



Cabinet 12 December 2012

Draft Open Space, Sport and Recreation Facilities Supplementary Planning Document

1. Summary and reasons for recommendations

- 1.1 A Supplementary Planning Document relating to the provision of open space, sport and recreation facilities in conjunction with the provision of new housing development has been developed to assist all parties in the provision and subsequent maintenance of such facilities.
- 1.2 Prior to being adopted as Supplementary Planning Guidance, the document needed to be the subject of public consultation. Consultation was carried out between 25 September and 6 November 2012 and this report details the responses received during consultation and consequential amendments to the document.

2. Recommendation

- 2.1 Subject to the approval of full Council, it is **RECOMMENDED** that:
 - (1) the draft Supplementary Planning Document for Open Space and Recreation Facilities, as contained in Appendix 2 to Report D225, be adopted as a Supplementary Planning Guidance; and
 - (2) the Head of Planning and Regulatory Services be authorised, in consultation with the Portfolio Holder for Planning and Transport, to make any further minor typographical, factual, spelling, grammatical and other minor changes to the Supplementary Planning Document for Open Space and Recreational Facilities prior to its implementation.

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3. Corporate priorities

- 3.1 By providing the guidance and means of delivering and maintaining important infrastructure for growing communities, the recommendation meets the following, as contained within the Corporate Plan: -

Corporate Priority 1: *'Working together for strong, healthy and diverse communities'*;

Corporate Priority 2: *'Working together for prosperous and environmentally-responsible communities'*; and

Corporate Priority 3: *'Working together for an efficient Council'*.

4. Key issues

- 4.1 Consultation in respect of the draft Supplementary Planning Document (SPD) relating to the provision of open space, sport and recreation facilities took place between 25 September and 6 November 2012. A total of 14 representations were received to this consultation and are attached at Appendix 1.
- 4.2 Also shown within Appendix 1 are the officers' responses to those representations. Where these have led to changes being proposed to the main policy document then these amendments have also been incorporated in to the final draft shown at Appendix 2.
- 4.3 Changes to the document have been captured as follows. Text that has been removed from the previous version has been coloured red and struck through ~~like this~~. Text that has been added into the document has been coloured blue, underlined and made bold **like this**. These changes have been highlighted to demonstrate the changes that have been made in the clearest way possible. Please note that presentation in this form has resulted in a mismatch in the page numbering, which will be resolved in the final document.
- 4.4 There are a number of significant changes that have been undertaken. Whilst these are not exhaustively set out in this covering report they are nonetheless highlighted, to enable Members to focus their reading on those areas where material changes have taken place to the document.
- 4.5 Table 2 which relates to built facility standards has been amended to take account of updated information. This has a consequential impact upon Table 4 relating to built facilities costs.
- 4.6 Table 3 which relates to the costs for providing open space had been based upon existing provision, which would result in an over provision of open space and facilities. This has now been amended to take account of adopted standards for provision.
- 4.7 Table 6 which relates to contributions linked to dwelling size had been based upon maximum capacity of bed spaces by the size of dwelling. This has now been amended to take account of actual average occupancy rates across the borough.

- 4.8 These changes alone have a significant impact on the costs, which should address the concerns about the viability of delivering development. They are based upon a sound evidence base which should be robust if challenged.
- 4.9 As advised above, a number of further amendments have been made to the document as a result of direct representation made and these are fully detailed in Appendix 1 and incorporated into the document. As a result, the final revised document is significantly improved.
- 4.10 Implementation of the SPD will need to be introduced progressively. The overall advice relating to the need for and provision of open space and facilities and the appropriate standards will be of benefit to all parties with immediate effect. However, the need for unilateral obligations, coupled with the low threshold for eligibility will require further work to produce standardised, legally compliant documentation, to assist applicants in the submission of planning applications. This work could result in full implementation being delayed by a matter of months.

5. Other options considered

- 5.1 Not taking action – This option would leave both the Council and local communities vulnerable to challenge with a consequent shortfall in facilities and/or the funding to maintain facilities.

6. Community impact

6.1 Crime and disorder impact *(including Section 17 of the Crime and Disorder Act 1998)*

- 6.1.1 Although not directly applicable to the SPD, the provision of adequate levels of open space and recreation facilities to meet the requirements of new development will assist in providing for the needs of a balanced community.

6.2 Diversity and equality impact *(including the findings of the Equality Impact Assessment)*

- 6.2.1 Gives access to recreation for all sectors of the community.

