

# Housing Policies

## 1 What are the Housing Policies?

The Housing Policies are a set of requirements that help to:

- a) Achieve the Objectives of this Plan.
- b) Deal with the main housing issues affecting Aberdeenshire.
- c) Make decisions on planning applications.

## 2 What are the main housing issues affecting Aberdeenshire?

- a) The need to maintain sufficient land for future house building (i.e. a minimum of five years' effective housing land supply at all times) and to do so using the most sustainable locations.
- b) The tension between the cumulative effects of new single houses in the countryside on sustainability and the need to provide for cases of economic necessity.
- c) The need to provide choice in housing locations, type and tenure.
- d) The impact of new houses on the environment and existing communities.
- e) Difficulties for those on low incomes to compete in the housing market, and the lack of affordable housing to buy or rent.

## 3 Housing Proposals

The main housing issues affecting Aberdeenshire are not only dealt with through the following set of policies, but also through a series of proposals. The proposals fall into two categories.

- a) land use allocations shown in Chapter 8 and on the Plan's Main Proposals Maps; and
- b) a set of actions to be undertaken by Aberdeenshire Council during the period of the Plan. These are, in no order of priority:

- To prepare (or have developers prepare, for the agreement of the Planning Authority) development briefs for appropriate housing developments.
- To help implement the Council's Local Housing Strategy and other relevant housing publications.
- To monitor the Housing Policies against the criteria listed in Chapter 1 and review these where appropriate.
- To work closely with, and support, other housing bodies such as Communities Scotland, Housing Associations and Tenants groups.
- To establish a housing design forum which includes the development industry.
- To continue research into sustainable housing and produce associated development guidance.

## Housing Land Allocations 2000–2005

**New housing will be approved in principle during the period January 2000 – December 2005 on land allocated for housing. Any other development on allocated housing land will be refused unless:**

- a) it otherwise conforms to Policy Gen\1 (Sustainability Principles), Policy Gen\2 (The Layout, Siting and Design of New Development) and Policy Gen\4 (Infill Development); **AND, EITHER**
- b) it is ancillary to the housing development and still enables the site to be developed to approximately the housing numbers indicated in the settlement statements; **OR**
- c) there is a constraint on the site whereby there is no prospect of it ever becoming effective for housing development.

### Justification

The aim of this policy is to ensure that land allocated for housing in the *Local Plan* to meet NEST Policy 8 is developed for housing and safeguarded from any other uses where possible. The land is shown on the *settlement* proposals maps. Details of the amount of housing land allocated in the Plan is summarised in Appendix 10. Only those sites designated A, B, C etc contribute to meeting the NEST allocations. These allocations, together with the *effective housing land supply* and *constrained sites*, are set out in Tables 4a & 4b of NEST, and reproduced in Appendix 10.

The NEST Policy 8 housing allocations for Aberdeenshire for January 2000 to December 2005, are as follows:

|                              |              |
|------------------------------|--------------|
| Aberdeen Housing Market Area | 2,085        |
| Rural Housing Market Area    | 1,385        |
| <b>Total</b>                 | <b>3,470</b> |

The boundaries of the two *Housing Market Areas* are shown in Appendix 13 and on the Main Proposals Maps. The scale and distribution of housing sites in the *Local Plan* take full account of NEST, including the integration of land use and transport considerations. The land allocated for housing has been carefully selected to respect the environment and help sustain communities whilst helping to maintain a 5 year effective supply of housing land. It is therefore important that these sites are developed for housing and only released for other forms of *development* in exceptional circumstances.

Housing developed under this policy will conform with all relevant policies of the Plan and in particular, Policy Gen\1 (Sustainability Principles), Gen\2 (The Layout, Siting and Design of New Development), Hou\9 (Affordable Housing) and Hou\13 (Public Open Space for Housing), ensuring that developments are to the best possible standards appropriate to the site circumstances. The prescription of density is an important design tool, securing *sustainable development* as well as appropriate design e.g. in the *main settlements*, sites near to town centres or well served by public transport will generally be allocated for higher densities. In the smaller settlements, the density of new development will generally reflect the traditional *character* of the area.

