

Planning implementation

- 13.1 This section sets out the basis for which the open space, sport and recreation study can be used in planning implementation.
- 13.2 This study essentially provides two main tools from a planning perspective. These are:
- provides the framework for open space, sport and recreation provision. The application of the study can for example identify sites that need to be protected, re-designated and improved.
 - provides the framework for the provision of open space associated with new development through the production of quantity standards which can form the basis of a standard formulae and the audit, assessment and analysis provide the basis to determine where contributions should be spent.

Application of the Open Space, Sport and Recreation Study

Worked example of the application of the study to a development proposal

Site 311: Amenity Green Space off Clover Avenue, Rushden

- 13.3 A worked example of the application of the study is provided to illustrate how the application of the study can help to determine planning proposals for development of open space sites. This process should be adapted for the needs of each individual site as and where appropriate.
- 13.4 The following example assumes a development proposal has been received for the development of an area of amenity greenspace off Clover Avenue, Rushden.

Step 1: Identify the site

- 13.5 Refer to appendix S of the report which includes the audit of sites. The site is included as amenity greenspace. The site is 0.94ha in size and is located in the south of Rushden, just off Bedford Road.
- 13.6 Collect further background information where possible, for example:
- site ownership – the site is thought to be in East Northamptonshire Council ownership
 - site description – the site is a grassed area within a housing estate with no specific facilities
 - quality information – the site has a site assessment score of 52%, considered to be average. Although cleanliness and maintenance, vegetation and security were considered to be average, the provision of ancillary facilities where they would be expected (e.g. bins and seats) was rated as very poor.
 - Local Plan designations and policies
 - use household survey database to identify any localised comments, site specific comments or typology specific comments (note this is only a snapshot in time – 2005). Appendix U provides detailed instructions on how to use the household survey database. In this case, no specific comments

have been made about the site. Many of the qualitative comments focus around vandalism and graffiti on sites, and a lack of children's play facilities.

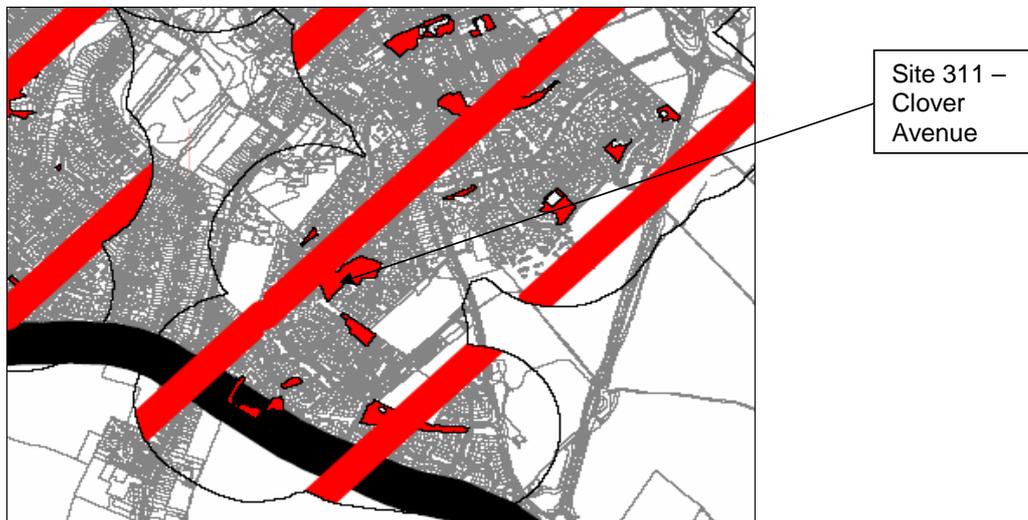
Step 2: Refer to the relevant chapter of the report

- 13.7 In this example, it is "Amenity Greenspace" (AGS) which is section 7 of the report. Consideration should be given to the value of this site as an amenity green space site.

