

Consultation on Draft SPP11: Physical Activity and Open Space

Planning Committee
5 October 2006

1 Purpose of report

- 1.1 This report summarises the key elements of draft Scottish Planning Policy (SPP) 11: Physical Activity and Open Space, issued for consultation at this stage, and proposes the Council's response.

2 Summary

- 2.1 Draft SPP 11: Physical Activity and Open Space has been published for consultation purposes. When finalised, it will replace NPPG11: Sport, Physical Recreation and Open Space. It sets out a national planning policy for sports and recreation in urban and rural settings. It envisages a key role for open space audits and open space strategies as well as development plans in identifying and protecting resources, improving quality and making future provision. It asks whether consultation arrangements are adequate, and proposes a set of national minimum standards for use in all new development.
- 2.2 The draft SPP poses some specific questions on how development plans might work with open space audits and strategies to protect and enhance the open space resource. The Council's response to these is set out in the body of the report.

3 Main report

Background

- 3.1 Open spaces are an integral part of Edinburgh's historic and landscape character. A wider network of open spaces across the city makes a major contribution to the character of individual neighbourhoods, provides for a diversity of sporting, recreational and leisure needs and is an important part of local and city-wide landscape character and nature conservation interest. Access to open space offering a range of leisure and recreation opportunities is an important part of everybody's health and well-being. Protecting this network and extending it where possible is an important objective of planning in this City, and is central to the approach in the Council's Local Plans, including the emerging City Local Plan.
- 3.2 The principle of protection in this Local Plan applies both to specific areas of open space identified on the Plan's Proposals map, and to other types of open space.
- 3.3 The Local Plan makes it clear that The Council will only consider limited releases of open space to development in exceptional and limited circumstances, where the loss would not result in detriment to the overall network or provision in the locality, and there are compensatory circumstances, such a scope for improving the quality of provision elsewhere in the network, or the benefits of a development for a community purpose outweigh the loss.

Draft SPP11: Physical Activity and Open Space

- 3.4 Draft SPP11: Physical Activity and Open Space was published by the Scottish Executive on 10 August 2006 and comments invited by 3 November 2006. Once finalised, SPP11 will replace NPPG11: Sport, Physical Recreation and Open Space.
- 3.5 In conjunction with PAN65: Planning and Open Space, draft SPP11 seeks to provide policy advice on how the planning system should help create and safeguard a range of attractive open spaces where people can take part in sport and other forms of physical activity. "Open Space" includes green space consisting of any vegetated lands or structure, water or geological feature in an urban area, including trees, woodland and paths, and civic space consisting of squares, market places and other paved or hard landscaped areas with a civic function. PAN65 includes a more comprehensive list of types of open space – it is attached as an appendix. "Physical activity" refers to all types of formal and informal physical recreation and sport and includes day to day activity such as walking or cycling as a form of transport for short journeys.
- 3.6 The four issues in particular on which a response is invited are:
 - Open space audit and strategy
 - Open space protection

- Consultation arrangements in relation to playing fields and other sports provision
 - National minimum open space standards for new development.
- 3.7 However before going on to address specific questions it is appropriate for the Council to make a response to the draft document in general terms.

General approach

3.8 Council Response

The Council notes that the draft SPP11 is titled “Physical Activity and Open Space” and supports the fact that the link between these is formally recognised. The Council recognises the role of play in tackling childhood obesity and promoting social integration, and also the role of allotments in promoting healthy active lifestyles. In view of this the Council recommends that:

- A paragraph on children’s play is inserted alongside open spaces and sports facilities etc under the heading “The Value of Physical Activity and Open Space”. This should include reference to formal and informal play and provide the cue for inclusion of play in the subsequent text.
- The need for allotment sites to be protected be specifically mentioned in the text. Allotment sites should be accorded a status analogous to sport pitches, with SNH being the body that must be consulted if an allotment is proposed for development in whole or part.

