



membership resources

Briefing 08/09

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Scottish planning policy: Open space and physical activity.

To: All Chief Executives, Main Contacts and Email Contacts (Scotland)

CC: All Chief Executives, Main Contacts (England, Northern Ireland and Wales)

A publication by the Scottish Government

Key issues

Provides statements of the Scottish Government's policy on land use and planning matters

Issued to ensure a strategic approach is taken to open space linked to opportunities for sport and recreation

Aims to significantly increase the amount of physical activity in people's lives

1. Introduction

Open space and other opportunities for sport and recreation are a vital part of Scotland's urban and rural communities. Scottish Ministers are committed to strengthening protection for existing open space resources and ensuring that the future needs of all communities are planned for. This SPP (Scottish Planning Policies) sets out national policy on planning for open space and facilities for sport and recreation.

The key objectives of the SPP are:

- To protect and enhance open space;
- To ensure a strategic approach to open space and other opportunities for sport and recreation by requiring local authorities to undertake an open space audit and prepare an open space strategy for their area;
- To protect and support opportunities for sport and recreation;
- To provide guidance on the quality and accessibility of open space in new developments and on providing for its long-term maintenance and management;
- To provide guidance on planning for development of new indoor and outdoor facilities for sport and recreation.

Open space audits and strategies will be tools integral to achieving these objectives and will inform development planning and development management. This document can be viewed in full at:

www.scotland.gov.uk/planning

This SPP emphasises the importance of quality open spaces and sets out national planning policy on the provision and protection of open space within and on the edges of settlements and on sports and recreation facilities in urban and rural settings. 'Open space' is a term which includes greenspace consisting of any vegetated land or structure, water or geological feature within and on the edges of settlements, including allotments, trees, woodland, paths and 'civic space' consisting of squares, market places and other paved or hard landscaped areas with a civic function.

- 'physical activity' is a generic term that incorporates a number of over-lapping activities. It is used in this SPP to refer to all types of formal and informal physical recreation, exercise, sports, dance, play, cycling, walking and activities such as gardening.
- 'recreation' is a term used in this SPP which includes many types of physical activity, as well as passive enjoyment of open spaces and the countryside.

2. Outdoor Access and Recreation

In urban areas, networks of linked, good quality greenspace are important for their positive visual impact, as well as their role in nature conservation, biodiversity, recreation, education, physical activity and outdoor access. Regional networks of open space may form an integral part of city-regions' settlement strategies. Open spaces can be important components of habitat networks. Green networks can provide safe tranquil off-road access opportunities from the doorstep to play space, sports facilities, town centres, local amenities, path networks and the wider countryside. Planning authorities should give due weight to connectivity and consider the need to avoid fragmentation of open space, in particular areas of woodland and other important habitats identified, for example, in Local Biodiversity Action Plans.

Planning authorities and developers should seek to identify opportunities to create and enhance links between open space as an integral part of development, and open space should be included as part of the design proposals. For large land releases and regeneration areas, master-planning can play a key role in the strategic provision of open space across wider areas and land ownerships.

3. Core Path Plans and Access Rights

The Land Reform Act requires access authorities to guide access provision by preparing a Core Paths Plan. An access strategy is also expected to be prepared. Core Paths Plans will identify and map the 'core paths' within an area, making sure these are marked and that everyone is encouraged to use them. The aim is to give reasonable public access throughout the area thus helping to deliver health, social, economic and environmental benefits.

Local authority departments should work together to ensure consistency and compatibility between the open space strategy, the core paths plan, the local transport strategy and the development plan. It is likely that the core paths plan will include existing routes. It may also establish new routes in order to provide new access opportunities and to make links to existing networks and open space. The local development plan should cross-refer to the core paths plan, incorporate relevant material and set out policy protection for core and other paths such as long distance routes and rights of way. It may be appropriate to include key information on the proposals map.

Access rights and core paths plans are being led to improve access are being met and identify considerations in determining applications for planning permission. Access authorities have a duty to uphold access rights over most land and inland water, not just on paths. Planning authorities should consider attaching appropriate conditions to ensure continuing public access. New development should incorporate new and enhanced access opportunities where appropriate.

4. Open space audit and strategy

In order to deal strategically with open space provision, local authorities must have accurate understanding of the current open space resource in settlements within their area. They should assess how well the needs of communities are being met and identify any changes needed to improve access to quality open spaces. In order to do this, local authorities need to undertake a comprehensive open space audit. The audit should cover all types of open space including spaces owned by schools and the voluntary sector. The audit should take account of the quality, community value the completed strategy should safeguard valued open space and guide the allocation of resources for investment. It may also provide the justification for seeking contributions from developers.

Before declaring that the open space is surplus, authorities should consider whether it has the potential to address any deficiencies in other types of open spaces which may be identified in the strategy. The needs and aspirations of communities are at the heart of any open space strategy and they should have an opportunity to contribute to both the audit and strategy. Critically, authorities must work corporately to prepare the strategy and ensure an agreed approach to open space provision across the council.

Raising standards

This SPP encourages good design and networks of high quality open spaces. These should be safe, welcoming, appealing, distinctive, well connected environments in line with the qualities for successful places set out designing places. It is important that open spaces should be viewed in their context. their design can be as important to the townscape of a settlement as the design of buildings and should be treated with as much care. Factors to be taken into account when considering the quality of open space may include:

- Fit for purpose
- Well located and connected
- Easily accessible
- Inclusive and distinctive
- High quality design, pleasant and welcoming
- Safe and adaptable
- Well maintained and actively managed

Within settlements there should be spaces for everyone regardless of age etc. Statutory equal opportunities obligations should be taken into account in planning for open space and physical activity, including the duties under the Disability discrimination acts of 1995 and 2005.

