

Alison Osborne-Newbold

From: Rajvir Bahey <[REDACTED]>
Sent: 11 October 2023 22:14
To: Planning Policy
Subject: 20231011 Sport England Regulation 19 Consultation Response
Attachments: Sport England Representation_Form_A__Personal_details__Electronic_.pdf;
20231010 Sport England
Representation_Form_B__Your_representation_s__Electronic_.pdf

Dear Planning Policy Team,

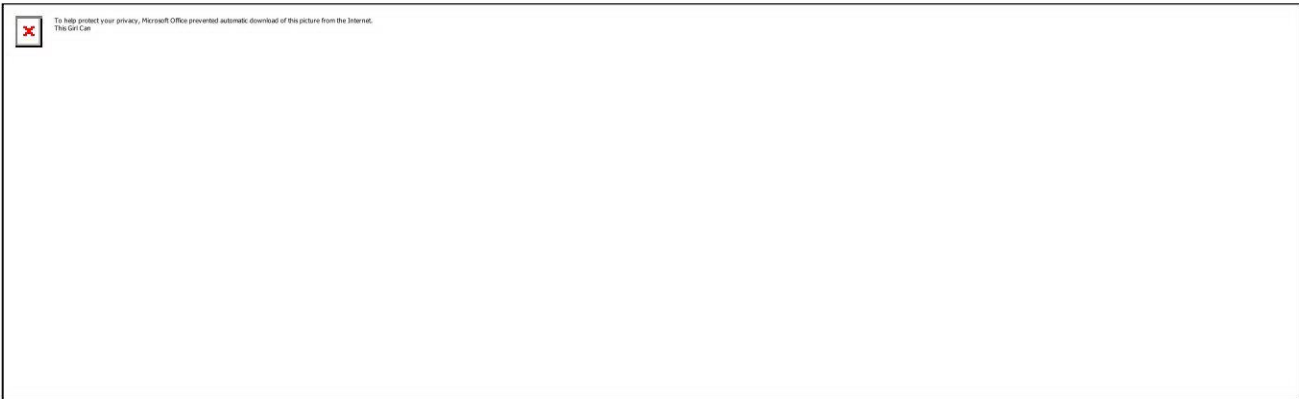
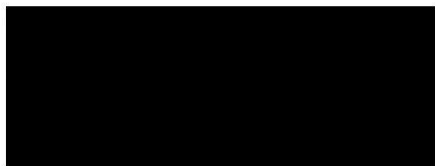
Please find comments to Regulation 19 Consultation document.

Kind Regards
Raj

Rajvir Bahey


Planning Manager

Planning & Active Environments



We have updated our Privacy Statement to reflect the recent changes to data protection law but rest assured, we will continue looking after your personal data just as carefully as we always have. Our Privacy Statement is published on our [website](#), and our Data Protection Officer can be contacted by emailing [Gaile Walters](#)

The information contained in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000. Additionally, this email and any attachment are confidential and intended solely for the use of the individual to whom they are addressed. If you are not the intended recipient, be advised that you have received this email and any attachment in error, and that any use, dissemination, forwarding, printing, or copying, is strictly prohibited. If you voluntarily provide personal data by email, Sport England will handle the data in accordance with its Privacy Statement. Sport England's Privacy Statement may be found here <https://www.sportengland.org/privacy-statement/> If you have any queries about Sport England's handling of personal data you can contact Gaile Walters, Sport England's Data Protection Officer directly by emailing DPO@sportengland.org

 <p>Nuneaton & Bedworth United to Achieve</p>	<p>Borough Plan Review Publication Stage Representation Form</p>	<p>Ref:</p> <p>(For official use only)</p>
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Name of the Local Plan to which this representation relates:

Borough Plan Review Publication Stage

Please return to Nuneaton and Bedworth Borough Council by 16th October 2023 via:

Email: planning.policy@nuneatonandbedworth.gov.uk

Post: Planning Policy, Nuneaton and Bedworth Borough Council, Town Hall, Coton Road, NUNEATON, CV11 5AA

