



Planning Policy Committee – 16 December 2013

Open Space Supplementary Planning Document Update

Purpose of report

To summarise the proposed key amendments and seek member approval for consultation to commence on a draft Open Space Supplementary Planning Document (SPD) Update.

Attachment(s)

Appendix 1: Draft Open Space Supplementary Planning Document Update

1.0 Background

- 1.1 A joint meeting of the Planning Policy and Policy and Resources Committees is being held on 9 December 2013 to consider approval of a Draft Charging Schedule in relation to the Community Infrastructure Levy (CIL), for consultation during early 2014. This will then be followed by submission of the Draft Charging Schedule and supporting documents to the Secretary of State for independent examination (anticipated Spring 2014).
- 1.2 As part of the draft Charging Schedule consultation, it is necessary to publish a range of supporting documents. Most importantly, this needs to include details about the Council's intentions towards the future use of s106, in order to clearly set out how CIL and s106 will work alongside each other. An update to the Open Space Supplementary Planning Document (SPD) (adopted November 2011) has therefore been prepared.

2.0 Summary of proposed changes to the 2011 Open Space Supplementary Planning Document

- 2.1 Officers have reviewed the 2011 Open Space SPD, and identified a range of relatively minor changes that will need to be made to this document in order to bring it into line with CIL. A number of other minor alterations are also suggested, e.g. factual updates.
- 2.2 The key changes to the Open Space SPD are summarised below.
- Replacement of references to former national Planning Policy Guidance notes (PPGs) and Planning Policy Statements (PPSs), by references to the National Planning Policy Framework (NPPF).
 - Update to policy context and statutory process to reflect more recent legislative and policy changes; i.e. replacement of the 2004 regulations by The Town and Country Planning (Local Planning) (England) Regulations 2012 (statutory instruments 2012 No.767) and proposed adoption of the North Northamptonshire Statement of Community Involvement (Agenda Item 8).
 - Inclusion of new cross references to the Section 106 Planning Agreements Supplementary Planning Document (see Agenda Item 5).

- 2.3 **Appendix 1** provides a draft update to the Open Space SPD, incorporating changes to the document which will need to be introduced once CIL is adopted and implemented.

Changes and updates to the Open Space SPD are shown, in Appendix 1, as tracked changes for ease of members' reference.

3.0 Next Steps

- 3.1 The SPD has been updated in draft, as a supporting evidence base document to the Draft Charging Schedule. Subject to member agreement, it is proposed that the SPD update should be published for consultation, as a supporting document, alongside the Draft Charging Schedule.
- 3.2 While it is anticipated that the consultation will focus predominantly upon the Draft Charging Schedule, comments will also be sought regarding the Open Space SPD update. Any comments received will be given due consideration prior to submission of the Draft Charging Schedule and supporting documents (including the Open Space SPD update) for examination.
- 3.3 Members are advised that further information and briefings will be held with Town and Parish Councils about CIL and the 2 SPDs (draft S106, and Open Space update), in order to explain this work.

4.0 Conclusion

- 4.1 An Open Space SPD update has been prepared to support the Draft Charging Schedule. The latter will be considered at the joint meeting of the Planning Policy and Policy and Resources Committees on 9 December 2013. Dependent upon the outcome of the joint meeting,, it is proposed that the Open Space SPD update be approved for consultation alongside the Draft Charging Schedule, for a 6-week consultation during January/ February 2014.
- 4.2 Following the 6-week consultation, any comments received regarding the Open Space SPD update will be given due consideration. After this, the draft SPD will need to be submitted to the Secretary of State as part of the supporting evidence base for the Draft Charging Schedule.
- 4.3 Following the outcome of the CIL Examination and prior to CIL being implemented, the Council may need to carry out further consultation on the draft Open Space SPD update to take on board any substantive issues raised during the initial consultation or examination. The Planning Policy Committee would be able to adopt the Open Space SPD update to coincide with the implementation of CIL (anticipated 2015).

5.0 Equality and Diversity Implications

- 5.1 There are no equality and diversity implications.

6.0 Legal Implications

- 6.1 The Council is required to set out its approach to the use of s106 at the CIL Examination.

7.0 Risk Management

- 7.1 The Council's Draft Charging Schedule, when submitted to the Secretary of State, must be supported by a comprehensive and robust evidence base, including how the Council intend to approach the use of s106. The CIL Examiner (Planning Inspector) will need to be comprehensively informed as to the implications of introducing CIL for the District. Otherwise, there is a risk that the Examiner may reject the CIL proposals, thereby preventing the introduction of CIL.
- 7.2 The Open Space SPD update must be prepared and adopted in parallel with CIL,

otherwise there is a risk that there will be no means to secure vital site specific development contributions.

8.0 Financial Implications

8.1 There are no financial implications at this stage.

9.0 Corporate Outcomes

9.1 The relevant Corporate Outcomes are:

- A good quality of life – sustainable, healthy, safe
- Council services which provide good value for money – financial stability
- Effective partnership working –strong strategic partnerships
- Strong community leadership – a proactive and listening Council

10.0 Recommendation

10.1 Approval from Members is sought for the publication of the Open Space Supplementary Planning Document update:

1. For consultation during early 2014 as a supporting evidence base document to the Draft Charging Schedule.
2. For submission to the Secretary of State, as part of the supporting evidence base to the Draft Charging Schedule.
3. Should any minor changes be required in the document prior to consultation commencing, approval be delegated to the Head of Planning in consultation with the Chairman of the Planning Policy Committee.

(Reason – to ensure that the Council's CIL bid is supported by a comprehensive and robust evidence base)

Legal	Power: Planning Act 2008 & Localism Act 2011 The Community Infrastructure Levy Regulations 2010 The Community Infrastructure Levy (Amendment) Regulations 2011 The Community Infrastructure Levy (Amendment) Regulations 2012 The Community Infrastructure Levy (Amendment) Regulations 2013 Community Infrastructure Levy Guidance April 2013 The Town and Country Planning (Local Planning) (England) Regulations 2012 (statutory instruments 2012 No.767)	
	Other considerations: None	
Background Papers: None		
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Date: 09 December 2013		
CFO	MO	CX

(Committee Report Normal Rev. 22)

APPENDIX 1: Draft Open Space Supplementary Planning Document Update



East
Northamptonshire
Council

Draft Open Space
Supplementary Planning Document



Updated November 2011-2013

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1.0 Introduction

- 1.1 Open space can provide a number of functions: the location for play and recreation; a landscape buffer for the built environment; and provide an important habitat for biodiversity. It can also provide an attractive feature, which forms a major aspect of the character of a settlement or area.
- 1.2 In 2005, PMP consultants carried out an Open Space, Sport and Recreational Study of East Northamptonshire (published January 2006). In accordance with ~~former Planning Policy Guide (PPG) 17~~[national planning policy at the time](#), the study identified open space and rated it on quality, quantity and accessibility issues, as well as highlighting areas of deprivation and where improvements to existing open space needed to be made. The study was refreshed with a further audit of open spaces, undertaken during 2009 and 2010, as part of the Rural North, Oundle and Thrapston Plan (RNOTP) and as part of the ongoing evidence gathering process for emerging Development Plan Documents (DPDs).

