

Cumberland Council

By email only

Date: 23 March 2026

Dear Sir/Madam,

Application Reference: 4/26/2062/OG1

Proposal: REMOVAL OF CONDITION 3 (6M BALL STOP FENCE) OF PLANNING APPLICATION 4/24/2050/OR1 APPLICATION FOR RESERVED MATTERS RELATING TO APPEARANCE, LANDSCAPING, LAYOUT & SCALE PURSUANT TO OUTLINE APPLICATION 4/21/2360/001

Sport England Reference: PA/26/NW/CU/73302

Thank you for consulting Sport England in respect of the removal of condition 3 which relates to a ball stop fence of planning application 4/24/2050/OR1.

Condition 3 of planning application 4/24/2050/OR1 reads:

“Prior to its first installation at the application site, full details of the proposed 6 meter high ball stop fence to be installed along the eastern boundary as shown on the approved plan ‘As Proposed Site Plan (Amended), Scale 1:200, Dwg No: 01, Rev: K, received by the Local Planning Authority on the 19th September 2024’ must be submitted to and approved in writing by the Local Planning Authority. A scheme for the management and maintenance of the approved ball-stop fence must also be submitted and approved in writing by the Local Planning Authority prior to its first installation at the application site. The approved scheme must be installed prior to the first occupation of plots 10, 11, 12, and 13, and must remain in operational in accordance with the approved details for the lifetime of the development.

Reason

To protect the playing field and enable the residential development to exist alongside to meet the requirements of the NPPF.”

The views of the National Governing Bodies for Sport

As part of the assessment of this consultation, Sport England has sought the views of the following National Governing Bodies for Sport. These Governing Bodies act as Sport England's technical advisors in respect of their sport and their sport facilities and ball strike.

The comments of the Football Foundation (FF), who provide observations to Sport England on behalf of the Football Association, have been summarised as:

- *FF and County Football Association believe that due to the current sporadic usage on site and the distance away from the pitch, that the condition for the 6m fence could be removed.*

Sport England's assessment of the planning condition

The requirement for the ball stop mitigation was proposed at the reserved matters stage of the planning application and secured by way of condition 3.

Ball strikes have the potential to constitute a nuisance under the Environmental Health legislation and as such could prejudice the sporting use of the playing field.

Normally, Sport England would expect a ball strike fence/mitigation to be informed by a ball strike risk assessment which would consider the height and trajectory of any balls leaving a playing field. In the case of this planning consultation, a ball strike assessment has not been provided. However, Sport England notes that the applicant has provided a justification for the removal of the requirement for the ball stop mitigation originally proposed at the reserved matters stage, which relates to the use of the adjacent primary school site.

In planning consultations where there might be a possible risk of ball strike, Sport England will seek the views of the respective National Governing Bodies for Sport to seek their opinion if ball strike is likely to be an issue. This is because the Governing Bodies for Sport are the experts in ball strike matters relating for their sport.

In the case of this proposal, the FF, along with the County Football Association, comment above that due to the current sporadic usage on site and the distance away from the pitch, that the condition for the 6m fence could be removed.

In light of the specific circumstances that related to this site and this planning consultation, and the technical comments provided by the FF above, Sport England is satisfied that on this occasion that the ball stop fence is now no longer required. This is subject to the Council's Environmental Health Department being fully satisfied.

Sport England would advise that the Local Planning Authority (if they have not already done so), that they should undertake a formal consultation with their Environmental Health Department on this proposal to ensure that they are fully satisfied with the proposal to remove the ball stop fence.

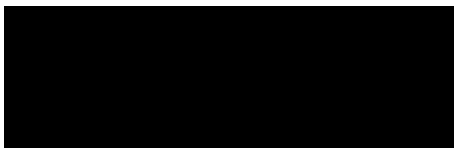
Should the Environmental Health Department raise any concerns over the removal of the fence and the associated planning condition, Sport England would be grateful if the Local Planning Authority can reconsult Sport England with a copy of the Environmental Health's comments and we can review our position on this planning consultation.

Conclusion

Sport England **does not wish to raise an objection** to the removal of the planning condition subject to the Environmental Health Department not raising any concerns to the removal.

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

Yours sincerely,



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