This form has two parts –

Part A – Personal details.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

	<p>1. Personal details* * If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.</p>	<p>2. Agent's details (if applicable)</p>
Title	Mr	
First name	Rajvir	
Last name	Bahey	
Job title (where relevant)	Planning Manager	
Organisation (where relevant)	Sport England	
House no. and street		
Town		
Postcode		
Telephone number		
Email address (where relevant)		

Part B – Please use a separate sheet for each representation

Name or Organisation: Sport England

3. To which part of the Borough Plan does this representation relate?

Paragraph	
Policy	SA1
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

4.(2) Sound?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

Sport England welcomes reference to Sport England's Active Design Guidance and its checklist in assessing SA1 requirement 12. Clarity is sought as to whether applicants would need to submit a completed checklist to demonstrate compliance with the Design Guidance. This approach would demonstrate how the development has considered and embedded the Active Design Guidance principles.

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in

part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(Continue on a separate sheet / expand box if necessary)
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Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No , I do not wish to participate at the oral examination	x
Yes , I wish to participate at the oral examination	

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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Please note the Inspector will determine the most appropriate procedure to adopt, to hear those who have indicated that they wish to participate at the oral part of the examination.

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	7.19
Policy	
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

4.(2) Sound?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

Sport England supports reference being made to the Council's Playing Pitch and Outdoor Sports Strategy (PPOSS) which would guide the provision of new /enhancements to community, sports and physical activities at each of the strategic allocations.

(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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No , I do not wish to participate at the oral examination	
Yes , I wish to participate at the oral examination	

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	
Policy	SHA 1
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

4.(2) Sound?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please mark with an 'X' as appropriate.

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Sport England welcomes Policy SHA-1 key development principle 6 of on site provision for indoor and outdoor sports. However, principle 6 as currently worded is not effective as it is with it not providing certainty as to what is expected to be delivered.

This is due to the principle 6 not setting out a land take requirement for the on site sports provision. This is important to establish to ensure that the listed sports provision can be accommodate at the site. It is also unclear if the provision would be standalone provision or part of secondary school as implied in the Infrastructure Delivery Schedule.

Further clarity is also required as to the size /scale of the indoor court sports hall, changing rooms (will it serve indoor and outdoor), indoor health and fitness facility and dance studio.

There also appears to be duplication of text related to the natural turf pitches and 3G pitch within principle 6.

(Continue on a separate sheet / expand box if necessary)

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Principle 6 should set out the land take required; the quantum of provision sought for each of the sports provision listed; and clarity if this would be a standalone provision or part of a secondary school site.

It is noted that outline planning permission has been granted for the site. As such, the above comments in relation to the land take requirement may have already been confirmed. If so, this should be reflected within the policy.

(Continue on a separate sheet / expand box if necessary)

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Yes , I wish to participate at the oral examination	

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	
Policy	SHA 1
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	x
No	

4.(2) Sound?

Yes	
No	x

4.(3) Complies with the Duty to Cooperate?

Yes	x
No	

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

Sport England welcomes principle 15 which relates to financial contributions towards sport and physical activity. However, several of the sporting provisions listed do not form part of the Playing Pitch and Outdoor Sports Strategy (PPOSS) with it instead relating to the findings from the Council's Indoor Sports Facility Needs Assessment and Strategy.

(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Reference should be made to the Indoor Sports Facility Needs Assessment and Strategy within principle 15.

(Continue on a separate sheet / expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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No , I do not wish to participate at the oral examination	x
Yes , I wish to participate at the oral examination	

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	
Policy	Strategic Policy SHA2 – Arbury
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

4.(2) Sound?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

Sport England welcomes principle 14 which relates to financial contributions towards sport and physical activity. However, several of the sporting provisions listed do not form part of the Playing Pitch and Outdoor Sports Strategy (PPOSS) with it instead relating to the findings from the Council's Indoor Sports Facility Needs Assessment and Strategy (ISFNS).