6.3 Sustainability impact *(including completing a Sustainability Impact Assessment)*

- 6.3.1 Making sure there are facilities in the immediate vicinity to make our communities more sustainable.

6.4 Other impact *(any other impacts affecting this report)*

- 6.4.1 No other impact has been identified.

7. Consultation *(what consultation has been undertaken, and what were the outcomes?)*

- 7.1 Consultation took place on the SPD between September and November 2012. The responses to these are set out in Appendix 1. Each representation received is reproduced within the spreadsheet, along with the officers' response.

7.2 Changes made to the SPD as a result of the representations received are shown within the main document at Appendix 2.

8. Financial and resource implications *(including asset management implications)*

8.1 The SPD will provide the means by which facilities and financial contributions towards the maintenance of facilities will be calculated.

9. Risk/opportunity assessment *(potential hazards or opportunities affecting corporate, service or project objectives)*

The failure to produce a sound basis for the calculation of open space, sports and recreation provision and maintenance could render the Council at risk of challenge from developers.

10. Legal and policy implications

10.1 Implementation of existing adopted policies and draft policies currently progressing through the draft Development Management Policies document and the respective Vision 2031 Documents is dependant upon a sound evidence base. This document provides the necessary evidence based information and guidance to implement policy.

11. Wards affected

11.1 The Supplementary Planning Document will be applied Borough-wide. It therefore affects all Wards.

12. Background papers

12.1 None.

13. Documents attached

13.1 Appendix 1: Officers' responses to the representations submitted during the consultation on the SPD.

Appendix 2: Draft Supplementary Planning Document for Open Space and Recreation Facilities

Supplementary Planning Document for Open Space, Sport and Recreation

Responses

Respondent	Response	Council's Assessment	Action
Berkeley Strategic	<p>Thank you for the opportunity to comment on the Draft SPD for Open Space, Sport & Recreation Facilities ("the draft SPD"). Berkeley is promoting the land to the north east of Bury St Edmunds for development and supports the Council's aim of delivering open space, sport and recreation facilities in a form which supports growth and assists in quality place making.</p> <p>We have already commented on open space in response to the draft Vision 2031 Area Action Plan for Bury St Edmunds as follows which we would like to reaffirm:-</p> <p>We agree with the dual use of school facilities and other measures to optimise sustainability such as maximising the use of existing facilities. In this respect, we would encourage the Council and the relevant stakeholders to plan future provision based on a comprehensive audit of the existing recreation infrastructure and services, its development feasibility and sustainability against future town-wide demand. This should tie into the School Organisation Review programme.</p> <p>Turning to the draft SPD, we note that the draft SPD has been prepared in accordance inter alia with the Local Plan, the Core Strategy, the NPPF and Green Infrastructure Strategy (GIS) with the aim of giving developers and the public up to date information on developer contributions that are reasonably related in scale and kind to development proposals.</p>	<p>No Comment</p> <p>No Comment</p> <p>We have undertaken a comprehensive audit of current provision and these have helped inform the content of the SPD.</p> <p>A matter of Fact</p>	

