

**Statement of Common Ground between the South
Worcestershire Councils (Malvern Hills District Council,
Wychavon District Council and Worcester City Council)
and Sport England**

Date: 08 April 2024



1. Introduction

1.1 In accordance with the NPPF (paragraph 24)¹, public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities set out above. This forms part of each local planning authority's evidence for their respective emerging Local Plans.

1.2 This SoCG has been prepared to fulfil the duty to cooperate requirements in accordance with paragraph 27 of the NPPF² and the section of the Planning Practice Guidance on Maintaining Effective Cooperation.

2. Purpose

2.1. This Statement of Common Ground (SoCG) has been produced to support the South Worcestershire Development Plan Review (SWDPR), which has been jointly prepared by the South Worcestershire Councils (SWCs) - Malvern Hills District Council, Wychavon District Council and Worcester City Council. It sets out how the SWCs have engaged with Sport England, to fulfil its Duty to Cooperate requirements.

3. Scope

3.1. Planning Practice Guidance (PPG)³ provides details on the scope of a Statement of Common Ground (SoCG), which is detailed below.

- a short description and map of the administrative areas covered by the statement;
- the key strategic matters being addressed by the statement;
- the plan-making authorities responsible for joint working detailed in the statement, and list of any additional signatories;
- governance arrangements for the cooperation process;
- if applicable, the housing requirements in any adopted and (if known) emerging strategic policies relevant to housing within the area covered by the statement;
- distribution of needs in the area as agreed through the plan-making process, or the process for agreeing the distribution of need (including unmet need) across the area;
- a record of where agreements have (or have not) been reached on key strategic matters, including the process for reaching agreements on these; and
- any additional strategic matters to be addressed by the statement which have not already been addressed.

¹ *Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries (NPPF, 2023, Para 24)*

² *'In order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency' (NPPF, 2023, Para 27)*

³ Paragraph: 011 Reference ID: 61-011-20190315 (PPG, 2019)

3.2 The PPG also recognises that the *'level of cooperation detailed in the statement is expected to be proportionate to the matters being addressed. The statement is expected to be concise and is not intended to document every occasion that strategic policy-making authorities meet, consult with each other, or for example, contact prescribed bodies under the duty to cooperate. The statement is a means of detailing key information, providing clear signposting or links to available evidence on authorities' websites.'*⁴⁴

4. Relevant Local Authorities, Public Bodies, and Geography

- 4.1. The relevant Local Authorities and Public Bodies to this SoCG are the SWCs (Malvern Hills District Council, Wychavon District Council and Worcester City Council) and Sport England. Sport England is the arms-length body of government responsible for the growth and development of grassroots sport, and to get more people physically active across England. Sport England has been categorised as a statutory consultee by government in regard to planning where there is a requirement set out by law for local authorities to consult a specific body.
- 4.2. The administrative areas of Malvern Hills District Council, Wychavon District Council and Worcester City Council are located in Worcestershire County.
- 4.3. The map below illustrates the location of the South Worcestershire Councils:

⁴⁴ Paragraph: 011 Reference ID: 61-011-20190315 (PPG, 2019)