Sport England also welcomes the production of the PPOSS and ISFNS in line with NPPF paragraph 98, though it is unclear if the projects identified within principle 14 are specific to the site as informed by the evidence base documents. It should be noted that the site is

located within a different PPOSS sub area than SHA 1, but the projects identified are the same even though the findings/recommendation in PPOSS differ for the two sub areas.

(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Reference should also be made to the Indoor Sports Facility Needs Assessment and Strategy within principle 14. It is also recommended that specific schemes/projects should be reviewed in light of the findings of the PPOSS or consideration should be had to the wording be altered "provision or contributions towards playing pitches as identified within the PPOSS...."

(Continue on a separate sheet / expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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No , I do not wish to participate at the oral examination	x
Yes , I wish to participate at the oral examination	

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	
Policy	Strategic Policy SHA4: Hospital Lane
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	x
No	

4.(2) Sound?

Yes	
No	x

4.(3) Complies with the Duty to Cooperate?

Yes	
No	

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

Sport England welcomes principle 14 which relates to financial contributions towards sport and physical activity. However, several of the sporting provisions listed do not form part of the Playing Pitch and Outdoor Sports Strategy (PPOSS) with it instead relating to the findings from the Council's Indoor Sports Facility Needs Assessment and Strategy (ISFNS).

Sport England also welcomes the production of the PPOSS and ISFNS in line with NPPF paragraph 98, though it is unclear if the projects identified within principle 14 are specific to the site as informed by the evidence base documents. For example, the site is located within a different PPOSS sub area than SHA 1 but the projects identified are the same even though the findings/recommendation in PPOSS differ for the two sub areas.

Sport England notes that principle 5 also incorporates financial contributions towards upgrading a number of playing field sites which is a potential overlap with principle 14.

(Continue on a separate sheet / expand box if necessary)

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Reference should be made to the Indoor Sports Facility Needs Assessment and Strategy within principle 14. It is also recommended that specific schemes/projects should be reviewed in light of the findings of the PPOSS or consideration should be had to the wording be altered "provision or contributions towards playing pitches as identified within the PPOSS...."

Further to the above, consideration should be had to combining the playing pitch improvements into one principle.

<p>(Continue on a separate sheet / expand box if necessary)</p>

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No, I do not wish to participate at the oral examination	x
Yes, I wish to participate at the oral examination	

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	
Policy	Strategic Policy SHA5: Land West of Bulkington

Policies Map	
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4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

4.(2) Sound?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

Sport England welcomes principle 13 which relates to financial contributions towards sport and physical activity. However, several of the sporting provisions listed do not form part of the Playing Pitch and Outdoor Sports Strategy (PPOSS) with it instead relating to the findings from the Council's Indoor Sports Facility Needs Assessment and Strategy (ISFNS).

Sport England also welcomes the production of the PPOSS and ISFNS in line with NPPF paragraph 98, though it is unclear if the projects identified within principle 14 are specific to the site as informed by the evidence base documents. For example, the site is located within a different PPOSS sub area than SHA 1 but the projects identified are the same even though the findings/recommendation in PPOSS differ for the two sub areas.

(Continue on a separate sheet / expand box if necessary)

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Reference should be made to the Indoor Sports Facility Needs Assessment and Strategy within principle 13.

(Continue on a separate sheet / expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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No , I do not wish to participate at the oral examination	x
Yes , I wish to participate at the oral examination	

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	
Policy	Strategic Policy CEM1 – Land north of Marston Lane, Bedworth
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

4.(2) Sound?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Please mark with an 'X' as appropriate.

