

Highland wide Local Development Plan - Main Issues Report Consultation Summary and Actions Sheet

Reference Number:	HWLDP-MIR-320
Organisation/Individual:	SportScotland (Ryan McAlinden)

Action:

Immediate Response Required	
Meeting required with Respondent	
Issue for Area Local Development Plan	
Further Information Required	
Other (Please Specify)	

If no box ticked - issues raised will be dealt with in preparation of the Proposed Plan.

Issues Raised in Response:

Purpose of Main Issues Report	
NPF2 for Scotland	
Vision for the Highlands	
Inverness and A96	
The A96 Corridor	
Phasing of Development	
Developer Contributions	
East Inverness	
Nairn	
Tornagrain	
Smaller Settlements in A96	
Caithness and North Sutherland	
Easter Ross and Nigg	
Development of Local Centres	
Wider Countryside and Fragile Areas	x
Population and Housing	
Housing in the Countryside	
Affordable Housing	
Planning for an Ageing Population	
Gypsies/Travellers	
Retailing	
Developer Contributions	x
Natural, Built and Cultural Heritage	

Previously used Land	x
Wild Land	x
Water Environment	x
Renewable Energy	x
Flooding	
Waste Management	
Air Quality	
Sustainable Design	
Business and Industrial Land	x
Accessibility and Transport	x
Agricultural Land	
Subdivision of Existing Crofts	
Allocation of Inbye Land	
New Crofting Township	
Small Scale New Crofts	
Coastal Development	x
Forestry and Woodland	
Minerals	x
Open Space and Physical Activity	x
Access to the Outdoors	x
Comments on Consultation Process (+ve)	
Comments on Consultation Process (-ve)	

Key:

Background	Spatial Strategy	Policy Options	Consultation
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Notes:

Recognise the possibility of delivery of new sports facilities "off site"
 Sport and recreation uses for previously used land may be considered as appropriate
 Support for protection of Wild land – given a rare recreational opportunity
 Recognition of sport and recreation benefits of the water environment
 New renewable energy developments should take account of recreational interests
 Clarify use of facilities planning model
 Clarity on access rights should be set out
 General statement on Sustainable Development would be beneficial
 Reiterates provisions of SSP11
 Any new development should encourage physical activity

Action Sheet Completed by:	SH
Date:	15/12/09

Kirsty McCreath

From: Simon Hindson
Sent: 27 January 2010 10:25
To: Kirsty McCreath
Subject: FW: Highland Wide Main Issues Report

-----Original Message-----

From: Ryan McAlindin [m]
Sent: 27 January 2010 10:24
To: Simon Hindson
Subject: Highland Wide Main Issues Report

Hi Simon

As discussed find sportscotland's initial response to the Main Issues Report below

Highland wide Local Development Plan Main Issues Report

Thank you for consulting **sportscotland** on the Highland wide Local Development Plan Main Issues Report. **sportscotland** is the national agency for sport. Our remit includes sport and physical recreation. **sportscotland's** aim is to encourage everyone in Scotland to discover and develop their own sporting experience, helping to increase participation and improve performances in Scottish sport.

sportscotland has a statutory planning role as set out in SPP11 *Open Space and Physical Activity* and in circulars 7/2007 *Consultation on and Notification of Planning Applications for Outdoor Sports Facilities and Open Space* and 3/2009 *Notification of Planning Applications* in relation to the protection of sports pitches and playing fields.

We also support and advise Councils on the preparation of Sports Facility and Pitch strategies, and provide financial contributions toward their cost. Undertaking these strategies, potentially as part of a wider open space strategy, can make an important contribution to the local development plan process and we encourage the preparation of these. In relation to this, **sportscotland** can undertake Facility Planning Modelling for various sports facilities. This can assist in the identification of potential deficiencies in sports facility provision in an area as well as assisting in identifying the sports facility requirements of development proposals.

sportscotland has produced a number of documents which can be useful in the preparation of Local Development Plans, particularly where there is new development proposed. These include, for example *School Playing Fields – Planning and Design Guidance*; *Secondary School Sports Facilities – Designing for School and Community Use*; and *Primary School Sports Facilities*.

sportscotland also has a planning role in relation to sport and physical recreation in the countryside/outdoors. Our position on sport and recreation in the outdoors is set out in our policy document *Out There*. *Out There* sets out a number of policies relevant to the planning of sport and recreation in the outdoors; relevant policies are enclosed for your information.

