The National Planning Policy Framework - Planning for Sport

**May 2012**

The National Planning Policy Framework (NPPF), which was published and came into force on the 27th March, sets out the Government’s planning policies for England and how these are expected to be applied.  The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

The NPPF replaces all previous Planning Policy Guidance Notes (PPG) and Planning Policy Statements (PPS) issued by the Government.  This includes PPG17 ‘Planning for Open Space, Sport and Recreation’ (2002).

**Planning for Sport and the NPPF**

This document highlights areas of the NPPF that will be of particular interest to all involved in the development of sport and the implementation of Sport England’s Strategy 2012-2017.  The document also provides some initial commentary in relation to the possible implications of, and opportunities afforded by, the NPPF in relation to planning for sport.  The commentary helps with understanding why the particular parts have been highlighted and should not be regarded as a definitive guide to the interpretation of the NPPF and as such, professional advice should be sort, if you wish to be sure of the legal interpretation of NPPF statements

This is a draft document and will be updated as and when necessary following any feedback received.  It is therefore the responsibility of the reader to check the Sport England website to ensure that they have the latest version.  The document should be read alongside the NPPF which is available on the Department for Communities and Local Government website, link below:

<http://www.communities.gov.uk/publications/planningandbuilding/nppf>

Whilst the NPPF makes specific reference to sport, recreation and open space in a number of paragraphs, Sport England considers that all references within the NPPF to community and/or social infrastructure, land and facilities also includes these uses.