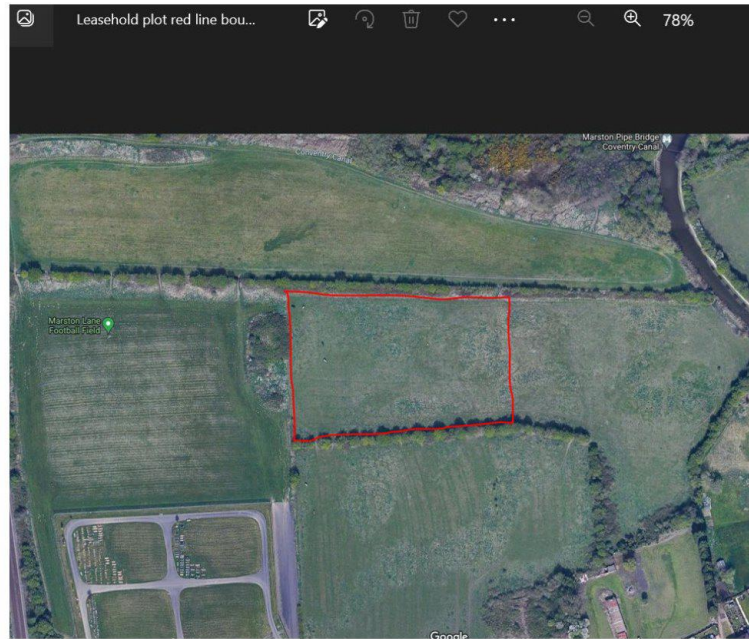
5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

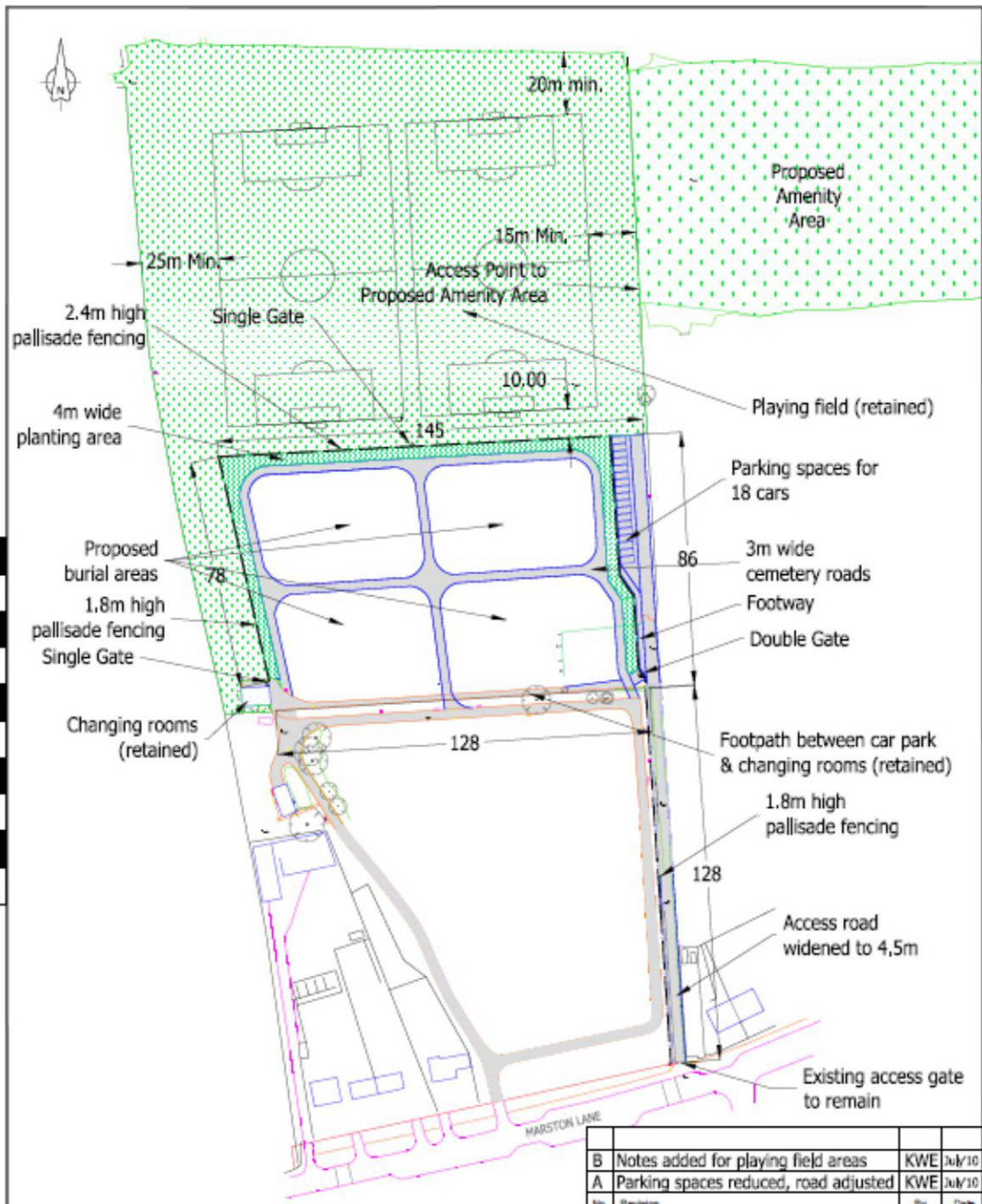
If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