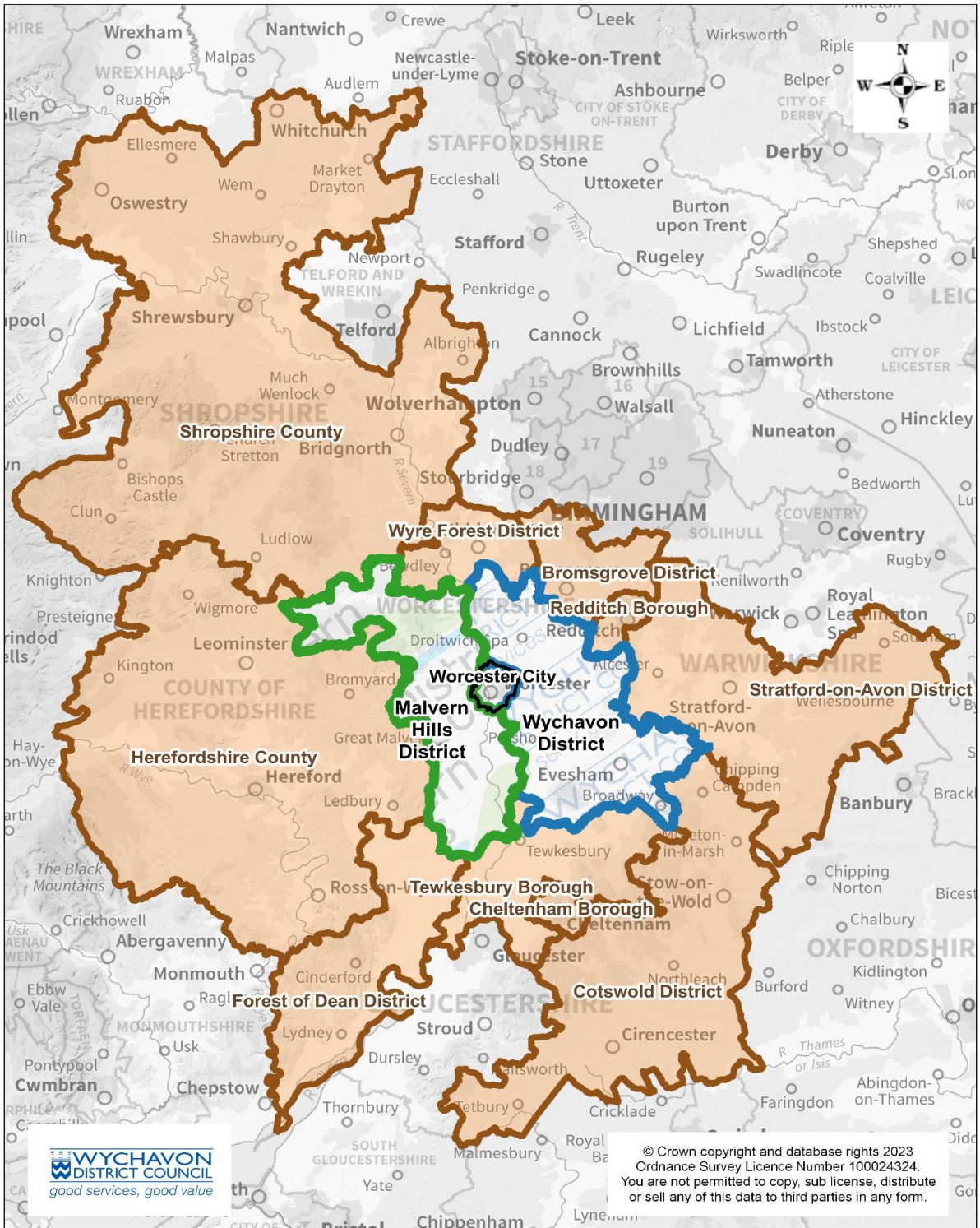


Figure 1 Map of SWCs and Neighbouring Authorities

5. Duty to Cooperate

South Worcestershire Development Plan Review

- 5.1. The Development Plan for the SWC currently comprises the South Worcestershire Development Plan (SWDP, adopted 2016), Minerals Local Plan (2022), Worcestershire Waste Core Strategy (2012), together with made Neighbourhood Plans. The SWDP was prepared jointly by the three SWCs working together under plan making arrangements. On completion of the SWDP Review process, the SWDP will be replaced by the 'South Worcestershire Development Plan Review, 2021-2041' (SWDPR).
- 5.2. The SWDPR includes strategic and detailed policies, together with site allocations for the Plan period 2021 to 2041.
- 5.3. Of particular relevance between SWC and Sport England is within section 7 of the Local Plan in regard to Tourism, Leisure and Community Facilities. This contains policies SWDPR 43: Built Community Facilities and SWDPR 46: Playing Fields.
- 5.4. There has been ongoing and active engagement between the SWCs and Sport England throughout the SWDPR process and Duty to Cooperate discussions have occurred at appropriate times during the SWDPR process. Sport England have engaged with SWC in the preparation of both the Playing Pitch and Outdoor Strategy (December 2021, Amended July 2022) and the Indoor and Built Facilities Study (December 2021) for Wychavon District, Malvern Hills District, and Worcester City Councils, along with national governing bodies of sport, local sports clubs and other key stakeholders.
- 5.5. SWC met with Sport England and other relevant national governing bodies throughout the drafting processes on these dates-
 - Initial Meeting 7th January 2020
 - 3rd June 2020
 - 10th September 2020
 - 22nd April 2021
 - 27th May 2021
 - 19th July 2021
- 5.6. The pitch sports have been assessed using the guidance set out in [Sport England's Playing Pitch Strategy Guidance](#) and non-pitch sports assessed using the [Sport England's Assessing Needs and Opportunities Guidance](#).
- 5.7. From this an action plan has been drafted for both the Playing Pitch and Outdoor Sports Strategy (PPOSS, reference TLC9-14) and Indoor and Built Facilities (BFS, TLC15-20).

This addresses key issues identified within the assessment reports. SWC will work closely with Sport England along with the relevant National Governing Bodies to help to deliver the action plan across the plan period. This will be referenced within Community Infrastructure Levy (CIL) or any subsequent replacement mechanism negotiations with developers.

5.8. The final PPOSS and BFS studies formed part of the Regulation 19 consultation on the SWDPR. SWC will work with Sport England to ensure both documents once the Local Plan is adopted remain relevant and up to date. This will assist in more effective CIL negotiations with developers.

5.9. As part of the development of the SWDPR Sport England have submitted comments to SWCs during the following consultations:

- SWDPR Issues and Options - consultation concluded on 17 December 2018.
- SWDPR Preferred Options - consultation concluded on 16 December 2019.
- SWDPR Review Regulation 19-consultation concluded on 23 December 2022
- Additionally SWC met with Sport England in February 2022 in discussion of sports facilities.
- SoCG meeting between SWC and Sport England, 17th January 2024.