For the avoidance of doubt, housing allocation numbers are indicative of the number of units the council considers appropriate for each site. The final number of units, however, can only be determined in light of detailed site-specific considerations at the time a *planning*

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*application* is considered or *development brief* prepared.

This policy conforms to:

- *Development Plan* – Objectives 1, 2, 4 & 7 (Chapter 2).
- NEST – Policy 8.

Other main Documents:

- *NPPG 3 (Land for Housing)* – main paragraphs 18 & 84.
- Strategic Forecasts 1999.
- Housing Land Audit 2000.

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## Future Housing Land 2006 – 2015

### a) 2006 – 2010

Applications for planning permission on land allocated for housing development for the period January 2006 to December 2010 are subject to the terms of Policy 9 of the structure plan. It states that these allocations shall be subject to review when the structure plan is reviewed, and that planning permission will not be granted for development of these sites until that review is complete.

### b) 2011 – 2015

Sites or areas of search for future housing land for the period 2011 – 2015 are indicated on some proposals maps. These are areas which could accommodate a share, proportionate to the indicative allocations for the period 2006 – 2010, of the strategic housing land requirements. Although indicative of the likely direction of future growth, in the meantime no development will be permitted in these areas that might either pre-empt or prejudice their future allocation.

### Justification

The aim of this policy is mainly to safeguard *future housing land* to meet NEST Policy 9, where consent would be anticipated (subject to review) during the period 1<sup>st</sup> January 2006 – 31<sup>st</sup> December 2010. The land is shown on the *settlement* proposals maps, but in the meantime remains outwith the settlement boundaries. Details of the amount of future housing land identified in the Plan is summarised in Appendix 10.

The NEST Policy 9 housing allocations for Aberdeenshire for January 2006 to

December 2010, are as follows:

|                              |              |
|------------------------------|--------------|
| Aberdeen Housing Market Area | 2,100        |
| Rural Housing Market Area    | 2,300        |
| <b>Total</b>                 | <b>4,400</b> |

The boundaries of the two *Housing Market Areas* are shown in Appendix 13 and on the Main Proposals Maps.

This policy allows strategic allocations to be brought forward through the review of the *Structure Plan*.

For the period 2011–2015 future housing land has been indicated only at some settlements, where a direction of growth can be identified, to meet NEST Policy 10. This makes use of the flexibility provided by NEST Policy 10 to indicate possible future patterns of growth. In other settlements, e.g. Ellon and Stonehaven, there is no clear direction of growth and comprehensive investigation will take place early in the life of the Plan, so as to inform the next review.

This Policy provides a longer-term view of the future growth of settlements and helps with future planning by the Council, communities, developers, key agencies, etc.

These indicative allocations, and the further housing land sites identified on the proposals maps, are expected to be reviewed in five years time, when NEST is reviewed, or earlier should monitoring show this to be necessary.

This policy conforms to:

- *Development Plan* – Objectives 1, 2, 4 & 7 (Chapter 2).
- NEST – Policies 9 & 10

Other main Documents:

- *NPPG 3* (Land for Housing) – main paragraph 4.
- Strategic Forecasts 1999 (Aberdeen City and Aberdeenshire Councils).
- Housing Land Audit 2000 (Aberdeen City and Aberdeenshire Councils).

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## New Housing in the Green Belt

The erection of new housing in the Green Belt will be refused unless:

- a) it is for a full time worker in a primary industry which is appropriate to the Green Belt;
- b) the presence of that worker on-site is essential to the efficient operation of the enterprise;
- c) there is no suitable alternative residential accommodation available;
- d) the proposed house is within the immediate vicinity of the worker's place of employment; **AND**
- e) it conforms to Appendix 1.

## Justification

The aim of this policy is to protect the Aberdeen *Green Belt* from new housing development that would be inconsistent with its functions.

The extent and general purpose of the Green Belt is dealt with under Policy Gen\13. It is important that it is maintained mainly to protect and enhance the landscape, encourage recreation and prevent coalescence of *settlements*. New housing development should therefore be restricted to economic need in keeping with the functions of the Green Belt.

To ensure the new house is never sold on to a non-essential worker, developers may be required to enter into a *Section 75* Agreement with the Council.