<p>The policy is not considered to be consistent with national planning policy as it fails to contain a principle relating to the loss playing field land (and ancillary facilities) should only occur if it meets NPPF paragraph 99a or 99b, with this instead being referenced within the supporting text of the policy.</p>
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Further to this, it should also be noted that a part of the safeguarded land should have been utilised as playing field land. This was as a result of a previous extension to the cemetery (planning reference 030179) with the land identified within the below plans mitigating for the loss of playing field land.

As such, if the playing field to the north of the cemetery is not demonstrated to be surplus to requirement (note Playing Pitch Strategy highlights shortfalls in pitch provision in the sub area the site is located within) then it should be demonstrated that this could be accommodated on the wider CEM1 site. This would ensure that there is no double counting of replacement playing field land within the site.





No.	Revision	By	Date
B	Notes added for playing field areas	KWE	July'10
A	Parking spaces reduced, road adjusted	KWE	July'10

Project
**Marston Lane Cemetery
 Bedworth**

Drawing Title
Proposed Layout

**Nuneaton
 Bedworth**

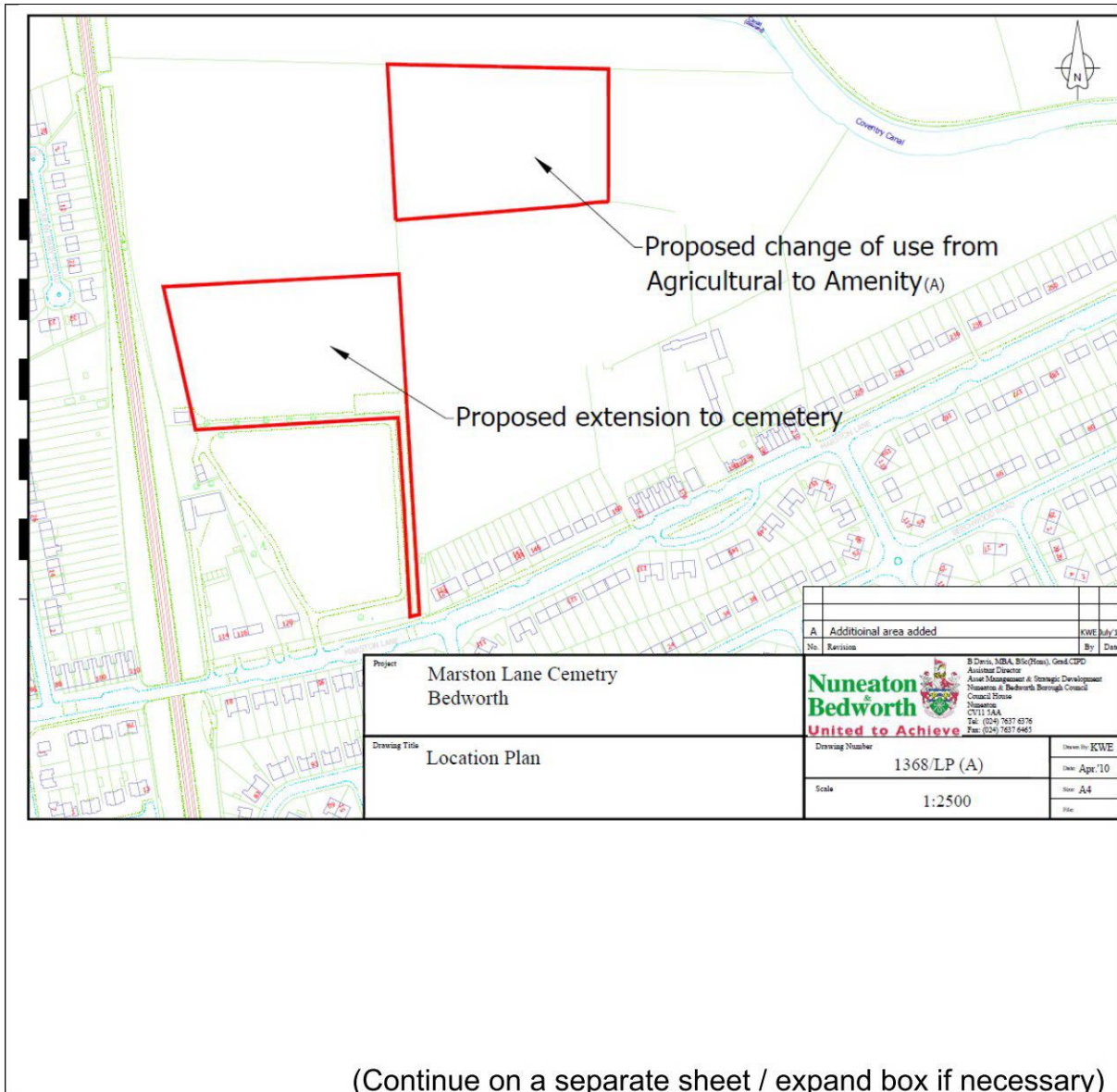
United to Achieve

B Davis, MBA, BSc(Hons), Grad.CIPD
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 Asset Management & Strategic Development
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 Fax: (024) 7637 6465

Drawing Number
1368/01B

Scale
1:1250

Drawn By KWE
 Date Apr.'10
 Rev A3
 File



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To ensure the policy is compliant with national policy the explanation text paragraph 7.132 should be inserted within the policy.

(Continue on a separate sheet / expand box if necessary)

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No, I do not wish to participate at the oral examination	<input checked="" type="checkbox"/>
Yes, I wish to participate at the oral examination	<input type="checkbox"/>