27/01/2010

All of the above documents are available on the planning page of our web site www.sportscotland.org.uk.

Our response is supported as appropriate by reference to SPP 11 Open Space and Physical Activity, and to the emerging planning policy advice contained in the draft consolidated Scottish Planning Policy. We appreciate that the detail of the advice in the consolidated SPP may change but consider that the general policy thrust will remain.

Question 11 - Wider Countryside and Fragile Areas

1 **sportscotland** supports the positive approach advocated by the consolidated SPP to new development in rural areas and the need to encourage economic activity and diversification. A positive approach to tourism and farm diversification is supported, which sport and recreation development can positively contribute to.

2 We support the need outlined in the consolidated SPP to respond to the diverse needs and locational requirements of different sectors. Sport and recreation development in the countryside can have some specific locational requirements, often linked to the natural resources they are dependent on. Outdoor centres, equestrian centres, and mountain bike parks, for example, can all have particular countryside and natural heritage locational needs. These should be recognised and supported in the development plan.

3 It is important to recognise that countryside sport developments do locate in more remote rural areas and can be particularly important in supporting fragile rural communities and economies.

4 We support Highland's proposal for a consistent approach to rural development and consider the approach set out in Appendix A to be consistent with our above comments and with the advice of the consolidated SPP.

5 We support the Council's positive approach to development in fragile areas.

Question 18 - Developer Contributions

6 **sportscotland** agrees with the Council's preferred option for dealing with Developer Contributions. We agree that it is important for development proposals to take into account the need for new facilities and in particular sports facilities. New development will have implications for the demand for sports facilities, including for open space and path works. The local development plan process should assess these implications.

7 **sportscotland**, as the Council is aware, undertakes Facility Planning Modelling for a variety of sports. This can assist, in addition to pitch and facility strategies, in assessing the sports facilities demands which are likely to be generated by new development, as well as providing an evidence base for developer contributions. **sportscotland** notes the reference to the FPM in your section on Open Space and Physical Activity

8 In considering developer contributions for sport, it is important to be aware that planning gain does not always need to be delivered on the development site itself and may, depending on the circumstances, be of more benefit to sport and recreation interests if provision is made off site and in more appropriate and useful locations for sport in an area.

9 **sportscotland** does not see planning gain as a substitute for good planning and does not support the approval of schemes where the impact on sport and recreational interests will be greater than any benefit delivered through planning gain or developer contributions.

Question 20 - Previously Used Land

10 **sportscotland** supports the Council's policy approach to previously used land. The consolidated SPP stresses the need to support and promote proposals to bring vacant and derelict land back into productive use. Sport and recreation can be a particularly appropriate use for vacant and derelict land due to the unattractiveness of derelict land for other uses; the presence of features (or the potential to develop them), such as cliffs, gradients, water, and track networks, which are attractive and useful for sporting activities; and because derelict land can be in locations, or of a nature, where noise from sport is more acceptable. Sport and recreation uses would fit well with Highland's proposal for uses that will give benefit to the wider community and bring about environmental improvement. This should be recognised in any development plan policy that may emerge relevant to the development of vacant and derelict land.

Question 21 - Wild Land

11 **sportscotland** supports the Council's approach to identifying and protecting wild land. The Consolidated SPP advises planning authorities to identify and protect areas of wild land. Wild land is important for sport and outdoor recreation purposes providing a distinct and in some circumstances rare recreational experience. We agree with the loose definition of wild land used in the consolidated SPP of remoter mountain and coastal areas. On this basis, there are likely to be few areas in Scotland of genuine wild land and we would not expect to see wild land identified in the majority of Scotland's local authority areas. We agree, however, that wild land will be a distinct feature in the Highland Council area. It would be useful for Highland to consult on and agree the criteria they will use to identify wild land areas.

