

LOCAL DEVELOPMENT FRAMEWORK FOR BRADFORD

**Supplementary Planning Document
Open Space and Built Recreation Facilities Scoping Report**

March 2007

1.0 FOREWORD

- 1.1 The Council is committed in the proposed revised Local Development Scheme (March 2007) to the preparation of a new Supplementary Planning Document (SPD) in support of the saved policies in the replacement Unitary Development Plan (adopted October 2005). The purpose of the SPD is to achieve a clear framework for securing new sport, recreation and open space provision (including built facilities) to meet the needs, generated by new development. This includes consideration of on site provision, off site provision and the role of financial contributions. The framework in particular needs to be informed by the findings of the recently completed strategic assessment of recreation open space, playing pitches and forthcoming built facilities assessment, in particular with regards to areas of deficiencies.
- 1.2 The purpose of this document is to engage key stakeholders and the public in considering the key issues that the SPD could and should be addressing and the possible approaches, which the document can adopt to address those issues.
- 1.3 It is proposed that the SPD will help secure the following objectives:
- Providing usable, accessible and sustainable open spaces, sport and recreational facilities within the District.
 - Increasing leisure opportunities for young people and key target groups.
 - Providing an appropriate balance between the provision of new open space and facilities and the enhancement of those currently in existence, so that the needs and aspirations of local communities are met.
- 1.4 The final SPD needs to be soundly based on the available evidence taking into account national, regional and local policies and strategies, the views of the stakeholders and the community as well as the findings of the sustainability appraisal. The comments on this scoping report will inform the draft SPD which will then in turn be published for comment before it is then adopted. Once adopted the SPD will be given weight in the determination of planning applications.
- 1.5 In line with national guidance an overall assessment of the quality and quantity of recreation open space and playing pitches for Bradford District was recently been completed by Knight, Kavanagh and Page for the Council. Copies of this assessment can be provided on request (normally on CDR) An assessment of built recreation facilities is to be undertaken soon to complete the picture in support of the emerging SPD.

- 1.6 The SPD itself must conform with the relevant policies in the RUDP which set the broad parameters within which the approach in the SPD must accord. The detailed wording of the relevant policies are set out in Appendix 1.
- 1.7 Other important considerations in defining the scope of the SPD are; the types of open space identified in the Planning Policy Guidance produced by the Department of Communities and Local Government (Appendix 2), the regulations governing the use of planning obligations (the basis for seeking contributions) and the information provided by the assessments carried out. More detailed information about these factors is set out in the later sections of this report relating to the context.
- 1.8 It is proposed that the SPD should:
- Provide clarity on the types of open space and recreation facilities should be included;
 - Seek to apply provision standards and address the deficiencies identified in the strategic assessments;
 - Address the achievement of an appropriate balance between new provision and the enhancement of existing facilities;
 - Be clear and coherent to provide a reasonable basis for negotiations with developers.
- 1.9 In considering the above issues the public and stakeholders are asked for their views on several key questions:
- What types of open space and recreation facility should the SPD cover?
 - How best can the needs of new development be met?
 - What circumstances should be used to determine on site or off site provision?
 - What should the role of financial contributions be for securing new and improved off site provision?
 - Is it appropriate to pool contributions?
 - How should financial contributions be calculated?
 - How should the SPD secure maintenance of new or improved provision?
- 1.10 Please let us know what you think by **14th May** so we can take your views into account in preparing the draft SPD. Comments should be sent to:

Local Development Framework Group
8th Floor Jacobs well
Manchester Road
BRADFORD
BD1 5RW

Or emailed to:

ldf.consultation@bradford.gov.uk

- 1.10 The information you give will be used in accordance with the Council's registration under the Data Protection Act 1998. Responses will be held on a database and be available for public inspection, upon request until the LDF is adopted.

What Happens Next?

- 1.11 All the comments made at this stage will be considered in the preparation of the draft SPD. The Council is then expected to publish the Draft SPD and accompanying sustainability appraisal report in August 2007 for comment. Once representations on the draft SPD have been considered and changes made, then the document will be adopted.