This policy conforms to:

- *Development Plan* – Objectives 3, 5 & 9 (Chapter 2).
- *NEST* – Policy 28.

Other main documents:

- *NPPG 3* (Land for Housing) – main paragraph 87.

## New Housing in the Countryside including the Aberdeenshire Part of the Cairngorms National Park

### Part 1

#### Erection of New Housing

The erection of new housing in the Countryside will be approved, in principle IF:

- a) it is for a full time worker in an enterprise which itself is appropriate to the Countryside;
- b) the presence of that worker on-site is essential to the efficient operation of the enterprise;
- c) there is no suitable alternative residential accommodation available;
- d) the proposed house is within the immediate vicinity of the worker's place of employment; AND
- e) it conforms with Appendix 1.

### Part 2

#### Conversion of Non-Residential Vernacular Buildings for Residential Use.

In the Countryside, the conversion of an existing non-residential vernacular building for housing will be approved, in principle, if the original building contributes to the traditional character and landscape of the area and:

- a) the conversion is to a single house;  
or
- b) the conversion is to a single house combined with space for a business;  
or
- c) the conversion is to two or three houses, where at least one associated business space is provided and the location is accessible to local services by public transport, foot or bicycle.

In all cases, the developer will be required to demonstrate that:

- a) the existing building contributes to the traditional character of the area and is largely intact;
- b) the existing building is no longer required or suitable for its original purpose;
- c) existing and proposed neighbouring uses are compatible with housing and any business use proposed;
- d) the converted building would largely preserve its existing form, retain its vernacular appearance, and maintain its contribution to the traditional character and landscape of the area; and
- e) regard has been had to the guidance contained in Appendix 2.

This policy applies also within the Aberdeenshire part of the Cairngorms National Park.

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## Justification

### Part 1

The aim of this policy is to support a long-term sustainable pattern of *development*. It will prevent sporadic development in the *countryside* including the Aberdeenshire part of the Cairngorms National Park and, in the rural housing market area, it will assist in directing new housing development into *cohesive groups* of houses.

However, for some people it is essential they live in the countryside because of economic need. To ensure any new house approved under Part 1 of this Policy is never sold on to a non-essential worker, developers may be required to enter into a *Section 75 Agreement* with the Council.

### Part 2

The aim of this policy is to ensure that the existing buildings are converted for housing in a way that, first and foremost, retains the traditional *character* of the building, provides high quality accommodation and is sustainable.

Traditional buildings are part of the history and character of Aberdeenshire and the sensitive conversion of them can help to sustain and enhance this special resource. Their conversion should therefore be encouraged where appropriate.

It is often impractical for very large *vernacular buildings* to be converted effectively into a single house. To support rural economic development and diversification, together with the strategy of directing new development towards

*settlements*, the policy supports the conversion of a building to two or three houses, provided that it is in a location which is accessible to local services by means of public transport, foot and bicycle, and that associated business space is provided along with the houses.

The associated business space may be provided independent of the residential units, but planning conditions may be imposed on the permission to ensure that it is available for occupation at the same time as the house(s), and is retained for business purposes. The specific use of the business space will be subject to planning permission, and will require to protect the *amenity* of the residents of the converted house(s) and any neighbouring properties.

This policy conforms to:

- Development Plan - Objectives 1, 2, 3, 5 & 10 (Chapter 2).
- NEST - Policy 12.

Other Main Documents:

- NPPG 3 (Land for Housing) main paragraph 87.
- NPPG 15 (Rural Development).

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## Cohesive Groups in the Rural Housing Market Area

In the Rural Housing Market Area part of the Countryside (see map in Appendix 13) new housing, in addition to that allowed under Policy Hou\4 Part 1, will be approved, in principle, if:

- a) the site would enable the new house(s) to form an appropriate addition to an existing cohesive group of at least five houses;
- b) the site is accessible to local services by public transport, foot or bicycle; and,
- c) any material improvement to local public infrastructure made necessary by the development would be secured.

Applicants should have regard to the guidance set out in Appendix 3. Planning permissions granted under this policy will not exceed 20% of the existing size of the cohesive group within the 5-year plan period. Units constructed under this policy will not count towards the size of the group until the following plan period.

This policy applies also within the Aberdeenshire part of the Cairngorms National Park.

