, lighting and potentially polluting substances was capable of amelioration or resolution by planning conditions.
- The degree of harm caused by additional traffic and localised visual impact would be small.

In considering the question of need the Inspector looked at the national picture, in which the UK compared poorly with other countries in terms of indoor tennis court provision and the local situation. The district had no covered tennis facilities although there were facilities 8km away in the adjacent Welwyn Hatfield district.

The Inspector accepted the applicant's case that the project had a 'critical mass' of about 2.43ha of land for

core facilities to achieve commercial viability. Evidence was produced to show that no other site in the district was either suitable or available.

The applicant offered 350 hours of free court time in its Community Outreach Programme, a figure the Inspector felt was 'not extensive in hours' but would nevertheless be a material benefit, especially for school children and residents of a nearby housing estate.

Interestingly, the Inspector referred to an earlier decision from Elmbridge Borough Council in 1999, which addressed the relevance of the sequential test of PPG6 to such tennis-led facilities. The view taken by the Inspector and Secretary of State, and confirmed by the present Inspector, was that PPG17's guidance would prevail, rather than the PPG6 approach. The PPG6 approach was felt to be 'more appropriate for passive leisure pursuits such as cinemas.'

The Secretary of State agreed with the Inspector's recommendation and granted planning permission for the proposal.

The following issues are worth noting:

- A large indoor building cannot be regarded as appropriate development in the Green Belt.
- A demonstration of sporting need can contribute towards showing very special circumstances.
- However, sporting need alone would probably not be sufficient to outweigh the harm caused by inappropriate development in the Green Belt.

- The commercial viability of the scheme and the consequent 'critical mass' of built development was seen as relevant by the Inspector.
- The sequential test of PPG6 was not seen to be applicable to a tennis-led development.

**Regional sport and leisure complex at Atherleigh Way, Leigh – Wigan Metropolitan Borough Council – August 2001**

Reference: PNW/50889/219/38

Decision: Planning permission refused

This call-in case concerned the proposed Xanadu sport and leisure complex on a site to the south west of Leigh in Greater Manchester. The site was predominantly in the ownership of Wigan and Leigh College and the local authority, which supported the scheme.

At the heart of the development would be a 158,000m<sup>2</sup> building with a maximum height of 55m, incorporating a

snow zone, cinetropolis (multi-screen cinema), rain forest aquatics and sports area, two space city theme parks, two hotels, retail and food outlets and offices. Although the total package would be commercially viable, only two of the elements (the retail and food element and the cinema) would be viable when considered independently. The snow zone and aquatics elements would not be separately viable and would thus require cross-subsidy from the other elements.

The building was described by the applicant as 'having the same dramatic impact as the Guggenheim Art Museum in Bilbao.' More prosaically, the Inspector described it as 'a giant silver metallic armadillo emerging from a patch of, for the area, unusually lush vegetation.'

The snow zone would be the development's key component, incorporating a range of slopes made from 'real' snow including a main ski run 40m wide and 250m long, running down from a height of 46m. This would be of regional or national significance. The aquatic facilities,



which would be operated by the local authority, would include fun pools and a conventional 50m pool to be used for casual swimming, training and competition purposes.

Some 2500 full-time equivalent jobs would be directly created by the development plus a further 740 jobs indirectly created in the region and 310 jobs involved in building the structure. However, the number of jobs created by the scheme was offset to some degree by the Inspector's view that a significant proportion of them would be 'relatively low-wage, part-time service employment of the kind to be found particularly in shops and fast food establishments.'

In calling in the application, the Secretary of State asked the Inspector to consider some eight main issues, including the following:

- the physical suitability of the site for the development, including the adequacy of the access and highway arrangements

- the appropriateness of the scheme in relation to PPGs 6, 13 and 17
- the impact on ecology and local neighbourhoods
- the physical appearance of the building.

The Inspector had considerable doubts about the applicant's predictions for modal transport split, which suggested that no more than 60% of visitors and employees would arrive by car. He was also concerned about the potential impact of building work on the local groundwater and underlying aquifer.

The Inspector went on to consider in depth how the proposal met the guidance contained in PPGs 6, 13 and 17. Noting that the various elements of the proposal would each have different catchment areas, it was felt to be difficult to determine whether the development would be appropriately located to serve its market.





Although the applicant made the case that the development's various elements all needed to be provided together to create a synergy, the Inspector was not convinced by the argument and took the contrary view that the policy impact of each element should be considered in a disaggregated way. Due to the site's 'limited connection' to Leigh town centre, he felt that the development would neither complement the functioning of the town centre nor promote efficient travel patterns. Consequently, the guidance in PPGs 6 and 13 was not met.

In terms of PPG17, the proposal would involve the relocation of six sports pitches elsewhere in the borough and the provision of new floodlit artificial turf pitches. The snow zone would widen the choice of sports facilities available in the catchment area and the swimming pool facilities would likewise increase the range of available aquatic facilities. Concerns had been expressed locally that the new pool facilities would be at the expense of the closure of existing older pools in the area, a view for which the Inspector had some sympathy. More significantly, the Inspector expressed the opinion that the existing footpaths and public access across much of the site (albeit unauthorised in part) was a major public amenity, the loss of which would be a significant factor.

