

Johnston, Charles

From: [REDACTED]
Sent: 20 December 2013 15:21
To: localplan
Subject: Scottish Borders Proposed Local Development Plan

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Dear Sirs

Please see below comments from sportscotland in response to the Proposed Local Development Plan.

I trust this will be of assistance.

Regards
Claire

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Policy PMD4: Development Outwith Development Boundaries, makes provision for certain forms of development outwith established settlement boundaries, including proposals related to economic development; and supported under Policy ED7. (We provide comment in relation to Policy ED7 below). We note that Policy PMD4 only provides this support where the site represents a logical extension of the built-up area. There are no other policies which support development in countryside locations; i.e. sites further outwith established settlements. As a consequence, our concern is that a proposal could come forward for an outdoor sports use; the location of which may well be dictated by the nature of the proposal; e.g. near to cycle tracks or a watercourse. This may be located outwith a settlement and outwith the area immediately surrounding a settlement and such a proposal may therefore fall foul of Policy PMD4, irrespective of whether there is a justification for a countryside location; and other matters are addressed e.g. access, design etc.

To redress this concern we suggest that either:

- a separate clause is inserted into Policy PMD4 enabling certain forms of development in the wider countryside area provided there is a locational justification and no conflict with other Policies;
- or that a separate Policy is introduced to deal with development proposals in the wider countryside area;
- or, if Policy ED7 is intended to deal with such proposals; then the relationship between the two Policies is clarified, since at present there seems to be a contradiction between the two Policies in terms of the support or otherwise afforded to certain proposals in countryside locations removed from settlement boundaries.

Policy ED7: Business, Tourism and Leisure in the Countryside – Point (b) of the first set of bullet points supports development of leisure, recreation or tourism uses which are both “appropriate to a countryside location and is in accordance with the Scottish Borders Tourism Strategy [emphasis added].” Whilst a strategic approach is to be encouraged, not all proposals will be foreseen. The wording of the current Policy suggests that a leisure or recreation proposal in the countryside which requires a countryside location, may nevertheless be presumed against because it has not been addressed in the Tourism Strategy. We suggest that this part of the Policy is reworded to make clear that support may be given to appropriate leisure or recreation uses which require a countryside location. For the avoidance of doubt we take sporting uses to fall under leisure and recreation with regard to this Policy.

Policy EP11: Protection of Greenspace – it is considered that the wording of this Policy may cause some confusion in relation to how the loss of an outdoor sports facility may be considered. We generally recommend that protection of outdoor sports facilities is addressed in a separate policy, or in a clearly specified clause if incorporated into a wider open space or green space policy. SPP is clear that there is a presumption against the redevelopment of playing fields and sports pitches unless:

- “the proposed development is ancillary to the principal use of the site as a playing field,
- the proposed development involves a minor part of the playing field which would not affect its use and potential for sport and training,
- the playing field which would be lost would be replaced by a new playing field of comparable or greater benefit for sport and in a location which is convenient for its users, or by 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
- a playing field strategy prepared in consultation with 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 could be developed without detriment to the overall quality of provision.”

We recommended, in our response to the Main Issues Report; that this wording should be incorporated into Local Development Plan policy. Such wording provides clarity both on national planning policy and the specific requirement for protection of outdoor sporting facilities; as opposed to other forms of open space. Accordingly, we maintain this position with regard to the suggested rewording of Policy EP11.

Policy EP15: Development Affecting the Water Environment – development proposals in the water environment can have unintended consequences on sporting and recreation interests; and we suggest that an additional clause is inserted to require that decision making will also address impacts on sporting an recreation interests.

Policy IS1: Public Infrastructure and Local Service Provision – we note that the introductory text to this Policy provides some examples of local services; and that these do not include outdoor sports facilities. However, for clarity we suggest that confirming that open spaces (including those which may be considered as public infrastructure), are covered by Policy EP11 (ideally amended as suggested above) and NOT Policy IS1. The reason for this is two-fold:

1. Part 2 of Policy IS1 which lists the circumstances in which such facilities may be lost may be confused with the provisions of paragraph 156 of SPP; and
2. Whilst Policy IS1 is written on the basis that the retention of public infrastructure is supported, the wording is considered to be fairly permissive and we would object to the use of the suggested caveats in terms of potentially allowing the redevelopment of playing fields.

Supplementary Guidance – we would welcome the opportunity to provide comment on Greenspace Supplementary Guidance when this is published.

Site specific comments

As the Council is aware, sportscotland has a statutory land use planning remit in terms of protecting outdoor sports facilities as defined in the Development Management Regulations 2013. sportscotland is a statutory consultee where development proposals may lead to the loss of such facilities. This role applies irrespective of any comments we make at the Development Plan stage. However, we note below some site allocations which may affect outdoor sports facilities:

- MEYEM001 – Gunsgreen Park, Eyemouth – part of this land allocation appears to include outdoor sports facilities. Should any redevelopment lead to their loss, then appropriate compensatory provision would be required in accordance with Scottish Planning Policy.

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