2.0 Purpose

- 2.1 This document sets out East Northamptonshire Council's approach to providing open spaces in new developments and to securing financial contributions to sustain, improve and maintain them.
- 2.2 East Northamptonshire Council wants all residents and visitors to enjoy a high quality environment. A key element to this is the provision of good, safe open space with the opportunity for both formal and informal recreation.

3.0 Policy context and statutory process

~~3.1~~ Once adopted, this Supplementary Planning Document (SPD) will ~~form part of~~[support the relevant policies within](#) the Local ~~Development Framework Plan~~ for East Northamptonshire.

~~3.3.1~~ This SPD will supplement the adopted North Northamptonshire Core Spatial Strategy (CSS) (adopted June 2008), in particular policies 5, 6 and 13 (see Appendix B for policy context).

~~3.3.2~~ Consultation – The Open Space SPD forms a statutory ~~part of the~~ Local Development ~~Document (LDD) Framework Plan~~, so the preparation process is dictated by Regulations ~~12, 13, 14 and 35 46-49~~ of the Town and Country Planning (Local ~~Development Planning~~) (England) Regulations 2012 ([statutory instruments 2012 No.767](#)) ~~04 (Statutory Instrument 2004 No. 2204)~~. The SPD process, including consultation stages, takes place with reference to ~~three~~ key documents ~~and guidance~~:

- ~~Town and Country Planning (Local Development) (England) Regulations 2004 (“The Regulations”)~~ [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(statutory instruments 2012 No.767\)](#).
- ~~Revised~~ North Northamptonshire Statement of Community Involvement (SCI) adopted ~~October 2006~~ [November 2013](#), the main guidance document for undertaking public consultations for Local Development Documents
- East Northamptonshire Council ~~Consultation Strategy 2008-2011, corporate policies~~ [and](#) generic good practice guidance for undertaking public consultation

~~3.43.3~~ In accordance with the Regulations, SCI and other guidance, the SPD preparation process (including consultation and engagement) will take place through the following stages:

1. Preliminary and informal consultation – officers and other consultees (as appropriate) during the initial SPD drafting stage.
2. Approval of draft SPD for consultation – formal Member involvement, through Planning Policy Committee.
3. 4-6 weeks statutory consultation, under Regulation ~~12 (b)~~¹⁷.
4. Consideration of representations and preparation of “Statement of Representations” (also known as the “Regulation ~~12(a)~~¹⁸ Statement), summarising comments received during the Regulation ~~(12)~~¹⁷ consultation stage and identifying modifications/changes to the draft SPD, where appropriate.
5. Adoption of the SPD, under Regulation ~~14~~¹⁹ – formal Member involvement, through Planning Policy Committee.

4.0 Consultation

~~4.1~~ A Consultation Draft of this Open Space SPD was previously approved for an eleven week period of public consultation by the Planning Policy Committee on 11th July 2011. A list of consultees (consultation bodies and individuals) is set out in Appendix I.

~~4.2~~ A summary of the representations received from the six weeks consultation and the Council's responses to these, are set out in a separate document [Statement under 2004 Regulation 18 (4)(b)]. The Consultation statement is available to view on the Council's website.

~~4.1~~ Consultation for the previous version of the Open Space SPD was undertaken in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004. These have since been replaced by the Town and Country Planning (Local Planning) (England) Regulations 2012, which define the statutory consultation process for the updated SPD.

~~4.34.2~~ Since ~~that~~ document was adopted in November 2011 the Council is seeking to apply to introduce the Community Infrastructure Levy (CIL) charging schedule across the district in line ~~with~~ the 2008 Planning Act ~~and~~ (Part 11) and the Community Infrastructure Levy Regulations 2010. More information on this ~~can be found on the Council's website at <http://www.east-northamptonshire.gov.uk/cil>~~. The Council is also preparing a ~~new~~ ~~which aspects of funding will be derived through CIL and which through S106 planning obligations can be obtained from East Northamptonshire's 'Section 106 Planning Planning Agreements Supplementary Planning Document' (S106 Agreements SPD) (.....2013)~~ [To be adopted alongside the revised ~~new~~ Open Space SPD, once CIL is ~~is~~ implemented].

~~4.44.3~~ As a result of the changing obligation system as well as changes to national policy a number of small updates have therefore been made to the ~~November 2011 Open Space SPD~~ document, as marked by tracked changes. The Council is therefore consulting on the updated SPD for ~~further round of a~~ six week consultation in line with the 2012 Regulation 12 (b). This will take place between ~~xxxx~~ ~~[Consultation to take place once date for implementation of CIL is confirmed]~~. A list of consultation bodies and individuals is set out in Appendix I.

5.0 What is Open Space?

- 5.1 ~~'Open Space includes all open space of public value, including not just land, but also areas of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and recreation and can also act as a visual amenity.'~~ (PPG17: Annex: Definitions, July 2002). The NPPF ([Annex 2](#)) defines open space as: "All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity". ~~(Annex 2).~~
- 5.2 Open space in towns, villages and other developments is essential in improving public health, well-being and quality of life. Attractive, safe and accessible parks and green and other spaces contribute positive social, economic and environmental benefits and promote social inclusion. Well used and maintained open spaces make a considerable contribution to the quality of life of residents and visitors and promote sustainable communities. They can also be used for flood alleviation and present opportunities for flood risk management.
- 5.3 ~~The PMP Open Space, Sport and Recreation Study underpins the relevant Local Plan policies and this SPD. This identified eight typologies of open space. For the purpose of this Supplementary Planning Document (SPD), eight typologies of open space are included, in accordance with former PPG17,~~ These are:
- **Allotments, Community Gardens** and city (urban) farms
 - **Amenity Green Space** (most commonly, but not exclusively in housing areas) - including informal recreation spaces, green spaces in and around housing, domestic gardens and village greens;
 - **Cemeteries and Churchyards**
 - **Green Corridors** (including river and canal banks, cycleways, and rights of way);
 - **Natural and Semi-Natural Open Space** including woodlands, urban forestry, scrub, grasslands (eg downlands, commons and meadows) wetlands, open and running water, wastelands and derelict open land and rock areas (eg cliffs, quarries and pits);
 - **Outdoor Sports Facilities** (with natural or artificial surfaces and either publicly or privately owned) including tennis courts, bowling greens, sports pitches, golf courses, athletics tracks, school and other institutional playing fields, and other outdoor sports areas;
 - **Parks and Gardens** including urban parks, country parks and formal gardens;
 - **Provision for Youth and Young People** including play areas, skateboard parks, outdoor basketball hoops, and other more informal areas (e.g. 'hanging out' areas and teenage shelters);
- 5.4 ~~In accordance with Policy 5 of the adopted North Northamptonshire Core Spatial Strategy (CSS),~~The relevant Local Plan policies, like the NPPF, recognise the varied roles and nature of different open spaces ~~such as~~. ~~These include~~ amenity green spaces, parks and gardens, country parks or footpaths ~~may also~~, all of which may form green corridors and help deliver green infrastructure. For the purpose of this Supplementary Planning Document, green infrastructure is defined as a strategically planned and delivered network comprising of a range of high quality green spaces and