	<p>the Replacement Local Plan.</p> <p>The draft SPD remarks that the Open Spaces Assessment (2005) is updated on an annual basis and we would ask that the latest update accompanies the draft SPD as a supporting document.</p> <p>It is essential that the standards as proposed ensure:</p> <ul style="list-style-type: none"> • Flexibility in the application of the standard in terms of high quality masterplanning, urban design and place making which cannot be driven by mathematical standards alone. • Synergy between existing and new provision to maximise the benefit and sustainability of open space provision generally. <p><u>Draft SPD Costs</u></p> <p>The draft SPD proposes a schedule of contributions per person based on the costs the Council would encounter itself in delivering new open space. These costs are based on the Council's own project experience, SPONS as well as benchmarking against other local authorities.</p> <p>Berkeley is proposing to deliver on-site open space including active and passive open space, green corridors, playspace and allotments. We therefore support the principle of on-site provision being credited against a scheme's planning contribution but would submit that this should be based on scheme level costs rather than generic costs. This principle should also apply to on-site provision of Built Facilities such as community halls.</p> <p style="text-align: center;">-3-</p> <p>The costs for Built Facilities are indicated as being "Approximate" at this stage and this should be stated in the draft SPD as being kept under particular review as actual schemes emerge.</p>	<p>NPFA six acre standard.</p> <p>The Open Spaces Assets are audited annually a summary of this could be made available on line.</p> <p>Agreed – The aim is to ensure that a minimum financial sum is ring fenced for community facilities.</p> <p>Agreed – in some areas we have excess provision of a low/poor standard community open Space in such instances we would seek developer contributions to improve the standard of the existing rather than seek to have more set aside by developers.</p> <p>The purchase cost of land was not included in the "costs of provision" therefore there is no problem with Berkeley Strategic's principle.</p> <p>Yes agree.</p>	<p>revised draft.</p> <p>This information could be made available</p> <p>Add appropriate statement</p>
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	<p>The draft SPD states that in the event of Council's adoption of open space earlier than 10 years "a financial contribution for maintenance will be required." These costs are set out in Table 5 but it does not state the tapering of contributions based on the number of maintenance years. The application of this policy should also be flexible to alternative forms of maintenance such as through community / neighbourhood trusts.</p> <p><u>Thresholds for Contributions</u></p> <p>We support the one dwelling threshold for contributions proposed.</p> <p>With respect to the Contributions proposed in Table 6, we would refer to our earlier comments in terms of the crediting of on-site open space provision and Built Facility contributions being based on more refined costs and ideally actual schemes which pool off-site contributions.</p> <p><u>Applying the Policies</u></p> <p>We support the principle of contributions being the subject of viability testing.</p> <p>In terms of the facilities to be provided on-site, off-site or both, we would refer to the earlier comment about the importance of:</p> <ol style="list-style-type: none"> 1. Assessing the existing provision. 2. Planning new provision to ensure synergy with existing provision and a sustainable mix overall. This will include the dual use of facilities such as at schools or community centres. 3. New provision being flexible to masterplanning, urban design and place making with regard to specific site conditions. 	<p>There is no tapering of maintenance costs they are a fixed annual cost per m2.</p> <p>We are open to alternative providers taking on the maintenance of sites. Our document does not restrict this.</p> <p>This support is appreciated</p> <p>Acknowledged We also propose to review household size to more reflect actual occupations rates in the area.</p> <p>This support is appreciated</p> <p>Agree Agree Agree</p>	<p>under 4.2</p> <p>Revise Table 6</p>
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Braintree District Council	No Comments	Response gratefully received	No change required
Environment Agency	<p>Section 1.6.1 Open spaces: Within these specific green space designations, the document could also refer to where there is the potential for a multi-functional use of open / greenspace. Categories B (Natural and Semi-natural Greenspaces), C (Green Corridors) and E (Amenity Greenspaces) could incorporate Sustainable Drainage Systems (SuDS) and serve a Green Infrastructure (GI) or amenity purpose. SuDS will provide another purpose for the area of open space.</p> <p>1.6.2 Built recreational facilities: The location of any new, or extension of any existing facilities, will be assessed in accordance with the National Planning Policy Framework (NPPF) and any other relevant guidance or evidence (i.e. SEBC Strategic Flood Risk Assessment).</p> <p>4.3 Maintenance contributions: Your Authority should be aware that where open space areas serve or incorporate a number of functions (such as mentioned under our comments to 1.6.1, above) then the cost of maintenance may vary (i.e. if the reincorporates a specifically engineered form of SuDS).</p>	<p>Agreed subject to them being suitable and fitting for the area i.e. aesthetically pleasing ponds are OK – We do not want so called recreation sites which are seasonally flooded with black silt, that then ferments on site for the remainder of the year (e.g. Appledown rd Open Space). We do not want the underground grates on amenity/recreation areas which will need to be dug up for maintenance purposes in the future.</p> <p>Matter of fact.</p> <p>Agreed we should make reference to this fact, maintaining these SuDS can be a costly affair as the silt is often contaminated and disposal costs of contaminated material is high.</p>	Incorporate SuDS within categories B and C
Haverhill Town Council	Policy NE1 – The statement ‘unless there are imperative reasons of overriding national interest’ is unclear and may be open to wide interpretation.	Reference is made to Policy NE1 as an existing policy within the adopted 2006 Local Plan. The purpose of this document is not to review adopted	No change required