Ecological impacts of the development would not be serious, as the wildlife corridor of which this site was a part would not be compromised.

In attempting to consider the impact of the development on the amenity of local residents, the Inspector found a major problem. The application had been submitted in outline with indicative drawings providing only basic

information. Without more comprehensive details, the Inspector felt unable to come to a conclusion about the likely impact of the proposals on the amenities of the affected residents.

As indicated earlier the Inspector's opinion of the design of the building in the context of its location in Greater Manchester, was not positive. It was felt that the building would be out of place in its 'widespread, flat, green setting contrasting with a more dramatic moorland backdrop.' The Secretary of State did not agree with this opinion, taking the view that the appellant had 'communicated a clear intention to create an interesting and well-landscaped form in the local landscape.'

The Inspector recommended that the application be refused and that associated appeal proposals for a new railway station to serve the development also be dismissed. The Secretary of State agreed with the recommendation and refused the application and dismissed the associated appeal. This decision raises many interesting points, of which the following are most relevant to this planning bulletin:

- the non-viability of the sporting elements of the scheme
- the widely differing views on the appearance of such a large building
- the Inspector's views on the nature of the new jobs to be created by the scheme
- the disaggregation of the elements of the scheme and their separate consideration in policy terms.

**Sport, leisure and equestrian development on land at Crow Wood House Farm, Burnley – Burnley Borough Council – August 2000**

Reference: PNW/5288/219/19

Decision: Planning permission granted

This application was called in by the Secretary of State and was the subject of a three-day inquiry. The application was supported by the borough council, which had resolved to grant planning permission subject to a satisfactory planning obligation being entered into and appropriate conditions.

The site, some 38ha, consisted of farm land and buildings, about 1.5km from Burnley town centre and adjacent to the M65 motorway. The site was in the Green Belt and a County Biological Heritage site was on the northern boundary.

The development consisted of a leisure building incorporating a four-court indoor tennis hall, two squash courts, a 25m indoor swimming pool, fitness and health facilities, social and changing facilities:

- equestrian buildings, including 50 stables, an indoor riding arena and a hay/bedding store
- outdoor sports and equestrian facilities, including four outdoor tennis courts, an outdoor riding arena, all-weather gallop, and jogging, walking and cycle tracks
- retention of the existing farmhouse to provide staff accommodation
- associated car parking.

The combination of tennis/health facilities with equestrian facilities would be unique in the area and would meet an identified local need for equestrian, tennis and family-based sports facilities.

Factors introduced in favour of the proposal included the following:

- the comprehensive and unique nature of the proposals
- lack of alternative sites
- enhancement of the landscape
- lack of viability of existing agricultural holding





- community access and social inclusion
- contribution to the economic development of Burnley.

The first factor is particularly interesting as it relates to the applicant's stated need to aggregate the various elements of the proposal on the site. The borough council agreed that the equestrian elements of the proposal were not independently viable and would only be so as part of the larger package. Similarly, the tennis facilities would not be viable without the health and fitness facilities.

The Inspector agreed with the applicant and the local planning authority, stating:

'Although financial viability on its own is not the decisive factor, I can see a sound need in planning terms to locate all the facilities in one place due to the inter-relationship between the various elements. Furthermore, the combination of all the proposed facilities would result in a sports and equestrian centre of higher quality, greater significance and more benefit than a series of independent, smaller facilities.'

A large number of alternative sites, within and outside the town centre, had been investigated but, not surprisingly given the nature of the proposals, none was found to be suitable by the applicant, the local planning authority or the Inspector.

The Inspector agreed that the proposal would improve the quality of the local landscape and lead to increased community access to sports facilities. It was also agreed that the existing farmholding was not viable and that the proposal would represent a considerable investment in that part of Burnley, resulting in at least 40 full-time equivalent jobs, close to the area of town with the highest unemployment.

Overall, the Inspector considered that these factors, when taken together, represented the very special circumstances necessary to allow what would otherwise be largely inappropriate development in the Green Belt. It was therefore recommended that the application be approved, a recommendation which was agreed by the Secretary of State.

The Inspector in this case took a more relaxed view of the issue of potential disaggregation of the proposed



facilities than did the Xanadu Inspector, influenced no doubt by the lack of any retail or restaurant/fast food elements in this proposal.

A further factor that influenced the Inspector was the fact that the new buildings would be largely contained within the footprint of the existing farmbuildings and would thus not affect the openness of the Green Belt.





Accessibility to the town centre by foot, cycle, horse and public transport had also been satisfactorily addressed.

Of relevance to this bulletin are the following issues:

- the mix of sport/recreation and equestrian facilities
- the issue of disaggregation and commercial viability
- the economic development argument.