Open space audit and strategy

- 3.9 Draft SPP 11 states that local authorities must prepare an open space audit and an open space strategy – these requirements are carried over from the existing NPPG 11. Draft SPP 11 envisages that these documents should become more central to forward planning processes and open space generally viewed and planned for more strategically and comprehensively.
- 3.10 The role of the audit is to provide a record of the type, size, condition, location and maintenance requirements of spaces as well as insights into levels of use (PAN65). It should cover all open space, recreational and sporting facilities, public and privately owned. It should take into account their value and use, and ensure community engagement in the audit process. Community planning partnerships should be enabled to have an input, and the Scottish Executive Development Department notified when the audit has been completed.
- 3.11 Open space strategies should be prepared using the information from the audits. Their purpose is to set out a vision for new and improved open space. They may identify surpluses and deficiencies, guide the allocation of resources for investment and provide the justification for seeking developer contributions.

They should be up-dated every five years, to inform future reviews of the development plan.

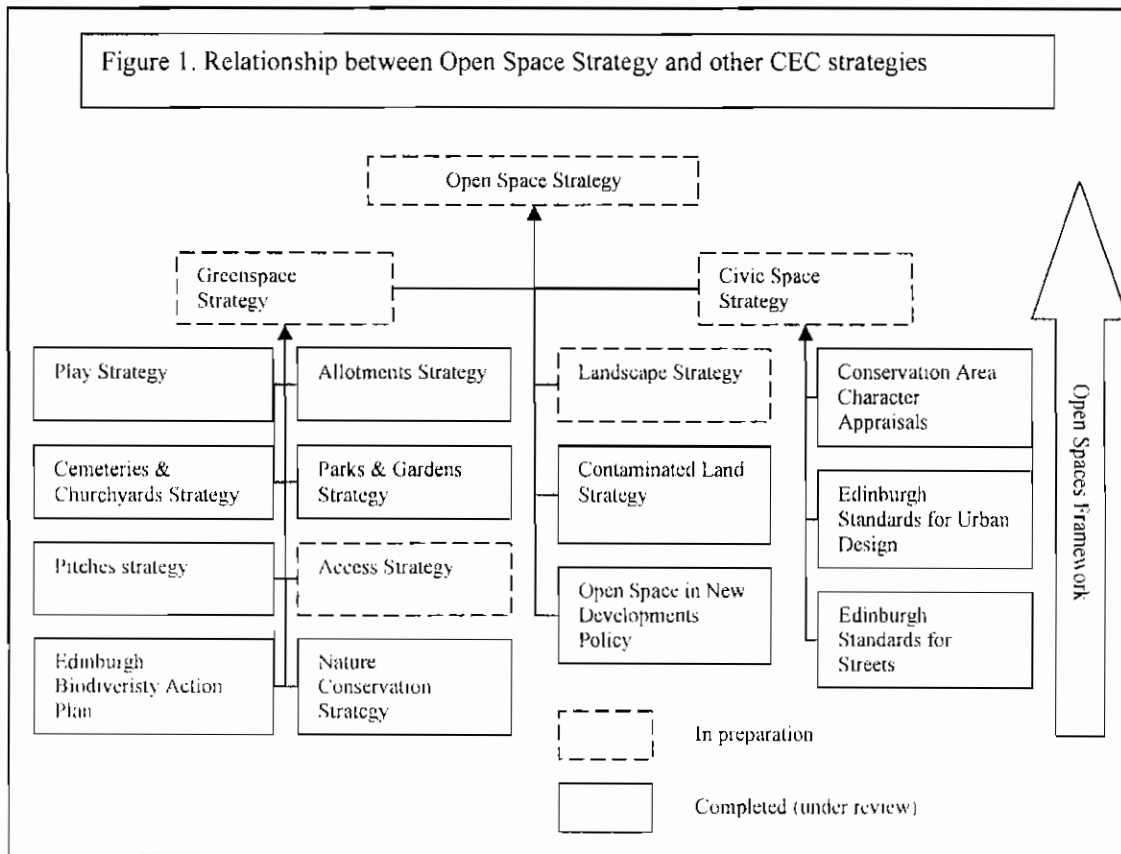
Comment:

3.12 This Council has completed the first stage of an audit. This consists of a detailed digitised map showing the location of different types of open space in Edinburgh, and assigning each a category based on a typology set out in PAN65. The next stages will be to undertake a qualitative appraisal and to consult publicly on the results.