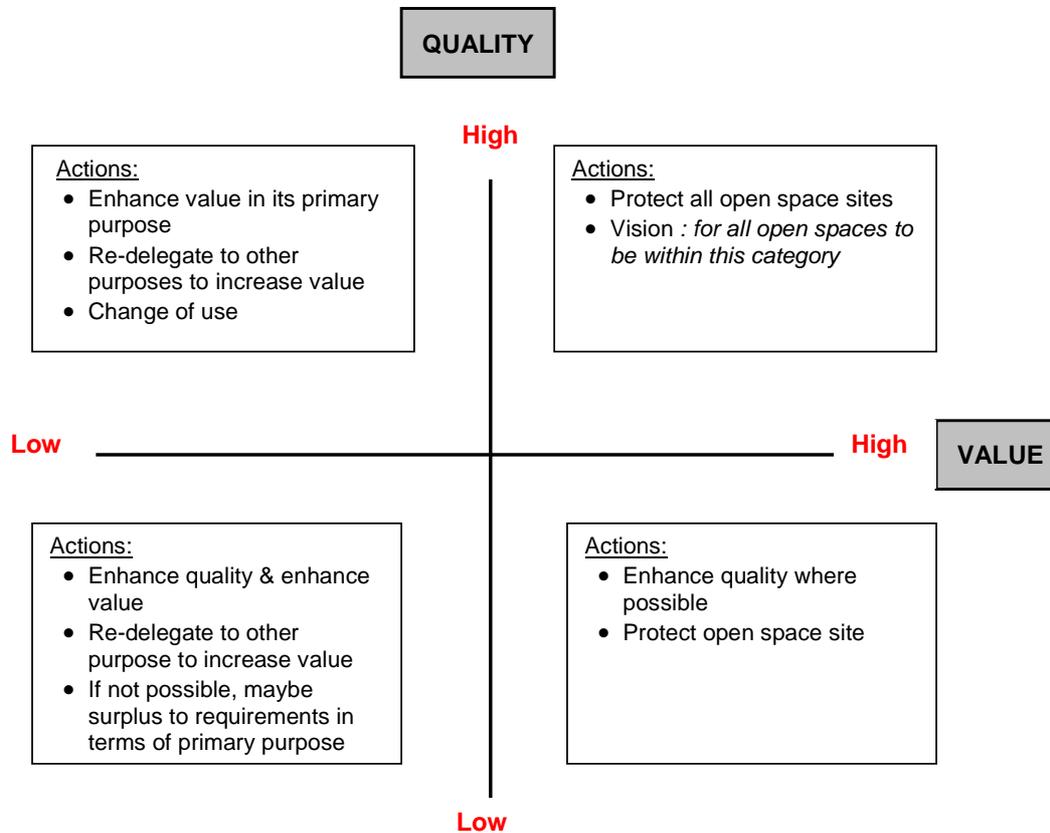
Step 3: Undertake PPG17 assessment

- 13.8 PPG17 Open Space Assessment: PPG17 paragraph 10 states that "existing open space... should not be built on unless an assessment has been undertaken which has clearly shown the open space or the buildings and land to be surplus to requirements. For open space, 'surplus to requirements' should include consideration of all the functions that open space can perform."
- 13.9 Quantitative assessment: The quantitative standard set for the provision of amenity green space is set slightly higher than the existing provision of open space. This is to protect the existing provision and to allow locational deficiencies be drawn out through the application of the accessibility standards.
- 13.10 Within Rushden, the level of provision of amenity greenspace is significantly below the minimum standard. There is therefore good evidence to support retaining site 311.
- 13.11 Accessibility assessment: The accessibility standard for AGS is 5 minutes walk equating to 220 metres. The application of the accessibility standards in the Rushden area near site 311 is shown below. This indicates that although there are deficiencies within the south urban area, there are a number of other amenity greenspace sites in close proximity to site 311 although Clover Avenue is the largest amenity green space site in the locality. Site 311 provides very little in terms of access that other sites do not. The site is not located in an accessibility deficient area and would have very limited impact in terms of accessibility if it was removed.

Map 13.1: Application of the accessibility standard to area surrounding site 311



- 13.12 **Geographical Areas assessment:** This involves applying both the quantitative standard and accessibility standard together. As identified, there is a significant quantitative deficiency and as such all amenity greenspace within the town should be protected. Less weight is afforded to this by the application of the accessibility standards as they show that there is not a deficiency in this area and removal of this site will not impact on the accessibility to amenity greenspace. Areas where there are accessibility deficiencies should be prioritised for new amenity green space.
- 13.13 It should however be considered that should this site be developed, there would be an increased demand for amenity greenspace through the development of this site and open space provision will be required as part of the development. In addition to considering how the site contributes towards achieving the local standards, the value of the specific site in question should be accounted for.
- 13.14 **Qualitative assessment/ Value Assessment:** Consideration should be given to the level of usage at the site, taking into account use by both people and wildlife. An assessment of the value of the specific site can then be made and related to the context of provision in the area as a whole. The matrix highlighted below should be applied to the site in order to determine the site value.



13.15 In terms of quality, Site 311 scored 52% (average). The site is used frequently by people both informally and as a shortcut. It is therefore highly valued in this sense. Consequently, the site matrix above highlights the importance of protecting the site, although quality enhancements may be required. This site-specific assessment should be performed for surrounding sites in order to make informed decisions.

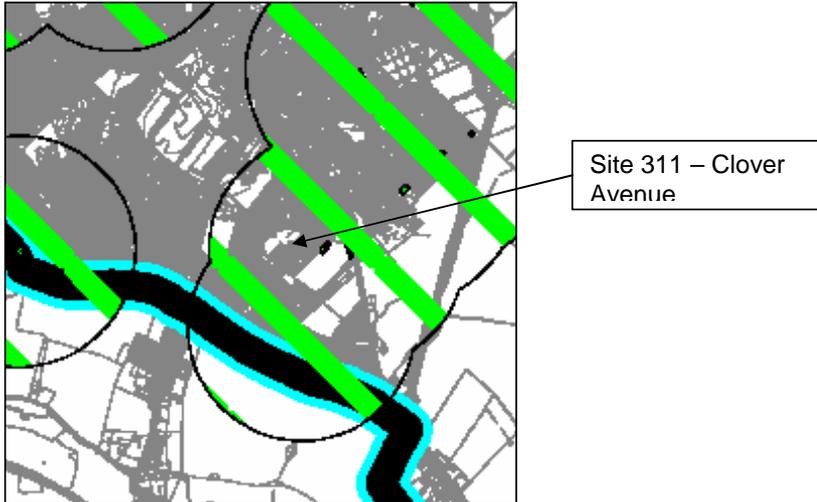
Other open space functions: (refer to sections 5 – 13)

- 13.16 In addition to the quantitative deficiency in amenity greenspace within the South Urban area, there is also a significant quantitative deficiency in parks and gardens, and the minimum standard is also not met for natural and semi natural open space, allotments and provision for young people and children.
- 13.17 When applying the accessibility standards in conjunction with the quantity standards, there are no accessibility deficiencies, due to the nearby provision of allotments, children and young people and parks and gardens. It can therefore be seen that although there are quantitative deficiencies, the area in which site 311, Clover Avenue, is situated, is not an area of accessibility deficiency for any typology. This can be seen in the maps below.