**Key areas of the NPPF in relation to Planning for Sport and Sport England’s Strategy (2012-17)**

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| **Sections** | **Paragraph** | **Key Text and/or Change** | **Implications of the NPPF for Planning for Sport** |
| Presumption in favour of sustainable development | 14 | Local Plans must meet objectively assessed needs… unless adverse impacts override this….when assessed against the NPPF policies as a whole | This is a challenging assessment for Local Authorities to have to make but seeks to avoid a reliance on individual paragraphs in isolation.  The reference to objectively assessed needs is helpful to ensure there has been a robust evidence base provided for sport and recreation included in Local Plans. |
| Core planning principles | 17  12th bullet | Take account of and support local strategies to improve health, social and cultural wellbeing for all…… | Sport to be seen as part of health, social and cultural wellbeing….. This will place an onus on LA’s to take account of sport and recreation strategies in underpinning plan making and decision taking and ensure sport is included in wider health, social and cultural well-being strategies.  As sport forms part of “community and cultural facilities to meet local needs”, this provides the legitimacy for sport to be included in the core planning principles for LAs. |
| 9th bullet | Promote and encourage multiple benefits from the use of land | Supports the dual use of sports facilities which would include promoting community use of sports facilities school sites. |
| 8th bullet | Encourage reuse of previously developed land – glossary excludes recreation grounds from definition of PDL. | As recreation grounds are excluded from the definition of PDL, gives clarity that recreation grounds should not be viewed as brownfield sites. |
| Ensuring the Vitality of town centres | Main Town Centre Uses (24) | “More intensive sport and recreation uses (including health and fitness and indoor bowling centres)” included within main town centre uses in glossary. | These sports facilities will be subject to the sequential test, potentially limiting development of these facilities outside of town centres.  Lack of clarity as to how LAs will define “more intensive sport and recreation uses”, therefore potential uncertainty as to the scope of provision to which this restriction may apply . |
| 23  6th & 7th bullet | LA’s to allocate appropriate sites for Main Town Centre Uses in line with sequential test. It is important that needs for these uses are met in full and not compromised by lack of site availability. | Although the location of MTCU’s (as defined in the glossary) may be restricted LA’s will be required to allocate sites where need has been identified. Highlights the importance of having a robust and up to date assessment of need in place. |
| Supporting a prosperous rural economy | 28  4th bullet | LA’s to have policies to support and promote rural economy which should promote the retention and development of local services and community facilities including **sports venues** | This strengthens the protection and enhancement of sports venues (facilities) in rural areas (link to paragraph 74). |
| Promoting sustainable transport | 38 | For large scale developments policies should promote opportunities to undertake day-to-day activities, locating community facilities within walking distance to most properties. | Emphasis on urban design to integrate day-to-day journeys on foot. This supports the principles included in Sport Englands’s Active Design Guidance :–  <http://www.sportengland.org/activedesign> |
| Requiring good design | 58  3rd bullet | Requires policies and decisions to create and sustain an appropriate mix of uses including green space. | Need to incorporate green space specifically highlighted. Where new green spaces are being created as part of a new development this may provide the opportunity for them to be used for sport and active recreation (formal and informal). |
| Promoting Healthy Communities | 69  (inc. 3rd bullet) | LPA’s to create shared vision with communities of residential environments and facilities they wish to see and aim to involve all sections of the community in the development of Local Plans and planning decisions. Refers to high quality public space…. which encourage the active and continual use of public areas. | This provides the opportunity for sport and recreation to be an integral part of promoting healthy communities and shaping the shared vision.  Potential for NGB’s and local sports community to engage with LA’s to secure needed facilities within their area and influence plans and decisions.  Opportunity to include benefits that sport can bring in terms of physical and mental health benefits as well as wider community benefits including social cohesion and building a sense of community. |
| 70  1st bullet | To deliver the … recreational facilities and services the community needs….planning policies and decisions to plan positively for provision of community facilities including **sports venues.** | This provides the opportunity to ensure LA’s approach to planning for sport is positive and in doing so we would expect LAs to undertake assessments of need in order to plan appropriately for the sporting needs of their community (paragraph 73 below). |
| 70  1st bullet | Planning policies and decisions to plan positively for use of shared space. | Opportunity to engage with LA’s to secure shared use of space which could be applied to dual use/community use of sports facilities on educational sites.:-  [http://www.sportengland.org/facilities\_\_planning/planning\_applications/securing\_community\_use.aspx](http://www.sportengland.org/facilities__planning/planning_applications/securing_community_use.aspx%20) |
| 70  2nd bullet | Planning policies and decisions should guard against the unnecessary loss of valued facilities and services particularly where this would reduce the community’s ability to meet their day to day needs. | Strengthens protection for sport and recreation facilities which are valued at a local level. Provides the opportunity to help protect locally valued sports facilities and services, in particular where the loss would reduce the communities’ ability to meet their daily recreational needs. |
| 70  3rd bullet | Planning policies and decisions should ensure facilities are able to develop and modernise and be retained for benefit of the community. | Planning system to be positive towards the development and modernisation of community sports facilities. Opportunity to help establish, enhance and modernise local community sports facilities within a local area. |
| 70  4th bullet | Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services. | Need to integrate community facilities into new developments. Opportunity for Active Design principles to be included within urban design i.e. building activity into urban design, accessible, prominent location of sports facilities etc. |