12 In relation to the Council's preferred approach, we note the implication of the second bullet point that some forms of development may be appropriate in wild land areas. If truly wild land areas are identified, which may be quite limited in extent, we would suggest that no development, other perhaps than that of an overriding national interest, should be allowed. As soon as development is allowed in a wild land area it becomes more difficult to define that area as wild land. We recognise that in practice, however, this may be an unrealistic approach to wild land. We note the definition of wild land in the Glossary of the Issues report which states that wild land has a relative lack of human activity or change. This may be the key to the protection of wild land, that development may be acceptable where it maintains the character of a relative lack of human activity or change.

13 We also recognise that there are other areas of land, which could not be defined as wild land, but where wildness is a feature, and a feature which should be

used in the assessment of development proposals.

Question 22 - Water Environment

14 It is important that the sport and recreation benefits of the water environment are fully recognised in the development plan. The Water Framework Directive recognises the social importance of the water environment; this includes its importance for sport and recreation purposes. It is important therefore that any policy that may emerge on the water environment ensures that development proposals are considered against the impact that they may have on the sport and recreation interests in the water environment.

15 As an example, **sportscotland** was recently involved in a Public Inquiry relating to the refusal of a run of river hydro proposal on the basis of the impact that the scheme would have on a nationally important river for white water canoeing. SEPA, on the basis of the Water Framework Directive, refused a water abstraction licence for the hydro scheme in part on the basis of the impact it would have on canoeing interests.

Question 23 - Renewable Energy

16 **sportscotland** supports the position set out in the Consolidated SPP that an area's renewable energy potential should be realised in a way that takes account of relevant social issues. This would include considering sport and recreation interests. We support the advice that the impact on amenity and communities should be taken into account as part of the consideration of any applications. Again we consider this to include sport and recreation interests. This advice should be reflected in Highland's development plan policy or supplementary planning guidance that will emerge on renewable energy.

17 **sportscotland** supports the specific advice in the consolidated SPP on the need for wind farms to take recreational interests into account in assessing proposals and preparing policy. Wind farms can, due to their locational requirements, be sited in areas (e.g. hill tops) that are popular for sport and recreation purposes, making the need to take these interests into account, particularly relevant.

18 We note the discussion of marine renewables in the Main Issues Report. It will again be important to consider impacts on sport and recreation interests in any development of these technologies. The main issues are likely to relate to impacts on navigation of recreational craft and on safety.

19 **sportscotland** notes the potential identified for marine renewables includes the North West coast. It will be important to ensure that any development of wave renewables in this area does not impact negatively on the surfing interest at Thurso, which is of international importance. We also note from the action plan for Caithness on page 25 of the Issue Report that the north west coast is also earmarked for a world-class tourism facility. It will be important, if this facility is to include marine provision for sport and recreation activities, that marine renewables on the north west coast can integrate successfully with these tourism and sport and recreation interests.

20 The consolidated SPP discusses planning gain associated with renewable

energy developments. Specific reference is made to the role of community trust funds. Such funds have already been used to deliver significant sport and recreation benefits to local communities – e.g. path networks provided via the Whitelee wind farm scheme, south of Glasgow. **sportscotland** urges planning authorities to look at provision that could be made for sport and recreation interests as part of planning gain that might result from renewable energy developments.

Question 28A - Business and Industrial Land

21 **sportscotland** supports the approach outlined in the Issues Report on the need to be receptive and welcoming to high quality tourism related development. This reflects the advice in the consolidated SPP which outlines the need to support tourism development. It is important to appreciate that development associated with sport and recreation opportunities can form a significant component of the tourism product and should be viewed as such in assessing proposals.

Question 28B - Accessibility and Transport

22 We support the proposals put forward in the Issues Report on the need to promote sustainable transport and in particular walking and cycling. We support the need for cycle routes and cycle parking to be protected from and provided for in development. This should be apparent in any policy developed.

Question 34 - Coastal Development

23 **sportscotland** supports the recognition that is given to the recreational importance of Scotland's coast in the consolidated SPP and the need for development plans to protect such qualities. It is important that the need to protect and enhance sport and recreation interests in the coastal zone is reflected in any Highland development plan policy that emerges.

