

Session:			
Issue:	Policy 35 Sport and Recreation Facilities		
Objector(s):	Dr A Watson	Objection ref(s):	020n
	SportScotland		380c
	DW and IM Duncan		037m

Reporter	Mrs Jill Moody/Mr Hugh Begg
Procedure	Written Submissions

1.0 Overview

- 1.1 This statement sets out the CNPA's position in relation to objections raised to the Deposit Local Plan, as modified, in respect of Policy 35 Sport and Recreation Facilities and supplements the response made to those objections by the CNPA in its report to Committee (CD7.3, 4 and 5). It recommends no further modification is made to the Plan in respect of this policy.

2.0 Provision of the Local Plan

- 2.1 Policy 35 supports the development of formal sports and recreation facilities, the diversification of, extension or enhancement of existing sport and recreation-related business facilities, where:

- a) they demonstrate sustainable design and maintenance practices, and there are no adverse environmental impacts; and,
- b) they meet an identified community or visitor need.

The policy makes provision for development which would result in the reduction of current levels of facilities, in these instances, development will only be supported where:

- i) the development is ancillary to the principal, formal sport and recreation use of the site; and,
- ii) the development would not affect the use of the site as a sport and recreation facility, and,
- iii) a compensatory site is created, convenient for users, or an existing facility is upgraded to maintain or improve overall capacity in the area.

- 2.2 The Cairngorms National Park Local Plan (Deposit) July 2007 (CD6.11) included policy 35 to assess development proposals against the impact they may have on formal sport and recreational opportunities, in doing so, it seeks to protect and promote existing facilities and support new opportunities and facilities, as appropriate. It reflects the requirement of SPPII (CD2.10) in ensuring a strategic approach is taken to provide facilities and opportunities for sport and recreation; and recognises the 3rd aim of the National Park: to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public.

- 2.3 The policy reflects the importance placed on the range of formal recreational and sports facilities within the Park, ranging from sports pitches and centres to ski ranges, golf courses and mountain bike trails. In doing so, it recognises the benefits of these facilities, in particular the associated recreational and economic benefits for residents and visitors alike. SPPII Open Space and Physical Activity encourages development of new indoor and outdoor facilities for sport and recreation stating that planning authorities should plan positively for sports and recreation facilities and opportunities.

2.4 The Policy has been modified in the 1st modifications of the Deposit Local Plan (CD6.12) with additional and altered wording, to include criteria for instances of where a reduction in current provision may be supported.

3.0 Summary of Objection(s)

3.1 The 3 objections to Policy 35 cover the following issues:

- There is no mention of new paths, bridges, huts or facilities for walkers and other users. **020n**
- Further clarity is needed on what is meant by 'footprint' and 'affected area'. Throughout the policy wording is confusing and requires amendment. **380c**
- The site of the old Aviemore ice rink should be used to benefit locals and visitors. **037m**

4.0 Summary of Cairngorms National Park Authority Response

4.1 Policy 35 assesses development proposals relating to tourism-related facilities, it seeks to maintain and enhance the range of existing facilities and support the development of additional provision, as and where appropriate. The Local Plan recognises that a good range and quality of tourist facilities and accommodation is vital to a healthy tourism industry. Opportunities to enhance and add to the existing provision, particularly where it links to rural diversification, have a beneficial impact on the local economy and do not have any adverse impact on the special qualities of the National Park will be favourably considered.

4.2 The policy reflects the National Park Plan (CD7.1) objectives for the development of tourism and recreational facilities which recognise the fact that tourism accounts directly and indirectly for a significant part of the area's economy and has the potential to make a significant contribution to the regional and national economy. SPPI I: Open Space and Physical activity; the 3rd aim of the National Park: to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and the Park Plan strategic objectives for outdoor access and recreation.

4.3 The policy was modified as part of the 1st Modifications to incorporate greater clarity and flexibility, the changes ensure the policy is clear, reasonable and will deliver the aims as intended; protecting and improving formal recreational facilities.

5.0 CNPA Recommendation

5.1 The CNPA recommend that the Reporter reject these objections. The policy looks to assess development proposals against the impact they may have on formal sport and recreational facilities in the Park, in doing so, seeks to protect and promote existing facilities and support new opportunities, as appropriate. It reflects the requirement of SPPI I (CD2.10) in ensuring a strategic approach is taken to providing development of new indoor and outdoor facilities for sport and recreation. Changes have been made to account for objector's concerns. No further modifications are considered necessary as a result.