5.10. Sport England raised the following issues at the Preferred Options consultation-

- Green Infrastructure SWDPR07, within the preferred options policy Sport England commented that the wording within c ii) was *'not consistent with paragraph 97 of the NPPF*. SWC have amended the wording to *'Developers will be required to demonstrate how the functionality and connectivity of existing and proposed GI features will be retained, protected and enhanced through the lifetime of the development'*, which Sport England have supported.
- Sport England objected to part Bi) Green Space policy SWDPR44, which falls short of Sport England exception test 5. SWC have amended the wording of the policy for the regulation 19 document - *'the proposal is for a community / recreational use that does not compromise the essential quality and character of the Green Space, its green infrastructure functionality, or its part in the wider green infrastructure network'*. Sport England maintained its objection to the policy.
- Sport England commented that a needs-based approach is required for playing pitch strategy. Since the preferred options for a needs assessment and action plan has been published for both the playing pitch and open space requirements as part of the evidence based for the SWDPR. This ensures that the SWDPR has robust, up to date evidence for indoor and recreational facilities to be consistent with paragraph 102 of the NPPF.
- Sport England objection of sites SWDP NEW 30- Land off Southall Drive. SWC have added a footnote to the site reference within the regulation 19 document, Sport England still raise objections to the site.

5.11. Duty to Cooperate discussions will continue at appropriate times as the SWDPR progresses.

6. Key Strategic Matters

- 6.1. The following key issues have been identified in the Duty to Cooperate dialogue and consultation between SWC and Sport England. As part of the examination process, and in response to the IQ/and in order to resolve outstanding issues in this emerging SoCG, modifications will be put to the Inspectors within this SoCG (once the SoCG has been finalised) for them to have regard to in their consideration of the Plan and whether modifications are necessary to make the plan sound, or not; or whether they are required for the purposes of updating the Plan since the Regulation 19 stage or for clarification purposes.
- 6.2. Policy SWDPR04-Green Belt. Sport England broadly supports SWDPR04 which intends to ensure consistency with the NPPF in respect of Green Belt policy. Sport England does however wish to raise objection to part D of the policy, which omits to include material changes in the use of land (such as changes of use for outdoor sports or recreation, or cemeteries and burial grounds) which is not consistent with paragraph 155 of the revised December 2023 NPPF.

SWC note the comments made and agree to the suggested modification, highlighted in bold. SWC propose SWDPR 04 Part D to read-

The following forms of development are not inappropriate providing they preserve the openness of the Green Belt and do not conflict with its purposes:

- i. Limited infilling or the partial or complete redevelopment of previously developed land.*
- ii. Mineral extraction.*
- iii. Engineering operations.*
- iv. Local transport infrastructure which requires a Green Belt location.*
- v. The reuse of buildings of a permanent and substantial construction.*
- vi. Development under a Community Right to Build Order open space and no signs of development, **and***
- vii. The material changes in the use of land, (such as changes of use for outdoor sports, recreation, cemeteries and burial grounds).***

- 6.3. SWDPR07- Green infrastructure. Further to Sport England's representations on the wording of this policy at preferred options stage it is noted that the wording alterations to part E ii) of the policy have been done to ensure consistency with paragraph 103 of the NPPF. Sport England support the revised wording of the policy. SWC note the support by Sport England for this policy.
- 6.4. SWDPR09- Infrastructure. Sport England supports the inclusion of an explicit reference to sport and recreation facilities within part D) of the policy which is justified considering the evidence in the Council's Playing Pitch and Outdoor Sports Strategy (2021) and Built Indoor Facilities Strategy (2021), which provide a robust and up to date assessment of needs for various sports facilities in line with para 102 of the NPPF. SWC note the support by Sport England for this policy.
- 6.5. SWDPR10-Health and Wellbeing. Sport England supports the proposed Health and Well-Being policy, particularly those parts that refer to the role of community facilities and green spaces in fostering active lifestyles and the benefits of active travel as this is

consistent with Sport England's advice in the Active Design Guidance, and with Chapter 8 (promoting healthy and safe communities) of the NPPF. SWC note the support by Sport England for this policy.

- 6.6. SWDPR31-Amenity. Whilst Sport England supports the intention of the policy to address the impacts of development in respect of noise and light etc, the policy as currently worded fails to provide protection to existing businesses and community facilities (such as sports clubs) in line with the "agent of change" principle set out in paragraph 193 of the NPPF. It is clear from the wording of para 6.2c) that the policy is intended to apply to sports facilities in respect of lighting assessments, yet within Part Di) of the policy, there is no specific reference to the need to provide the lighting in the interests of the use for sport, though there is a reference to recreational purposes. Sport England would wish to expand the policy so that where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity in respect of noise, light etc, the applicant (or "agent of change") should be required to provide suitable mitigation before the development is completed, in line with the wording of para 193 of the NPPF and to amend the wording of part Di) to refer to sport and recreational purposes.

SWC note the comments by Sport England on this policy and suggest a proposed modification to the policy-

A. Development proposals must be designed to avoid any unacceptably adverse impact on residents from the agents of nuisance, which are considered to be noise, light, odour and effluvia.