other environmental features. It goes beyond the site specific, considering also the big picture, landscape context, hinterland and setting; as well as the bigger strategic links.

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6.0 When will open space need to be provided?

Residential development

- 6.1 Open space, sport and recreational facilities will be provided for all on new housing developments of **15 or more dwellings or with a site area over 0.42ha¹** or larger, as set out in the S106 SPD. New open space, sport and recreation facilities shall be provided and/or improvements and enhancements undertaken to existing off-site facilities where applicable and directly related to the development.
- 6.2 Where development falls below 15 dwellings or a site with the area less than 0.42ha, on site provision may not be sought, however contributions to open space will still be sought for off site provision where there is a net increase in dwellings (i.e. not a replacement dwelling) as demand and level of use will increase on existing open space.
- 6.3 To achieve protection and enhancement of existing open space, sport and recreation facilities, measures will be taken to:
- Protect and enhance the sites identified as having high value (in terms of quality and accessibility).
 - Enhance the quality and accessibility of sites currently assessed to be below the local quality and accessibility standards in line with the design principles in Appendix C.
 - Secure the exchange of one site for another in order to substitute for any loss of open space or sports and recreational facility or to remedy deficiency in accordance with the National Planning Policy Framework. The new land and facility should be a suitable location and at least or more accessible to current and potential new users. As well as an at least or better equivalent in terms of quantity and quality, including its size, usefulness, attractiveness and quality.
 - Achieve sufficient open space and recreation provision by meeting the recommended local accessibility standards for each open space type as outlined in Appendix D.
 - Where not already covered by the Community Infrastructure Levy, secure provision through s106 planning obligations to improve open space, sport and recreation facilities and direct developer contributions towards areas of need and key deficiency including off site provision where directly related to the development, in accordance with Community Infrastructure Levy (CIL) regulation 122.
- 6.4 East Northamptonshire Council require developers to meet the overall open space provision, however under particular circumstances a degree of flexibility to the individual types of space requirement may be considered; e.g. there may be no need it may be difficult to justify provision for natural/ semi natural green space within an urban area where this does not already exist.
- 6.5 In some cases where directly linked to the development, commuted sums may be sought for off-site provision, either the provision of new facilities, or improvements or enhancements to one or more existing facilities. In the latter case, where the most appropriately sited existing facilities are of poor quality, development contributions should

¹ East Northamptonshire Council S106 Planning Agreements Supplementary Planning Document (August 2013)

be utilised to raise the quality of the existing facility to an acceptable standard, in order to meet the specific needs for open space provision arising from the development.

6.6 ~~These Any~~ contributions ~~would need to~~ must meet the three tests as set out in CIL regulation 122. These are that each contribution is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

6.7 Any rise in population will have an increased demand on open space. Where provision cannot be made on site, the increased demand will impact on sites near to the proposed development. Contributions for improvements to sites within the threshold standards (Appendix D) will need to be undertaken so as to meet the impact of additional usage from the proposed development. In addition to this, in line with Core Spatial Strategy Policy 5: Green Infrastructure, improvements to, or the creation of, green links to these sites will be required. Green Infrastructure will also be determined with reference to the **S106** SPD and **emerging** North Northants Green Infrastructure Delivery Plan.

6.8 There will be instances where open space is not present within the distances outlined in the thresholds standard (Appendix D). Where this is the case, improvements to the sites most likely to be effected will be given priority and/or green linkages created/ improved to these sites.

Commercial developments

6.9 Within commercial developments, it is important to provide open space areas for workers, which help to improve health and wellbeing. Depending on the size of the development, these could be in the form of parks and gardens, amenity greenspace or potentially as part of a green corridor. These also provide visual amenity and add value to the development's image.

6.10 Where there is no on site provision for open space, extra pressure will be placed on existing nearby facilities. Workers frequently utilise recreation facilities during break times, as well as after work. This results in an additional burden on existing resources.

6.11 Where appropriate, a financial contribution will be sought from non-residential development, due to the increased demand for local open space, sport and recreation resources. This contribution will be based on the estimated number of people to be employed by the development.

6.12 Please refer to Appendix E when calculating the size requirement for open space for commercial developments.

7.0 Calculating Contributions

- 7.1 Contributions towards open space will be site dependent and negotiation with the body who will maintain the open space will be required (e.g. Town/Parish Council etc). This allows the Town or Parish Council to use their own evidence base of existing or potential maintenance contracts when negotiating what contributions should be made. Where Town or Parish Councils do not have an up to date evidence base for maintenance costs etc, it would be appropriate to refer to East Northamptonshire Council's adopted S106 Planning Agreements Supplementary Planning Document or subsequent adopted documents. Town and Parish Council's may wish to defer to this document in any case.
- 7.2 Appendix G provides flowcharts of the process, which developers must undertake.
- 7.3 Reference should also be made to Appendix F on how to calculate the size and type of open space necessary and Appendix G for information relating to children's play space provision. The design principles in Appendix C should also be adhered to.