	<p>Para 3.2 Table 2 Community Hall – Why is this ‘subject to population spread’ and how can it be assessed objectively?</p> <p>Footnote to Table 7 – Will ‘granny annexes’ be included?</p> <p>Monitoring – Can this be extended to ensure that other stakeholders (bodies responsible for Neighbourhood Community Budgets, for example) are advised of unspent funds in time to influence expenditure?</p>	policies.	
Highways Agency	No Comment	Response gratefully received	No change required
Ian Johnson	<p>The approach is formulaic, and does not sit comfortably with the requirements to identify and retain areas suitable for country parkland, disproportionate to the size of the site. The formula will only produce small pockets of parkland with each development.</p> <p>Developers can meet obligations by funding open space elsewhere, which may have the effect of developing housing in areas which would be a major asset to the community as a country park. (Especially where the community is deficient in this provision). The funded alternative provision could well be unsuitable.</p> <p>Requires a paragraph to secure a country parkland site where appropriate</p>	It is acknowledged that that the approach is formulaic. The identification of strategic areas of open space or parkland will be identified in planning policies and masterplans. This document is not planning policy, but provides the information necessary to deliver sites required by planning policies including country parkland (paragraph 1.6.1).	No change required
Icknield Way Association	<p>The Association was inaugurated in 1984 to urge the official adoption of the Icknield Way Path as a National Trail linking the Ridgway and Peddars Way and to promote and publicise its amenities and use for the benefit of walkers. There is also an Icknield Way Trail for riders. As such, we are pleased to see in Section 1.6 (Defining Open Space, Sport and Recreation Facilities) recognition under the 'Green Corridors' category of open space of the importance to health and well-being of walking, cycling and horse-riding for leisure and other purposes. We are also pleased to see stipulated, in Section 3.1 (Open Space</p>	This could be achieved by adding another subset to Green Corridors = C3 Recreational Paths	Add subset C3 Recreational Paths

	Standards) standards for accessing green corridors. We are, however, disappointed that there is no recognition of recreational paths as a category in their own right and no reference anywhere in the document to the importance of protecting and developing such recreational paths, the enjoyment of which also underpin's and enhances people's quality of life.		
SCC Archaeological Service	<p>Historic Environment Advice</p> <p>The historic environment has a key role to place in the social, cultural, environmental and economic wellbeing.</p> <p>The historic landscape (historic features and landscape value) is recognised in Policy NE3, which we support and welcome.</p> <p>However, we would advise that Chapter 10, the Natural Environment, should give greater prominence to, and emphasis on, the Historic as well as the Natural Environment (perhaps it should be called the Natural and Historic Environment, or simply the Environment?).</p> <p>Reason</p> <p>The Natural Environment is the result of our interaction with, and management of, the landscape over time, e.g. surviving woodlands, field boundaries, meadows are all historic landscape features.</p>	Subsequent discussion with SCC confirms that this response was sent in error	No change required
John Popham	<p>I write to comment on the proposed Thresholds for Contributions for new development as indicated in Table 6 <i>Contributions based on dwelling size</i> (document para. 5.0.2)</p> <p>While the need for contributions is not questioned, the amounts proposed in the table are significantly greater than we believe the market will be able to bear. For example, the proposed charge for a 3 bedroomed dwelling is £7,516. This represents an addition to the cost of an average priced house in Bury St Edmunds (of £200,000) of approaching 4%. Given all the other charges which may be added – many of which most people would say are for more important functions (e.g. education) – plus the contribution required for affordable housing, I do not consider it appropriate that contributions for these facilities</p>	<p>The point of this exercise is to provide a transparent means of assigning contributions.</p> <p>We take on board the comment about exceeding what the market can bear and propose to reduce the costs by:</p> <p>Reviewing Table 3 & reducing the standards of area per person to the</p>	Amend Table 3

