

CHAPTER 11: LEISURE AND TOURISM

G/LT/1 (Part One Policy) – Leisure and Tourism

Objections:	215/3	Sport England
	215/4	Sport England
	98/16	Countryside Agency North West

Key Issues:

- **should the policy be more positively worded towards sport and recreation?**
- **is there a need for a reference to the social and economic regeneration of rural areas?**

Inspector's Reasoning:

11.1 This is a Part One policy. It would permit, amongst other matters, a range of "sports" facilities (line 1 of the policy). "Sport", in my view, is a leisure activity that would include active recreation. It is not in dispute that the government seeks to increase citizen participation in sport (recreation), not least to assist in a healthier population. That is reflected in the 3rd and 4th bullet points to the Planning Objectives (page 4) of PPG 17: Planning for Open Space, Sport and Recreation. The Council's evidence does not appear to me to reflect the intention of government. Paragraph 11.3 already refers to the Council's "Sport and Recreation Strategy". As a result, and as a matter of principle, I am comfortable with the view of Sport England - albeit, the reason why the Council included separate chapters on Leisure and Tourism (11) and Urban Greenspace (14, - including specific policies on various forms of sports facilities and recreational open space) is a matter for it and not the subject of any substantive objection. While there may be some duplication between this chapter and Chapter 14, I have no convincing reason before me from the Council why I should not recommend modifications to the plan that are consistent with national policy. In any event, the UDP would need to be considered as a whole.

11.2 As to 98/16, the policy statement is Borough-wide in its application. Paragraph 11.4 refers to both rural and urban areas, bringing within its compass a range of matters that apply to both. No further elaboration is justified.

Recommendations:

11.3 I recommend that the plan be modified along the following lines:

- **Delete the policy heading and substitute: "G/LT/1 (PART ONE POLICY) SPORT, LEISURE AND TOURISM".**

- **The reasoned justification to the policy should be extended to reflect the Planning Objectives set out in PPG 17.**

LT/2 – Protection of Tourism Assets

Objections:	69/3	Biwater PLC
	98/17	Countryside Agency North West

Key Issues:

- **should the policy either, identify the tourist attractions or, be deleted?**
- **should the policy be linked to sustainability and landscape character assessment?**

Inspector's Reasoning:

11.4 Both PPG 21 and Regional Planning Guidance indicate the positive contribution that tourism facilities make to an economy. Here, the evidence of the Council that tourism facilities in Rochdale are important elements of the plan's regeneration strategy has not been disputed by the objector. The principle of a UDP policy that seeks to protect them is, in my view, acceptable. It should not be deleted from the plan - not least as function/appearance/setting represent reasonable planning considerations. Nonetheless, one of the purposes of a development plan is to ensure certainty. Here, I have some sympathy with the view of the objector that the policy should indicate those tourism elements to be covered by the policy. However, it appears to me that new tourism assets/attractions may arise over the period of the plan - existing ones closing, or declining in popularity and not meeting the Council's Key Objectives. The preferable way to proceed would be for the policy to be retained in, broadly, its existing form - subject to minor rewording. Sufficient control on proposals arising would be established by the policy and others of the UDP. While, I have noted the presence of a similar policy in the Bury Unitary Development Plan, my assessment of this objection (69/3) relates to its specific merits. As to LT/2 itself, the heading to the policy refers to "Assets", the policy and reasoned justification to "attraction(s)". There should be consistency.

11.5 The Agency's objection is general, but within a context of support for the policy. It does not establish the detail of the modification it wishes me to recommend to the Council. It does not dispute either, that which the Council considers to be the sustainable approach of the UDP with which I broadly concur or, that the UDP has a landscape protection element. Generally, the plan - as a whole - would reflect sustainability and landscape interests. If the Agency seeks cross-references to other policies throughout the UDP, I disagree. An overly-detailed plan would result.

Recommendations:

11.6 I recommend that the policy be modified along the following lines:

- **The heading to the policy should be: “LT/2 PROTECTION OF TOURISM ATTRACTIONS”**
- **The policy should be modified as follows: “Development proposals that would adversely affect an existing tourist attraction will not be permitted where they would detract from its function, appearance or setting.”**

LT/3 - Development for Tourism and Leisure

Objections:	37/7	North West Tourist Board
	98/18	Countryside Agency North West
	509/201	Avanti Blue

Key Issues:

- **does criterion b) reflect those locations that may only be readily accessible by car?**
- **should the policy be linked to sustainability/landscape character, explain its linkage to Green Belt policy, and refer to the encouragement of facilities for users of strategic routes?**
- **should an additional criterion be added to the policy to ensure that existing businesses are not harmed?**

Inspector's Reasoning:

11.7 Criterion b) requires proposals to have access available by a choice of means of transport. This would include bus, rail, walking, cycling as well as the private car. It reflects, generally, the intention of the second and third bullet points to paragraph 4 of PPG 13: Transport, carried forward at paragraph 19. As, therefore, the criterion reflects the government's sustainability agenda, it would be unreasonable for the policy to adopt a permissive approach to developments that are only readily accessible by car.