B. Where the operation of an existing business or community facility could have a significant adverse impact on new development in respect of noise, light, odour or effluvia, the applicant should be required to provide suitable mitigation before the development is completed.

And within the reasoned justification of policy SWDPR 31-

*6.1 Developers must consider whether existing or proposed residents, businesses or land uses may be subject to any adverse environmental effects from exposure to the agents of nuisance - noise, light, odours, smoke, effluvia, etc. - that have a potential to cause an adverse impact. **Protection is to be provided to existing business and community facilities in line with the "agent of change" principle as set out within paragraph 193 of the NPPF.***

- 6.7. SWDPR 43-Built Community Facilities. Sport England supports the amendments that have been made to part B of the policy to ensure that this accords with paragraph 99 of the NPPF. However a modification is suggested to amend the wording of the reasoned justification in paragraphs 4.1 and 4.6 to reference any successor documents to the Playing Pitch and Outdoor Sports Facilities Strategy (2021) and the Indoor and Built Sports Facilities Strategy (2021), since the evidence of need will need to be updated/replaced before the end of the plan period to ensure this remains up to date and robust in accordance with the guidance in para 102 of the NPPF and Sport England's Assessing Needs and Playing Pitch Strategy Guidance.

SWC note the comments and agree to a minor modification of SWDPR 43 from Sport England comments to paragraphs 4.1 and 4.6 of the Reasoned Justification to refer to successor strategies of the Playing Pitch and Outdoor Sports Facilities Strategy (2021) and the Indoor and Built Sports Facilities Strategy (2021)-

*4.1 This policy is consistent with the NPPF that seeks to promote opportunities for social interaction and enable and support healthy lifestyles, through the provision of community, recreation and sports facilities. Additionally, the 'South Worcestershire Community Buildings and Halls Report' (2019) **and any successor documents sets out the need for new community buildings and halls, or the enhancement of existing facilities to serve the population.***

*The Playing Pitch and Outdoor Sports Facilities Strategy (2021) and the Indoor and Built Sports Facilities Strategy (2021) **and any successor documents provide the evidence for built sports facilities and associated provision relating to formal sports pitches/courts.***

*4.6 For the provision of built sports facilities and built form relating to formal sports pitches/courts, due regard will be given to the Playing Pitch and Outdoor Sports Facilities Strategy (2021) and the Indoor and Built Sport Facilities Strategy (2021) **and any successor documents in ascertaining the level and type of provision required so that provision can be appropriately altered or refined to take account of local circumstances. Sport England's 'Sports Facility Calculator' will be utilised for all facility types held on their database (this is principally swimming pools, sports halls and indoor bowls centres).***

- 6.8 SWDPR44-Green Space. Sport England note the amendments made to this policy since the preferred options stage, however they continue to have objections to part B(i) of the policy, which is not consistent with paragraph 103 of the NPPF. The policy would seem to permit other types of community uses that are not sport related and that in respect of proposals affecting playing fields, the wording of the policy would not be consistent with Sport England's Playing Fields Policy. To address this Sport England would recommend either that part Bi) of the policy be deleted or the policy wording be amended if this is intended to relate to ancillary facilities to the use of the green space. Alternatively, if Part Bi) is to be retained as currently drafted, that a footnote is added that in respect of playing fields that part Bi) of the policy does not apply and that the relevant criteria to be considered are parts Bii), Biii) and Biv) only. This will ensure the policy accords with paragraph 103 of the NPPF and Sport England's Playing Fields Policy and Guidance.

SWC note the comments by Sport England on this policy. SWC wish to retain part Bi) of SWDPR 44, and propose to add an additional footnote to this policy-

In respect of playing fields part Bi) of the policy does not apply. The relevant criteria to be considered are parts Bii), Biii), and Biv) only. This accords with paragraph 103 of the NPPF and Sport England policy.

- 6.9 SWDPR45- Provision of Green Space and Outdoor Community Uses in New Development. Sport England supports the amendments made to policy SWDPR 45 in respect of expressly dealing with requirements for playing pitches separately under SWDPR 46.

SWC note the support of Sport England for this policy. As policy SWDPR46 relates specifically to Playing Fields, a minor modification is proposed for the reference to the Playing Pitch and Outdoor Sports Facilities Strategy (2021) to be removed from Part B of SWDPR 45. An additional footnote to part B of the policy is proposed to be added through a minor modification to make it clear that Table 9 of the policy has been informed by the South Worcestershire Open Space Assessment (2019). Paragraph 6.4 of the Reasoned Justification is also to be removed as this also specifically relates to Playing Fields, which is now covered by SWDPR 46.

B. The total amount of Green Space / outdoor community uses will be provided within the overall quantum of green infrastructure required by SWDPR 7. In addition to Table 9, the precise amount and form of these uses will be informed by local evidence, e.g. Neighbourhood Plans, the Playing Pitch and Outdoor Sports Facilities Strategy (2021), the Joint Strategic Needs Assessment (JSNA) including physical activity and obesity prevalence, parish and town plans and village design statements. Enhancing accessibility to open spaces, e.g., through improvements to the Rights of Way network is also strongly encouraged.