3.13 Different elements of a strategy have already been prepared by the Council:

- Public Parks and Gardens Strategy (Culture and Leisure, March 2006)
- Play Strategy (Play in Partnership, A Play Strategy for Edinburgh) (2001)
- Edinburgh Sports: Pitch Strategy (May 2005)
- Allotment Strategy (2002)

3.14 The Planning Committee has also approved an Open Space Framework for Edinburgh (November, 2005). This is an umbrella document that seeks to co-ordinate existing Council strategies for open space. Figure 1 below illustrates how these and other strategies either approved or in preparation might be drawn together into an Open Space Strategy as envisaged in the draft SPP.



3.15 It is envisaged that the Open Space Strategy will be created at the Community Planning Partnership level. Edinburgh's overall strategy would therefore be made up of 12 constituent parts created using similar parameters and with community engagement as a key objective of the process.

3.16 *Consultation Question (i):*

We (Scottish Executive) propose that the audit and strategy should be updated at least every five years to inform the review of the development plan. Comments are invited on this proposed timescale for updating of the audit and strategy. Do you consider that there is a need for annual monitoring of changes in local provision of green/open space?

3.17 Council Response:

The Council:

- a) supports the principle of annually monitoring changes in local provision of green/open space, identifying gains and losses;
- b) recommends that play spaces and allotments be added to the list of facilities at paragraph 24;
- c) supports the principle of reviewing the open space audit at regular 5-year intervals, in step with the review of its development plans;
- d) acknowledges the importance of taking a strategic, comprehensive view of the open space resource and its adequacy to meet needs through an open space strategy, and of keeping this under regular review to inform planning decisions and the preparation of development plan reviews.
- e) notes that there is little guidance on the qualitative aspect of the audit and recommends that a scheme is developed comparable with the Green Flag award in England and Wales, to provide incentives for improvements to management and maintenance of open spaces.
- f) recommends that the creation of Open Space strategies is placed within the Community Planning Partnership framework as a requirement of Councils.
- g) recommends that the Executive encourages that in creating their open space strategy all Councils should include local NHS Trusts in relevant partnership groups to encourage and acknowledge the role of open space in promoting physical and mental wellbeing.

Protection of open space

3.18 Draft SPP11 reaffirms the government's commitment to the protection of 'valued and functional open space or space capable of being brought back into functional use'. It states that open space which is in use or capable of making a positive contribution to the health or wellbeing of the community should not be developed for other purposes. Open space should only be developed for an unrelated purpose where replacement open space forms part of the proposal and where there is:

- evidence from the open space audit that the development will not result in a deficit of provision within the locality and that any community concerns have been addressed;
- evidence that the proposed development is required and that alternative sites have been considered.

Development plans will identify open spaces which are to be protected and enhanced.

Comment

3.19 Consultation Question (ii):

Do you agree that the SPP should include a model development plan policy for the protection of open spaces, such as: "Development on areas of open space shown on the Proposals Map, including playing fields and green networks, will not be permitted unless the area has been identified as surplus to the community's current and future requirements through the Council's open space strategy. Where, exceptionally, development affecting an area of designated open space is permitted, the effects on openness will be minimised and the area will be improved and managed for its recreational, educational and natural heritage values in the long term. The planning authority may use conditions or agreements to achieve the objectives of this policy".