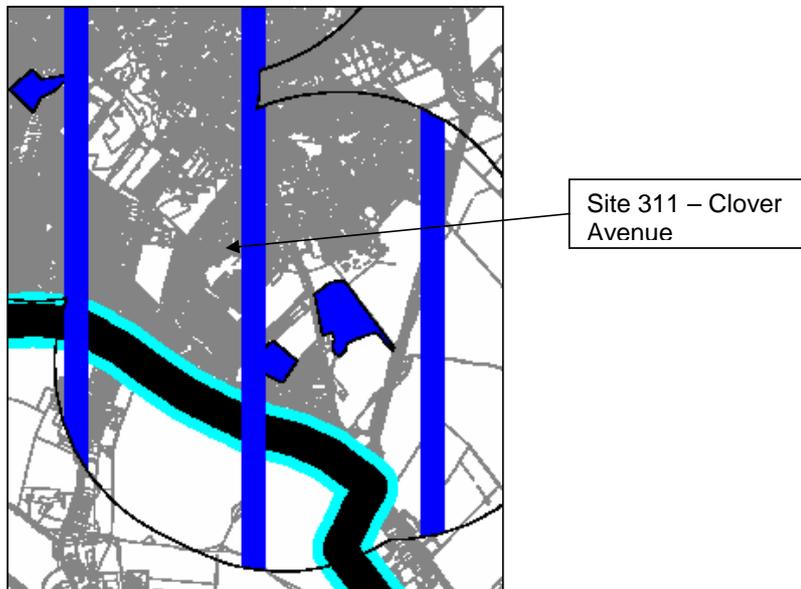
Map 13.2 – Accessibility catchment applied to parks and gardens



Map 13.3 - Accessibility catchment applied to Children and Young People



Map 13.4 – Accessibility catchment applied to natural and semi-natural



13.18 Although site 311 is not located in an area of deficiency for other greenspace uses, the value of the site and other sites around it should be considered before the site can be considered 'surplus to requirements' and can be developed.

Key points:

- although the level of provision in Rushden is below the minimum standard for amenity greenspace, less weight is afforded to the need for protecting this site due to the lack of access issues

- site 311 is not in an accessibility deficiency area for amenity green space and if removed would not impact on meeting the accessibility standards in this area of Rushden
- the value assessment indicates that the site is well used and therefore quality enhancements may be a priority. Consideration should be given to the value of this site and the impact on the local community and local standards of losing this site.
- site 311 is part of a key linkage and an important element of the green infrastructure provision
- site 311 is not located in an area of any accessibility deficiencies for other typologies and can therefore be considered for possible surplus land if the value of the site as amenity green space is disputed.

Framework for open space provision

- 13.19 Figure 13.1 overleaf provides the outline framework for the application of the study. This identifies where the priorities are by analysis area, applying both the quantity standard and accessibility standard. This provides the basis for developing the study into an Open Space Strategy but also provides the framework for determining where planning contributions should be spent. The quality of sites is not included within the matrix but would also need to be considered.

Figure 13.1 Existing Quantity and Accessibility in East Northamptonshire

ANALYSIS AREA / TYPOLOGY	South Urban						Thrapston						Oundle						Rural					
	SUP	UP	A	OP	SOP	ACC	SUP	UP	A	OP	SOP	ACC	SUP	UP	A	OP	SOP	ACC	SUP	UP	A	OP	SOP	ACC
Parks and Gardens						N						N						N						N
Natural and Semi Natural						N						Y						N						N
Amenity Green Space						N						Y						N						N
Young People and Children						N						N						N						N
Allotments						N						N						N						N

Reference	Provision Level	Description
1	Significant Under Provision	Below the minimum standard by at least 5 ha
2	Under Provision	Below the minimum standard between 1 and 5 ha
3	About Right	Within 1 ha above or below the minimum standard
4	Over Provision	Above the minimum standard between 1 and 5ha
5	Significant Over Provision	Above the minimum standard by at least 5 ha
A	Accessibility Level	Y=All residents can access sites of this typology, N – some resi acceptable catchment

Key Issues

Area	Key issues
South Urban	The south urban area is below the minimum standard in terms of provision of parks and gardens and amenity green space. The provision is below the minimum standard, by more than five hectares.
Thrapston	Greenspace provision is varied in Thrapston, with levels of provision above the minimum standard. Provision of amenity green space is below the recommended standard, and the required additional provision is less than one hectare. Levels of parks and gardens are below the minimum standard.
Oundle	Levels of provision in Oundle for natural and semi natural open space and young people and children are within 1 hectare of the recommended standard. In Thrapston, the levels of provision of parks and gardens are below the minimum standard by more than one hectare.
Rural	On the whole provision in the rural area meets the minimum standard. Being in terms of provision for young people where there is a high density of people in the area, there is a significant over provision of provision. Taking into account the rural nature of this area or the regional significance. The application of all standards in the rural area should therefore be based on these reasons.