Within the reasoned justification for SWDPR 45-

~~6.4 The South Worcestershire Playing Pitch and Outdoor Sports Facilities Strategy (2021) also informs the need for specific playing pitch and outdoor sports facilities, either for the necessary level of developer contributions to be made towards new provision, or upgrading existing provision, in order to meet new demand created through new residential development. There will be a requirement on some sites to provide on-site pitches as identified in various site-specific allocation policies. Please refer to SWDPR 46 Playing Fields.~~

6.10 SWDPR46-Playing Fields. Sport England supports the addition of a separate policy for the provision of playing fields. Sport England recommend a minor wording amendment in part A of the policy to refer to the Playing Pitch and Outdoor Sports Facilities Strategy (2021) or to any successor strategy, since the PPOSS will need to be updated or replaced before the end of the plan period to remain robust and up to date in accordance with para 102 of the NPPF, and Sport England's Playing Pitch Strategy Guidance. Whilst Sport England support the explanation provided in paragraphs 7.1-7.4 that provision to meet the needs of the development could include both on site and/or off-site contributions, guided by the evidence in the PPOSS, the reasoned justification does not explain how such contributions are to be calculated. Sport England would recommend adding reference to the Councils intended approach which could use Sport England's Playing Pitch Calculator Tool. The tool uses locally derived data from the Playing Pitch Strategy to calculate the demand generated by new developments, and then provides the estimated cost of meeting this demand through new provision using Sport England's annually updated cost guidance. Sport England support Part B of the policy which accords with paragraph 103 of the NPPF and is in general accordance with the wording of Sport England's Playing Fields Policy.

SWC note the comments from Sport England on this policy. SWC propose a minor modification to this policy to paragraph 7.2 of the reasoned justification to refer to successor strategies of the Playing Pitch and Outdoor Sports Facilities Strategy (2021) and to add 'Provision requirements will be established through Sport England's Playing Pitch

Calculator tool' at the end of the paragraph to provide further context around the calculation of contributions, as outlined below-

*'7.2 The provision of playing fields and built form relating to formal sports pitches / courts (e.g., changing rooms, pavilions, toilets), will be guided by the Playing Pitch and Outdoor Sports Facilities Strategy (2021) and the Indoor Built Sports Facilities Strategy (2021) (including any successor strategies) in ascertaining the level and type of provision required so that it takes account of local circumstances. Provision could be in the form of developer contributions to be made towards new provision, or the upgrading of existing provision, in order to meet new demand created through new residential development. There will be a requirement on certain sites to provide on-site pitches as identified by various site-specific allocation policies. **Provision requirements will be established through Sport England's Playing Pitch Calculator tool.**'*

6.11 SWDPR51- Worcestershire Parkway. Sport England notes and supports that the policy makes specific reference to the provision of education, leisure and community facilities as part of the facilities to be provided within the Worcester Parkway allocation. Sport England note that the Throckmorton allocation includes a specific footnote that provision will be set in accordance with the Playing Pitch and Outdoor Sports Strategy (PPOSS) and the Built Indoor Sports Facilities Strategy (BFS) and relevant SWDPR policies and calculated using Sport England's Playing Pitch Calculator and Sports Facilities Calculator. It is recommended that the same footnote be added to the wording in Part G v2 of this policy for consistency. Sport England note part J makes specific reference to necessary infrastructure which Sport England view as including the sports facilities referenced in Part G of the policy.

Therefore, Sport England recommend a minor addition to the wording to specifically reference the sports and recreation facilities within the list of infrastructure in Part J of the policy so that this is scoped into the requirement to be in accordance with the IDP and Delivery Strategy. Sport England notes that the reasoned justification refers to the preparation of an SPD to provide further detailed policy and guidance. Sport England would wish to engage with the Council and its strategic partners to provide advice and guidance in respect of how this addresses the requirements in respect of sport and recreation facilities. Sport England also wish to engage further with the Council in respect of the Infrastructure Delivery Plan so that they can understand and advise further in respect of the Council's requirements for the proposed sports facilities which should align with the Council's evidence of need in the PPOSS and BFS.

SWC note the comments made by Sport England but do not agree to all of the proposed modifications. This level of detail has not been provided in the policy itself to allow for possible flexibility. The Spatial Framework would be an appropriate location for this type of request. SWC do agree to reference sport and recreation facilities within part J of the policy, as a minor modification. SWC propose to reference paragraph 4.6 of policy SWDPR 43 within the reasoned justification to allow for possible flexibility.

*J. Critical and necessary infrastructure, including, but not limited to transport and highways mitigation, education infrastructure, **sports and recreation facilities**, utilities, potable water and wastewater, must be provided in accordance with the schedules within the latest Worcestershire Parkway Infrastructure Delivery Plan and a delivery strategy which sets out broadly how the development is to be phased and delivered, unless it can be demonstrated that:*

- i. Relevant infrastructure capacity is readily available to service the quantum of development proposed;*
- ii. The relevant infrastructure will be provided in advance of the proposed development;*
or
- iii. Alternative provision can be secured and agreed with the relevant provider and the Local Planning Authority to meet the relevant requirement.*

Within the reasoned justification-

1.13. Along with an assessment of the viability of the site, a comprehensive Infrastructure Development Plan (IDP) has been prepared that sets out the infrastructure required for the development of a sustainable community at Worcestershire Parkway. Both the viability assessment and the IDP confirm that all of the strategic infrastructure necessary to enable the development to progress can be implemented. However, some of this infrastructure will be required early in the plan period to enable construction and delivery of the site.