## Justification

This Policy reflects the balance that is needed outwith the Aberdeen Housing Market Area, between sustainability overall and the need to sustain remote rural communities.

Improvements to local public infrastructure will relate to the *cohesive group*, so that the impact of the *development* may benefit, rather than disadvantage, existing residents.

Guidance on the application of this policy is set out in Appendix 3. Groups of houses in the rural housing market area that were formerly designated as settlements in the Consolidated Aberdeenshire Local Plans, will be defined as cohesive groups and are listed in Annexe 1 of Appendix 3.

This policy conforms to:

- Development Plan – Objectives 1, 2 & 10 (Chapter 2).
- NEST – Policy 12.

Other main documents:

- NPPG3 (Land for Housing) main paragraph 87.

## Replacement Houses in the Countryside

The replacement of an existing house in the Countryside with a new house will be approved, in principle, if:

- a) it is for no more housing units than those existing;
- b) the existing house is not a Listed Building;
- c) the existing house is largely intact, with external walls and roof, or it has been occupied on a permanent basis within the previous 5 years;
- d) the scale of the new house is no more intrusive in the surrounding area than the existing house;
- e) the new house is located on the site of the existing house unless it is satisfactorily demonstrated that an alternative position within the curtilage and directly adjacent to the existing house site is more suitable in terms of Policy Gen\2 (and if so, the existing house is demolished before occupation of the new house); **AND**
- f) it conforms to Appendix I.

The replacement of a traditional vernacular house will only be considered against the above criteria where it is demonstrated by the developer that it is not structurally sound for residential use and not capable of retention.

## Justification

The aim of this policy is to ensure that where a new house must replace an existing house the quality of the landscape is maintained or enhanced.

When an existing house is replaced with a new house, careful attention must be given to the position, size, scale and design of the new house. This results in a new house that is no more intrusive in the landscape than the existing house thereby conserving or enhancing the environment. Also, as traditional houses contribute to the *character* of the environment it is important that all reasonable attempts must be made to retain them.

This policy does not apply in the *Green Belt*. Within *settlements*, Gen\4 is the policy which will apply to the replacement of houses.

This policy conforms to:

- *Development Plan* – Objectives 1, 2, 5 & 10 (Chapter 2).
- *NEST*– Policy 12.

Other main documents:

- *NPPG* 3 (Land for Housing) – main paragraph 52.

## House Extensions

**An extension to a house (other than a house previously converted from a non-residential vernacular building) will be approved, in principle, if:**

- a) **it reflects the character of the surrounding area and the design and scale of the existing house;**
- b) **it does not significantly reduce the amenity of neighbouring residents;**
- c) **it conforms to Appendix 1;**
- d) **if it is to a Listed Building or within a Conservation Area, it conforms to Appendix 4;**
- e) **it would not cause the loss of, or serious damage to, trees or woodland of significant value to the character of the surrounding area; AND**
- f) **the existing drainage arrangements are upgraded to accommodate the proposed development and meet current treatment and discharge standards.**

## Justification

The aim of this policy is to protect the *character* and *amenity* of existing houses and their surroundings from poorly sited and designed house extensions.

House extensions must reflect both the scale and design of the house to be extended. Thus the original house should remain visually dominant in the overall composition after extension. Extensions should also respect neighbouring properties, otherwise they can reduce the *amenity* of those houses and the surrounding area. All house extensions must therefore be well designed to not only improve the quality of accommodation, but positively contribute to the *character* of the area.

This policy does not apply to proposals to extend a house which was previously converted from a non-residential *vernacular building*. The principles outlined in Policy Hou\4 Part 2 and Appendix 2 will be applied to the consideration of any proposals to extend those houses.

This policy conforms to:

- *Development Plan* – Objectives 1, 2, 5 & 10 (Chapter 2).
- *NEST* – Policy 12.

Other main documents:

- *NPPG 18* (Planning and the Historic Environment) – main paragraph 37.
- *NPPG 3* (Land for Housing) – main paragraphs 69–74.