8.0 Implementing and Monitoring the SPD

- 8.1 The Council encourages all applicants to enter into discussion with the local Town or Parish Council, lead by the Local Planning Authority, at the earliest opportunity; to confirm if a contribution is required and to discuss the amount and type of contribution that may be applied. The Town/Parish Council should however be aware of open space maintenance costs if the Town/Parish Council chooses to maintain the open spaces.
- 8.2 ~~The applicant should also refer to the North Northamptonshire Adopted Statement of Community Involvement (SCI) (<http://www.nnipu.org.uk/publications/docdetail.asp?docid=146>), ENC's Consultation Strategy 2008-11 (<http://www.east-northamptonshire.gov.uk/consultations>)² and major applications protocol (Protocol for dealing with major planning applications or applications of significant interest) (<http://www.east-northamptonshire.gov.uk/majorapps>).~~
- 8.3 It is important that discussions regarding open space requirements take place at an early stage in the formulation of any development proposal. This is fundamental as the outcomes will be critical in determining the ultimate design and acceptability of a particular project. Developers will also be expected to show how their development will incorporate the maximum amount of linked green space.
- 8.4 In order to assess the up-to-date needs of the settlement or area, prospective developers/ applicants are encouraged to enter early into discussions (via the Local Planning Authority), with local representatives; the town or parish councils; or District Ward Members. They are also encouraged to discuss any open space proposals with the local community, who will use any future space provided.
- 8.5 When submitting a planning application, full details of the intended open space provision and the specific size, location, layout and typology should be provided as part of the required Design and Access Statement and Landscape Details. Following discussion with the relevant Town or Parish Council etc, details of any open space contributions

² [\[Link to 2013 North Northamptonshire SCI\]](#)

shall also be submitted as part of a proposed Heads of Terms document to ensure that the case officer is aware of all propositions.

- 8.6 The details of any pre-application discussions with the Council or community representatives that may have assisted the choice of open space (or any alternative commuted/offsite financial contribution) must be included with the application. This is essential, in order to demonstrate compliance with the adopted North Northamptonshire Statement of Community Involvement ([November 2013](#)~~October 2006~~).
- 8.7 Review is also a key requirement of the planning policy development process and therefore the SPD will be updated as considered necessary.

Appendix A – Glossary of Terms

Term	Definition
DPD	Development Plan Document, a document which outlines the key development policies and land allocations goals of an the area. Local Development Framework.
<u>LDD</u>	<u>Local Development Document, a document such as a Supplementary Planning Document</u>
SPD	Supplementary Planning Document, a document which compliments and defines further details of a policy contained in a Development Plan Document. or Core Spatial Strategy.
SPG	Non statutory guidance supporting the Local Plan, now superseded by Supplementary Planning Documents.
RNOTP	Rural North, Oundle & Thrapston Plan, a Development Plan Document for part of the district of East Northamptonshire.
ENC	East Northamptonshire Council.
Heads of Terms	Is a document produced by developers drafting the level of financial contributions by type that they wish to make. The Heads of Terms is the starting place for negotiations that will end with the signing of the agreed s106.
<u>S106 contributions</u>	<u>These relate to site specific infrastructure requirements which are negotiable and paid directly to the relevant infrastructure provider.</u>
<u>Community Infrastructure Levy (CIL)</u>	<u>A pooled local infrastructure fund, which cannot be ring fenced beyond the overall list of projects identified on a r123 list.</u>
<u>r123</u>	<u>List of those items or types of infrastructure that the Council intends to fund through CIL.</u>
CSS	Core Spatial Strategy, a document that sets out the strategic policies and site allocations goals of an area. (one step above a Development Plan Document).
<u>LDF</u>	<u>Local Development Framework, is the planning framework in which the different levels of plans and guidance sit.</u>
<u>NPPF</u>	<u>The new National Planning Policy Framework (March 2012), which replaces nearly all of the former Planning Policy Statements and Guidance Notes and sets out the Government's planning policies for England and how these should be applied</u>

PPS	Planning Policy Statement (national planning policy since 2004), are the Governments statements defining national policy and principles towards aspects of the town planning framework.
PPG	Planning Policy Guide (national planning policy pre 2004), were similar to Planning Policy Statements, but are being gradually phased out.
North Northamptonshire	Covers the Districts of Corby, East Northamptonshire, Kettering and Wellingborough
JPU	Joint Planning Unit (North Northamptonshire Joint Planning Unit), responsible for strategic and cross district work.

Appendix B – Policy Context

This Supplementary Planning Document (SPD) will ~~form part of the support the relevant policies within the Local Plan for East Northamptonshire and Local Development Framework (LDF).~~ The LDF sits within a wider planning policy framework, which includes:

- ~~PPS1 – Delivering Sustainable Development (2005)~~
- ~~PPS9 – Biodiversity and Geological Conservation (2005)~~
- ~~PPG17 – Planning for Open Space, Sport and Recreation (2002)~~
- [National Planning Policy Framework \(2012\)](#)
- ~~Government Circular 05/2005: Planning Obligations~~
- [Community Infrastructure Levy \(CIL\) Regulation \(2010\) as amended \(2013\)](#)
- ~~East Midlands Regional Plan (adopted March 2009)~~
- North Northamptonshire Core Spatial Strategy (2008), specifically:
 - Policy 5: Green Infrastructure, and
 - Policy 6: Infrastructure Delivery and Developer Contributions
 - Policy 13: General Sustainable Development Principles
- Rural North, Oundle and Thrapston Plan (July 2011), specifically:
 - Policy 15: Open Space, Sport and Recreation Facilities.

Appendix C - Open Space Principles

General Principles for all open space – Amenity Green space, Parks & Gardens & Green Corridors

Open space within and around a development is as important as the design of the buildings. Careful consideration of the design of open space should be integrated at the earliest stage. Open space should not be an after thought when designing a development. Open space should have purpose and not be confined to corners of a development or where awkward pieces of land are left over which are not suitable for development. Poor design encourages crime, lack of social inclusion, creates littering and dog fouling potential. Well designed open space can be the making of a place.

Whilst some areas of open grass can provide space for informal recreation, over use of such spaces can also detract from the character of a development and limit the use of the space by different sections of the community. Furthermore large expanses of open grass offer little benefit for adapting to climate change or enhancing biodiversity, as required by **PPS1 and PPG17 national policy (NPPF)**. Instead consideration should be given to different ways in which the space could be used (both formally and informally, as appropriate), and how it can support the creation/enhancement of character. This might include for example, landscaping to create shaded areas and definition of the space (e.g. for sitting, reading, having a picnic etc), incorporation of green gyms or landscape features for informal recreation and play, and landscaping designed to provide/enhance specific habitat networks based on local conditions. The character of such open spaces will themselves be enhanced where they are well used by a diverse section of the community, and as such they will have a positive impact on the wider area.

Applicants are required to have regard to the Disability Discrimination Act (DDA) (1995). Parks and green spaces, such as Amenity Green Space, Parks & Gardens and Green Corridors shall be designed so that everyone can enjoy the open space.

All relevant open spaces should aspire to meet the Green Flag status for parks and other public open spaces.