1.14 For the provision of built sports facilities and built form relating to formal sports pitches/courts will be expected to follow the reasoned justification within paragraph 4.6 of SWDPR43.

- 6.12 SWDPR52- Land at Throckmorton New Settlement. Sport England gives general support to this policy. However, Sport England note part G makes specific reference to necessary infrastructure which in our view will include the sports facilities referenced in Part vi 2) of the policy. Therefore, it is recommended for a minor addition to the wording to specifically reference the sports and recreation facilities within the list of infrastructure in Part G of the policy so that this is scoped into the requirement to be in accordance with the IDP and Delivery Strategy.

SWC note the comments by Sport England and agree to a proposed modification to part G of the policy-

*G. Critical and necessary infrastructure, including, but not limited to transport and highways mitigation, education infrastructure, utilities, **sport and recreational facilities**, potable water and wastewater, must be provided in accordance with the latest Infrastructure Delivery Plan Schedule set out in the South Worcestershire Infrastructure Delivery Plan and a delivery strategy which sets out broadly how the development is to be phased and delivered, unless it can be demonstrated that:*

- i. Relevant infrastructure capacity is readily available to service the quantum of development proposed.*
- ii. The relevant infrastructure will be provided in advance of the proposed development;*
or
- iii. Alternative provision can be secured and agreed with the relevant provider and the Local Planning Authority to meet the relevant requirement.*

- 6.13 SWDPR53- Rushwick Expanded Settlement. Sport England gives general support to this policy. Sport England proposed an additional change in part D vi 2) of the policy to add a

reference that planning applications will be expected to demonstrate how the new sports facilities will be managed/operated and maintained and to demonstrate the proposed phasing of delivery of the sports facilities and add the footnote that provision will be set in accordance with the PPOSS and BFS and calculated using Sport England's Playing Pitch Calculator and Sports Facilities Calculator.

SWC note the comments made by Sport England, and agree to an additional footnote within the policy-

The provision of new playing pitches and sport facilities should be designed to ensure that they are suitable for community use and in line with the PPOSS and BFS, and shall be calculated using Sport England's calculator tools.

Within policy SWDPR46 Playing Fields this requires secure management arrangements for long-term management and on-going maintenance of sports facilities. SWC believe that this addresses how new sports facilities will be maintained and operated and therefore this does not need to be added to policy SWDPR 53.

- 6.14 SWDPR54-Mitton. Sport England gives general support to this policy. Sport England proposed an additional change within the policy to add reference in part F iv) that planning applications will be expected to demonstrate how the new sports facilities will be managed/operated and maintained and to demonstrate the proposed phasing of delivery of the sports facilities and add the footnote that provision will be set in accordance with the PPOSS and BFS and calculated using Sport England's Playing Pitch Calculator and Sports Facilities Calculator.

Sport England would wish to expand the reasoned justification to reference that the provision of new playing pitches (including provision at the proposed primary school) should be designed to ensure they are suitable for community use and that it is expected that community use will be secured via a community use agreement.

SWC note the comments made by Sport England on this policy. SWC suggested following changes within part 2 of the policy and an additional sentence within the reasoned justification-

F. Phase 2- will be expected to deliver....

iv. Supporting services and other community facilities, including-

- 1. Provision of centrally located convenience floorspace that meets the day-to-day needs of the local community only and would have no significant adverse impact on the vitality and viability of existing centres, including in Tewkesbury, in accordance with SWDPR 12;*
- 2. New sports facilities and playing pitches **for the dual use by both the primary school and the community; and***
- 3. New Community Hall.*

Within the reasoned justification of policy SWDPR 54-

4.5 in bringing the site forward it is expected that the following objectives are met.

These objectives carry equal weight:

- i. **The provision of new playing pitches should be designed to ensure that they are suitable for community use and in line with the PPOSS and BFS and shall be calculated using Sport England's calculator tools. Playing field provision will be required to demonstrate how this meets the wider needs of the community in line with the evidence in the PPOSS. The provision of playing fields within the proposed one form entry primary school will require a robust community use agreement as it is intended to serve the wider needs of the community.**

Within policy SWDPR46 Playing Fields this requires secure management arrangements for long-term management and on-going maintenance of sports facilities. SWC believe that this addresses how new sports facilities will be maintained and operated and therefore this does not need to be added to policy SWDPR 54.