3.20 Council Response:

- a) The model policy as proposed rests on the assumption that it is practical to identify all the open spaces which are to be protected and allocate these accordingly on a proposals map. This is impractical in a complex urban area such as Edinburgh. Accordingly, the Council believes that the policy should not rely solely on allocations on a proposals map. Instead, a policy wording should be devised that allows protection to be extended to all open spaces, whether or not identified on a proposals map. This is the approach adopted in the Council's local plans, most recently the draft Edinburgh City Local Plan.
- b) The model policy would also mean that any decisions taken to allow development on open space must be taken in the context of the open space strategy and then be provided for in a development plan. This would mean that the open space strategy would have to be subject to a strategic environmental assessment, that decision making processes involving open space would be protracted and inflexible and that the development plan would to some extent be subordinated to the open space strategy. The Council therefore does not see the point or the value of a model policy applied nationally, especially as worded in the draft SPP. The Council considers that a more flexible, criteria-based policy should be devised or that local authorities should be encouraged to devise their own policy framework that fits local circumstances. It is therefore questioned whether a model policy should be included within the finalised SPP at all.

- c) The draft SPP uses the expression 'capable of being brought back into functional use'. It is difficult to ascribe much meaning to this phrase, as all disused open space is capable of being brought back into use.
- d) The final sentence of the proposed model policy is a statement of administrative intent which might be added to almost any policy without adding to its value or meaning.
- e) The draft SPP suggests in para. 29 that the audit will provide evidence of deficiency and the value which individual open spaces might have for the community. The model policy suggests the open space strategy will provide that evidence. The latter seems more logical, as the audit is a factual record free of value judgements of that nature. Whether or not there are deficiencies will be contingent on what standards of provision the Council chooses to adopt in its open space strategy, not the audit.
- f) It is difficult to understand what is meant by the expression 'the effect on openness' and how this might be measured.
- g) The draft SPP states that decisions to allow development should be based on evidence that alternatives have been considered. There is no recognition in the draft SPP of the role that the Strategic Environmental Assessment will have in appraising alternatives.

Playing Fields

3.21 Draft SPP11 sets out the limited circumstances when the development of a playing field might be allowed, and emphasises the need for proposals to be assessed against the development plan and a playing fields strategy. The playing fields strategy should demonstrate whether there is an adequate amount of playing pitches to meet current and anticipated future demand. If land is no longer required for a formal sports use, consideration is to be given to whether an alternative open space use is warranted before it is considered for development. **sportscotland** should be notified of proposals affecting all existing sports pitches of 0.4 hectares or more (existing requirement) and, in addition, community sports facilities covering a smaller area, including tennis courts and bowling greens.

Comment:

3.22 The Committee will recall that in 2005 the Council approved a sports pitch strategy, Quality Pitches for All, for implementation as an integral part of the Council's strategy for sport and physical recreation, A Capital Commitment to Sport. The sports pitch strategy had been prepared in partnership with **sportscotland**.

3.23 *Consultation Question (iii):*

*For development proposals likely to affect other types of open space not included in the remit of **sportscotland**, is there a need for further consultation arrangements, for example with Scottish Natural Heritage or Greenspace Scotland?*

Consultation Question (iv:)

*Should controls extend to demolition of facilities, to avoid the potential for removal of sports facilities without consultation with **sportscotland**?*

3.24 Council response:

- a. The arguments for consulting with Scottish Natural Heritage or Greenspace Scotland have not been set out in the draft SPP, but it is likely that this should be left to the discretion of local planning authorities, with guidance provided on the circumstances when this is appropriate set out in a finalised SPP.
- b. The Council would support the extension of consultation arrangements with sportscotland to cover smaller sports facilities such as tennis courts and bowling greens, as these are a valuable aspect of provision that the Council would wish to see protected.

National minimum open space standards for new development

3.25 Draft SPP11 proposes to introduce new national minimum standards for the quantity of open space that should be provided in certain types of new development. The proposal is for:

- 60 square metres of open space in total per household for new residential development of 10 units or more; and
- 6 – 18 square metres of open space per 100 square metres gross floor area for retail, business, industrial, distribution and leisure parks greater than 5.0 ha or 10,000 square metres gross floor area.