A large amount of advice, guidance and principles have been produced for open space, some of which are listed below:

- Making it home: the power of landscape to create good housing (Landscape Institute) <http://www.landscapeinstitute.org/PDF/Contribute/MakingithomeA4final.pdf>
- Landscape architecture and the challenge of climate change (Landscape Institute) <http://www.landscapeinstitute.org/PDF/Contribute/LIClimateChangePositionStatement.pdf>
- Green infrastructure: Connected and multifunctional landscapes (Landscape Institute) <http://www.landscapeinstitute.org/PDF/Contribute/GreenInfrastructurepositionstatement13May09.pdf>
- Manual for Streets & Manual for Streets II <http://www.dft.gov.uk/pgr/sustainable/manforstreets/>
- Secured by Design Principles <http://www.securedbydesign.com/pdfs/SBD-principles.pdf>
- People and Places: Public attitudes to beauty (Cabe)

<http://www.cabe.org.uk/files/people-and-places.pdf>

<http://webarchive.nationalarchives.gov.uk/20110118095356/http://www.cabe.org.uk/files/people-and-places.pdf>

- Decent homes need decent spaces: An action plan to improve open spaces in social housing areas (Cabe)

<http://www.cabe.org.uk/files/decent-homes-need-decent-spaces.pdf>

<http://www.communityplanning.net/pub-film/pdf/DecentHomesNeedDecentSpaces.pdf>

- Adapting public space to climate change: Public Space Lessons (Cabe)

<http://www.cabe.org.uk/files/adapting-public-space-to-climate-change.pdf>

<http://www.designcouncil.org.uk/Documents/Documents/Publications/CABE/adapting-public-space-to-climate-change.pdf>

- Start with the park (Cabe)

<http://www.cabe.org.uk/files/start-with-the-park.pdf>

<http://webarchive.nationalarchives.gov.uk/20110118095356/http://www.cabe.org.uk/files/start-with-the-park.pdf>

- Design for play (Play England)

<http://www.playengland.org.uk/media/141887/design-for-play-introduction.pdf>

- Safer Places (ODPM)

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/147627.pdf>

- Natural England's Green Infrastructure Guidance

<http://www.urbanspaces.eu/files/Green-Infrastructure-Guidance.pdf>

<http://publications.naturalengland.org.uk/file/94026>

- 'Nature Nearby' - Accessible Natural Greenspace Guidance

<http://naturalengland.etraderstores.com/NaturalEnglandShop/product.aspx?ProductID=887a3e18-5296-4f1f-ae0e-15e02debf0e5> <http://publications.naturalengland.org.uk/file/95015>

- MKSM Green Infrastructure by Design Guidance

<http://www.bedsandlutongreeninfrastructure.org/pdfs/MKSM-GI-by-Design-Guide.pdf>

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Applicants are expected to take these into consideration when designing open space.

Children's Play Spaces

Applicants shall follow the ten CABE principles on designing children's play space (set out below). Reference shall also be made to Play England's Design for Play and CABE's Advice on Natural Play. As with all open space design, Secured by Design should be adhered to, applicants are also advised to consult Crime Prevention Design Advisors at the Police.

The ten principles when designing a children's play space

(<http://www.cabe.org.uk/public-space/play/principles>

<http://www.playengland.org.uk/media/141887/design-for-play-introduction.pdf>)

1. Imagine a play space designed to enhance its setting

Successful play spaces are designed to fit their surroundings and enhance the local environment, complementing attractive spaces and enhancing poorer environments.

2. Imagine a play space in the best possible place

Successful play spaces are located carefully 'to be where children would play naturally'. While children often enjoy feeling as if they are away from adult oversight, there is a fine balance between a space that is pleasantly secluded and one that is remote and hidden away.

3. Imagine a play space close to nature

Grassy mounds, planting, logs, and boulders can all help to make a more attractive and playable setting for equipment, and planting can also help attract birds and other wildlife to literally bring the play space alive.

4. Imagine a play space where children can play in different ways

Successful play spaces can be used in different ways by children and young people of different ages and interests; they can also be important social spaces for parents and carers, as well as for children.

5. Imagine a play space where disabled and non-disabled children play together

Children with different abilities can play together in well-designed play spaces, and parents and carers who are themselves disabled should be able to gain access to play spaces if they are to accompany their children.

6. Imagine a play space loved by the community

A successful community engagement process will help create a site that the community likes and which meets its needs.

7. Imagine a play space where children of all ages play together

Good play spaces avoid segregating children on the basis of age or ability, and are laid out so that equipment and features can be used by a wide range of children, even allowing different patterns of usage throughout the day or week.

8. Imagine a play space where children can stretch and challenge themselves in every way

Children and young people need opportunities to experience challenge and excitement in their play.

9. Imagine a play space maintained for play value and environmental sustainability

Good play spaces are designed and constructed using sustainable materials and maintained to encourage different play experiences.

10. Imagine a play space that evolves as the children grow

Building some 'slack space' into the layout – space with no predefined function – can help introduce potential for change and evolution.

Appendix D – Recommended Local Standards

These local standards were produced as part of the PMP Study 2006.

(<http://www.east-northamptonshire.gov.uk/ldfevidence> http://www.east-northamptonshire.gov.uk/site/scripts/documents_info.aspx?documentID=558)

Note: Urban relates to the PMP Analysis area which includes: Rushden, Higham Ferrers, Irthlingborough, Raunds and Stanwick. In line with the PMP Study differentiation, urban and rural area requirements differ as urban areas tend to have a slightly lower allocation/1000 population as people are more prepared to travel to use facilities. Whereas rural areas tend to have higher allocation per 1000 population as the specific geographical settlement tends to provide the facilities very locally, people do not travel far to use them as they are usually just within one village.

Parks and Gardens	Quantity	Accessibility
Recommended Local Standard	0.6 ha per 1,000 population	15 minute walk (Urban) 720m

Natural and Semi-Natural Open Space	Quantity	Accessibility
Recommended Local Standard	1.30 ha per 1,000 population (urban). 8.79 ha per 1,000 population (rural)	15 minute walk 720m

Amenity Green Space	Quantity	Accessibility
Recommended Local Standard	0.8 ha per 1,000 population	5 minute walk 240m

Provision for Children and Young People	Quantity	Accessibility
Recommended Local Standard	Urban: 0.1 ha per 1,000 population Rural: 0.14 ha per 1,000 population	10 minute walk 480m

Sports Facilities	Quantity	Accessibility
Outdoor Sports Facilities	1.69 ha per 1,000 population (excluding golf courses)	15 minute drive (5miles)

Allotments and Community Gardens	Quantity	Accessibility
Recommended Local Standard	0.34 ha per 1,000 population	15 minute walk (720m)

Amenity Green Space, Sports Facilities and Children and Young People

Children's Play Space concerns the provision of formal and informal community recreation of at least 0.7ha per 1000 persons. This requirement should consist of a minimum of 0.2ha per 1000 persons for equipped Children's Playing Space and 0.5ha per 1000 persons for informal Children's Playing Space.