Existing policies

13.20 The key issues identified for each area should be linked to LDF policies and future area plans. Table 13.1 sets out the key issues identified for each area and makes suggested recommendations relating to policies in the adopted local plan relating to open space and makes suggested recommendations re

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Relevant Policies	Key Policy Issues	
<p>Policies EN1 / EN2, EN89 / EN9 and EN10 – Protection of valuable sites</p>	<ul style="list-style-type: none"> • Planning permission will not be given in areas of countryside, where development may result in an adverse impact on SSSI / nature reserve, river valleys, conservation areas 	<ul style="list-style-type: none"> • In line with this open space va areas of natur date and used space assessi
<p>Policy RL1 – leisure and recreation facilities:</p>	<ul style="list-style-type: none"> • Permission will be granted for the development of leisure and recreation facilities provided that there is no adverse impact on the local environment • Policy RL2 highlights a number of principle sites allocated for recreational use 	<ul style="list-style-type: none"> • decisions on th be taken in co • areas should l protected/enh: contained with development \ • Consider the \ (Policy RL2) ir through the m and consider \ included withi
<p>Policy RL3 – New developments and Policy RL4 – children's play areas</p>	<ul style="list-style-type: none"> • New developments of more than 15 dwellings require recreational open space to be provided by developers in line with NPFA standards • Provision may be on or off site • Children's play areas should be provided as part of developments of 15 dwellings or more 	<ul style="list-style-type: none"> • Consideration standards to a study (quantity • This greenspa of open space • In line with rec to provision st dwelling or mc could be cons • Publish detail: support the st: consistent app

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Relevant Policies	Key Policy Issue	
<p>Policy RL8 – Planning Permission for development of green spaces</p>	<ul style="list-style-type: none"> • permission for the development of pocket parks, country parks, playing fields and picnic sites will be granted providing that there is no adverse impact on the landscape of the local environment 	<ul style="list-style-type: none"> • this policy should be reviewed to local need and an assessment. All sites should be developed in accordance with the policy
<p>Policy RL12: Development on public open space</p>	<ul style="list-style-type: none"> • planning permission for development on public open space will not be permitted unless an equivalent replacement site is provided and laid out before use of the existing site ceases 	<ul style="list-style-type: none"> • continuing provision of public open space and each site should be considered in the study and the • when considering the impact of development in accordance with the policy an assessment should be carried out in terms as well as the
<p>Policy RL13: allotments</p>	<ul style="list-style-type: none"> • applications resulting in the loss of well used allotments will not be considered unless a suitable replacement is provided. Developments on an existing allotment site which may lead to an adverse visual impact are unlikely to receive planning permission 	<ul style="list-style-type: none"> • consideration should be given to revised standards and qualitative elements
<p>Policy CF6: Cemeteries</p>	<ul style="list-style-type: none"> • planning permission will be granted for the provision of new cemeteries or the extension of existing facilities provided that access, landscaping and car parking meet the requirements of the Council 	<ul style="list-style-type: none"> • consideration should be given to quality features

Planning obligations

Strategic context

- 13.21 Section 38 of the Planning and Compulsory Purchase Act 2004 states that for the purposes of any area in England other than Greater London, the development plan is:
- the regional spatial strategy for the region in which it is situated, and
 - the development plan documents (taken as a whole) which have been adopted or approved in relation to that area.
- 13.22 East Northamptonshire Council adopted their Local Plan in 1996 and have produced an associated SPG setting out open space requirements. However work is underway under the new planning system to publish and consult on a Local Development Framework for the district.
- 13.23 East Northamptonshire is part of the North Northamptonshire Joint Planning Unit, which includes Kettering borough, Wellingborough borough and Corby borough Councils. The Council's together with Northamptonshire County Council will produce an overall Core Spatial Strategy for North Northamptonshire which will form part of the Local Development Framework for each authority area. The Options paper is the first stage in the production of the Core Spatial Strategy, setting out the background for producing the plan and looking at the issues faced in the area.

Planning obligations

- 13.24 Planning obligations are typically agreements negotiated between local authorities and developers in the context of granting planning consent. They provide a means to ensure that a proposed development contributes to the creation of sustainable communities, particularly by securing contributions towards the provision of necessary infrastructure and facilities required by local and national planning policies. This may include open space and indoor sport and recreation facilities.
- 13.25 The framework for the current system of planning obligations in England is set out in section 106 (s106) of the Town and Country Planning Act 1990 (as substituted by the 1991 Act) and in Circular 05/2005: Planning Obligations.

Planning Policy Guidance Note 17: Planning for Open Spaces, Sport and Recreation

- 13.26 PPG17, published in 2002, emphasises the importance of undertaking robust assessments of the existing and future needs of local communities for open space, sport and recreational facilities.
- 13.27 Local Authorities should use the information gained from their assessments of needs and opportunities to set locally derived standards for the provision of open space, sports and recreational facilities.
- 13.28 With regards the use of planning obligations, paragraph 33 of PPG17 states; "Local Authorities will be justified in seeking planning obligations where the quantity or quality of provision is inadequate or under threat, or where new development increases local needs. It is essential that local authorities have undertaken detailed assessments of needs and audits of existing facilities, and set appropriate local standards in order to justify planning obligations."