## Affordable Housing

All development, and in particular housing development, can support a strategy to provide more affordable housing. Housing development will be approved in principle if a contribution is made towards the provision of affordable housing, where appropriate, and provided that it satisfies all other relevant policies of the plan. The structure plan indicates that the appropriate level of affordable housing is likely to be around 35% across the structure plan area. However, the general level of provision will vary according to the needs of the particular area under consideration. Objective 1 of the Aberdeenshire Local Housing Strategy 2004-2009 is to ensure a minimum of 350 new affordable homes are built each year to meet identified need. The specific contribution required by development will be assessed at the time of the application or pre-application inquiry, having regard to housing information for the relevant settlement and to market and site circumstances.

## Justification

The provision of *affordable housing* is a material consideration in the planning system. Both government policy and guidance confirm that the *Development Plan* is an appropriate vehicle through which planning authorities may facilitate provision of affordable housing in areas where there is a demonstrable need. It has been clearly established (and reflected in the *Structure Plan*), that there is an acute need for affordable housing in Aberdeenshire. The aim of this policy is to ensure that, where appropriate, *development* assists in the provision of affordable housing in perpetuity.

Affordable housing is broadly defined as housing available to people who cannot afford to rent or buy housing generally available on the open market.

The requirement set by this policy will vary between locations and between sites. Housing need changes over time. Negotiation on a site by site basis at the time of the application or pre-application discussion will determine the actual requirement from any specific development proposal. These negotiations will use available information on the supply and demand for affordable housing within the *settlement* and its hinterland, any exceptional servicing costs for the development, and the impact of the requirement on the viability of the development to determine the level of contribution appropriate. On small development sites the impracticalities of negotiating a requirement may outweigh the benefits received and the affordable housing requirement may be waived.

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The requirement for a contribution towards meeting affordable housing needs can be provided by a variety of methods. In pursuit of the *social inclusion* agenda, preference will always be for construction of affordable housing on the site and in association with a Registered Social Landlord (*housing association*). Where it is agreed that this is impractical or conflicts with Policy Gen\1 for the site under consideration, alternative means of satisfying the requirement will be considered. These, and the conditions under which they will be sought, are detailed within Appendix 7.

This policy conforms to:

- Development Plan – Objectives 4 & 7.
- NEST – Policy 14.

Other main documents:

- SPP 3 (Planning for Housing) – main paragraphs 74 – 83.
- Aberdeenshire Local Housing Strategy 2004 –2009.

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## Special Needs Housing

Housing for special needs groups will be approved, in principle, if it is:

- a) within a settlement;
- b) physically accessible and provided with open space, parking and vehicular access appropriate to the special needs;
- c) respectful of the character and amenity of the surrounding area; **AND**
- d) readily accessible to public open space, local services and public transport.

### Justification

The aim of this policy is to support provision of housing for special needs groups that is in appropriate locations and has a minimal impact on the environment.

Special needs housing is housing built with a particular group in mind while at the same time contributing to the overall housing supply. Usually it involves either specially built or adapted properties, for example housing for older or disabled people, or houses linked to some support facility for adults with learning difficulties. Considerations of *amenity*, physical access and parking standards will be addressed under Policies Gen\2 and Inf\2, having regard to the particular requirements of development under this policy.

Aberdeenshire Council as a Housing Authority recognises the need to ensure the residential needs and desires of special needs groups are met flexibly by a range of housing providers either singly or in partnership. The Council will seek to identify, through Local Housing Strategies, the level and type of need which requires to be met in different parts of the Council area.

The Community Care Act 1990 promotes a multi-agency approach to meeting the housing needs of certain groups, including older people and people with disabilities. The Aberdeenshire Local Housing Strategy 2004-2009 and Joint Community Care Plan indicate how Aberdeenshire Council will co-operate with Grampian Primary Care Trust, *Communities Scotland*, *housing associations* and voluntary organisations to meet these needs.

This policy conforms to:

- *Development Plan* – Objectives 4 & 7.
- *NEST* – Policy 14.

Other main documents:

- *NPPG 3* (Land for Housing) – main paragraphs 67 & 68.
- Aberdeenshire Local Housing Strategy 2004 – 2009.