6.15 SWDPR56-North East Malvern (Newland). The site contains existing playing fields which includes an existing cricket pitch. Sport England would wish to ensure that the wording of the proposed allocation and the reasoned justification makes it clear that the existing playing field is to be protected or replaced within the development in accordance with para 103 of the NPPF and Sport England's Playing Field Policy. Sport England propose to add a reference in the wording of the policy and reasoned justification to the protection or replacement of the existing cricket pitch and add reference in the reasoned justification that the developer will be expected to demonstrate that the development will not unacceptably prejudice the use of the playing field through the submission of a ball strike assessment with appropriate mitigation where necessary. Sport England suggest adding a footnote in respect of the reference to provision of playing pitches that this will be informed by the evidence in the Council's Playing Pitch and Outdoor Sports Strategy (PPOSS). The provision of the playing field in part B iv of the policy should be in addition to protecting playing fields. Sport England consider that there is a need for a ball strike assessment to ensure that the proposed development does not unacceptably prejudice the use of the playing field.

SWC note the comments made by Sport England. However, SWC do not agree to all of the proposed modifications. SWC believe that no further changes are required to meet the test of soundness. SWC does however agree to reference the requirement of a ball strike assessment within the reasoned justification-

6.6 The site contains existing playing fields which includes an existing cricket pitch. The existing playing field is to be retained or replaced within the development in accordance with para 103 of the NPPF, policy SWDPR 46, and Sport England's Playing Field Policy. Any development will be expected to demonstrate that the development will not unacceptably prejudice the use of the playing field through the submission of a ball strike assessment with appropriate mitigation where necessary. This will fully assess the risk of ball strike from the adjoining playing fields, with appropriate mitigation being secured from the developer to address the identified risk in accordance with the "agent of change" principle in the NPPF.

6.16 SWDPR57- Land at Hanbury Road, Droitwich Spa. Sport England opposed to add a footnote to this policy in respect of the reference to provision of playing pitches that this will be informed by the evidence in the Council's Playing Pitch and Outdoor Sports Strategy (PPOSS). Sport England wish to expand the reasoned justification to reference that this could be on-site provision, or a suitable off-site contribution to expand/improve existing playing field provision locally.

SWC note the comments made by Sport England on this policy, and agree to the proposed modification with the additional footnote and reasoned justification to policy SWDPR57-

173-The provision of playing pitches will be informed by the evidence within the Playing and Outdoor Sports Strategy (PPOSS).

Within the reasoned justification-

Objectives

7.5 The main objective of the urban extension to Droitwich Spa will be to create a new neighbourhood in the form of a highly sustainable residential development. The design and landscaping should complement the important landscape setting of the area and provide a new gateway location to the town. In addition to the 300 dwellings the future development is intended to incorporate:

*a. Open space and enhancement of existing habitat to include formal play and sports facilities, allotments, parkland and woodland for leisure and also serve as corridors for the movement of wildlife. **For formal play and sports facilities this could be on-site provision, or a suitable off-site contribution to expand or improve existing local playing field provision.***

b. Enhanced connectivity to the town centre for pedestrian and cyclists through upgrade of the Hanbury Road and sign posting to the Droitwich Canal towpath.

6.17 SWDPR60- Broomhall, Worcester South Urban Extension (Known as SWDP 45/1).

Sport England suggest an additional reference in part iii) that planning applications will be expected to demonstrate how the new sports facilities will be managed/operated and maintained and to demonstrate the proposed phasing of delivery of the sports facilities and add the footnote that provision will be set in accordance with the PPOSS and BFS and calculated using Sport England's Playing Pitch Calculator and Sports Facilities Calculator. Add footnote that existing playing fields will be protected. Additionally, Sport England suggest adding a reference in part ix) that planning applications will be expected to demonstrate how the new sports facilities will be managed/operated and maintained and to demonstrate the proposed phasing of delivery of the sports facilities and add the footnote that provision will be set in accordance with the PPOSS and BFS and calculated using Sport England's Playing Pitch Calculator and Sports Facilities Calculator.

SWC note the comments made by Sport England on this policy, and agree to the proposed modification and additional footnote-

Broomhall (Worcester South Urban Extension, known as SWDP45/1) (247.1 hectares)

- i. Delivery of approximately 20 ha of employment land and around 2,600 dwellings(176).*
- ii. The dwellings will be of mixed size and type in accordance with the requirements of policy SWDPR 16, and up to 40% will be affordable housing in accordance with the requirements of policy SWDPR 18.*
- iii. The diagram for SWDP 45/1 below shows the broad distribution of land uses and of various policy requirements, which include a centrally located local centre incorporating:*

- 1. A range of community facilities and services including a two-form entry primary school, a community building, emergency services infrastructure, a children's centre and youth facilities; and*
- 2. Local convenience store (use class F2(a), comparison retailing and other mixed uses (e.g., use class E and some Sui Generis uses) comprising modest scale development of a scale and use appropriate to serving the local community and*
- 3. Planning applications will be expected to demonstrate how the new sports facilities will be managed, operated, and maintained, and to demonstrate the proposed phasing of delivery of the sports facilities.**

Additional footnote-

The provision of playing pitches and sports facilities that this will be informed by the evidence within the Playing and Outdoor Sports Strategy (PPOSS) and the Built Facilities Strategy (BFS), and shall be calculated using Sport England's sports calculator tools.