| 72 | Great weight to be given to the need to create, expand or alter schools. LPA’s to work with school promoters to identify and resolve planning issues before applications are submitted. | Potential benefit for proposed new sporting provision on school sites especially where community use to be provided. However, uncertainty how LA’s will balance the ‘great weight’ to be given to school proposals where they may adversely affect sporting provision e.g. encroaches onto playing field land (paragraph 74 below).  Potential increase in pre-application involvement by SE, NGBs and the local sporting community/clubs to help resolve key planning issues. |
| 73 | Recognition of the important contribution opportunities for sport and recreation make to the health and well-being of communities.  Requirement for policies to be based on robust and up to date needs for open space, sport and recreation facilities, and opportunities for new provision. To use the assessments to identify specific needs, quantity/quality deficiencies or surpluses of open space, sport & recreation and determine what provision is required. | Strengthens the link between, and importance of, providing opportunities for sport and improving health and well-being. Requirement for LAs to undertake a robust and up to date assessment of need for outdoor and indoor sports provision and use the assessments to identify specific needs, deficiencies/surpluses in both quantity and quality within their area and therefore what provision is required. |
| 74 | This paragraph includes a strong presumption against building on open space including playing fields, and other sports and recreational buildings and land unless one of three strict criteria (see below) can be met. | The protection criteria reflect previous PPG17criteria and SE playing fields policy. Criteria apply to all sport and recreation facilities not just playing fields. |
| 74  1st Bullet | Criterion 1 - Assessment has clearly shown the open space, buildings or land to be surplus to requirements. | Needs Assessment required for all types of sport and recreation facilities affected by development to identify whether the sports facility is surplus to need. |
| 74  2nd Bullet | Criterion 2 – Proposed loss to be replaced by equivalent or better provision in terms of quality and quantity in a suitable location. | Opportunity for local users/sporting community, NGB’s and SE to ensure suitable replacement provision is provided. Site selection could potentially require input from users, NGBs, SE. |
| 74 3nd Bullet | Criterion 3 - Development is for an alternative sports and recreational provision which clearly outweighs the loss of the existing. | Requirement for an assessment of needs for both existing and proposed facilities. The need for the proposal has to ‘clearly’ outweigh loss of the existing facility. |
| 76 & 77 | Local communities to identify areas of particular importance for protection under Local Green Space designation. Such areas must be demonstrably special to a local community and hold particular local significant e.g. recreational value including as a **playing field.** | Playing fields and wider recreation grounds may be included within designation of Local Green Space Designation. Need to be clear why playing fields are being included within LGSD. If it is for recreation value, this should not prevent any future improvements to any sports area included within the LGSD. Management of these spaces are expected to be consistent with the Green Belt paragraph 89. |
| Protecting Green Belt Land | 81 | PPG2 highlighted the positive role Green Belts have to play in providing opportunities for outdoor sport near urban areas.  NPPF goes further by placing a requirement on LPA’s to plan positively to enhance the beneficial use of the Green Belt such as providing opportunities for **outdoor sport and recreation.** | LA’s should be taking a more proactive role in providing opportunities for outdoor sport in the Green Belt than previously. Planning policies in Local Plans and planning decisions should therefore be more positive towards providing opportunities for outdoor sport in the Green Belt. |
| 89 | PPG2 excluded essential facilities for outdoor sport from being regarded as inappropriate development in the Green Belt so long as they preserve its openness and do not conflict with the purpose of including land in it. Possible examples were given of small changing rooms, unobtrusive spectator accommodation or small stables.  The NPPF maintains this exception but has replaced the term ‘essential facilities’ with ‘appropriate facilities’ **for outdoor sport and outdoor recreation**. The NPPF does not provide any possible examples. | Maintaining this exclusion and the change from ‘essential’ to ‘appropriate’ is positive for sport. This change may help sports clubs and others to make the case that a wider range of ancillary provision is appropriate and therefore acceptable in the Green Belt. This could help to support the long term sustainability of clubs operating in the Green Belt.  Opportunity to provide positive support for the development of sports facilities within Green Belts that are deemed as being ‘appropriate’.  The change from ‘essential’ to ‘appropriate’ has moved the emphasis from an operational need (essential) to spatial (appropriate). The key principle is for the development to maintain the **openness** of the green belt. |
| Conserving and enhancing the natural environment | 123  1st & 2nd bullet | Planning policies and decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. Conditions used to mitigate impact. | Sporting uses which may generate noise will be subject to these policies. Sporting uses could subsequently be subject to restricted hours/use through conditions. |
| 123  3rd & 4th Bullet | Recognition that some businesses that create noise should not be unreasonably restricted by “new” neighbours.  Local Authorities are to identify and protect areas of tranquillity which are relatively undisturbed by noise, which are prized for their recreational value. | Potential for Local Authorities to designate tranquil areas which could restrict some outdoor recreational uses. Local Authorities may adopt restrictive policies against some of the nosier outdoor recreation uses, such as motor sports.  Note: use of ‘recreation value’ appears to be for quiet enjoyment/low impact/low noise uses, e.g. walking,etc |
| 125 | Local Authorities to limit light pollution through good design, policies and decisions. | Need to highlight advances in sports lighting limiting light pollution. Opportunity to use creative/flexible approaches for floodlighting of sports facilities in order to make the use acceptable and so gain permission. e.g., use of temporary floodlights, new design solutions/technical innovations.  <http://www.sportengland.org/facilities__planning/design_and_cost_guidance/artificial_sports_lighting.aspx> |
| Facilitating the sustainable use of minerals | 143  8th bullet | Local Authorities to put in place policies to ensure worked land is reclaimed at the earliest opportunity, for restoration and aftercare including …. recreation. | Opportunity to ensure LA policies include recreation as an after use. Potential to feed in any NGB facility needs at the plan preparation stage for mineral sites, e.g., creation of open water sites for sailing, canoeing, rowing. |