There is a presumption against development on open spaces which are valued and functional or which are capable of being brought into functional use to meet a need identified and local development plans will identify and protect open spaces. Only

when there is strong justification should open space protected by the development plan be developed either partly or fully for a purpose unrelated to use as open space.

Playing fields are an important resource for sport and can have a key role within the community. Material considerations will be given to the open space strategy and playing fields strategy. The overall objective should be to ensure that there are sufficient playing fields in terms of quality. To identify current and future needs, local authorities are expected to develop a playing fields strategy in consultation with Sportscotland, as part of the wider open space strategy.

Playing fields should not be redeveloped except where:

- Proposed development is ancillary to the principal use of the site as a playing field
- Development involves a minor part of the field which would not affect its use
- Playing field would be lost as a result of the proposed development would be replaced by a new playing field, or upgrading to provide better facilities
- Playing field strategy identifies that the field is surplus to capacity

Sportscotland must now also be consulted in relation to:

- Tennis courts (other than those in private dwellings and hotels)
- Bowling greens
- Golf courses
- Athletics tracks
- Sport pitches of 0.2 hectares or more

Where there is an objection from Sportscotland, this will lead to a requirement to notify Scottish Ministers.

Planning for open space within new development

Some communities may require new open space whereas others may require investment to improve the quality of existing spaces. Where developer contributions of open space are to be sought, it is important that the plan makes clear how much, of what type and quality, and what the accessibility requirements are. Any requirement for open space provision whether onsite or elsewhere, must be justified by planning objectives and fairly and reasonably relate to the proposed development. A flexible approach should be adopted when seeking open space contributions from new developments, taking into account other material considerations and priorities. In city centre and urban sites consideration should be given to appropriate densities, efficient use of land and the character of the local area.

Local authorities and developers in all sectors should aim to create new open spaces which are fit for purpose and sustainable over the long term. They must be well designed and built to a high standard and be capable of adaptation along with changes in the needs and requirements of users. Development plans should adopt a

strategic approach to identifying areas of open space in new development or redevelopment. This planned approach may produce better layouts than the incremental provision of small pockets of open space in line with planning application and land ownership boundaries.

Conclusion: Planning for the future

APSE believes that Scotland's outdoors present outstanding opportunities to participate in a range of sport and recreation activities. Resources such as rivers, lochs, hills and paths support activities diverse as fishing, mountain biking and climbing etc. Sports and leisure facilities should be considered and planning authorities should consult with communities prior to implementing changes.

It is also important to ensure that sport and recreation activities do not adversely affect areas of importance for their built environment or natural heritage. Impacts on the built and natural environment and on local communities can usually be mitigated through proper siting, design and management. Many outdoor sports recreation activities depend on the quality of the environment and the planning system has a key role in safeguarding the settings where these activities take place. Planning authorities should assess proposals against development plan policies to ensure that new sports and recreation facilities are guided to appropriate locations. Development should also be guided on locations which can be accessed by a range of modes of transport and do not increase dependency on private car use whilst ensuring appropriate parking provision. Where a new stadium is proposed within a community, the planning authority should consult widely, including neighbouring local authorities where appropriate.

The provision and management of open space resources cuts across many local authority functions, including leisure and recreation, planning, housing and education. APSE would stress that it is vital that local authorities take a positive strategic view of open space to ensure that its value is properly recognised in all local authority activities. APSE would further suggest that the open space strategy is a cross-council strategy which may require input from a number of council departments. The local authority's main policy intentions on open space, biodiversity and physical activity should be among the key themes of the community plan and be reflected in the development plan.

Leisure and recreation departments providing this function will also have a key role to play in assessing the adequacy of provision and in management of open spaces. Developers are equally expected to take account of the SPP and the relevant development plan and open space strategy. They should apply the requirements of the development plan at the design stage of any new proposal in a way which helps to meet communities' needs for open space. APSE welcomes this policy as the culmination of the Scottish Health and Physical Activity council. In its role within the council, APSE lobbied for open space to be seen as a key element in the fight against obesity and inactivity related to poor health. APSE pushed for local authorities to be

recognised as the key local player in coordinating activity through the range of functions they provide.

Keen to ensure that this policy recognises that many of the key target groups who have obesity and health problems through inactivity, APSE remains hopeful that local authorities will be at the forefront in implementing this policy. Whilst countryside facilities are important in this policy, it has to be equally recognised that many of the main target social and economic groups dwell within inner cities and tightly developed towns. Open space is at a premium in these areas but health has a higher value to these communities.

APSE recognises that Scottish Ministers are strongly committed to ensuring that communities have access to the benefits of open space with a range of opportunities to take part in sport and their commitment to the 'Beyond the School Gates' plan to tackle obesity in Scotland. This SPP sets out national planning policy for the protection and enhancement of open space in and around towns and cities and indicates how the planning system should address the needs of sport and outdoor recreation in urban and rural settings. The policy emphasises the need for local authorities and other stakeholders to take a strategic and long term view of open space and sports provision, ensuring that the current and future needs of communities are met.

APSE would welcome any comments to this, which should be sent to ptaggart@apse.org.uk

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