11.8 The UDP has a broadly sustainable approach reflected - as indicated above - in the policy. I see no need for further elaboration. At Revised Deposit Draft, the Council added to criterion e) a reference to landscape considerations. Any tourism proposal arising within the Green Belt would need to be assessed against the relevant policies of Chapter 7. They generally reflect national planing guidance. Advice is given there on inappropriate development within the Green Belt. A developer pursuing such a development would be required to establish very special circumstances. Consistent with national planning guidance, the UDP

already establishes sufficient detail on the type and scale of development that would be acceptable within a Green Belt, and outside, taking into account my recommendations on specific policies. Within that context, any reference to "refreshment facilities" (whatever that may mean) is not necessary.

- 11.9 As to 509/201, a new and substantial tourism/leisure attraction generating a large number of visitors may have implications for existing businesses. The Revised Deposit Draft policy reflects the relevance of residential areas at LT/3 e) iii.. It seems to me to be reasonable for the policy to reflect, also, existing businesses - not least as economic regeneration/development is an important element of the plan.

Recommendation:

11.10 I recommend that the policy be modified along the following lines:

- **At the end of criterion e) ii. delete the word "and". At the end of criterion e) iii., add the word "and". Add a new criterion e) iv.: "the operation and expansion of existing businesses."**

LT/4 - Major Built Leisure and Tourism Developments

Objection: 311/21 Highways Agency

Key Issue:

- **should the policy include an additional criterion relating to the safe and efficient operation of the highway network?**

Inspector's Reasoning:

11.11 Policy A/8 of the UDP requires that new development should not be detrimental to the safe and efficient operation of the highway network. It would apply to major, built leisure and tourism developments - all relevant policies of the plan needing to be taken into account in the assessment of a development proposal. There is no need, therefore, for an additional criterion in LT/4 to repeat A/8.

Recommendation:

11.12 I recommend that:

- **No modification be made to the plan in response to this objection.**

LT/5 – Overnight Accommodation for Tourists and Visitors

Objections:	37/9	North West Tourist Board
	98/19	Countryside Agency North West
	306/7	Moto Hospitality

Key Issue:

- **should the policy allow extensions to existing hotels/accommodation located within the Green Belt, as well as new-build within rural areas?**

Inspector's Reasoning:

11.13 National planning guidance in PPG2 (Revised) does not indicate that extensions to hotels/accommodation within the Green Belt would represent appropriate built development, the third bullet point to paragraph 3.4 referring to the limited extension of existing dwellings. This is reflected in Chapter 7 of the plan. I shall not be recommending any modification to long established national policy on Green Belts. It follows, therefore, that I must come to a similar conclusion on new-build proposals within the Green Belt. Any developer pursuing a hotel/accommodation proposal that constituted inappropriate development there would need to establish very special circumstances. Policy D/9 makes provision, subject to criteria, for the re-use and adaptation of buildings in rural areas. That would include defined Green Belt, this comprising most of the land outside the defined urban area. The objectors have not submitted any convincing evidence why the UDP should make specific provision for hotels/accommodation. In that context, I do not consider that the needs of users of the Pennine Way and Bridleway would be unacceptably prejudiced.

Recommendation:

11.14 I recommend that:

- **no modification be made to the plan in response to these objections.**

LT/6 – Camping and Caravan Sites

Objection:	98/20	Countryside Agency North West
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Key Issue:

- **should the policy be worded positively and linked to sustainability and landscape character?**

Inspector's Reasoning:

- 11.15 To begin, but not the subject of objection, there appears to be a contradiction between the policy heading and the policy statement in its first 2 lines. The former relates to camping and caravan sites, the latter to *touring* caravan sites (my emphasis). Some confusion in the development control process would be likely to arise, not least as paragraph 11.16 is a clear policy statement that static caravans, chalets and cabins would not be permitted. It is not for me to attempt to interpret the Council's position but, the policy should indicate the type(s) of facilities it relates to.
- 11.16 I share the view of the objector that the policy should be worded more positively, indicating the type(s) of development proposals that would be permitted - subject to criteria - here with the use of "adversely affect" rather than an unsatisfactory combination of "detract" or "harm". A sustainable approach runs, generally, though the plan and the overall intention of the policy broadly reflects that. Further references are not necessary. As to landscape character, any development proposal arising would need to be considered against the relevant policies of the plan as a whole - including Policy NE/6. To support this part of the objection would result in an overly-detailed plan. My recommendations reflect the above, based on the Revised Deposit Draft policy.

Recommendations:

11.17 I recommend that the plan be modified along the following lines:

- **The policy, and reasoned justification, should clarify the facilities to which it relates.**
- **Modify the policy as follows, subject to the above:**

"Development proposals will be permitted for [(???????) – Inspector query] provided that they do not adversely affect:

- a) **the character and appearance of the countryside either, on its own or, when added to other established sites in the vicinity;**
- b) **the character of residential areas and residential amenity;**
- c) **the quiet enjoyment of the countryside;**
- d) **designated areas or sites of nature conservation or heritage conservation value;**
- e) **farmland of Grade 3a or above; and**
- f) **features or attractions important for tourism and recreation.**

Further, development proposals should not:

- g) be within an area liable to flooding;
- h) be on sites that are not able to be provided with water or sewage disposal facilities; or
- i) be on a site where the traffic generated by the proposal would adversely affect highway safety, including a safe access/exit.