Circular 05/2005: Planning Obligations

- 13.29 This Circular replaces the Department of the Environment Circular 1/97, with the changes only concerning the negotiation of planning obligations. This Circular will act in the interim period before further reforms are brought forward.
- 13.30 Planning obligations are intended to make acceptable development which would otherwise be unacceptable in planning terms. They may be used to:
- prescribe the nature of a development (eg proportion of affordable housing)
 - compensate for loss or damage created by a development (eg loss of open space)
 - mitigate a developments impact (eg through increased public transport provision)
- 13.31 Planning obligations should only be sought where they meet *all* of the following tests:
- relevant to planning
 - necessary to make the proposed development acceptable in planning terms
 - directly related to the proposed development
 - reasonable in all other aspects.
- 13.32 Planning obligations can be in kind or in the form of financial contributions. Policies on the types of payment, including pooling and maintenance payments should be set out in Local Development Frameworks. Developers should be able to predict as accurately as possible the likely contributions they will be asked to pay.
- 13.33 Local Development Documents should include general policies about the principles and use of planning obligations, for example, matters to be covered by planning obligations and factors to take into account when considering the scale and form of contributions.
- 13.34 More detailed policies applying the principles set out in the Development Planning Document, for example, specific localities and likely quantum of contributions, ought to then be included in Supplementary Planning Documents.
- 13.35 Local Planning Authorities may wish to consider the development of codes of practice in negotiating planning obligations, so as to make clear the level of service a developer can expect.

Maintenance

- 13.36 Where contributions are secured through planning obligations which are predominantly for the benefit of users of the associated development, it may be appropriate for the development to make provision for subsequent maintenance. Such provision may be required in perpetuity. Maintenance requirements are considered within the current SPG.
- 13.37 However, when an asset is intended for wider public use, the costs of subsequent maintenance should normally be borne by the authority. Where contributions to the

initial support are necessary, maintenance sums should be time limited and should not be required in perpetuity.

Pooled contributions

- 13.38 Where the combined impact of a number of developments creates the need for infrastructure, it may be reasonable for the associated developer contributions to be pooled. In addition, where individual development will have some impact but is not sufficient to justify the need for a discrete piece of infrastructure, local planning authorities may seek contributions to specific future provision.

Formulae and standard charges

- 13.39 Local authorities are encouraged to employ formulae and standard charges where appropriate as part of their framework for negotiating and securing planning obligations. The benefits to the system are as follows:

- speed up the negotiation process
- ensure predictability
- promote transparency and
- assist in accountability.

- 13.40 Standard charges and formulae applied to each development should reflect the actual impacts of the development or a proportionate contribution.

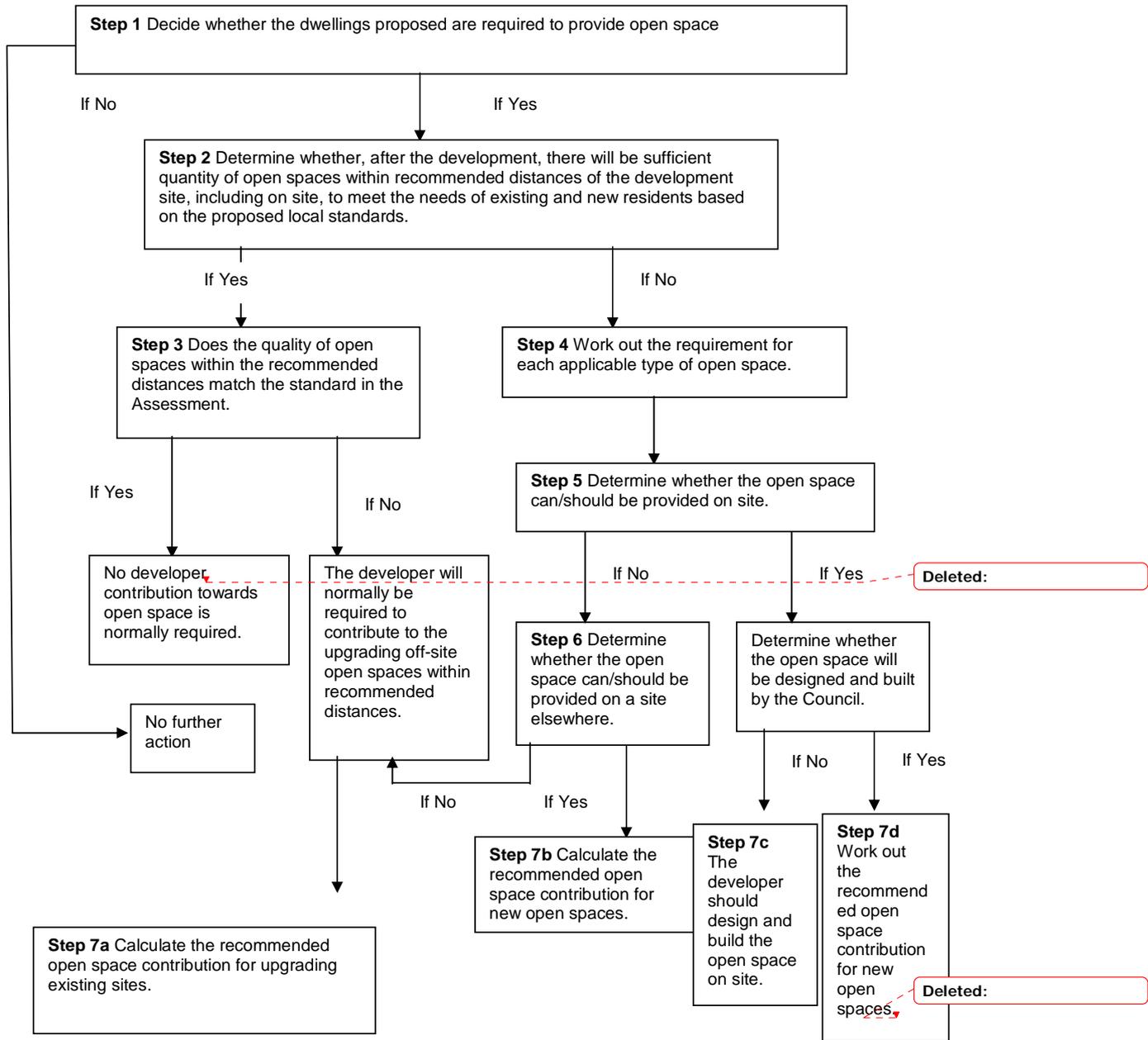
- 13.41 Good practice guidance on planning obligations is to be published later in 2005.