6.0 Assessment / Scope of Evidence

6.1 **020n** Policy 35 contains nothing on new paths, bridges, huts etc for walkers or others. These may be acceptable in some areas, but not where they would reduce the "long walk-in" and unnecessarily mar wildness or wilderness. UDAT recently made a new path forming a circular

route from Gleann an t-Slugain to Glen Quoich, on ground that had no former footpath, and Bill Marshall and some others in a group at Braemar want a new footbridge across the river Dee north of Braemar, which would reduce the long walk-in to the eastern Cairngorms.

- 6.2 **Response:** (This objection also relates to policy 34) The policy has been worded to consider all forms of recreational facility and therefore refers to some of the typical examples of recreation facilities within the Park, it is not intended to be an exhaustive list or preclude unspecified facilities from development. The policies of the Local Plan are not meant to be site-specific but provide a clear, consistent development framework to guide individual planning applications. Policies should be read in conjunction with the other policies in the plan, in particular those regarding landscapes and visual setting, natural and cultural heritage. No modifications are required.
- 6.3 **380c** We find this clause confusing. It is unclear what an 'affected area' is. Does this refer to the area/piece of ground that is to be developed? The remainder of the policy is also difficult to understand. Does clause (5) mean that any extension cannot exceed the footprint of the building that is being extended? And what happens for a stand alone development, there would not be any current footprint to remain the same as.
- 6.4 **Response:** The wording of the policy has been revisited to ensure it is reasonable, is not contradictory, provides users of the plan with an appropriate level of clarity and will deliver the aims of the policy, which are to promote the best range of facilities to meet the needs of local communities and visitors to the Park. The section (formerly b) referring to 'the total footprint of the affected area remains the same as currently permitted' was considered to cause undue confusion and failed to provide adequate realisation of the underlying principles of the policy, this has subsequently been omitted.
- 6.5 Further comments received to the modifications included: As drafted Policy 35 does not afford sufficient protection to playing fields and sports pitches. Sportscotland considers that a new policy should be introduced which provides specifically for playing fields and sports pitches and which is in full compliance with the guidance set out on playing fields in paragraph 46 of SPP 11.
- 6.6 **Response:** Policy 35 ensures that provision such as playing fields will be protected unless they are ancillary to the principal use of the site as a sport and recreation facility, the new use would not affect the use of the playing field, and a compensatory site is created. Other Local Plan policies shall also be used to provide sufficient protection, such as policy 36: Other Open Space Provision. This is considered to provide considerable protection to the sites referred to and no amendment is therefore proposed.
- 6.7 **037m** There is a requirement for the now demolished Aviemore Ice rink to be replaced for the benefit of both locals and visitors.
- 6.8 **Response:** The comment is noted. The policy has been worded to support the widest range of facilities and ensure that they are located in the most appropriate locations across the Park. Any proposal which would support the range of facilities in a settlement such as Aviemore would therefore be supported under the terms of the policy. The CNPA will continue to work closely with partners and developers to encourage and facilitate the provision of such facilities in key settlements. No modification is considered necessary as a result of this representation. Various options and discussions regarding a replacement ice rink are ongoing at the time of writing.

7.0 Strategic issues

7.1 The National Park Plan 2007 (CD7.1) provides a number of strategic objectives based around the enjoyment and understanding of the special qualities of the area; including the promotion of responsible outdoor access and recreation. This aims to encourage high standards of responsible enjoyment of the Park, strengthen and maintain tourism and develop a co-ordinated approach to high-quality outdoor access and recreation. The Plan recognises that it is vital to many aspects of the Park's environment, communities and economy that there are a range of high quality opportunities for people to enjoy the area in ways that conserve the special qualities and maximise the benefits to all sectors.

8.0 Other material considerations

- None

9.0 List of documents (in addition to Core Documents)

- CD7.3 CNPA Committee Report Deposit Local Plan May 2007
- CD7.4 CNPA Committee Report 1st Modifications October 2008
- CD7.5 CNPA Committee Report 2nd Modifications February 2009
- CD7.1 National Park Plan 2007
- CD6.11 Deposit Local Plan
- CD6.12 Deposit Local Plan 1st modifications
- CD2.10 SPPI1 Open Space and Physical Activity