Further information

- 1.12 For more information about developing the SPD or any other aspect of the Local Development Framework please contact:

Local Development Framework Group
8th Floor Jacobs well
Manchester Road
BRADFORD
BD1 5RW
Tel: 01274 434050
Fax: 01274 433767

Email: Ldf.consultation@bradford.gov.uk

Or visit our web-site at: <http://www.Bradford.gov.uk/LDF>

2.0 POLICY CONTEXT

2.1 In drafting the SPD a range of considerations need to be examined and will shape the key issues and ultimately the approach to be adopted. These include:

- National, regional and local policy/strategies
- Assessments
- Good practice

2.2 These are considered briefly below. Further detail can be found in Appendix 3.

Local Policy

Replacement Unitary Development Plan

- 2.3 The Local Development Framework will gradually take over the role of the Replacement Unitary Development Plan (RUDP), adopted in October 2005 to provide the land-use planning framework for the District. The RUDP currently identifies the land use strategy and allocations to meet development needs in the District to 2014, with detailed policies for the control of development. The policies of the RUDP are saved until at least October 2008 and will continue to be used for determining planning applications in advance of the adoption of the LDF documents in due course. The Open Space and Built Recreation Facilities SPD is being prepared to support the effective implementation of several of the saved RUDP policies, particularly those relating to provision of new open space (policy OS5) and built recreation facilities (policy CF7A).
- 2.4 Policy OS5 relates to the provision of recreation open space and playing fields for new development. This is based on the premise that all new residential development, irrespective of size, will create additional demands for recreational open space in the form of children's play space and informal open space, as well as for formal open spaces for outdoor sport and recreation in the form of playing fields. It is essential that people have easy access to open space close to where they live to meet their sporting or leisure needs. Therefore, developers will be expected to make appropriate provision for both recreation open space and playing fields to meet the needs generated by the development.
- 2.5 Also relevant is policy CF7A, which reflects the importance of making appropriate provision for built indoor sports and recreation facilities, where a major development would result in an increased demand which cannot be met by existing facilities or compounds existing deficiencies.

- 2.6 A number of additional policies may be relevant, depending on the types of open space and range of activities, which can be covered. These include policies requiring contributions towards pedestrian and cycle routes and networks where appropriate and to landscape and wildlife enhancement schemes and increasing woodland cover.
- 2.7 Policy UR6, sets out the Council's approach to using planning obligations to secure social infrastructure such as recreation open space or built facilities.
- 2.8 The detailed wording of all these policies is found in Appendix 1.

Existing Supplementary Planning Guidance

- 2.9 **Supplementary Planning Guidance for the Provision of Children's Play Space Within New Residential Developments** was approved in 1994. Broadly speaking, this still influences the approach taken by the Council.
- 2.10 Key points are set out below:
- In determining the type and scale of provision account will be taken of the size of the site, dwelling type, likely residents and the level of existing provision.
 - Where the physical provision of open space on site or off site is impractical or unsatisfactory, the applicant can undertake to provide a financial contribution to fund improvements to open space in the locality, which will be more intensively used as a consequence of the development.
 - Developers need to demonstrate that proper provision has been made to safeguard the long-term use and maintenance of open space. This will normally be by means of the Council agreeing to adopt the facilities provided the developer pays a commuted sum to cover the estimated cost of future maintenance for twenty years.
 - The facilities may need to be provided or financial contribution made before an agreed number of dwellings are occupied.
- 2.11 The SPG will be superseded by the new SPD.

Local Development Framework

- 2.12 Once adopted, the Open Space and Built Recreation Facilities SPD will form part of the Bradford District Local Development Framework. The Local Development Framework is the new name for the development plan for Bradford District. The old system of a single plan covering the whole District is over time being replaced by a development plan that is made up of a series of separate documents constituting the Local Development Framework.

- 2.13 Documents that form part of the statutory development plan for the District and are the subject of a Public Examination are called Development Plan Documents. These will include;
- Core Strategy,
 - Area Action Plans (Bradford City Centre and Canal Road Corridor),
 - Site Allocations (housing, employment and safeguarded) DPD
 - Open Space DPD.
- 2.14 In addition the Council is to produce other documents called Supplementary Planning Documents (SPDs), which are being prepared initially to supplement RUDP policies. Preparing an SPD is similar to the process of preparing a Development Plan Document but in a simplified form.
- 2.15 The main purpose of SPDs is to strengthen the effectiveness of the development framework by expanding on or providing further detail on policies, for example a Draft (SPD) has recently been prepared relating to planning obligations. SPDs must therefore conform to the relevant adopted RUDP or LDF policies and thereby be consistent with national planning policy and generally conform to the Regional Spatial Strategy.