Review of Supplementary Planning Guidance

- 13.42 A review of existing Supplementary Planning Guidance has been undertaken to provide guidance on the implementation of planning contributions for open space provision. A more comprehensive review of Supplementary Planning Document is included in Appendix V.

- 13.43 The following flow diagram is based on the review of guidance and provides a step by step process for determining developer contributions.

Figure 13.2 Proposed Process for Determining Open Space Requirements (adapted from Swindon Borough Adopted SPG: 2004)



13.44 A formula to apply to new developments can be based on the following:

<p>Open space requirement = (A) number of people in development X (B) level of open per person (ha) (X (C) cost of open space per person (£))</p> <p>Open Space requirement = A x B (X C)</p>
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A	<p>The number of people in a development is usually based on an assessment of existing occupancy rates. This needs to be broken down according to the number of bedrooms in each dwelling e.g. the average occupancy for 1 bed may be 1.3 but the average occupancy for a 2 bed house may be 2.9</p>
B	<p>The level of open space provision (ha) is directly a result of the quantity standards devised through the Open Space, Sport and Recreation Study and can be set out both within the DPD and SPD. The quantity standard is per 1000 population and will need to be divided by 1000 to provide the provision per person.</p>
C	<p>The cost of open space per person relates to off-site provision. This will require a separate formula to work out what the cost of open space per person is, i.e. the cost will be directly related to the quantity standard so if 0.04 ha of children's play areas are required per person then the cost would need to equate to 0.04 ha of play areas.</p> <p>The cost of open space can be difficult to determine based on what elements of open space provision to include within the costing, for example, whether the cost of a facility should include site preparation, e.g. levelling, drainage, special surfaces and what ancillary facilities to include within costings, what level of equipment and land costs.</p> <p>The costs should be based on local costings but a guide can be found on the Sport England website: http://www.sportengland.org/kitbag_fac_costs.doc and the NPFA Cost Guides for Play and Sport.</p> <p>Some authorities include the costings as a spreadsheet appendix to the Supplementary Planning Guidance and update this annually. This is a recommended approach as it accords with Circular 05/2005 in allowing developers to predict the likely contributions they will be asked to pay and would greatly speed up the process.</p>

13.45 To determine whether the contribution should be on or off site provision of open space a number of factors need to be considered. Examples from other authorities are provided below:

When should development be provided off-site?	
Fareham Borough Council	Presumption in favour of on-site. Includes a number of factors to consider e.g. size of development site and whether site located near to existing good open space. Includes a matrix of when on/off site is considered appropriate according to the number of dwellings and open space type.
Milton Keynes Council	On-site provision (in existing Milton Keynes area) is worked out according to number of dwellings and type of open space, using a matrix approach.
Mid Devon District Council	On-site provision is usually required when a development is 25 dwellings plus. There is a general preference for on-site provision.
Cambridge City Council	Any shortfall in provision, which cannot be accommodated on site, should be met through commuted payments and be spent on identified projects
Stockport Metropolitan Borough Council	Commutated payments are acceptable for small scale developments and funds will be held in an interest earning account until enough is accumulated for improvements
Harrogate Borough Council	Wherever possible sites should be provided on-site. Open space should not be provided on-site if levels fall below specified minimum sizes
Hinckley and Bosworth Borough Council	Thresholds are set for different types of open space and whether provision is appropriate on or off-site. Off-site provision is generally acceptable when development is too small to reasonably accommodate formal or informal open space and high density schemes
Reading Borough Council	In most cases, it is more appropriate to seek off-site contributions, especially small developments

13.46 The Milton Keynes matrix approach is as follows, and it is recommended that a similar matrix approach be adopted by East Northamptonshire Council (thresholds may vary to reflect rural nature of area, but it is important to still consider the appropriateness of on-site provision on small sites):

Figure 13.3: On-site vs off-site provision: Milton Keynes example

Type of Provision	10-49 dwellings	50-199 dwellings	200-599 dwellings	600+ dwellings
Playing fields	X	X	X	√
Local play areas	X	√	√	√
Neighbourhood play areas	X	X	√	√
Community Centres/Meeting Halls	X	X	X	?
Local parks	X	√	√	√
District parks	X	X	X	?
Swimming pool	X	X	X	X
Sport halls*	X	X	X	X
Allotments	X	X	X	√

KEY: √ on site provision normally sought
 X off site provision normally required
 ? on site provision may be required, depending on site circumstances

* only in sports hall catchment areas in Map 1.

13.47 As a predominantly rural area, East Northamptonshire may have a limited number of developments that are of an appropriate size to require on-site provision and as such an off-site contribution may be sought.

13.48 The development proposals through the growth area status may lead to larger developments and an opportunity to create open space within new developments.

13.49 To determine where the open space contribution should be spent, the open space study will provide the framework in which to determine an appropriate site for intensification of use (eg the provision of a play area in a area of deficiency on an area of amenity greenspace) or where quality improvements are required.