Informal Children's Playing Space requirements may be met in part through amenity green spaces as they can provide multi-use function, such as informal children's playing space, green corridors, etc, therefore meeting the local standard set by PMP.

Appendix E – A Guide for the calculation of open space

To ensure correct calculation of the total amount of open space and which type of open space should be provided, the stages to be followed:

Step 1 – Calculate the number of new residents

Step 2 – The quantity of each open space type should be calculated.

Where a development is considered too small to provide minimum standard/ size threshold on site, the developer shall normally be expected to provide a financial contribution in lieu of the open space not being provided (unless there is an agreed position whereby an on site contribution is delivered that is to be managed/ maintained in perpetuity by the developer or any agreed/ nominated group stipulated within a legal agreement).

Step 3 – The Contribution to be paid for 'off-site' improvements shall be the equivalent to what would have been paid for 'on site' provision, therefore meeting the required standards. This capital sum will be used wherever possible by the Council to carry out improvements in open space provision at both the local level (within the local standards accessibility threshold) or as necessary allocated to other sites at a more strategic level.

Worked Example:

A development of 50 dwellings is proposed in a town.

Step 1. Estimate the number of new residents

(Estimate the number of new residents at 2.4 persons per household (ONS 2006))

$50 \times 2.4 = 120$ persons

Step 2. Calculate the Open Space requirement per type for the new development

- Amenity Green Space – $120 / 1000$ (persons) $\times 0.6\text{ha} = 0.096\text{ha}$ (960m²)
- Parks and Gardens – $120 / 1000 \times 0.6\text{ha} = 0.096\text{ha}$ (960m²)
- Natural and Semi-Natural – $120 / 1000 \times 1.3\text{ha}$ (urban) = 0.156ha (1560m²)
- Allotments – $120 / 1000 \times 0.34\text{ha} = 0.0408\text{ha}$ (408m²)
- Sports Facilities – $120 / 1000 \times 1.69\text{ha} = 0.2028\text{ha}$ (2028m²)
- Children and Young People – $120 / 1000 \times 0.1\text{ha} = 0.012\text{ha}$ (120m²)

- Note: Cemetery and Churchyard thresholds will not be addressed by this SPD. Contributions to this typology should be discussed with the relevant authority.

- Green corridors do not require a minimum threshold. These should be well designed and integrate to any development and open space design. Financial contributions will be sought for green corridors, however they may form part of other typologies as a secondary function.

Total site provision of 0.6036ha (6036m²)

The above requirements would then be considered in the context of the current open space in the locality of the new development and an acceptable combination of size/ types for any on site and off-site provision would be negotiated.

Step 3. Calculating Development Contributions

Development contributions for open space will be negotiated on a site by site basis through agreement with the authority who will manage the space. In most instances this will be the town or parish councils – although the developer may continue to support the maintenance, e.g. through setting up of a management company.

Costs for maintenance and construction will vary greatly because of the diverse nature of open spaces and the fact that each site should be individually designed relevant to it's location and surrounding. As such, the costs will be worked out on a site by site basis.

Note:

Natural and Semi-Natural

On site provision will only be sought where the topography and/or conditions are suitable or where it already exists or is adjacent to such areas. If on site provision is not required, a financial contribution towards off-site provision will be sought or if not applicable (site dependent) other open space typology more suited to the site may be negotiated.

Appendix F – Open Space requirements for non-residential development

The open space requirement below is in addition to any open space created as part of the landscaping scheme.

A new commercial or industrial development will not require all of the different open space typologies that a housing development would require. This is due to the potential needs of the workers being different to the needs of residents (e.g. workers will not increase the demand for allotments).

However, Amenity Green space, Parks and Gardens, Natural and Semi-Natural and Sports Facilities will be taken into account. The threshold standards as outlined in Appendix C will be used and amalgamated into one calculation:

- Amenity Green Space – 0.6ha x 1000 (persons)
- Parks and Gardens – 0.6ha x 1000
- Natural and Semi-Natural – 1.3ha x 1000
- Sports Facilities – 1.69ha x 1000

The requirement for open space will be 4.19ha per 1000 employees.

The open space required will be a multi-purpose rest area for employees and visitors to the site. Seating and bins will be required as well as the potential for exercise through links with green corridors and potentially green gym equipment. The open space should be designed in line with the principles outlined in Appendix B.

Worked Example

Step 1. Estimate the number of employees

50 employees

Step 2. Calculate the Open Space requirement per type for the development

50 divided by 1000 x 4.19ha = 0.2095ha

Total of 0.2095ha (2,095 m²) of open space will be required on site.

Note: On site provision of open space will not be maintained by the local authority or partner.

Appendix G – Specification of local play types for children and young people

Local Area of Play (LAP) is a small, unsupervised play area appropriate for the low-key activities of young children, such as play with small toys and games like hopscotch. These target the age group up to six years old. A new development of 15 dwellings or more should make provision for a LAP(s).

Local Area of Play: Specification

- The target age group is up to six years old
- Equipment should be compatible to the current European/CEN Standards
- The Play area should be at least 100m²
- A 5 metre wide buffer zone should be created between the perimeter and housing to offset any noise disturbance caused to neighbours
- The play area should be located away from any busy roads
- LAPs should be sited within a minutes walk (60m straight line) of a home
- Adequate seating should be provided for parents and carers
- Appropriate signage should be provided where necessary

The area shall cater for the needs of children with disabilities.

Local Equipped Area for Play

A Local Equipped Area for Play (LEAP) is a larger, unsupervised play area, equipped for children of early school age between the ages of 4-8 years old. Development of 50 or more dwellings should provide a LEAP, that is distinct from a LAP.