Other Supplementary Planning Documents

- 2.16 The Council has recently produced a draft SPD on Planning Obligations for consultation. This sets out the context regulating the use of planning obligations and offers guidance on issues relevant to their use including securing financial contributions or off site provision which are relevant to this SPD.

Other Local Strategies

- 2.17 Bradford Council has '**A Strategy for Children's Play**' which aims to ensure that all children have access to play opportunities and that the quality of provision is as good as possible.
- 2.18 One of the key themes within the emerging **Physical Activities and Sport Strategy** for the District focuses on building infrastructure and settings for physical activity and sport and the need to increase and improve available facilities.

Regional Policy

- 2.19 Levels of participation in sport and active recreation in Yorkshire and the Humber are lower than the national average. The **Yorkshire Plan for Sport** (2004) aims to increase participation in sport and active recreation by 1% each year. Policy ENV11 in the **Draft Regional Spatial Strategy for Yorkshire and the Humber** links health and recreation and sets the framework for development plans to safeguard

and enhance sport and recreation facilities and maximise opportunities for walking and cycling routes.

National Policy

- 2.20 **Planning Policy Guidance 17** sets out national planning policy relating to open space, sport and recreation. The Companion Guide accompanying PPG 17 provides definitions of the various types of open space and sport facilities, which formed the basis of the open space assessment and will guide future policy development. PPG17 promotes the use of planning obligations to secure improvements or additions to the provision of local open space, and sports and recreation facilities.

Assessments

Open Space Assessment

- 2.21 The recently completed **Bradford Open Space, Sport and Recreation Study** was undertaken in line with national guidance and will inform the detailed implementation of the policies of the RUDP. The Study was produced by Knight Kavanagh and Page and is made up of three volumes:
- Outdoor Sports Facilities Assessment
 - Open Space Assessment
 - Strategic recommendations
- 2.22 One of the most important strategic aims of the study is to provide usable, accessible and sustainable open spaces, sport and recreational facilities within the District. The assessment sets out the results of research and analysis of open space, sport and recreational facilities provision within Bradford. This information is set out in assessment reports for outdoor sports facilities and open spaces which highlight key issues emerging from detailed assessment of the quality and distribution of provision and extensive consultation with local groups and people. The assessment identifies gaps in provision and deficiencies in the quality of existing areas for many of the different types of open space and for the different outdoor sports facilities.
- 2.23 The Companion Guide to PPG17 identifies a wide range of open space typologies, which are set out in Appendix 2 along with their primary purpose. Briefly these are; parks and gardens, natural and semi-natural greenspaces, green corridors, amenity greenspace, outdoor sports facilities, provision for children, allotments, cemeteries and civic spaces.
- 2.24 The open space assessment outlines findings from the survey of residents in relation to their use of and attitudes towards the provision

of the different open space typologies in Bradford. Questions are asked about frequency of usage in the previous 12 months, time prepared to travel to reach open space and residents are asked to rate the quality of provision. A summary is provided for each open space typology, bringing together the survey findings with a brief reference to the gaps identified in the catchment mapping exercise. The most frequently visited open space is a park (51%), followed by a footpath/cycleway (36%) and a civic space/non-green space (35%). Survey responses show that, for most typologies, people are willing to walk between 5-15 minutes to reach open spaces.

- 2.25 The survey findings provide the context to sections, which address the quantity, quality and accessibility of provision. Catchment areas are identified for typologies using figures based on previous research and survey responses. Drawing data from a combination of site visit assessment and consultation, specific issues are identified to be addressed for each typology and a summary provided. In the strategic framework a programme of action to achieve improvements in open space is identified. For each type of open space priorities have been identified and given a timescale, ranging from short (1-2 years), medium (3-5 years) to long (6+ years).
- 2.26 The assessment for outdoor sports facilities is based on the definition in PPG17 and defines outdoor sports facilities as those with either natural or artificial surfaces, which are either publicly or privately owned. These should include; tennis courts, bowling greens, sports pitches, golf courses, athletics tracks, school and other institutional playing fields and other outdoor sports areas. For each type of outdoor sports facilities key issues are identified and an assessment offered of the extent to which existing facilities are accommodating demand.
- 2.27 PPG17 now requires local authorities to undertake detailed local assessments to provide evidence as a basis for developing a local standard, taking into account the quality, capacity and accessibility of outdoor sports facilities rather than just the quantity. Traditionally the NPFA 6 acre standard, quoted in the RUDP, has been used for playing pitches. However by factoring in information about the pitch stock and demand within a local area, a qualitative local standard has been identified. Developer contributions could be directed towards meeting this standard in the area within which the site is located. Such standards should be used to ensure that the occupants of new houses have access to sufficient, good quality open space to meet their recreational needs.