3.26 Local authorities would be required to adopt these national minimum standards and thresholds, or may set higher set higher standards where this can be justified by the findings of the open space strategy. Local authorities would be encouraged to set their own quality and accessibility standards, to ensure that open space is well designed and suitable for the needs of the community that will use it. Provision would normally be expected to be made on-site; off-site provision or a financial contribution towards improvement of existing facilities might alternatively be acceptable in certain circumstances, such as where there is already adequate provision.

Comment:

3.26 The Council has adopted a standard of 0.4 hectares per 100 dwellings in new residential development (40 square metres per dwelling, which is a little lower than the proposed standard). This appears in its adopted plans where relevant. In practice in recent years, it has tended to specify in development briefs for individual sites how much open space should be provided, and for new greenfield development this may be considerably more than the adopted minima. However, this accounts for a relatively small amount of housing development in Edinburgh. Different standards apply to redevelopment in the urban area, where in principle the Council looks for 20% of a site to be used for

open space purposes. The Council has not hitherto as a matter of principle asked for a financial contribution in lieu of provision.

3.27 Consultation Question (v)

These standards are derived from the research into Minimum Standards for Open Space. Do you consider the proposed standards and thresholds to be appropriate? Are there other types of development that you consider should be included in the standards?

Consultation Question (vi)

These standards are intended as minimum standards, with local authorities adopting their own more stringent standards where appropriate. Should there be a different set of minimum standards for the quality of open space required in development in rural areas? Do you have views on appropriate thresholds and quantities?

3.28 Council Response:

- a) The Council supports in principle the concept of nationally applicable open space standards for new residential development and for business and other commercial 'park' developments. The proposed standards are considered appropriate. Para 42 states that the standards are the minima, but that higher standards may be set where this can be justified by the findings of the open space strategy. The Council considers that decisions on how much open space it is appropriate to seek should be based on the individual circumstances of the site, and the opportunities it presents. Proposals should be formulated in the development plan bringing forward the housing allocation in the first place. This should be a matter for the development plan without reference necessarily to the open space strategy.
- b) The Council supports the principle of financial contributions in lieu of on-site provision where this is appropriate, but considers that this should not be linked solely to the preparation of an open space strategy; this should be a judgement and a decision that the development plan should be free to make without reference to the open space strategy.
- c) The Council recommends that the quantitative open space standards outlined should be supported by accessibility criteria. The draft document correctly observes that the three key attributes of open space to be considered in an open space strategy are quantity, quality and accessibility. Whilst quality is a difficult and variable concept that can be positively influenced by the application of resources, quantity and accessibility are largely fixed. Accessibility is of key importance in encouraging repeat usage and thus supporting healthier, more physically active lifestyles. Proximity is also the crucial factor in considering how effectively communities are served by green spaces. Whilst accessibility standards are not easy to set out in

guidance, a number of useful models have been created, such as the NPFA's, so the setting of some standards for accessibility is highly desirable. These would also be of value in helping to determine spatial relationships of developments and off-site open space provision.

4. Financial Implications

4.1 None

5 Conclusions

5.1 Draft SPP11 has re-enforced the requirement for local authorities to have up-to-date information on levels of open space provision and deficiencies. It asks local authorities to view open space in a more comprehensive, systemic way that needs a corporate response.

6 Recommendations

6.1 It is recommended that the Committee notes the key elements of revised open space policy contained in draft SPP11, and approves the report, as its response to the consultation document to be forwarded to the Scottish Executive Development Department.

Andrew M Holmes
Director of City Development

Appendices	1. PAN65 extract – types of Open space, SEDD January 2003
Contact/tel	David Willcocks 469 3616 Naomi Sandilands 469 4663
Wards affected	All
Background Papers	PAN65: Planning and Open Space (SEDD January 2003) NPPG11: Sport, Physical Recreation and Open Space (SODD June 1996) Quality Pitches for All, Edinburgh Sports Pitch Strategy 2005 Public Parks and Gardens Strategy, City of Edinburgh Council, 2006. Open Space Framework for Edinburgh (CEC, November 2005).