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Wednesday 12th March 2025.

Sport England (SE)
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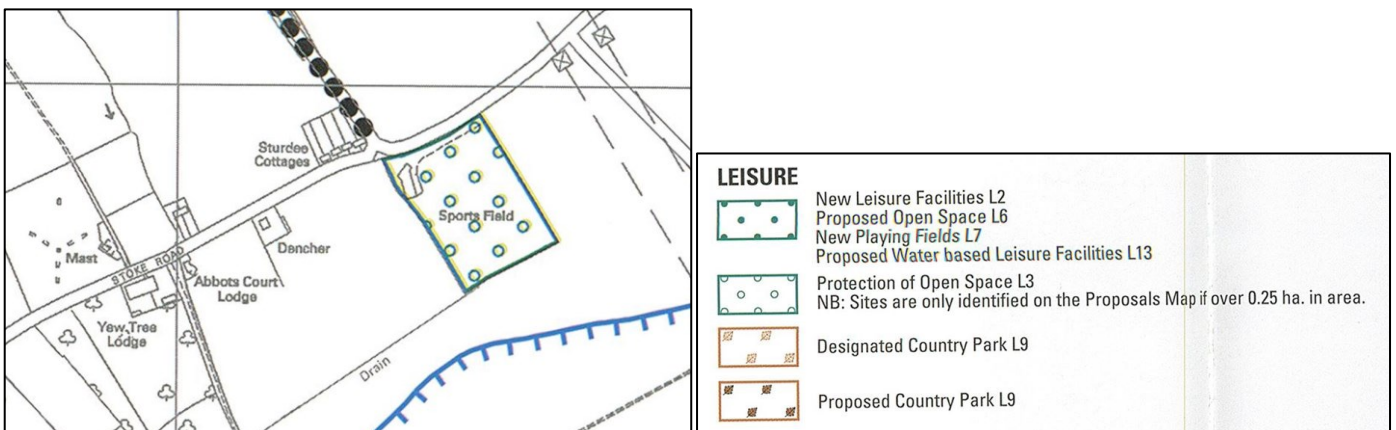
Re: MC/23/2857 (Land at The Former Sturdee Club, Stoke Road, Hoo, Rochester, Kent, ME3 9BJ).

Dear Sport England (SE),

This letter concerns the planning application **MC/23/2857** (Land at The Former Sturdee Club, Stoke Road, Hoo, Rochester, Kent, ME3 9BJ) – *“Construction of 134no. residential dwellings (including affordable and over 55’s homes), children’s nursery (Class E(f)), cafe/community hub (Class E(b)/F2(b)) and commercial/retail floorspace (E(g)/E(a), new public open spaces, sustainable urban drainage systems, landscaping and biodiversity areas and play areas. Access to be from 4no. new locations from Stoke Road. Provision of roads, parking spaces and earthworks - Demolition of the Sturdee Club and associated structures”.*

The Local Planning Authority (LPA) at Medway Council (Gun Wharf, Dock Road, Chatham, ME4 4TR) validated the above stated planning application on Thursday 28th December 2023. The LPA has not consulted SE as a Statutory Consultee concerning the former Sturdee Club and playing field site which forms part of the planning application. The area in question is a 6.5 acre sports club with playing fields. The club was established in 1932 for local residents and the workers of the Berry Wiggins & Co Limited oil refinery at Kingsnorth - which opened the same year. Satellite imagery shows a cricket pitch and a football pitch present on the site in 1990, and two football pitches (no cricket pitch) between 2003 and 2011. The site has been in active sports use for more than 20 years. The club stopped operating at the site in 2012 and is now based off Sturdee Avenue in Gillingham.

The site is allocated as a Sports Field and Protected Open Space L3 on Map 1 – Hoo Peninsula West of the existing development plan called the Medway Local Plan 2003 (see the two images from the map below).



The site is a protected existing leisure facility by Policy L3 of the Medway Local Plan 2003, which states that development which would involve the loss of existing formal open space, informal open space, allotments or amenity land will not be permitted unless:

- i) sports and recreation facilities can best be implemented, or retained and enhanced through redevelopment of a small part of the site; or
- ii) alternative open space provision can be made within the same catchment area and is acceptable in terms of amenity value; or

- iii) in the case of outdoor sports and children’s play space provision, there is an excess of such provision in the area (measured against the n.p.f.a. standard of 2.4 hectares per 1,000 population) and such open space neither contributes to, nor has the potential to contribute to, informal leisure, open space or local environmental amenity provision; or
- iv) in the case of educational establishments, the development is required for educational purposes and adequate areas for outdoor sports can be retained or provided elsewhere within the vicinity; or
- v) the site is allocated for other development in the local plan.

In addition, paragraph 104 of the National Planning Policy Framework (NPPF) states that; existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) 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
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

The planning application was determined on Wednesday 12th March 2025 by the LPA’s Planning Committee. The Officer’s Report for the planning application confirms (on page 38) that no assessment had been undertaken by the applicant to determine the land is surplus to requirements. The applicant is not proposing to replace the loss with equivalent or better provision in terms of quantity and quality in a suitable location. The applicant is also not proposing alternative sports and recreational provision where the benefits clearly outweigh the loss of the current or former use.

The following recommendation was approved by the Planning Committee:

“It has become apparent that Active Travel England have not been consulted and whilst under the 150 dwelling threshold the site is above the 5 hectare threshold and a consultation should have been undertaken.

This consultation has now been undertaken and a change to the recommendation is made below.

In addition, a number of conditions have been altered to improve clarity and enforceability, and one condition has been deleted as it was a duplicate.

Recommendation – Approval Subject to:

- A. The expiry of the consultation with Active Travel England; and***
- B. The imposition of any additional conditions recommended as a result of a response from Active Travel England and no unresolvable objections being received; and***
- C. The applicants entering into agreement under Section 106 of the Town and Country Planning Act to secure: (see report).***
- D. And the following conditions: (see report).”***

I believe SE should also have been consulted as a Statutory Consultee.

The Town and Country Planning (Development Management Procedure) (England) Order 2015 (“the 2015 Order”) states that a local planning authority shall consult Sport England on development which:

- (i) is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field; or
- (ii) is on land which has been—
 - (a) used as a playing field at any time in the five years before the making of the relevant application and which remains undeveloped; or
 - (b) allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement;**
- (iii) or involves the replacement of the grass surface of a playing pitch on a playing field with an artificial, man-made or composite surface.

The site has not been used as a playing field at any time in the last five years and remains undeveloped. However, the site is currently allocated in the existing development plan (Medway Local Plan 2003) for use as a playing field. Therefore, Statutory Consultation with Sport England is triggered and is required. Planning legislation confirms Sport England must be consulted before the LPA grants planning permission.

I call on Sport England (SE) to insist they are consulted on the above stated planning application and that planning permission is not granted until statutory consultation has been carried out.

Useful links:

The planning application on the planning portal: <https://publicaccess1.medway.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S62S2PKNGTMOO>

The LPA Planning Committee meeting: <https://democracy.medway.gov.uk/ieListDocuments.aspx?Cid=360&Mid=6009&Ver=4>

The Medway Council Local Plan 2003: https://www.medway.gov.uk/downloads/download/22/medway_local_plan_2003

Best wishes and kind regards,

Michael Pearce

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