Built Facilities For Indoor Sports And Recreation

- 2.28 The Council is in the process of commissioning an assessment of built recreation facilities to support the SPD. In terms of built facilities, the report will consider supply and demand issues for indoor sports and related facilities. It will centre on the provision of 'sports facilities' and

the demand created for these facilities by sports clubs' use and general public use.

- 2.29 A certain amount of data currently exists on the Sport England database and will be refined in the study. The report will provide an assessment of the quality, quantity, distribution and accessibility of each type of facility and an evaluation of their distribution within sub-areas of the district. It will identify current unmet demand, shortfalls or surpluses in provision, as well as refurbishment and or new build options.

Examples Of Practice Elsewhere

Harrogate

- 2.30 Harrogate Districts SPD on Provision for Open Space in connection with new housing development has a number of positive features:
- It provides a vision for each type of open space, describing the purposes and particular features of each.
 - It proposes the introduction of an on-line calculation service to help developers estimate their own open space requirements.
 - It identifies area-based standards for the full range of open space typologies per 1000 people.
 - It is very clear about the types of application to which it applies

Calderdale

- 2.31 The built facilities assessment for Calderdale set out, in a vision, standards to be achieved, eg that all major settlements should be within 15 minutes drivetime of a 4 court badminton hall. Consultation with user groups also showed additional demands, which were reflected in provision standards.

Other Considerations

Sustainability Appraisal

- 2.32 The RUDP and its policies where the subject of a Sustainability Appraisal (SA), under the guidance that existed at the time, however since then the requirements for sustainability appraisal have become more technical and sophisticated. Where an SPD is being prepared on the basis of a saved plan policy or policies which have not been subject to as rigorous an assessment as recent guidance now requires, then the authority needs to carry out a sustainability appraisal of relevant policies and report on these. The SA framework provides a way in which the social, environmental and economic effects of a plan can be described and analysed.
- 2.33 In preparing the SPD, there is a three-stage process of pre-production, production, including a consultation period, and adoption following

consideration of consultation responses. The evidence gathering and early preparation of the draft SPD coincide with first stage of preparing the sustainability appraisal, which is known as scoping.

SA Scoping Report

- 2.34 A separate SA scoping report for the SPD has been published at the same time as this document. The scoping stage involves setting the context, establishing the baseline and deciding on the scope. As part of this process baseline information needs to be collected and relevant policies, plans and programmes established, leading to the identification of sustainability appraisal objectives and indicators. Sustainability issues and problems also need to be set out based on the data collected. Taken together, the objectives, indicators and issues form the sustainability appraisal framework against which the SPD will be assessed.

3.0 KEY ISSUES

3.1 The role of this scoping report is to set the context and identify the major issues, which the draft SPD should consider. It is important that a wide range of stakeholders have the opportunity to comment at the scoping stage and the results of the consultation will inform the draft document.

3.2 Where issues are raised in the scoping report and consultation responses, which cannot be resolved within the confines of the existing policy and the evidence base offered by the assessment, then these will need to be addressed more fully in the DPD to be prepared on Open Space at a later date (see revised Local Development Scheme march 2007). For example the DPD should be able to address a wider range of the typologies identified in PPG 17 than may be possible within the confines of existing knowledge and policy wording. It may also be able to consider issues such as the contribution of planning to widening participation and encouraging use of facilities which may mean increasing staffing levels, a matter raised in the open space assessment.

3.3 From the analysis above the following are seen as the Key issues for the SPD:

- Types of provision to be covered;
- How best to meet the requirements of different sectors of the community;
- The circumstances for securing new on-site Vs new off-site provision;
- Circumstances under which priority should be given to securing a contribution towards improving the quality of existing facilities and provision rather than seeking additional open space;
- Definitions of the types/size of residential development from which contributions will be sought will need to be set out;
- How contributions should be calculated.

3.4 The findings and recommendations from the strategic assessment in the Bradford Open Space, Sport and Recreation Study (The Assessment) taken together with the RUDP policies present a range of choices. These are considered below.

