Shropshire Council: Shropshire Local Plan

Representation Form

*Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s).***

*We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.*

Part B: Representation

Name and Organisation:	Stuart Morgans, Sport England

Q1. To which document does this representation relate?

- [x] Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- [ ] Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- [ ] Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan

(Please tick one box)

Q2. To which part of the document does this representation relate?

Paragraph:		Policy:		Site:	BOM020	Policies Map:	

Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

	Yes:	No:
A. Legally compliant	✔	
B. Sound		✔
C. Compliant with the Duty to Co-operate	✔	

(Please tick as appropriate).

Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Land West of Shrewsbury Road, Bomere Heath – Phase 2 – BOM020. The proposed allocation adjoins existing playing field, previously laid out as a football pitch. This pitch has now been leased to the cricket club that adjoins to the south of the football pitch, with a view to developing a 2nd cricket pitch. The location of the proposed housing allocation gives rise to concerns that the development may prejudice the use of the playing field due to the proximity of the playing field to the proposed housing site, and the associated risk of ball strike. From experience, Sport England is aware that club cricketers are capable of striking a cricket ball in the region of 70-80 metres, which would potentially put the proposed development at risk of ball strike, since the cricket pitch would be likely to be in the region of 45 metres from the site boundary.

Para 182 of the NPPF establishes the "agent of change" principle, advising that "where the operation of an existing business or community facility could have a significant adverse effect on new development in its vicinity, the applicant should be required to provide suitable mitigation before the development has been completed". (Additional comments provided on separate sheet)

(Please continue on a separate sheet if necessary)

Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local 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.

That the proposed allocation is subject to the developer undertaking a ball strike assessment to assess the risk of ball strike from the use of the adjoining playing field to the south of the site. The assessment should be submitted with any planning application to develop the site. Subject to the recommendations of this assessment, where any mitigation is deemed to be required in the form of ball catch fencing or similar that such works will be required to be undertaken and subsequently maintained in perpetuity by the developer.

(Please continue on a separate sheet if necessary)

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

- [x] No, I do not wish to participate in hearing session(s)
- [ ] Yes, I wish to participate in hearing session(s)

(Please tick one box)

Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

N/A

(Please continue on a separate sheet if necessary)

Please note: *The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

Signature: Stuart Morgans

Date: 19/02/2021

Office Use Only	Part A Reference:
	Part B Reference:

Shropshire Local Plan Regulation 19 : pre-Submission Draft Consultation

Additional Comments by Sport England

BOM020 – Bomere Heath Phase 2

Its likely that a substantial buffer will be required along the southern boundary of the proposed allocation and provision made for ball strike protection in the form of fencing which should be provided by the development. The design and height of such mitigation would need to be informed by a ball strike assessment prepared by an ECB approved advisor.

As drafted, the development guidelines do not address this risk and would therefore potentially prejudice the use of the playing field, contrary to Sport England's Playing Fields Policy and Guidance.

To address this, the development guidelines should therefore be expanded to refer to the need for the development to provide for assessment of ball strike risk, and to provide a suitable scheme of mitigation, likely to include a suitable landscape buffer and ball stop fencing. The cost of the works and their subsequent maintenance should be required to be met by the proposed development.