	<p>should be considered in isolation. On this basis we urge the Borough not to set a figure for these contributions at this time, but to wait until it is possible to assess the total cost of providing infrastructure and services in the CIL, when an overall assessment of the picture can be made and a fair contribution, in balance with other requirements, determined.</p>	<p>FIT minimum. See Annex A. Reviewing Table 6 & reducing the household size to the current averages for the area.</p>	<p>Amend Table 6</p>
<p>Mrs Surridge</p>	<p>OBJECT because the clear intentions that 'views of local communities, and their aspirations, are given a high level of priority when considering planning..'(1.02, and others) is not supported by unambiguous legislation. There appears to be no tool to mandate the public aspiration for Parkland between Calford Green and the Wilsey Estate as per previous consultation.</p> <p>OBJECT because walk times in 3.1 are unrealistic in respect of allotments, sports centres and cemeteries where equipment etc must be carried, and for these categories policy will do little to inhibit car usage.</p> <p>In other respects the document gives good comprehensive coverage.</p>	<p>The SPD provides the mechanism for calculating the demand from development for open space and recreation facilities and providing the means for its provision. The identification of strategic areas of open space or parkland will be identified in planning policies and masterplans.</p> <p>Table 3.1 relates primarily to quantity and distance. The footnote below 3.2 acknowledges the walking and driving times are approximate and does not preclude use of the car.</p>	<p>No change required</p>
<p>Hopkins Homes</p>	<p>Hopkins Homes Ltd objects to the Open Space, Sport and Recreation Facilities Draft SPD.</p> <p>The rationale behind the introduction of the proposed document is understood but it appears to be an abuse of process in that it provides an entirely new Policy approach completely at odds with the Local Plan policy that it purports to "supplement". If the Borough Council wants to introduce a new Development Management Policy then there is a</p>	<p>The purpose of the SPD is to provide guidance in the implementation of existing policy. It does not introduce new policy and is entirely compliant</p>	