Recreation Open Space

3.5 Firstly Policy OS5 of the RUDP identifies an area standard per new dwelling for recreation open space (a minimum of 20 square metres per dwelling) and for playing fields (a minimum standard of 40 square metres per dwelling). As these figures are clearly identified in the policy wording, then where the council continues to seek additional areas of open space, whether on or off-site, then this would need to be on the basis of these figures and the identified split between recreation

open space and playing fields. Provision based on a defined area under the control of the developer has the advantage of increasing the amount of land available for recreation within the short term and can provide for the needs of younger children, who need provision close to home.

- 3.6 This SPD needs to identify which of the PPG17 typologies, that have been assessed in the study and for which provision standards have been identified, can be linked to the two basic types of open space identified in Policy OS5; recreation open space and playing fields.**
- 3.7 Recreation open space would comprise parks and gardens, natural and semi-natural greenspace and provision for children and young people, where the aspiration is to meet gaps in catchment areas. For parks and gardens small gaps have been identified, where a site of about 0.04 ha would be required, as well as large gaps where a local park should be identified of a minimum of 1.00ha. However, for a number of types of open space, it has not yet proved possible to identify provision standards e.g. green corridors.
- 3.8 The Assessment has calculated standards for outdoor sports facilities in line with Sport England guidance and the results of local consultation. These will form the basis of calculations to address the need generated for playing fields.
- 3.9 Policy OS5, promotes new provision on site. However, where this is inappropriate, then off-site provision or improvements to existing provision can be suitable alternatives. Policy OS5 also offers the alternative of making a commuted payment equivalent to the provision of new open space generated by the development. While the policy identifies very specific area-based standards for open space, no formula is given for converting an area-based standard into a financial sum for equivalent provision.
- 3.10 The Assessment indicates that residents put a high value on the quality of facilities available. It is also the case that a high proportion of new housing is now being built on small-scale sites of previously developed (i.e. brownfield) land, where there are significant constraints on the form of development. Under these circumstances on-site provision can be on a very small scale and of limited benefit.
- 3.11 Proposed approach - For sites below a certain size threshold, the Council should require a commuted payment equivalent to the provision of new open space or built recreation facility generated by the development. If this is to be the way forward, then the draft SPD would need to identify a formula for identifying contributions and a mechanism for pooling monies received. It should also set out conditions regulating use of the contributions received.**

- 3.12 **Proposed approach - Based on the above, there are a number of ways in which the information presented in the assessments could be used to prioritise the allocation of financial contributions for recreational provision.**

Key questions?

Where gaps in provision have been identified, should priority be given to providing additional open space and facilities, even where contributions would need to be pooled over a number of years, or to improving the quality of local facilities, where progress can be made in the short term?

In cases where no outstanding local deficiencies have been identified within the catchment area of the site, which can be easily remedied, within how wide a geographical area should contributions be spent?

For example should ward or constituency boundaries be used? Or for certain types of provision the whole District.

- 3.13 The policy OS5 seeks adequate arrangements to be made for the maintenance of any new provision. The current approach seeks financial contribution to meet maintenance over a specified period.

Key question?

What mechanism(s) should the SPD set out to ensure the future maintenance of any new provision?

Built Sport And Recreation Facilities

- 3.14 Policy CF7A provides the context for requiring a contribution from developers who are implementing major proposals towards built sport and recreation facilities. The basis for this will be the adequacy of existing facilities that serve the locality and the additional demand generated by the development.
- 3.15 Unlike the established system for providing recreational open space and playing fields generated by development, limited use has been made to date of the ability to require a contribution towards built sport and recreation facilities.
- 3.16 Prior to the results of the built facilities assessment becoming available, there has been limited information, which could form the basis for requiring contributions.
- 3.17 **Proposed approach - On the basis of policy CF7A, the Council will, where appropriate in future negotiations on development proposals, require contributions towards built facilities for sport and recreation.**
- 3.18 The draft SPD would need to define what constitutes a major proposal and identify how developer's contributions could be pooled to meet

deficiencies. Built sports and recreation facilities tend to have wider catchment areas and vary in terms of the quality and range of sports facilities available. For example, within a given area, a deficiency might be identified in terms of the limited opening hours of sports facilities available to the community at a school, as well as a need for a new sports hall catering for a wide range of users.

Key Questions

How should priorities be determined for contributions towards built sports and recreation facilities?

What should be the definition of a major proposal? Should this be a development of more than 10 houses?

