

## **Matter 12 Health, Sport and Culture**

***Issue – Whether the approach towards health, sport and culture is justified, effective and consistent with national policy?***

***Relevant Policies: SP SC1PU; SC2PU; SC3PU; SC4PU; SC5PU***

*Health and well-being (Policy SC1PU)*

**12.1 Does Policy SC1PU provide an effective strategic framework for promoting health and well-being in the borough?**

12.1.1 Policy SC1 is an effective overarching health and wellbeing policy that identifies a number of measures that the Council and developers can take to ensure their developments promote and support health and wellbeing in the borough.

**12.2 Does the additional new sentence, as set out in suggested Main Modification MA-LP141, provide clear and effective guidance as to when and how developer contributions would be sought towards new or improved sports, recreational and community facilities where a need arises from the development?**

12.2.1 The additional sentence states that contributions will be sought “*where appropriate*”. For example, it wouldn’t be appropriate to seek contributions when determining applications for small household development. It may also not be appropriate if seeking contributions would render a development unviable. The new Cumberland Council will need to identify what its priorities are in terms of developer contributions and further guidance should be produced at that stage e.g. as an Supplementary Planning Document.

**12.3 Are the suggested Main Modifications (MA-LP134-LP140) necessary in the interests of soundness? Is the policy consistent with national policy?**

12.3.1 Modifications MA-LP134 to LP140 are not required in the interests of soundness but will improve the legibility of the policy in the interests of the reader.

12.3.2 The Policy is consistent with national policy, in particular the following paragraphs in the NPPF:

- Paragraph 92: “*Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:*
  - *a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;*
  - *b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and*
  - *c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”*

- Paragraph 98: *“Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.”*

*Sports and Leisure (Policies SP2PU-SC4PU)*

**12.4 Does Policy SC2PU provide an effective basis for the protection of existing sports and leisure facilities and provision of new facilities?**

12.4.1 The Council is recommending a Main Modification (MA-LP143) (CD14) to Policy SC2 to address concerns raised by Sport England and ensure the policy provides an effective basis for the protection of sports and leisure facilities and the provision of new facilities. The policy, post-modification, is clear about what criteria applications need to meet before an application that results in the loss of such facilities can be supported.

**12.5 How would developer contributions be calculated towards the provision of new sporting and leisure facilities where the need arises from the development?**

12.5.1 Contributions would be calculated through the use of Sport England planning tools such as the Sports Facilities Calculator and Playing Pitch Calculator. This will give an estimate of the amount of demand that would be generated by a new population linked to a new development.

12.5.2 The Playing Pitch Strategy, which is currently being developed, will also be considered when determining planning applications; this will identify where there are currently shortages in provision and how need may change if Local Plan population growth is factored in.

12.5.3 The views of Sport England will also be sought when appropriate.

12.5.4 The new Cumberland Council could consider producing an Obligations Supplementary Planning Document which identifies how contributions towards sports provision and other infrastructure such as open space, will be calculated and spent.

**12.6 Is Policy SC2PU justified, effective and consistent with national policy?**

12.6.1 Policy SC2 is justified as sports and leisure facilities are important for improving health and well-being in the borough. They provide spaces for activity and social interaction and help address some of the issues raised on page 176 of the Local Plan Publication Draft (CD1). The retention of existing facilities, and development of new ones, is promoted in the Playing Pitch Strategy (EB33) and Built Facilities Study (EB26).

12.6.2 The policy, once amended, will provide clear, effective criteria for developers; it states what new sports and leisure facilities should look like and prevents the loss of existing facilities unless certain circumstances apply.