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13.50 The following summarises approaches taken in other authorities:

Where should the off-site contribution be spent?	
Fareham Borough Council	Open Space Survey provides a framework for open space requirements. SPG sets out a list of appropriate items developer contributions can be spent on.
Mid Devon District Council	Catchment areas are used to ensure provision is related to the development. Contributions generated within a catchment area will be spent within a catchment area. Catchments are based on the grouping of parishes, based on: anticipated rate of future residential development in an area and the location of existing facilities that could be extended or improved and the potential locations for the provision of new facilities. The SPG advocates the use of a pooled fund for these catchment areas.
Leicester City Council	For larger developments, the Council will be able to indicate exactly where any contributions made by developers will be spent
	Smaller developments – may be appropriate to pay into an area based open space fund. Fund will be ring-fenced within the area based budget
Stockport Metropolitan Borough Council	Funds will be used within the area easily accessible from the funding development. For children’s/casual play space this will be within up to 1000 metres from the funding development
Harrogate Borough Council	Committed sum only appropriate where it can be targeted to sites within suitable walking distances of development
Reading Borough Council	Open Spaces Audit and Strategy points to a need for qualitative improvements to meet the needs of both existing population and those occupying new developments.
	Developments will contribute separately towards improvements on the basis of needs in relation to borough wide facilities and the needs in respect of smaller localised facilities. Capital expenditure to meet the needs of existing and future population is a key requirement in Reading and as such new developments should make contributions towards identified areas of open space that serve the whole borough. Additional contributions are also required to improve play and other facilities in the local area. This will include specific works or improvements set out in the Open Space, Sport and Recreation Strategy or other approved programmes.
Salford City Council	When identifying a suitable site, the City Council will look at the availability of sites within a reasonable walking distance of the development. Where local play facilities are deemed adequate, the City Council will seek the contribution for alternative outdoor recreation needs in the area.

13.51 Where off-site provision is expected, it is important in planning policy terms to ensure that the money is spent in a location related to the development. The accessibility catchment standards can be used to ensure that this is the case. For

example if a development proposal site was located within the 15 minute catchment of Rushden Hall Park and the open space study identified that the priority in this area was for improvements to quality rather than quantity, it would be appropriate to spend the developer contribution on improvements to this park. The framework set out in figure 13.1 should also aid this process.

- 13.52 It should be noted that a hierarchical approach may be appropriate for the Supplementary Planning Document to take account of site that serve the whole of East Northamptonshire eg Fermyn Woods Country Park. This will ensure that the catchments for these strategic sites are authority-wide. The determining factor should be whether residents within the new development would use the facility for which the money is being spent.
- 13.53 The use of pooled funds are also a strongly recommended tool within East Northamptonshire. Due to the rural nature of the authority there may be a number of developments that are small in size and do not incur a contribution large enough for improvements, yet their development will still incur an additional demand on existing facilities.
- 13.54 The policy tests of Circular 05/2005 require that contributions are sought only where they are directly related to the proposed development. As such, the use of pooled funds need to be carefully administered and ring fenced within particular areas. This could be undertaken on a parish/ward basis, village/town basis. As with off-site contributions, pooled funds can be based around the accessibility standards identified within the study, however they may be too restrictive within the more rural areas.
- 13.55 On this basis the improvements that can be provided as open space provision should be detailed within the Supplementary Planning Document and this could relate to improvements to access to facilities or footpaths within the rural area.
- 13.56 As a pooled fund, the exact improvement/open space site may not have been identified at the outset and it may therefore be more appropriate to use the parish level/joint parish level as the ring fenced fund. Within the urban area, it may be more appropriate to use the accessibility catchments.
- 13.57 Maintenance sums are also an important element of the process. A review of the approach taken by other authorities is as follows:

Maintenance	
Fareham Borough Council	<p>Maintenance of sites is required. If transferred to the Council, this is usually done after a period of 12 months, following completion of open space. The developer is only liable for maintenance of the amount of open space equivalent to that required by the development where the council demonstrates that the off-site provision is of direct benefit to the residents of the proposed development (based on NPFA defined sphere of influence for equipped and 1 km radius of development site for outdoor sports facilities)</p> <p>Maintenance rates are worked out on a number of beds/open space type basis and are updated annually</p>

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Milton Keynes Council	<p>Developer will be required to maintain the site for a period of 12 months after completion.</p> <p>Maintenance sum will then be required for a period of 20 years following establishment. The sum is based on contract prices and allows for inflation.</p>
Reading Borough Council	The Council will normally adopt and maintain properly laid out open space, subject to a commuted sum payment.
	The commuted sum payment should cover 20 years of maintenance costs
	Commutated maintenance sum is calculated using current contract prices and maintenance costs for maintaining open spaces (i.e. work schedules) and multiplied to establish a 20 year figure. This allows for inflation of contract prices and deflation for diminishing present values over time.
Harrogate Borough Council	Where the provision of open space is principally of benefit to the occupants of a proposed development rather than the wider public, the developer will normally be required to pay a commuted sum to cover the cost of future maintenance
	New provision of open space should be maintained by the developer for 12 months and will be transferred to the Council after this period with the commuted sum
	Revise figures annually for the cost of maintaining different types of open space. Total commuted payment is calculated by adding 10% contingencies to the annual costs and multiplied by the number of years
	Maintenance is required for a period of 5 years
Sedgemoor District Council	Arrangements will be made for the transfer of new areas of open space to the Council (or Parish Council) after a period of 12 months
	A commuted maintenance sum will be required for 15 years after the year of adoption by the Council
	The commuted maintenance sum shall equate to the anticipated future expenditure of 15 years annual maintenance costs taking into consideration the cost of inflation and the interest received on the diminishing average balance of the sum
	Sum is calculated by: costs and expenses estimated for the first years maintenance based on the Council's ground maintenance bills, minus the interest received on the annual maintenance sum, with the cost of inflation added (in accordance with the annual rate of increases in the Retail Price Index at the time of calculation)
Daventry	Maintenance sum will be for a 20 year period

Council	Maintenance costs should be based on current costs of maintaining the specific type of outdoor space that has been provided with an allowance made for inflation, calculated over a number of years. Examples are provided for the cost of maintenance per sq metre for a range of facilities
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13.58 Where appropriate new developments should therefore make contributions towards the capital expenditure required to provide/enhance areas of open space and for its on going maintenance.