Appendix 1

RELEVANT REPLACEMENT UNITARY DEVELOPMENT PLAN POLICIES

POLICY OS5: PROVISION OF RECREATION OPEN SPACE AND PLAYING FIELDS FOR NEW DEVELOPMENT

NEW RESIDENTIAL DEVELOPMENT WILL BE REQUIRED TO MAKE APPROPRIATE PROVISION OF OR EQUIVALENT COMMUTED PAYMENT FOR:

- (1) RECREATION OPEN SPACE, INCLUDING CHILDREN'S PLAY SPACE AND INFORMAL OPEN SPACE, TO A MINIMUM STANDARD OF 20 SQUARE METRES PER DWELLING (INCLUDING A SUITABLY DESIGNED AND EQUIPPED PLAY AREA IN DEVELOPMENTS OF 0.8ha OR 50 OR MORE FAMILY DWELLINGS);

AND

- (2) PLAYING FIELDS, TO A MINIMUM STANDARD OF 40 SQUARE METRES PER DWELLING.

PROVISION WILL BE LOCATED WITHIN THE SITE, HOWEVER WHERE THIS IS INAPPROPRIATE, OFF SITE PROVISION OR IMPROVEMENTS TO EXISTING LOCAL PROVISION CAN BE SUITABLE ALTERNATIVES. DEVELOPERS WILL BE REQUIRED TO MAKE ARRANGEMENTS FOR ADEQUATE MAINTENANCE OF ANY NEW PROVISION.

POLICY CF7A: BUILT FACILITIES FOR COMMUNITY SPORT AND RECREATION

WHERE MAJOR DEVELOPMENT PROPOSALS WOULD RESULT IN AN INCREASED DEMAND FOR BUILT RECREATIONAL FACILITIES WHICH CANNOT BE MET BY EXISTING FACILITIES A DEVELOPER MAY BE REQUIRED TO ENTER INTO A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, IN ORDER TO SECURE THE PROVISION OF, OR CONTRIBUTION TOWARDS, NEW OR EXTENDED FACILITIES.

POLICY UR6: PLANNING OBLIGATIONS AND CONDITIONS

THE COUNCIL WILL IMPOSE CONDITIONS OR SEEK PLANNING OBLIGATIONS WHERE DEVELOPMENT PROPOSALS REQUIRE OR WOULD NOT BE ACCEPTABLE WITHOUT THE PROVISION OF;

PHYSICAL INFRASTRUCTURE

THE MITIGATION OF ADVERSE ENVIRONMENTAL IMPACTS AND/OR THE ENHANCEMENT OF THE ENVIRONMENT

AND

SOCIAL INFRASTRUCTURE

POLICY TM8: NEW PEDESTRIAN AND CYCLE LINKS

THE COUNCIL WILL REQUIRE THE PROVISION, WHERE APPROPRIATE, OF NEW PEDESTRIAN AND CYCLE LINKS THROUGH DEVELOPMENT SITES AND OPEN SPACES, ESPECIALLY WHERE THESE WILL PROVIDE LINKS TO EXISTING ROUTES

POLICY TM10: THE NATIONAL AND LOCAL CYCLE NETWORK

THE NATIONAL AND LOCAL CYCLE NETWORK AND ASSOCIATED LINKS AS SHOWN ON THE PROPOSALS MAP WILL BE IMPLEMENTED. DEVELOPMENTS SHOULD FACILITATE OR INCORPORATE THE NETWORK AND ASSOCIATED LINKS. MAJOR DEVELOPMENTS WILL BE EXPECTED TO CONTRIBUTE TOWARDS THE CONSTRUCTION AND IMPROVEMENT OF THE NATIONAL AND LOCAL CYCLE NETWORK AND LINKS TO IT, WHERE SUCH FACILITIES WOULD SERVICE THE DEVELOPMENT BY SUSTAINABLE MODES.

POLICY NE4: TREES/AREAS OF WOODLAND COVER

THE COUNCIL WILL SEEK TO PRESERVE AND ENHANCE THE CONTRIBUTION THAT TREES AND AREAS OF WOODLAND COVER MAKE TO THE LANDSCAPE CHARACTER OF THE DISTRICT, (INCLUDING THE AMENITY VALUE OF TREES IN BUILT UP AREAS). IN PARTICULAR THE COUNCIL WILL:

- (1) REFUSE DEVELOPMENT PROPOSALS WHICH WOULD RESULT IN THE LOSS OF TREES OR AREAS OF WOODLAND COVER WHICH CONTRIBUTE TO:
 - (a) THE CHARACTER OF THE LANDSCAPE;
 - (b) THE CHARACTER OF A SETTLEMENT OR ITS SETTING;
 - (c) THE AMENITY OF THE BUILT UP AREA,
 - (d) VALUABLE WILDLIFE HABITATS OR
 - (e) THE ANCIENT WOODLANDS OF THE DISTRICT.
- (2) THE COUNCIL WILL CONTINUE TO MAKE TREE PRESERVATION ORDERS WHERE NECESSARY, ESPECIALLY WITHIN AND ADJACENT TO DEVELOPMENT, IN ORDER TO PROTECT TREES AND WOODLAND AREAS WHICH CONTRIBUTE TO LOCAL AMENITY OR LOCAL LANDSCAPE CHARACTER. THE COUNCIL WILL RIGOROUSLY ENFORCE SUCH ORDERS.
- (3) THE COUNCIL WILL REQUIRE DEVELOPERS TO CONTRIBUTE TO WOODLAND COVER IN APPROPRIATE LOCATIONS AS PART OF THEIR DEVELOPMENT PROPOSALS;

POLICY NE12: ENHANCEMENT

WHERE APPROPRIATE DEVELOPMENT PROPOSALS SHOULD
INCLUDE LANDSCAPE AND WILDLIFE ENHANCEMENT SCHEMES AS
AN INTEGRAL PART OF THE DEVELOPMENT

APPENDIX 2

OPEN SPACE TYPOLOGIES AS DEFINED BY THE COMPANION GUIDE TO PPG 17: PLANNING FOR OPEN SPACE, SPORT AND RECREATION

<u>Greenspaces</u>	<u>PPG 17 Typologies</u>	<u>Primary Purpose</u>
	Parks and gardens	Accessible, high quality opportunities for informal recreation and community events
	Natural and semi natural greenspaces, including urban woodland	Wildlife conservation, biodiversity and environmental education and awareness
	Green Corridors	Walking, cycling or horse riding, whether for leisure purposes or travel, and opportunities for wildlife migration
	Outdoor sports facilities	Participation in outdoor sports, such as pitch sports, tennis, bowls, athletics or countryside and water sports
	Amenity greenspace	Opportunities for informal activities close to home or work or enhancement of the appearance of residential or other areas
	Provision for children and young people	Areas designed primarily for play and social interaction involving children and young people, such as equipped play areas, ball courts, skateboard areas and teenage shelters
	Allotments, community gardens and urban farms	Opportunities for those people who wish to grow their own produce as part of the long term promotion of sustainability, health and social inclusion
<u>Civic Spaces</u>	Cemeteries, disused churchyards and other burial grounds	Quiet contemplation and burial of the dead, often linked to the promotion of wildlife, conservation and biodiversity
	Civic and market squares and other hard surfaced areas designed for pedestrians	Providing a setting for civic buildings, public demonstrations and community events

APPENDIX 3

Detailed Policy Context

NATIONAL POLICY

PPG17

Planning Policy Guidance 17 sets out national planning policy relating to open space, sport and recreation. The Companion Guide accompanying PPG 17 provides definitions of the various types of open space and sport facilities which formed the basis of the open space assessment and will guide future policy development. PPG17 promotes the use of planning obligations to secure improvements or additions to the provision of local open space, and sports and recreation facilities.

The long-term outcomes, which PPG17 aims to deliver are:

- Networks of accessible high quality open spaces and sport and recreation facilities, in both urban and rural areas, which meet the needs of residents and visitors, are fit for purpose and economically and environmentally sustainable.
- An appropriate balance between new provision and the enhancement of existing provision.
- Clarity and reasonable certainty for developers and landowners in relation to the requirements and expectations of local planning authorities in respect of open space and sport and recreation provision.

Such outcomes will assist in delivering broader government objectives of supporting urban renaissance, promoting social inclusion and more sustainable development and particularly that of improving health and well-being.

The Companion Guide outlines a five-step approach to the delivery of these aims:

- Step 1: Identifying local needs.
- Step 2: Auditing local provision
- Step 3: Setting provision standards
- Step 4: Applying provision standards
- Step 5: Drafting policies

The assessment of open space and recreation facilities represents the first four steps in delivering national policy aims. The scoping report represents the stage of starting to feed the information provided by the assessment of standards and quality of provision into the drafting of policies.