	<p>process for that which ends with a formal Examination in Public (EiP) and an Inspector's report. This is a proposal to bring forward a significant policy outside of the statutory planning process. The wording of the new policy is onerous and it is difficult to see that it could be viably, practically, reasonably, legally and sustainably applied to "proposals for all housing development".</p> <p>As a starting point, the Borough Council should heed the policy requirements set down in the National Planning Policy Framework. This important milestone in planning policy is given limited regard by the draft SPD which should emphasise three key areas of new national policy.</p> <ol style="list-style-type: none"> 1. It is the Government's intention to "Boost significantly the supply of housing" while "Housing applications should be considered in the context of the presumption in favour of sustainable development" NPPF para. 47 and 49. 2. "Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development" NPPF para. 153. 3. Planned sites "should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened" NPPF para.173. <p>Whilst it has been superseded by the NPPF, PPS 12 advises, at paragraph 6.1, that <i>a planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its DPDs. SPDs should not be prepared with the aim of avoiding the need for the examination of policy which should be examined.</i> In my view the new SPD isn't obviously supplementing an up to date and adopted Local Plan Policy. This new approach is now worthy of examination but in its present form would be found "unsound".</p> <p>Without prejudice to Hopkins Homes Ltd objections to the process by</p>	<p>with the NPPF.</p> <p>As explained above, the SPD fits within the existing policy framework. This includes the necessary safeguards to take account of issues relating to viability. Accordingly, it should not impinge on the delivery of housing and subject to changes referred to elsewhere would not place unreasonable burdens upon developers.</p>	
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	<p>which this policy is being introduced, we have the following additional comments to make.</p> <p>In parts, the document appears to be a direct but unacknowledged plagiarism of the Forest Heath October 2011 document of the same name. This leads the reader to appreciate that it is not representative of planning policy in relation to St Edmundsbury Borough. This may also explain why the SPD refers to Circular 05/05 on pages 16, 19 and 30 when the Circular was cancelled by the NPPF on 27th March 2012. There are also references to Circular 1/97 which was superseded by Circular 05/05.</p> <p>The primary objections to this document concern its ignorance of development viability. The NPPF states "Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable". The Draft SPD fails to consider viability except for a glib (and isolated) reference at page 28. That reference is seemingly creating an ambiguous assertion that Affordable Housing should pay the new per capita tax at the heart of the SPD.</p> <p>It is our view that Affordable Housing should not pay for any planning gain precisely because it is a planning benefit which allows developers to provide for the housing needs of those residents "in need" already within the locality of the development. Affordable housing occupiers are not new residents to the Borough because, if they were, the provision</p>	<p>There is no apology for the close link to the Forest Heath document, given the close working of both authorities, but the key financial requirements are based solely on evidence relating to St Edmundsbury. Reference to Circular 05/05 and 1/97 have been removed</p> <p>We have taken on board this criticism and revised the costs accordingly.</p>	<p>Remove all reference to Circulars 05/05 and 1/97</p>
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	<p>of affordable housing would have failed the test of the CIL Regulations 2010 which insist that the planning gain is “Directly related to the development”. Importing affordable housing tenants from many miles from the site would fail that test. As a consequence, these tenants are already in the resident population and are not an additional burden on local facilities. The longstanding Education Contributions regime, which is often somewhat wayward in its prediction of population “needs” arising out of development has, to its credit, adopted an approach whereby contributions are not sought for the affordable housing element of proposals. Presumably, this is because it is inappropriate to tax a planning gain (which delivers Council Houses because Council’s no longer provide this service) and the affordable housing tenants’ children are already in existing local schools.</p> <p>The draft SPD is somewhat ambiguous in its approach to developments which provide open space on site. Most major developments would provide on site open space but the SPD appears to make no distinction between these and sites for individual dwellings. There is an assumption that all planning permissions for housing (at any scale) will be subject to a Section 106 process. This is onerous and the Borough Council has a poor track record of dealing with agreements expeditiously.</p> <p>Index linking from the date of committee in paragraph 9.0.1 is unfair and unjustified. Invariably it is the Council’s fault that Section 106 related planning permissions are issued slowly and applicants should not be penalised for this. It is a wholly unreasonable stance.</p> <p>The SPD document makes no attempt to deal with transitional arrangements where a diligent developer has acquired a site in good faith without eroding hundreds of thousands of pounds from the value of the scheme to allow for the requirements of the SPD. A programme for introducing this change in planning policy should be tabled, albeit we object to the process and principle behind this idea.</p> <p>The Draft SPD diverges from the CIL Regulation 122 “tests” which are</p>	<p>Recognition is made within the document that there may be instances whereby affordable housing provision becomes uneconomic unless open space/sport/recreation contributions or requirements are waived. Such decisions would be made as a result of conducting a viability test.</p> <p>This is an unreasonable statement, given the assistance provided by this SPG, it should be perfectly possible for a planning application to be accompanied by a Unilateral Obligation, which would not delay the determination of the application.</p> <p>Any diligent developer should have factored in a contribution towards open space, sports and recreation facilities. Far from introducing a new policy, this SPD provides the information necessary for the</p>	
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	<p>repeated at paragraph 204 of the NPPF and fails to acknowledge the fact that the CIL Regulations at Regulation 123 outlaws the accumulation of pooled contributions from 5 or more planning obligations after 6th April 2014. Given that the SPD is not acceptable in its current form, it may take until spring 2013 before it can be adopted. Therefore it may only be operational for a year which would cast doubt over whether or not small accumulations of contributions towards parts of Indoor Bowls facilities or parts of Swimming Pools could satisfy the tests of Regulation 122 (2). Namely planning obligations should only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development. Looking further into the SPD, it promises (at para 1.1.3) a “worked example of contributions”. However, unlike its Forest Heath neighbour, it fails to deliver on this promise at all. Had an example been explored and viability tested then it would have drawn the rapid four part conclusion that:</p> <ol style="list-style-type: none"> 1. The proposed contributions would be so expensive that they would snuff out the deliverability chances of most housing sites contrary to the NPPF; 2. The “planning benefit” sought would exceed the 6 acre standard and would not be “fairly and reasonably related in scale and kind to the development” ; 3. The assumptions about residential occupancy rates are grossly inflated and entirely unjustified. <p>We explore a worked example below. This assumes a residential development mix which can be divided in 4 to examine the impact on sizes of different sites. 100 dwellings. 8 x 1 bed x £3758 = 16 new residents and contribution of £30,064</p>	<p>developer to assess the likely costs involved beforehand.</p> <p>It is acknowledged that the worked up example is missing.</p>	<p>Insert a worked up example of contributions</p>
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	<p>28 x 2 bed x £5637 = 84 new residents and contribution of £157,836 32 x 3 bed x £7516 = 128 new residents and contribution of £240,512 32 x 4 bed x £9395 = 160 new residents and contribution of £300,640 Total contribution for 100 homes assuming a population of 388 new residents. = £729,052</p> <p>Looking at Draft SPD table 3, there is 36m² of open space required per person so 388 people lead to a requirement of (36 x 388) 13,968m² for 100 homes which translates to roughly 1.4 hectares for 100 homes. If we accept that 100 homes would be built on a 4.4 hectare site with 30% of the site as affordable homes then the calculation leads to 32% of the notional site being open space. The current 6 acre standard is 2.4 hectares per 1000 population whereas the Draft SPD envisages 3.6 Ha or 150% more than the standard (1000 / 388 X 1.4 Ha = 3.6Ha). Office for National Statistics Data suggest that there are 10% more households now than there were in 1996 and that household sizes are falling to an average of 2.2 residents per home. It is completely illogical and unreasonable to assume that new housing would be fully occupied. Instead it is more likely to be occupied at slightly less than the average occupancy rate in the locality. The huge sum calculated for each site appears to be considered without any assessment of the cumulative burden of other planning related contributions which would put schemes rendered unviable by this SPD further under water.</p> <p>Finally we oppose the Council's assertion that 10 years should be allowed for contributions to be spent. If an eight year old child moves into a new home as part of a family, it is disproportionate and unreasonable for him (or her) to wait until their 18th birthday before use can be made of the swings and roundabouts that the developer of their home had previously paid for.</p> <p>The fact that other Councils have attempted similar approaches in the past is not sufficient justification for this document. The national</p>	<p>We have reduced the area of land required for POS to the FIT 6 acre standard as a minimum requirement.</p> <p>We have also reduced the household size numbers to more reflect current average occupancy across the Borough.</p> <p>These two amendments reduce the sums being requested significantly.</p> <p>This comment relates to para 7.0.3. Ten years would be unreasonable in the case of a play area, however, on shared development sites which are built on a phased basis 10 years would not seem unreasonable.</p>	<p>Amend the figures in Table 3 to reflect the adopted standard.</p> <p>Amend Table 6 to reflect actual occupancy rates rather than maximum occupancy rates.</p>
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	<p>planning imperative is to deliver more development whilst not harming the viability of proposals. At a time when the housing market is flat and the wider economy is showing very weak signs of recovery, the addition of a local tax would kill off fragile growth and deter local investment while constraining land and housing supply.</p>		
<p>Sport England</p>	<p>With specific regard to the production of Supplementary Planning Documents (SPDs) for sport, Sport England published 'Sport and Recreation in Supplementary Planning Documents' (2009) which gives detailed guidance to local authorities who are producing SPDs for sport, and we are pleased to see that this guidance was used in the production of this draft document. It is hoped that this guidance will shortly be updated to reflect recent changes in planning legislation. It contains a checklist of key issues to consider when drafting a document, so hopefully it will be a useful document against which to assess the draft document produced.</p> <p>With specific regard to the draft document I would like to make the following comments:</p> <p>a) We are concerned that the standard for provision of outdoor sports facilities (1.2ha per 10000 people) is based on an open space assessment dating from 2005. Sport England advocates that such assessments should be carried out, or existing assessments fully reviewed, every three years in order to ensure they are fully up to date. I am also not familiar with the 2005 study so cannot comment on whether the methodology was robust in terms of providing the basis for the existing standard of provision. It should also be clarified what the scope of facilities covered by this category is, as some outdoor sports</p>	<p>Now changed to reflect FIT Benchmark standards. We review the use of our Parks & Open Spaces on an annual basis. We have reduced our quantity standards to those of the FIT benchmark standard rather than our own current Provision:Population ratio which in many instances exceed the FIT standard. Our current provision</p>	