Local Equipped Area for Play: Specification

- The play area should be a least 400m²
- A 20 metre wide buffer zone should be created between the parameter and housing to offset any noise disturbances caused to neighbours
- LEAPs should be situated within 5 minutes walk (240 m straight line) of a home
- Overlooking from neighbouring properties is required to create informal supervision
- The play area should be located away from busy roads
- At least 5 types of play equipment to the current European/CEN Standards should be provided;
- Adequate seating should be provided for parents and carers

- The area shall cater for the needs of children with disabilities.
- Appropriate signage should be provided where necessary

Neighbourhood Equipped Area for Play (NEAP)

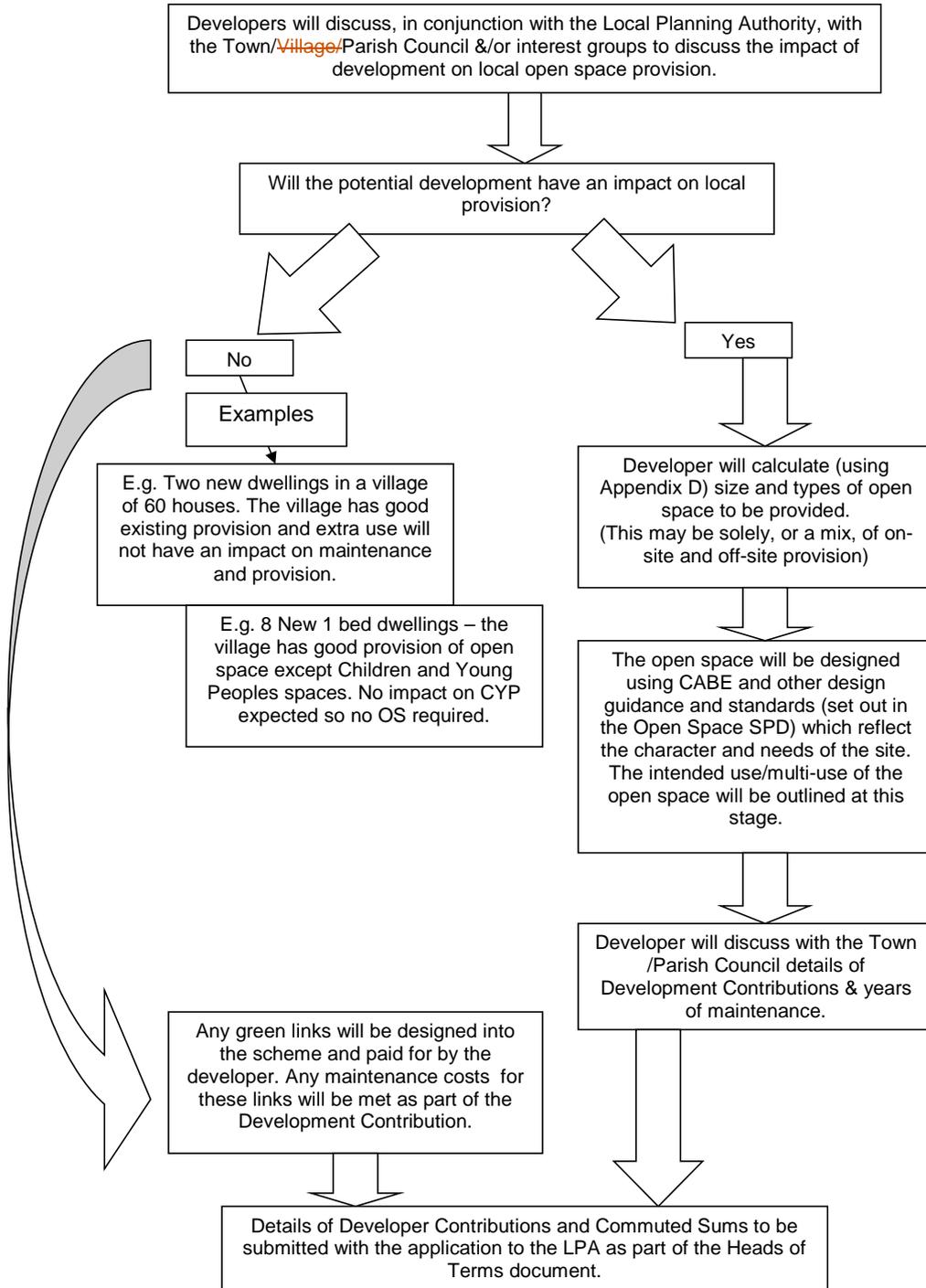
A NEAP is an unsupervised play area aimed at 8-14 year olds, which services a substantial residential area. Where it may not be practical or necessary to provide a NEAP on-site, contributions should be made to **enhance nearby existing facilities** or provide the necessary infrastructure for children to use that facility safely, by means of road crossing, for example.

Neighbourhood Equipped Area for Play: Specification

- The target age group is 8-14 years old
- The area should be at least 1000m²
- A 20 metre wide buffer zone should be created between the perimeter and adjacent housing to offset any noise disturbance caused to neighbours
- NEAP should be situated within a 15 minutes walk (600m straight line) of a home
- The play area should be located away from busy roads
- At least 8 types of play equipment to the current European/CEN Standards. should be provided
- Additional facilities should include a kick-about area and a wheeled play space for activities such as roller skating and cycling
- Adequate seating should be provided for accompanying adults and for teenagers to use as a meeting place
- The area should cater for the needs of children with disabilities
- Litter bins should be provided on the smaller play areas where appropriate, ENC will deal with these on a case by case basis. Dog and Recycling bins will also be required on this basis and considered on a case by case basis
- Appropriate signage should be provided where necessary

Appendix H – Flow Charts

1 – Developments under 15 dwellings



Developers will discuss, in conjunction with the Local Planning Authority, with the Town/Village/Parish Council &/or interest groups to discuss the impact of development on local open space provision.

Will the potential development have an impact on local provision?

No

Examples

E.g. Two new dwellings in a village of 60 houses. The village has good existing provision and extra use will not have an impact on maintenance and provision.

E.g. 8 New 1 bed dwellings – the village has good provision of open space except Children and Young Peoples spaces. No impact on CYP expected so no OS required.

Yes

Developer will calculate (using Appendix D) size and types of open space to be provided. (This may be solely, or a mix, of on-site and off-site provision)