LOCAL POLICY

Replacement Unitary Development Plan

Policy OS5 is the key policy for determining the contribution of new residential development towards recreation provision. The full text of OS5 and other relevant policies are set out in Appendix 1. The words used, standards set and options identified, along with the evidence

offered by the open space assessment are the limiting factors in developing policy.

The key words used to identify the scope for provision are 'recreation open space' and 'playing fields'. Under the terms of the policy recreation open space can include children's play space and informal open space. A minimum standard for open space of 20 square metres per dwelling and for playing fields of 40 square metres per dwelling is identified. The latter is based upon the National Playing Field Association's Minimum Standard. The policy identifies the need for a suitably designed and equipped play area in developments of 0.8ha or 50 or more family dwellings.

New open space provision should normally be located within the site, however where this is inappropriate, off site provision or improvements to existing local provision can be suitable alternatives. Developers are required to make arrangements for adequate maintenance of any new provision. In determining the requirement, mitigating factors, such as abnormal site costs, may be taken into account.

As most sites will not be of sufficient size to warrant a whole new playing field, the Council will therefore require developers to contribute towards playing field provision by contributing an appropriate equivalent sum for funding neighbourhood provision. This may be for improvements to existing playing fields or towards new playing field provision.

Policy CF7A states that where major development proposals would result in an increased demand for built recreational facilities which cannot be met by existing facilities a developer may be required to enter into a planning obligation in order to secure the provision of, or contribution towards, new or extended facilities. Provision required under the Policy will be determined with regards to the additional demand likely to be generated by the development and the adequacy of existing facilities serving the locality. These considerations will inform the level of additional facilities that may be required or alternatively whether an upgrade of existing facilities would be appropriate to cater for a new demand.

Policy TM8 requires the provision, where appropriate, of new pedestrian and cycle links through development sites and open spaces, especially where these will provide links to existing routes. Major developments will be expected to contribute towards the construction and improvement of the national and local cycle network and links to it (Policy TM10), where such facilities would service the development by sustainable modes. Where appropriate, the Council will seek contributions to off-site facilities or infrastructure through planning obligations. The justification for encouraging and supporting walking and cycling by the expansion of existing networks is their

contribution towards encouraging a healthier lifestyle and more sustainable means of transport.

Under circumstances where open space takes a less formal form, then it may be possible to incorporate landscape features, perhaps trees or water already present within the site. Such areas of open space could have the dual benefit of contributing towards fulfilling open space needs and towards enhancement for nature conservation (**Policies NE12 and NE4**).

Planning Obligations Draft SPD

The Council has recently produced a draft SPD on Planning Obligations for consultation. This sets out the context regulating the use of planning obligations and offers guidance on issues relevant to their use. The basis for using planning obligations is Section 106 of the 1990 Town and Country Planning Act, Section 46 of the Planning and Compulsory Purchase Act 2004, supplemented by Circular 05/05 'Planning Obligations' and the more recent 'Practice Guidance'. Planning obligations can only be used when they meet the five tests set out by the Secretary of State in Circular 05/05. A planning obligations must be:

- 'Relevant to planning;
- Necessary to make the proposed development acceptable in planning terms
- Directly related to the proposed development
- Fairly and reasonably related in scale and kind to the proposed development; and
- Reasonable in all other respects'.

Policy UR6 in the RUDP, which is set out in Appendix 1 sets out the Council's approach to using planning obligations. Once the SPD on Planning Obligations has been adopted (expected to be July 2007), then the guidance in it becomes a material consideration in determining planning applications. Therefore to ensure a consistency of approach its contents need to influence the development of this SPD, where relevant.

- 4.1 There are a number of general issues identified in the Draft SPD on Planning Obligations that are relevant to setting the scope for this SPD. These are; the geographical limits to expenditure, the timescale over which contributions need to be spent, the circumstances under which contributions for major projects with wider benefits may be sought and the procedures for negotiating planning obligations, particularly regarding assessments of viability.
- 4.2 The Secretary of State's tests for planning obligations mean that contributions sought from developers must be 'directly related to the proposed development' and 'fairly and reasonably related in scale and kind'. This can be interpreted as meaning that contributions should be spent in the vicinity of the development, which might be expected to be

within electoral ward boundaries, except in particular circumstances, which would need to be defined.

- 4.3 In the section on procedures for negotiating planning obligations, it is considered that the Council needs to be able to demonstrate how figures for developers contributions have been calculated. Where developers consider that obligations cannot be met without compromising the viability of the development, the Council will require an independently verifiable full development appraisal to provide evidence that obligations cannot be met.