**Nine-hole academy golf course adjacent to Wyre Forest Golf Centre, Stourport-on-Severn – Wyre Forest District Council – June 2000**

Reference: APP/R1845/A/00/1036247

Decision: Appeal allowed

The proposed new academy course was to be located in the Green Belt near to the existing Wyre Forest Golf Centre, a full-sized 18-hole golf course owned by the appellant. The new nine-hole course would be operated on a pay-and-play basis and was aimed at the elderly, the young and the inexperienced golfer.

Although the district council did not object to the golf course itself, it did object to the proposed ticket office building and to landfill operations that were needed to profile the land to bring it into golfing use.

All parties, including the Inspector, agreed that the use of the land as a golf course did not conflict with local or national Green Belt policy and guidance. The Inspector felt that 'the golf course proposed would involve both

sport and recreation. It would doubtless provide, on occasion, a sporting, including competitive element, but also a recreation facility for those wishing to relax on a golf course in an area of countryside adjacent to a major urban area.'

An Environmental Impact Assessment had been submitted by the appellant, showing the phased method of landfill operations. The Inspector took the view that, although the local landscape would change, the changes would still fit comfortably within the undulating nature of the wider landscape. As a consequence, it was felt that the proposal would not conflict with PPG2 and would represent appropriate development in the Green Belt.

Other factors supported the proposal: between 30% and 40% of the fill material would be taken from a local sugar factory, thus minimising transport requirements of waste movements. Additionally, the proposed management of the new course would lead to an increase in the local heathland habitat and was therefore supported by English Nature.



In the related application for costs, it emerged that the district council had not taken into account relevant advice contained in PPG2 when the planning application was considered by the relevant committee. This led the council to take the erroneous view that the tipping of waste material to create the new course was inappropriate in the Green Belt. As a direct consequence of that incorrect approach, the appellant was awarded costs, amounting to the full costs of the appeal proceedings.

Factors of interest in this case are as follows:

- the targeting of young, old and inexperienced golfers
- the agreement of all parties on the appropriateness of a new golf course in the Green Belt
- landfill in association with the golf course development is not, necessarily, inappropriate in the Green Belt.



**Use of former bakery as indoor karting track – Thornes Road, Wakefield – Wakefield Metropolitan District Council – February 1999**

**Reference: T/APP/X4725/A/98/301190/P2**

**Decision: Appeal allowed**

Although a very simple case, this appeal is typical of a number of cases on the Planning Appeals Database involving the change of use of commercial/industrial properties to indoor kart circuits.

The former bakery was located on an industrial estate and within an industrial zone on the adopted UDP. A policy in the UDP indicated that within such areas, industrial, warehousing and business uses would be favoured against others.

The Inspector concluded that the main issues to be considered were the loss of industrial land and the potential loss of amenity to occupiers of houses in the vicinity of the appeal site.

The appeal premises had formerly been a 24-hour bakery but had been empty for more than two years and were not capable of sub-division into smaller units. The Inspector noted that the building was deteriorating and would continue to do so unless put to a suitable use. There was no local shortfall of industrial land or buildings.

The proposal accorded with the advice in PPG17 and with leisure policies in the UDP. Similar properties in West and South Yorkshire that had been converted to karting were pointed out to the Inspector.

On the issue of neighbour amenity, unacceptable noise was likely to be the most relevant objection to the proposal. However, the council's Environmental Health Officer was satisfied that the use could be undertaken without detriment, subject to conditions (noise attenuation measures and hours of use). No substantive highways issues were raised and the Inspector was satisfied that traffic would be no more significant than that which could arise from an industrial use.

The appeal was consequently allowed and planning permission granted. The track is now in use.

The following issues are worth noting:

- The previous 24-hour-a-day use and the deterioration of the unused building clearly had an influence on the Inspector.
- No shortfall of industrial land or building was apparent.
- Noise levels were acceptable to the council's Environmental Health Officer.



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Further reading

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 David Lloyd Leisure Clubs – [www.davidlloydleisure.co.uk](http://www.davidlloydleisure.co.uk)  
*Financial Times* – [www.FT.com](http://www.FT.com)  
 Golf Foundation – [www.golf-foundation.org](http://www.golf-foundation.org)  
 National Karting Association – [www.nationalkarting.co.uk](http://www.nationalkarting.co.uk)  
 Next Generation Clubs – [www.nextgenerationclubs.co.uk](http://www.nextgenerationclubs.co.uk)  
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 UK Karting – [www.karting.co.uk](http://www.karting.co.uk)  
 UK Motor Sport Index – [www.ukmotorsport.com](http://www.ukmotorsport.com)  
 Virgin Active – [www.virginactive.co.uk](http://www.virginactive.co.uk)

Companion titles in the Planning Bulletin series

Issue 1: *Playing Fields*  
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Copies of the appeal decision letters referred to in this publication are not available from Sport England or Steven Abbott Associates. Readers wishing to obtain copies are advised to contact the Planning Inspectorate.

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Sport England aims to lead the development of sport in England by influencing and serving the public, commercial and voluntary sectors. Our aims are:

- **more people** involved in sport
- **more places** to play sport
- **more medals** through higher standards of performance in sport



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