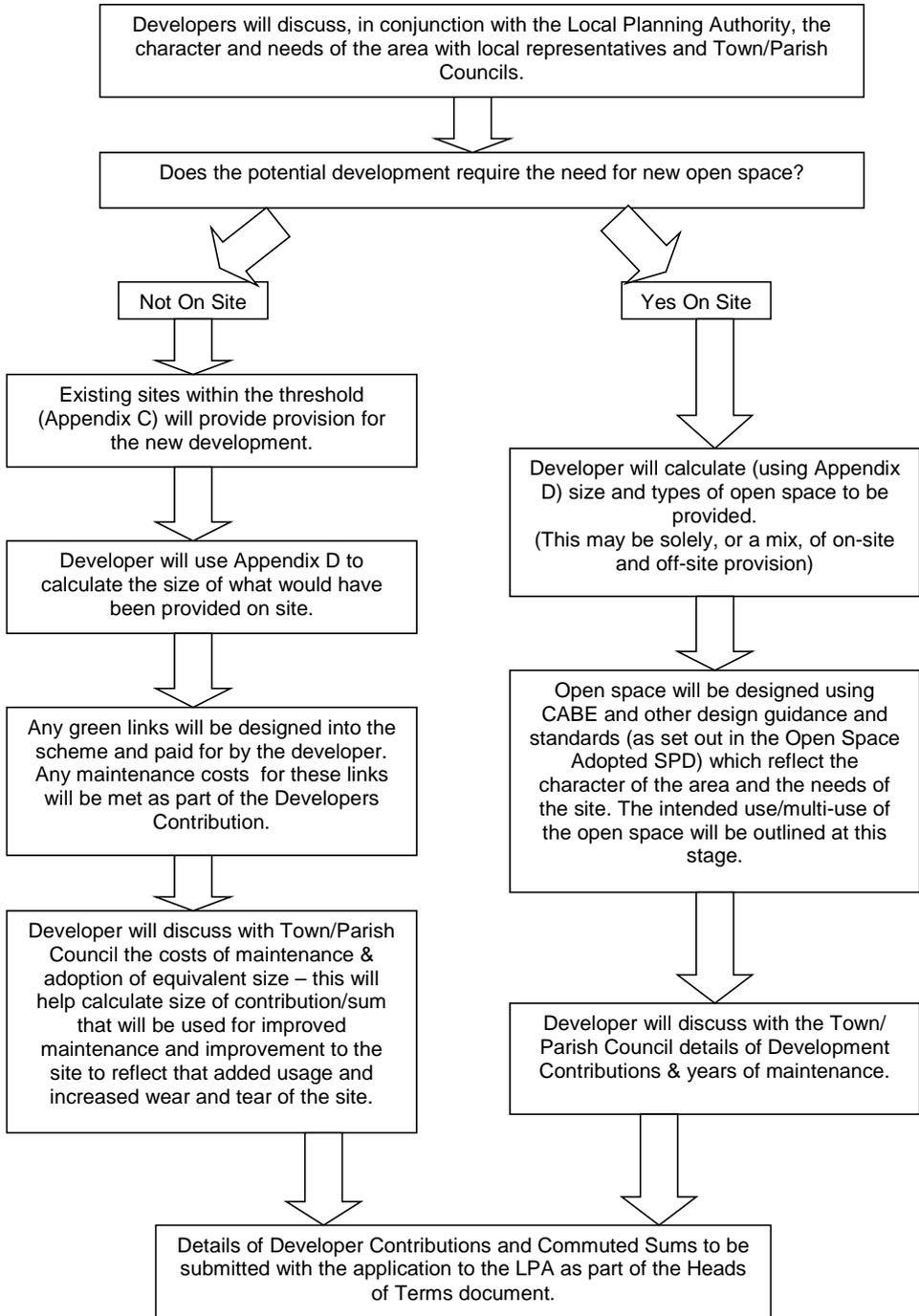
The open space will be designed using CABE and other design guidance and standards (set out in the Open Space SPD) which reflect the character and needs of the site. The intended use/multi-use of the open space will be outlined at this stage.

Developer will discuss with the Town /Parish Council details of Development Contributions & years of maintenance.

Any green links will be designed into the scheme and paid for by the developer. Any maintenance costs for these links will be met as part of the Development Contribution.

Details of Developer Contributions and Commuted Sums to be submitted with the application to the LPA as part of the Heads of Terms document.

2 – Dwellings over 15 units or 0.42ha



Appendix I – List of Consultees

Organisation
Town Councils
Higham Ferrers Town Council
Irthlingborough Town Council
Oundle Town Council
Raunds Town Council
Rushden Town Council
Thrapston Town Council
Parish Councils
Great Addington
Little Addington
Aldwincle
Apethorpe
Ashton
Barnwell
Benefield
Blatherwycke
Brigstock
Bulwick
Chelveston-cum-caldecott
Clopton
Collyweston
Cotterstock
Deene and Deenethorpe
Denford
Duddington with Fineshade
Easton on the Hill
Fotheringhay
Glapthorn
Hargrave
Harringworth
Hemmington, Luddington, Thurning
Islip
Kings Cliffe
Laxton
Lilford-cum-wigsthorpe & Thorpe Achurch
Lowick and Slipton
Lutton
Nassington
Newton Bromswold
Pilton, Stoke Doyle and Wadenhoe
Polebrook
Ringstead
Southwick

Stanwick
Sudborough
Tansor
Titchmarsh
Twywell
Wakerly
Warmington
Woodford
Woodnewton
Yarwell
Other Statutory consultees
Northamptonshire County Council – Planning Pocket Parks Officer Head of Countryside
Northamptonshire Police
North Northamptonshire Joint Planning Unit
Sport England
Anglian Water
Wildlife Trust
Forestry Commision Commission
Environment Agency
Natural England
English Heritage
Local/interest organisations
River Nene Regional Park
NHS/Health
Northamptonshire ACRE
Disability Rights Commission
CPRE
RSPB
Groundwork Northamptonshire
Rockingham Forest Trust



East
Northamptonshire
Council

Planning Policy Committee

16 December 2013

Update Sheet

General point:

In order to avoid any potential for confusion about the status of the 2 SPDs when consultation commences on the CIL Draft Charging Schedule, it is proposed to re-label them as preliminary draft SPDs.

Open Space Supplementary Planning Document Update:

- Reference to off-site open space provision needs to be updated to reflect the CIL r123.
- The document needs to include reference to maintenance contributions.
- Page 24, NEAPs definition needs to reflect CIL r123 – needs to relate to site specific requirements.
- New text will be included in the document to enable Town/Parish Councils to have first refusal to manage open space.

Draft Section 106 Planning Agreements Supplementary Planning Document:

- Page 12, Policy 2 table – 2nd column to be removed - this aimed to provide an example, but could be misinterpreted.
- Page 14, needs to insert the trigger for on site secondary schools, 4,000.
- Wording needs to be amended about the role of town and parish councils in the negotiation process e.g. page 18 bottom of Policy 4 table – ENC are responsible for this, not Town and Parish Councils.
- Page 18, Policy 4 etc, content needs to cross-reference to the Open Space SPD and CIL r 123.
- Sustainable Urban Drainage section starting p21 to be removed and replaced with explanation of the changes that are due to take place soon re- SuDs responsibilities/approvals system.
- P32 justification of affordable housing thresholds B5, B6 and table to be removed as identifies old information that related to policies – this could confuse the reader if read in conjunction with the Draft Charging Schedule background evidence.
- Term “Phasing” could cause confusion and instead will be replaced with “trigger point” or “delivery”, as appropriate to the context.
- General point, the document needs to make additional cross-references to CIL and r123 for clarity.