24 It will be important for Highland Council to join up with regional marine plans, as proposed in the Scottish Marine Bill, in the planning of the coastal zone. These plans will include recreational use of the coast as a key issue.

25 The consolidated SPP states that fish farm proposals are unlikely to be suitable in sensitive areas. The SPP states that when designating sensitive areas, planning authorities should take into account potential conflict with other users. This would include recreational users, such as sea kayakers, sailors, anglers etc. The main issue is likely to relate to obstructions to recreational navigation, but could also relate to safety concerns. It will be important to take these interests into account as part of any designation of sensitive areas.

26 We support the advice of the consolidated SPP that access to and along the foreshore for recreational purposes should not be impeded by land based fish farm facilities. It is important for this to be reflected in relevant development plan policy.

Question 36 - Minerals

27 **sportscotland** supports the advice in the consolidated SPP to assess impacts of mineral proposals on amenity interests. We consider this to include consideration of impacts on sport and recreation interests. This interest should be

added to the list of interests that all new and extension mineral developments should not damage.

28 We support the advice of the consolidated SPP that operators are encouraged to consider after uses of extraction sites that result in environmental improvement rather than simply restoring land to its previous state. Sport and recreation can make a positive contribution to environmental improvement and can form a particularly suitable and positive after use for formal mineral extraction sites. We would support a policy in the development plan that stressed the need for positive after uses of mineral extraction sites.

Question 37 - Open Space and Physical Activity

29 **sportscotland** supports the Council's proposals to create green networks. The Consolidated SPP advises on linking green spaces in and around settlements and the benefits this can deliver to people. There can be significant sport and recreation benefits to people through path creation which links and establishes green routes and networks in local areas. .

30 We note and support, to an extent the Council's reference to the Facility Planning Model (FPM) and agree, as we have stated above, that its **results** should be used to assess the potential for new developments to deliver some of these facilities. However, a minor point is that the FPM has been referred to inappropriately in this paragraph. The FPM is a planning tool to inform decisions about the provision of community sports facilities. When assessing the provision of e.g. Sports Halls, all information held on each sports hall i.e. location, size, sports provision, attendance etc is fed into the FPM for a run to take place. The actual results of the FPM is initially basic data, which has to be interpreted. The results are interpreted by sportscotland then passed onto the Council who write the conclusions into a Sports Facilities Strategy or in Highland Council's case a Priority list. It is this which should be referred to when assessing planning applications.

31 We support Highland's proposals to protect and improve open space.

Question 38 - Access to the Outdoors

32 We support the need identified in the consolidated SPP for planning authorities to incorporate access rights in development plans and to protect paths and green networks from development. This should include a willingness to refuse applications where there will be a negative impact on paths and green networks; where that impact is significant or cannot be successfully mitigated against.

33 The Council's preferred approach is slightly unclear on access rights. The second bullet states that the Council will protect access rights, whereas the third bullet states that the Council will encourage developers to *take account* of access rights. The third bullet suggests less strong protection than the second bullet. We consider this to be potentially confusing and are concerned that not enough protection is being afforded to access rights. We would expect a stronger policy on the protection of access rights which states that development will be refused where it impacts negatively on popular and important access routes unless acceptable mitigation can be put in place. We would also look for access provision to be made as a component of developer contributions, where appropriate.

Sustainable Development

34 The consolidated SPP outlines advice on sustainable development which supports a planning system that protects and enhances the natural environment, maintains, enhances and promotes access to open space and recreation opportunities; and which supports healthier living by increasing access to amenities, services and active travel opportunities. **sportscotland** supports this position and considers that the Highland wide Local Development Plan would benefit from a general statement and policy on sustainable development

Please get in touch if you wish to discuss any aspect of our response.

Ryan McAlindin | Planner | sportscotland
Doges | Templeton on the Green | 62 Templeton Street | Glasgow | G40 1DA

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Dawn Sutherland

From: Simon Hindson on behalf of devplans
Sent: 04 December 2009 15:14
To: Dawn Sutherland
Subject: FW: Main Issues Report

Can you please append to sportScotlands response. I have acknowledged

-----Original Message-----

From: Ryan McAlindin [mailto:
Sent: 04 December 2009 14:50
To: devplans
Cc: Campbell Gerrard
Subject: Main Issues Report

Following from **sportscotland's** consultation response to the Highland Wide Local Plan Main Issues Report I would like to add the following comments for consideration.