12.6.3 The policy is consistent with national policy, specifically the following paragraphs in the NPPF:

- Paragraph 84d: *“Planning policies and decisions should enable...d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship”*

- Paragraph 92a and c: *“Planning policies and decisions should aim to achieve healthy, inclusive and safe places which...a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other...c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities...”*
- Paragraph 93a-d: *“To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community; c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs; d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community;...”*

### **12.7 Does Policy SC3PU provide an effective basis for the protection of existing playing fields and pitches and the provision of new?**

- 12.7.1 The Council is recommending a Main Modifications (MA-LP144 and MA-LP145) (CD14) to Policy SC3 to address concerns raised by Sport England and ensure the policy provides an effective basis for the protection of existing playing fields and pitches and the provision of new ones.
- 12.7.2 The policy clearly sets out that new playing fields and pitches will be supported, particularly where they meet needs identified in the Playing Pitch Strategy (currently being updated). The policy also clearly identifies the exceptional cases where the loss of playing fields and pitches can be justified.

### **12.8 Is Policy SC3PU justified, effective and consistent with national policy? Are suggested Main Modifications (MA-LP144-LP146) necessary in the interests of soundness?**

- 12.8.1 The policy is justified as it helps retain playing pitches which are important spaces for social interaction and health and well-being. The retention of existing fields and pitches and provision of new ones is supported by current evidence in the form of the Playing Pitch Strategy which is currently being updated.
- 12.8.2 The effectiveness of the policy is considered in paragraph 12.7.1 above.
- 12.8.3 The policy, once modified, will be consistent with national policy, specifically paragraphs listed in 12.6.3 above and paragraph 99 which states:
- *“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”*

### **12.9 Is Policy SC4PU justified, effective and consistent with national policy?**

- 12.9.1 Policy SC4 is justified as new development can have a detrimental impact on existing sporting facilities e.g. through increasing the risk of ball strike, noise complaints etc. This can result in unreasonable restrictions being placed upon the existing facility which would have a prejudicial effect. The Council does not want to place such restrictions on facilities as this could reduce their usage which would be contrary to Local Plan objectives relating to health and well-being. The policy has been developed and included in the Local Plan at the request of Sport England.
- 12.9.2 The policy is effective as it clearly identifies a number of criteria applicants must consider when drawing up their proposals. This will give an appreciation of the effects development can have on existing sporting facilities. Where harm is identified the policy then requires appropriate mitigation to be put in place in order to remove the detrimental effects.
- 12.9.3 The policy is consistent with national policy, specifically the sections of the NPPF listed in paragraph 12.6.3 above.

*Community and Cultural Facilities (Policy SC5PU)*

**12.10 Does Policy SC5PU provide an effective basis for the protection of existing community and cultural facilities and the provision of new?**

12.10.1 The Policy, post modification, provides an effective basis for the protection of existing community and cultural facilities and the provision of new. It lists the criteria that new community and cultural development must meet in order to ensure its sustainability and minimise adverse effects. It also prevents the loss of such uses unless certain circumstances apply.

**12.11 How would the Council assess whether the marketing referred to in criterion a is 'appropriate'. Is the proposed marketing period of 12 month justified?**

- 12.11.1 Council officers will consider whether the property has been advertised in the most appropriate places, for example, an advert for an empty public house should be placed in relevant local and national publications relating to public houses to ensure it gains maximum publicity and is seen by the right audience. Advertisements should also be placed with relevant commercial agents.
- 12.11.2 A 12 month period is appropriate and is justified in paragraph 14.7.6 of the Local Plan Publication Draft. Such a period allows time for communities to consider whether to register the property on the Council's Assets of Community Value list and then commence a 6 month moratorium on the sale. 12 months also allows for a full financial year.

**12.12 Is Policy SC5PU justified, effective and consistent with national policy? Is suggested Main Modification MA-LP149 necessary in the interests of soundness?**

- 12.12.1 The Policy is justified as community and cultural facilities are important spaces, particularly in rural areas, for health, well-being and social interaction.
- 12.12.2 The effectiveness of the policy is discussed in paragraph 12.10.1.
- 12.12.3 The policy is consistent with national policy, specifically the following paragraphs from the NPPF
- Paragraph 84c: *"Planning policies and decisions should enable the retention and development of accessible local services and community facilities, such as local shops,*

*meeting places, sports venues, open space, cultural buildings, public houses and places of worship.”*

- Paragraph 93: *“To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community; c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs; d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.”*