

**Summary Proof of Evidence of Fiona Pudge**

**On behalf of Sport England**

**Appeal by ACCRUE (FORUM) LLP**

**Town and Country Planning Act 1990 Appeal Under Section 78**

**Description of development:** Demolition of existing retail unit and associated structures; erection of buildings for a mix of use including: 333 apartments (use class C3) and communal spaces ancillary to the residential use; flexible space for use classes A1, A3, D1 and/or D2; undercroft car parking; new public realm; and associated engineering works and infrastructure

**Site Address:** Former B&Q, Great Stone Road, Old Trafford M32 0YP

PLANNING INSPECTORATE Ref: APP/Q4245/W/20/3258552  
LOCAL PLANNING AUTHORITY Ref: 100400/OUT/20  
SPORT ENGLAND Ref: PA/20/NW/TF/56065

December 2021

Evidence provided by:

Miss FJ Pudge BA(Hons) BTP MRTPI  
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## **1. QUALIFICATIONS AND EXPERIENCE**

- 1.1 My name is Fiona Pudge. I hold a Bachelor of Arts (Honours) in Urban and Regional Planning (Coventry), and Bachelor of Town Planning (Coventry). I have been a member of the Royal Town Planning Institute since 1993.
- 1.2 I have been working as a professional planner since 1992. I have been employed by Sport England since October 2008 as a Planning Manager covering Yorkshire and the North West of England. I deal with strategic planning and development management in these geographic areas.
- 1.3 Prior to my work with Sport England, I was employed as Principal Planning Policy Officer with Craven District Council.

## **2.0 Scope of Evidence**

- 2.1 This evidence relates to Sport England's objection to the prejudicial impact of the Appeal Proposal on the adjacent cricket Fine Turf Practice Facility at Emirates Old Trafford ("EOT"), Lancashire County Cricket Club ("LCCC"). I consider overshadowing of the Appeal Proposal across the LCCC Fine Turf Practice Facility ("FTPF") will affect the usage of the FTPF.
- 2.2 The Appellant disputes the extent of the overshadowing and considers there will be no prejudicial impact. I will present evidence that the Appellant's assessment of the overshadowing impact contains some flaws, and that evidence submitted by the England and Wales Cricket Board ("ECB") demonstrates mitigation by way of Growth Lights is required.

## **3 Assessment of the Proposal**

- 3.1 I assessed the planning application against the criteria contained within Sport England's Playing Field Policy, and paragraph 187 of the National Planning Policy Framework ("NPPF"). Sport England's Playing Fields Policy provides guidance on the prejudicial impact of development on existing sports facilities, and paragraph 187 of the NPPF provides policy direction on the 'agent of change' principle.

3.2 Sport England is a statutory consultee on any proposal that prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).

3.3 Sport England considers all applications in light of the National Planning Policy Framework (in particular paragraph 99), and against its own Playing Fields Policy, which states:

*‘Sport England will oppose the granting of planning permission for any development which would lead to the loss of, **or would prejudice the use of:***

*all or any part of a playing field, or  
land which has been used as a playing field and remains undeveloped, or  
land allocated for use as a playing field*

*unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.’*

3.4 The development is immediately adjacent to the LCCC ground, and under the terms of a Memorandum of Understanding (“MOU”) Sport England has with the pitch sport National Governing Bodies of Sport (“NGB”) on planning applications, the England and Wales Cricket Board (“ECB”) were consulted.

3.5 The ECB were asked to comment, and provide technical advice, on whether the Appeal Proposal would have a prejudicial impact on the use of the FTPF given the proximity to the development.

3.6 Two issues were identified as a consequence of consultation with the ECB that are the basis of my statutory objection, on behalf of Sport England:

- Overshadowing of the proposed development across the LCCC fine turf practice facility (“FTPF”) affecting its usage; and
  - Access issues during match days and concerts.
- 3.7 I lodged a statutory objection, on behalf of Sport England, to the application on 31st July 2020 citing the two issues in paragraph 3.6 as the grounds for objection.
- 3.8 My evidence will address the following issues:
- the prejudicial impact of overshadowing of the development on the LCCC FTPF
  - mitigation required to address the prejudicial impact of the development on the LCCC FTPF
  - non statutory advice to the LPA regarding the additional demand for sport arising from the development
- 3.9 I will conclude that evidence provided by the ECB demonstrates a clear prejudicial impact on the FTPF, and that no mitigation proposal has been put forward by the Appellant to address the prejudicial impact.
- 3.10 I will provide evidence of the non-statutory advice given to the LPA regarding the additional demand for sport issue. Whilst the outdoor sport contribution of £121,110 is welcomed, I have concerns around the way in which it has been calculated as the contribution appears to be at odds with the evidence of demand for pitch sports presented and informed by Sport England’s strategic planning tools, and the Council’s own sport evidence base.
- 3.11 Despite the issue of access during match days and concerts being raised by the ECB and subsequently included as part of my objection, it is not discussed in any detail in this evidence because I am not in possession of the specific details. This issue has been addressed by LCCC in their representations, and it is noted LCCC state *“Vehicular access to the Appeal Site is currently gained over land within the ownership of LCCC over which the Appeal Site has a right of way. This land currently serves as one of the accesses to EOT.”*

#### **4.0 CONCLUSION**

- 4.1 I have lodged a statutory objection to the Appeal Proposal with the LPA, on the grounds that the negative impact of overshadowing from the Appeal Proposal on the adjacent LCCC high quality FTPF, will be prejudicial to the use of that sports facility.
- 4.2 The ECB has provided a Technical Report on the impact of overshadowing, concluding there will be an increase in shading, and reduction in temperature, affecting renovation of the FTPF during the critical winter months, and its subsequent quality and usage. Deterioration in quality of the FTPF puts the status of EOT as a High Profile Cricket Venue at risk as the FTPF provides an essential facility that supports the hosting of international and county cricket matches.
- 4.3 Mitigation in the form of Growth Lights is required, with the Appellant responsible for the costs of the purchase, operation, and maintenance in perpetuity. No Mitigation Strategy to that effect has been submitted, and I request the Appeal is dismissed.