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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Please note the Inspector will determine the most appropriate procedure to adopt, to hear those who have indicated that they wish to participate at the oral part of the examination.

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	11.40 and 12.16
Policy	Policy HS4 – Retaining and expanding community facilities Policy NE2 – Open space and playing fields
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

4.(2) Sound?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

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Sport England objects to the policy as it is not consistent with NPPF paragraph 99 and with it not being an effective policy to assess proposals against.

This is due to scope of community facilities within Policy HS4 relating to open space, sports and recreational buildings and land, including playing fields. The criteria for the policy is not consistent with NPPF paragraph 99 for example the policy does not require the replacement to be equivalent or better provision in terms of quantity and quality in a suitable location (NPPF paragraph 99b). It is also unclear if an assessment of need to demonstrate that the open space, sports and recreational buildings and land, including playing fields is surplus to requirement would be required to justify the first two bullet exceptions in policy HS4. Sport England are also not supportive of viability being a factor within the loss of open space, sports and recreational buildings and land, as this could lead to sites purposefully been left to ruin resulting in significant costs to be reinstating them being argued to support the loss of the site. This is of particular concern where there are shortfalls in provisions identified within the Council's up to date evidence base. There has also been occasions where disused sites have also had investment to bring them back into use as opposed to it being argued that the site has not been in use due to the investment required to make it fit for purpose.