LT/7 – Rochdale Canal

Objection: 98/21 Countryside Agency North West

Key Issue:

- should the policy be worded positively and linked to sustainability and landscape character?

Inspector's Reasoning:

11.18 The Revised Deposit Draft version of the plan is dated April 2003, albeit in preparation before then. The Rochdale Canal is open to through navigation, including within the Borough. Surprisingly, this is not reflected by the Council - the current stage of the policy still refers to its restoration. Criterion a) refers to "secure through navigation". Although not the subject of objection, a modification is necessary - as is one to the first sentence of the policy that represents an aim/objective rather than a statement of planning policy ("support and facilitate").

11.19 As to whether the policy should be worded positively rather than negatively, the UDP stresses the opportunities for regeneration within the Borough offered by the canal. While it is somewhat surprising to see, therefore, the first paragraph worded negatively - I understand the Council's logic. That seeks to identify the interests that should be safeguarded - albeit the criteria include a range of tests, such as "harm", "damage" and "threaten" when "adversely affect" would, in my view, be preferable. Here, again, the first line of the second paragraph is clearly not a statement of planning policy, yet the following criteria address reasonable planning matters that reflect the regeneration benefits offered by the canal, if worded properly. As elsewhere in the plan, Objector 98/21 has not specified how the policy should be linked to sustainability criteria - the policy itself being acceptably sustainable, while Policy NE/6 provides sufficient control on landscape matters.

Recommendation:

11.20 I recommend that the policy be modified along the following lines:

- **“Development proposals will not be permitted that would adversely affect:**
 - a) **the recreational value of the canal watercourse and towpath;**
 - b) **the setting and visual amenity of the canal and its environs;**
 - c) **the nature conservation value of the canal (as a SSSI and cSAC) consistent with Policies NE/2 and NE/4; or**
 - d) **the conservation of features of historic or archaeological importance within the canal setting.**

Subject to the above, the Council will permit development proposals that:

- e) **provide sites for: the mooring of canal boats (both permanent moorings and those for trip boats); refuelling; and other boating services at relevant locations;**
- f) **effect improvements to the towpath and adjacent public areas for the purposes of walking, cycling and angling - including those that reduce conflict between users;**
- g) **improve the setting and visual amenity of the canal corridor through a design that incorporates the canal into the development layout;**
- h) **re-use buildings and sites adjacent to the canal for leisure, tourism and other purposes that assist the regeneration of the canal corridor; and**
- i) **maintain, and enhance, the ecological value of the canal.”**

LT/8 - Water Based Recreation

Objection: 98/22 Countryside Agency North West

Key Issue:

- **should the policy be linked to sustainability criteria and a landscape character analysis?**

Inspector's Reasoning:

11.21 The Key Objectives of the plan broadly reflect the government's 4 priorities to achieve sustainable development. The objector has not disputed the Council's sustainability appraisal of the policy that does not indicate a conflict with plan objectives, albeit the impact of the policy is not able to be judged at present. The Agency does not tell me the sustainability criteria it wishes to be linked to the policy. The matters addressed in the policy are generally consistent with the objectives and are comprehensive. Here, the landscape interest is acceptably recorded in both the policy and reasoned justification. A major thrust of Chapter 21 is landscape protection and enhancement. All relevant policies of the plan

would need to form part of the assessment of a development proposal under this policy, and I see no need for a cross-reference to them. That would need to be similarly done for all the plan policies applicable to the extensive list of considerations embodied in LT/8.

Recommendation:

11.22 I recommend that:

- **No modification be made to the plan in response to this objection.**

Chapter 11 – Policy Omission

Objection: 215/2 Sport England

Key Issue:

- **should a policy be included within the UDP to protect existing, built sports facilities?**

Inspector's Reasoning:

11.23 I am not persuaded by the Council's response to this objection. It appears to me to argue that PPG 17: Planning for Open Space, Sport and Recreation gives limited guidance on the protection of existing sports facilities, including those "built". Here, it would be reasonable of me to conclude that the following paragraphs to PPG 17 provide assistance: 10 ("recreational buildings"); 11 ("sports and recreational facilities); as well as 17 ("avoid any erosion of recreational function"). While UG/3 assists, somewhat, in this respect, I see no convincing reason why the UDP should not indicate a policy intention to protect existing built sports facilities, consistent with my assessment of national planning guidance. That would be through a new policy, others in the plan (notably UG/3) being taken into account by the decision-maker.

Recommendation:

11.24 I recommend that the plan be modified along the following lines:

- **A new policy, short and clear in form, be added to the plan that would not permit development proposals that adversely affect existing built sports facilities. The reasoned justification would then be related to PPG 17 and other relevant policies of the UDP, notably UG/3.**

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