... C. Temple Laugherne (Worcester West Urban Extension) – (known as SWDP45/2) (138.8 ha)

- ix. The provision of Green Infrastructure in accordance with SWDPR 7, SWDPR 45, and SWDPR 46, including:*
- 1. A network of open sources, including play facilities, sporting and informal recreational facilities such as allotments; and*
- 2. Measures which will deliver both strategic Green Infrastructure and water management objectives; and*
- 3. Planning applications will be expected to demonstrate how the new sports facilities will be managed, operated, and maintained, and to demonstrate the proposed phasing of delivery of the sports facilities.**

6.18 SWDPR63- Site allocations in Wychavon. Sport England have some concerns in the wording for site Station Road, Broadway (WYPHM16). Sport England suggest revising the

wording of the footnote to make it clear that the re-provision of playing fields is to be at least equivalent or better in quantity and quality to existing provision at the site and to facilitate the growth of the football club, in accordance with paragraph 103 of the NPPF.

SWC note the comments and agree to this proposed modification regarding the SWDPR 63 footnote-

*233- Within the area identified on the Policies Map a sustainable, well-designed, mixed-use site is sought. This will incorporate community facilities, new car and coach parking, football pitches and facilities and up to 84 homes. **Any re-provision of playing fields will be at least equitable or better in quantity and quality, in accordance with paragraph 103 of the NPPF and Sport England policy.** SUDS solutions should seek to benefit the adjacent nature reserve and appropriate boundary treatment designed between the allocation and the nature reserve to mitigate any negative impacts of development.*

SWDP NEW 30 – Land off Southall Drive, Hartlebury. Sport England’s view remains that the proposed allocation has the potential to prejudice the use of the adjoining playing field due to the proximity to the adjoining cricket pitch. Sport England wish to add a footnote to the allocation that the developer will be expected at planning application stage to submit a ball strike assessment that fully assesses the risk of ball strike from the adjoining playing fields with appropriate mitigation being secured from the developer to address the identified risk in accordance with the “agent of change” principle in the NPPF.

SWC note the comments made by Sport England for site WYPHM20 and agree to this proposed modification as an additional footnote to table 32-

The developer at the planning application stage will be expected to submit a ball strike assessment. This will fully assess the risk of ball strike from the adjoining playing fields, with appropriate mitigation being secured from the developer to address the identified risk in accordance with the “agent of change” principle in the NPPF.

- 6.18.1 It is considered that the Duty to Cooperate process has been progressed in a positive and progressive manner by both bodies. Whilst this SoCG identifies outstanding areas where there remains some disagreement between the Parties, it is considered this does not represent a failure of the Duty to Cooperate process, but instead are issues which can be discussed through the Examination into the South Worcestershire Development Plan if considered necessary.

7 Matters of Agreement

7.1 All the above matters are agreed between the SWC’s (Malvern Hills District Council, Wychavon District Council and Worcester City Council) and Sport England. Both parties agree the following points through this statement of Common Ground.

7.2 That Sport England confirm to their satisfaction that the Playing Pitch Strategy and Indoor Built Facility Strategy has been undertaken in accordance with their guidance and

represents a robust assessment of South Worcestershire Councils' quantitative and qualitative needs for playing field, pitches, and indoor built facilities.

7.3 SWC will ensure that the PPOSS and BFS will be reviewed at regular stages once the Local Plan is adopted, to ensure effective CIL and any subsequent replacement mechanism negotiations with developers.

7.4 That Sport England have made representations at the regulation 19 stage of the Local Plan process which have been outlined in detail within this document. SWC have responded to all comments along with proposed modifications, of which some may be considered in greater detail by the Inspector at the Local Plan Examination.

8 Matters of Disagreement

8.1 SWC have responded to all comments from Sport England representations from the regulation 19 stage consultation. SWC have agreed to several proposed modifications for policies and corresponding reasoned justification from Sport England and believe that there are no significant matters of disagreement.

9 Governance Arrangements

9.1 Governance arrangements are key to ensure that effective duty to cooperate discussions are undertaken and an appropriate SoCG prepared.

9.2 The SoCG will be updated as appropriate to reflect ongoing duty to cooperate discussions between SWC and Sport England.

10 Conclusions

10.1 The parties agree that:

- i) The South Worcestershire Councils (Malvern Hills District Council, Wychavon District Council and Worcester City Council) have fulfilled their Duty to Cooperate with Sport England.
- ii) The parties will continue to work positively together and where relevant with other prescribed bodies on strategic cross boundary issues.

11 Signatories

11.1 This SoCG has been agreed and signed by the following:

South Worcestershire Councils

Name: Ian Macleod

Position: Director of Planning and Infrastructure, Malvern Hills District Council and Wychavon District Council

Date agreed: 08/04/2024

Signature:



And,

Name: Duncan Rudge

Position: Head of Planning, Worcester City Council

Date agreed: 08/04/2024



Signature:

Sport England

Name: Rajvir Bahey

Position: Planning Manager, Sport England.

Date agreed: 03/04/2024

Signature:

