

High Peak Borough Council

FAO: James Stannard

By email

Date: 15th April 2025

**Town & Country Planning (Development Management Procedure) (England)
Order 2015**

Application Reference: HPK/2025/0117

Site: Buxton FC (The Tarmac Silverlands Stadium), Silverlands, SK17 6QH

Proposal: Variation of conditions 3 and 5 following planning permission
HPK/2024/0289 for the erection of replacement stand.

Sport England Reference: PA/25/EM/HI/70378

Thank you for consulting Sport England on the above application.

Sport England – Statutory consultee role and policy

We understand that you have consulted us as a statutory consultee in line with the above Order. Therefore, we have considered the application in light of the National Planning Policy Framework (NPPF), in particular paragraph 104, and Sport England's Playing Fields Policy, which is presented within our 'Playing Fields Policy and Guidance Document': www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field land 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. A summary of the exceptions is provided in the annex to this response.

The Proposal and its Impact on the playing field

It is understood that this application has been made under [section 73 of the Town and Country Planning Act 1990](#) to vary conditions 3 and 5 of planning permission HPK/2024/0289, granted in November 2024.

The wording of the conditions and the proposed amendments are set out below:

Condition 3 (External lighting)

“3. All external lighting associated with the approved development shall operate strictly between the hours of 07:00 – 22:00 Mondays to Friday and between the hours of 07:00 – 20:00 on Saturdays and Sundays, in line with the permitted hours of floodlighting.

Reason:- In the interests of public and residential amenity

Proposed amendment:

“All external lighting associated with the approved development shall operate strictly in accordance with the following times:

(i) Floodlighting shall not operate other than within the hours 07.00 to 23.00 on weekday match days, 07.00 to 22.00 on Saturday match days, 07.00 to 20.00 on Sunday match days and 07.00 to 22.00 on non-match weekdays.

(ii) All other external lighting, other than low level dusk to dawn security lighting, shall not operate later than 30 minutes after use of the buildings has ceased in accordance with condition 5”.

Condition 5 (Operation and occupation)

5. The development hereby approved shall not operate or be occupied between 23:00 and 07:00 the following day.

Reason:- In the interests of public and residential amenity”

Proposed amendment:

“The development hereby approved shall not operate or be occupied between 01:00 and 07:00 on any day”.

Assessment against Sport England’s Playing Fields Policy and NPPF

As explained in the National Government’s Planning Practice Guidance, permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. Please see attached our response made for planning approval

HPK/2024/0289. The assessment was made with regards to how the proposal previously accorded with exception 2 of Sport England's Playing Fields Policy and Guidance and paragraph 104 of the NPPF, which still apply for this planning application.

From the supporting information, it is understood that the club wishes to amend the said conditions so that they do not cause unintended operational difficulties and so that they are consistent with existing licence conditions on the site.

As part of this assessment, Sport England has consulted the Football Foundation as our technical advisors for football, who are supportive of the proposal.

After reviewing the application, Sport England does not consider that anything has altered since our assessment of the proposal against policy exception 2 for the 2024 planning consultation.

Sport England's Position

Given the above, Sport England raises **no objection** to the application because it is considered to still accord with exception 2 of our Playing Fields Policy and paragraph 104 of the NPPF.

Please note that this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.

Sport England would be pleased to comment on further details that address the above comments. In providing any further information, Sport England would ask that the applicant submits this to the Local Planning Authority and not to Sport England directly. That way it forms part of the application submission and its associated audit trail. The Local Planning Authority can then consult Sport England on receipt of this information. Sport England request that the Local Planning Authority send any additional information to [Planning.Central](#) and not the Planning Manager directly.

Yours sincerely,

Christopher Carroll
Planning Manager

Annex

The Five Exceptions to Sport England's Playing Fields Policy

Exception 1

A robust and up-to-date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

Exception 2

The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

Exception 3

The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch;
- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
- result in the loss of other sporting provision or ancillary facilities on the site;
- or
- prejudice the use of any remaining areas of playing field on the site.

Exception 4

The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.

Exception 5

The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

The full 'Playing Fields Policy and Guidance Document' is available to view at:

www.sportengland.org/playingfieldspolicy