In terms of assessing proposals resulting in the loss of open space, sports and recreational buildings and land, there is the added confusion of paragraph 12.16 of Plan stating "The NPPF also sets out criteria for the loss of existing open space, sports and recreational buildings and land, including playing fields. 'Policy HS4 – Retaining community facilities', sets out the local approach to the loss of such facilities. Where losses are proposed, the Council will consider the criteria in the NPPF as well as relevant standards and assessments set out in the Open Space Strategy¹⁰² and Playing Pitch and Outdoor

Sports Strategy¹⁰³ (or as per any subsequent updates) in terms of using 'Policy HS4 – Retaining community facilities.' If this is the intention then this should be reflected within the policy itself.

(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Sport England considers that policy HS4 should remove reference to open space, sports and recreational buildings and land, including playing fields, with it instead being incorporated within an expanded Policy NE2 or HS6 which seeks to protect such provision in line with NPPF paragraph 99.

(Continue on a separate sheet / expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No , I do not wish to participate at the oral examination	x
Yes , I wish to participate at the oral examination	

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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Please note the Inspector will determine the most appropriate procedure to adopt, to hear those who have indicated that they wish to participate at the oral part of the examination.

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	
Policy	Policy HS6 – Sport and exercise
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

4.(2) Sound?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

Sport England considers the whole Local Plan approach to the protection of open space, sports and recreational buildings and land, including playing fields, is confused. Policy HS6 also sets out an approach for the loss of existing local sports pitches and playing fields with paragraphs 11.57 and 11.58 again referencing NPPF paragraph 99 and that the policy would take account of this policy and the wider NPPF requirements.
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(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Sport England considers that the intention of the policy is to apply NPPF paragraph 99 as part of the policy then this should be stated in a single policy as opposed to multiple references within various explanation texts in the Plan.

(Continue on a separate sheet / expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No , I do not wish to participate at the oral examination	x
Yes , I wish to participate at the oral examination	

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	
Policy	NSRA10: Land at Bermuda Road, Nuneaton
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

4.(2) Sound?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

Sport England notes the supporting text for the allocation of NSRA 10 which states " Any re-provisioning of car parking should not take place on the adjoining playing field land nor should the proposed residential development prejudice the use of the playing field site in accordance with Sports England requirements. " but considers that it could be worded more appropriately to be consistent with NPPF paragraph 99 and 187.

Sport England considers that the proposal should not specifically state in accordance Sport England requirements instead it should state that the any replacement car parking provision should not result in the loss of playing field land and that the proposal should not have a prejudicial effect on the operations of the adjacent playing field site and its ancillary facilities (agent of change principle NPPF para 187).

(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Sport England considers that the proposal should not specifically state in accordance Sport England requirements instead it should state that the any replacement car parking provision should not result in the loss of playing field land and that the proposal should not have a prejudicial effect on the operations of the adjacent playing field site and its ancillary facilities (agent of change principle NPPF para 187).

(Continue on a separate sheet / expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No , I do not wish to participate at the oral examination	x
Yes , I wish to participate at the oral examination	

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	
Policy	Strategic Policy DS4 – Residential allocations NSRA1: Former Bedworth Rugby Club NSRA2: Former Manor Park Community School
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	x
No	

4.(2) Sound?

Yes	
No	x

4.(3) Complies with the Duty to Cooperate?

Yes	x
No	

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

The allocated sites NSRA 1 and 2 contain sports provisions, and it is noted that they benefit from planning permission resulting in the loss of provision. If development has not started commenced on these sites, then it is considered that there should be a requirement for any future proposals resulting in the loss of the sporting provision should demonstrate compliance with NPPF paragraph 99. This is due to the respective planning permission might not be implemented and should any future applications be submitted then an assessment of the scheme should be undertaken taking account of findings of the Playing Pitch and Outdoor Sports Strategy (PPOSS) at that point of time.

(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Include a requirement for proposals to demonstrate compliance with a NPPF paragraph 99 policy contained within the Plan.

(Continue on a separate sheet / expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No , I do not wish to participate at the oral examination	x
Yes , I wish to participate at the oral examination	

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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9.

Signature: (Please sign the box if you are filling in a paper copy. If you are filling in an electronic copy, the box can be left blank)	
Date:	11/10/2023