13.59 Where facilities for open space are to be provided by the developer and will be adopted by the Council:

- the Council should normally adopt and maintain properly laid out open space within residential areas subject to the payment, by the developer, of a commuted sum to cover the cost of future maintenance;
- it is anticipated that the developer will be required to maintain the open space for 12 months, or other reasonable period for ‘establishment’;
- a commuted sum payment is payable on transfer of the land covering cost of maintenance for a defined period. From the review of existing supplementary planning policy maintenance periods are normally between 10 – 20 years;
- the commuted maintenance sum should be calculated using current maintenance prices to manage open space, multiplied to allow for inflation of prices and the interest received on the diminishing average annual balance of the sum.

Worked Example: contribution towards children and young people facilities

13.60 A housing development for 50 dwellings has been submitted to the Council. The development consists of 15 four-bed dwellings, 25 three-bed dwellings and 10 two-bed dwellings. It is not considered appropriate for the open space provision to be on-site and the Council needs to determine the level of open space contribution required.

13.61 The application of local standards and consideration of areas of deficiency is undertaken in order to ascertain the most appropriate type of space provision.

13.62 Supplementary Planning Documents should set out the average occupancy for each dwelling size. For the purposes of this example the rating is as follows:

No. of bedspaces	Average occupancy
1 bed	1 person
2 bed	2.5 persons
3 bed	3.5 persons
4 bed	4.5 persons
5 bed	5.5 persons

- 13.63 The number of people the 50 dwelling development will comprise of can be estimated at: 180 people.
- 13.64 The quantity standard per 1000 population for children and young people is 0.10ha per 1000 population in the urban area. The provision per person is therefore 0.0001ha (1m²).
- 13.65 The estimated cost for the provision of a play area is £100,000 (this figure is used for example purposes only), on the basis of a play area being 400m² (minimum size of a Local Equipped Area for Play LEAP according to the NPFA) 1m² therefore equates to £250.
- 13.66 Using the formula set out above, the contribution required for a 50 dwelling development is:
- 180 (number of people in development) X 1m² (level of open space per person) X £250 (cost of provision per person)
 - the contribution required towards children and young people provision is £45,000
- 13.67 The application of this formula ensures that the level of provision required from developments is worked out proportionally as to the level of increased demand the development incurs. As such, it is reasonable to expect that open space provision should be required for residential developments of all sizes (ie 1 dwelling and above). An open space requirement should be required for all residential development, but should differentiate for elderly housing, excluding a contribution for certain open space types and different types of elderly accommodation. A matrix should be devised detailing these requirements.

Summary and recommendations

- 13.68 The open space sport and recreation study is an invaluable tool in the formulation and implementation of planning policies. This relates to both the protection and enhancing of existing open space and the framework for developing planning obligations.
- 13.69 The study provides the tools in which the value of an open space can be assessed on a site by site basis, as and when a development proposal is submitted for an existing piece of open space. Similarly, this approach can be the basis for determining what type of open space provision is appropriate to be provided within a housing development.
- 13.70 The study also allows a broad area analysis as illustrated in figure 13.2, that aids decisions in terms of priority areas and areas of over provision.
- 13.71 The use of a standard formula for open space provision in new housing developments will greatly aid the negotiation process and provide a transparent approach in line with Circular 05/2005.
- 13.72 There are many other factors to consider in administering planning obligations such as determining occupancy rates, costings and on versus off site provision. The Council's approach should be set out clearly within a Supplementary Planning Document.

SECTION 13 – PLANNING IMPLEMENTATION

13.73 Maintenance sums are an important element of open space provision. It is not considered reasonable to expect maintenance in perpetuity, however the authorities reviewed are requiring between 10 and 20 years maintenance.

13.74 The recommendations for the planning overview section are as follows:

PLAN1	Use the methodology provided for the application of the study (paragraphs 13.3 to 13.18) for site-by-site proposals and informing policies in the LDF
PLAN2	Use the overarching framework of quantity and accessibility in conjunction with the quality standard/assessment to inform policy decisions, particularly the application of planning contributions
PLAN3	Redraft existing policies to take account of local standards, the evidence base of all existing sites and the local needs assessment
PLAN4	Consider the recommendations set for each open space typology when re-drafting planning policies and incorporate into policies where appropriate
PLAN5	<p>Publish Supplementary Planning Document on open space provision in new developments, using the recommendations of the open space assessment and planning overview. In particular consider:</p> <ul style="list-style-type: none">- the use of a flow diagram (such as figure 13.2) for determining the process for planning contributions- the use of a formula such as that in paragraph 13.44 and worked through in paragraphs 13.61 to 13.68- devise a matrix providing thresholds for on versus off site provision- set up the use of pooled funds with clear administrative boundaries that ensure it is related to the development- set out maintenance (commuted sums) required and the period of time that they are required for