I realised that I omitted these comments in our previous response but would request that these are also taken into consideration. I apologise for the delay in sending these comments

Thank You.

Community engagement

1 **sportscotland** is fully supportive of the need for community engagement in the planning process, as advocated by the consolidated SPP. This will include engaging with sport and recreation interests. It will be important to engage with sport and recreation interests in the formulation of the local development plan and as part of the assessment of planning applications. In relation to planning assessments it will be important to engage with sport interests where their interests could be impacted on by development or where they could be provided for as part of development.

2 Details of sports clubs and Scottish Governing Bodies of Sport are available on **sportscotland's** web site.

Playing Fields, Pitches and Facility/Pitch Strategies

3 SPP11 sets out national policy in relation to Open Space and Physical Activity.

4 SPP11 includes (paragraph 46) the conditions which need to be met in order for playing fields and pitches to be redeveloped, ie:

- a. The proposed development is ancillary to the principal use of the site as a playing field;
- b. The proposed development involves a minor part of the playing field which would not affect its use and potential for sport and training;
- c. The playing field which would be lost as a result of the proposed playing field would be replaced by:
 - (i) a new playing field of comparable or greater benefit for sport and in a location which is convenient for its users; or

(ii) the upgrading of an existing playing field to provide a better quality facility, either within the same site or at another location which is convenient for its users and which maintains or improves the overall playing capacity in the area; or

d. A playing field strategy prepared in accordance with a methodology approved by **sportscotland** has demonstrated that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and that the site in question could be developed without detriment to the overall quality of provision.

5 National policy in SPP11 states that local development plans should include a policy for the protection of playing fields, and that the above criteria could be used as a model policy. As such, the local development plan should include a policy which protects playing fields. It is also considered that all playing fields, pitches and other sports uses such as outdoor athletics tracks; outdoor bowling greens; outdoor tennis courts (unless within the grounds of a house or hotel) and golf courses should be identified in the Proposals Map and should have the policy protection outlined in this paragraph.

6 **sportscotland** considers that Local Plans should be informed by facility and pitch strategies. The undertaking of these, possibly as part of an open space strategy in relation to the pitch strategy, can play an important role in the formation of the local development plan, as it enables planning for these uses to be undertaken in a strategic and positive manner. It also provides the opportunity to translate possible requirements from the community plan into the local development plan, and to ensure communities have access to quality sports facilities.

7 In conclusion, in relation to this section, the local development plan should:

- Have a policy which protects playing fields and sports pitches
- Have a proposals map which identifies playing fields and sports pitches, including outdoor athletics tracks; outdoor bowling greens; outdoor tennis courts (unless within garden or hotel grounds) and golf courses, and these should be protected from development
- Be informed by a pitch strategy and sports facility strategy, which will enable the Council to plan strategically for sport and recreation in its area. Thereafter, to fully reflect the recommendations and any action plan flowing from the Strategies in the Local Development Plan.
- Ensure communities have access to quality sports facilities.
- Identify sites for major new or replacement facilities flowing from the pitch or facility strategy or other Council programmes.

New Development

8 In relation to new development that is proposed to be progressed through the local development plan, particularly new housing development, any masterplan process should encourage physical activity and be health promoting. This will include consideration of pitch and open space provision and the provision of walking and cycling infrastructure. It is important for new development to integrate with access rights and core paths networks.

9 In addition, new development will have implications for the demand for sports facilities and could potentially create the need for new ones. The local development plan process should assess these implications. **sportscotland** undertakes Facility Planning Modelling for a variety of sports. This can assist, in addition to pitch and facility strategies, in assessing the sports facilities demands which are likely to be generated by new development, as well as providing an evidence base for developer

contributions. **sportscotland** would be happy to work with the Council on a Facility Planning Model assessment.

Kind Regards

Ryan McAlindin | Planner | **sportscotland**
Duness | Templeton on the Green | 62 Templeton Street | Glasgow | G40 1DA

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