| Plan making  Local Plans (LPs) | 152 | Where adverse impacts occur as a result of plan making, mitigation measures or compensatory measures are required. | Relevant where there is an impact on sport and recreational facilities. Gives the opportunity to ensure appropriate mitigation / compensation where conflicts arise. (See paragraphs 73 and 74) |
| 153 | Any additional development plan documents (in addition to the Local Plan) to only be used where clearly justified. Supplementary planning documents can be used if they help applicants make successful planning applications or aid infrastructure delivery - but do not add unnecessarily to financial burden. | Potential opportunity for LAs to develop SPDs for sport & recreation in appropriate circumstances, where sport and recreation issues are significant. |
| 156  2nd & 4th bullets | LPAs should set out strategic priorities for the area in the Local Plan. This should include strategic policies to deliver …. Leisure development …health, community and cultural infrastructure. | Although sport and recreation facilities are not explicitly mentioned this paragraph provides the overall basis for ensuring local plan policies provide for sport and active recreation. Opportunity to challenge Local Plans which do not adequately include strategic policies to deliver sporting infrastructure. See comments re paras 73 & 74 above. |
| 157 | LPs should plan positively for …infrastructure required. | Social infrastructure should include facilities for sport & active recreation. This paragraph provides the opportunity to challenge Local plans if sport and recreation is not adequately included as part of the social and community infrastructure for an area. |
| Using a proportionate evidence base | 158 | LP should be based on adequate, up-to-date and relevant evidence about …social characteristics and prospects of the area. | Support for the development of an assessment of need for sporting provision upon which all relevant parts of a Local Plan should be based. |
| 171 | LPAS are required to work with public health leads and health organisations….to take account of the health status and needs of the local population …such as **sports, recreation**…including future changes and barriers to improving health and well-being. | This provides the basis to ensure that the needs of the community for sport and recreational provision are properly considered within Local Plans and clearly linked to helping improve health and well-being. |
| 173 | Costs of infrastructure requirements need to be known to ensure viability of development (i.e. a return for a willing developer and a willing landowner). | LPAs need to have up to date & costed infrastructure investment plans to avoid being challenged using this paragraph. This highlights the importance of a robust evidence base for sport and costed policies and proposals that support infrastructure investment in sport and active recreation to ensure full recognition of identified needs and proposals when prioritising investment. |
|  | 174 | Policies on local standards and requirements of development to be set out but assessed to ensure implementation is practical. Evidence supporting such assessments to be proportionate and using only appropriate available evidence. | Reference to ‘using only appropriate available evidence’ relates to assessment of cumulative impacts of standards and requirements to ensure the implementation of the plan as opposed to actual development of evidence base assessed as in para 73. |
| Planning strategically across local boundaries | 179 – 182 | Encourage LPAs to work collaboratively across boundaries.  A test of soundness of a Local Plan is whether it meets objectively assessed development & infrastructure requirements. | Joint infrastructure & investment plans to be considered. Opportunity to provide a basis for advocating better planning of sports facilities across local authority boundaries. Soundness of a Local Plan could be challenged if sports infrastructure requirements would not be met. |
| Neighbourhood Plan | 184-185 | Neighbourhood planning proposals giving communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. | Opportunity for local sporting communities/clubs to engage at the neighbourhood level to help shape the vision, policies and planning decisions for their area. However, potentially significant resourcing issues at a local level. |
| Decision Taking | 190-192 | Statutory consultees urged to be pro-active at the pre-application stage. | SE needs to continue to respond positively to direct approaches for advice at the pre-application stage and in providing readily available advice in appropriate formats. Importance of the role for NGB’s to continue to support SE as a statutory consultee and disseminate its advice through their networks. |
| Annex 1: Implementation | 214-215 | Advises that policies adopted since 2004 in existing plans have full weight for 12 months (even with limited conflict with NPPF). Thereafter weight to be given to policies will depend on degree of consistency with NPPF. | Important to be aware of this in reviewing relevant policies.  Some existing policies relating to sport may have a limited shelf life. |
| Annex 2: Glossary | Green Infrastructure | “A network of multi-functional green space,……..capable of delivering a wide range of environment and quality of life benefits for local communities. “ | Green infrastructure is the network of multi-functional green space which could include grass pitches and other outdoor sporting provision. Local Sports Clubs could become involved in the designation of green infrastructure networks in a local area. |
| Main town centre uses | Includes –“ leisure,..the more intensive **sport and recreation uses**(including …. **Health and fitness centres, indoor bowling centres……”** | See para 24 above. |
| Open space | “All open space of public value, including not just land, but also areas of water(such as rivers, canals, lakes and reservoirs) which offer important opportunities for **sport and recreation** and can act as a visual amenity” | Repeats wording from PPG17, however, does not include typology.  Significantly less prescriptive than PPG17, without specific reference to “outdoor sports facilities” this could result in assessments not covering an appropriate typology. However, para 73 clearly stresses the need for a robust assessment of the need for sport and recreation.  Para 74 helps with stricter criteria – see above. |
| Playing field | “The whole of a site……..Order 2010” | Repeats T&C Planning Order 2010. |
| Previously developed land | Land which is or was occupied…… This excludes: land in built up areas such as…**recreation grounds**…. | Repeats previous wording form PPS3. Excludes recreation grounds from definition of PDL.  Whilst there is no definition of ‘recreation ground’, grass pitches would obviously be included, but this could be interpreted to include all other sports facilities that are within a recreation ground.  Opportunity to include within the exclusion all sports facilities that make up a recreation ground. |