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## Residential Care Homes

**A Residential Care Home will be approved, in principle, if:**

- a) it is outwith the Green Belt;
- b) it is compatible with neighbouring uses and respects the character and amenity of the surrounding area;
- c) the site is accessible to local services by public transport, foot or bicycle;
- d) the site's topography and access is appropriate for use by the intended residents; **AND**
- e) the layout and design include adequate open space, satisfactory amenity provision, drainage, car parking and access for emergency services.

**Preference will be given to sites within settlements and only exceptionally on the edge of a settlement. Developers will be expected to demonstrate that the chosen site complies with this sequential approach based on an appropriate area of search.**

## Justification

The aim of this policy is to encourage the building of high quality residential care homes that are suitably located for both residents and visitors and have a minimal impact on the environment in which they are set.

There has been a significant increase in the number of residential care homes in recent years. It is important that both the location and design of these are appropriate. This will allow residents to actively participate in a community whilst providing them with high quality accommodation which can successfully fit into the environment. Otherwise, residents' quality of life will be compromised.

This policy conforms to:

- *Development Plan* – Objectives 4 & 7.

Other main documents:

- *NPPG 3 (Land for Housing)* – main paragraphs 67 & 68.

## Residential Caravans

The siting of a single residential caravan will be refused unless:

- a) the developer proves there is an economic need for the caravan which is both urgent and temporary;
- b) the caravan provides accommodation appropriate to the use to which it will be put;
- c) it is sited to respect the character and amenity of the surrounding area; **AND**
- d) it can be satisfactorily serviced.

**New extensions to residential caravan sites will normally be refused.**

## Justification

The aim of this policy is to protect the environment from the unnecessary and inappropriate siting of individual residential caravans and residential caravan sites.

There are certain situations where the siting of a residential caravan is acceptable to provide temporary accommodation e.g. when building a new house on a site. In such circumstances, the impact of the caravan on the environment must be reduced to a minimum through careful placement on the site. However, in terms of sustainability it is not desirable for residential caravans to be used as permanent housing. Conditions will therefore always be imposed to limit the period of permission and ensure the caravan is removed and the site made good after the permission lapses.

Holiday caravans, whether mobile or fixed, are considered in Policy Emp\9 (Tourist Facilities & Accommodation).

This policy conforms to:

- *Development Plan* – Objectives 4 & 7.

Other main documents:

- *NPPG 14* (Natural Heritage) – main paragraph 15.

### Travelling Persons Sites

**A Travelling Persons Site will be approved if it is located on a site that conforms with Policy Gen\1 and has been identified by the Council to meet the pitch target set by the Scottish Executive.**

#### Justification

The aim of this policy is to ensure *development* proposals for travelling persons sites are located on land specifically identified for such use by the Council.

Over recent years there has been a rise in the number of travelling persons in Aberdeenshire resulting in an increase in

public health problems and road safety concerns related to unauthorised sites.

The pitch target for travelling people in Aberdeenshire is set by the *Scottish Executive*. Although there is no statutory duty for the Council to meet this target, it is considered that identifying suitable sites is the best way to manage the demand for sites and to reduce the development of unauthorised sites.

This policy conforms to:

- *Development Plan* – Objectives 1, 2, 4, 7 & 10 (Chapter 2).

Other main documents:

- *NPPG 3* (Land for Housing) – main paragraph 87.

### Public Open Space for Housing

**New housing will be approved in principle, if the provision and arrangements for maintenance of public open space conform to Appendix 6.**

#### Justification

The aim of this policy is to ensure that all new housing *development* is accompanied by adequate *public open space*, in a way that maximises public benefits and minimises public nuisance.

Public open space includes space for any mixture of recreation (formal and informal), and *amenity* (including the creation of habitats and shelter). Each of these purposes constitutes an essential part of the environment for everyone, without which

our quality of life would diminish. Therefore adequate open space must be provided. However, it must be well located, properly maintained and designed for its purpose or will be of little value causing more public nuisance than benefit.

In addition to its initial provision, appropriate mechanisms will be sought to secure the long-term management of the open space provided.

This policy conforms to:

- *Development Plan* – Objectives 1, 4, 5, 6, 7, 10 & 11 (Chapter 2).
- *NEST* – Policy 16.

Other main documents:

- *NPPG 11* (Sport, Physical Recreation and Open Space) – main paragraphs 93 & 94.

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