	<p>facilities (synthetic turf pitches) appear within the built facility standards section. Does it cover tennis courts, bowling greens, MUGA's, skate parks etc.?</p> <p>b) With regard to the built facility standards Para. 3.2), it is not clear how the proposed facility provision has been reached for each facility type (e.g. 1 sports hall per 15,000 people). Is this based on existing levels of provision within St Edmundsbury District or a wider assessment of existing and future needs taking into account existing levels of supply and demand? The document should indicate how this standard level of provision figure has been reached.</p> <p>c) With regard to the published costs for each facility (cost/m2) for both indoor and outdoor facilities, the document could be challenged on the grounds that the basis for these particular costs have not been included within the document. For guidance, Sport England has published detailed sports facility costings guidance (covering both capital and life cycle costs) which can be accessed at; http://www.sportengland.org/facilities_planning/design_and_cost_guidance/cost_guidance.aspx</p> <p>d) We support the adoption of a 'no minimum threshold' approach for the collection of financial contributions relating to residential properties, and we also accept that exemptions will apply to some types of accommodation such as sheltered units, nursing homes, hostels etc.</p>	<p>audits do include those aspects mentioned by Sport England.</p> <p>We will commission a new external audit once sport England have updated their guidance. We have/will review inline with the sport England guidance rather than current provision.</p> <p>Have/will review and amend so that they comply with the figures quoted in the Sport England kitbag Facilities Costs.</p> <p>This support is appreciated</p>	
Suffolk County Council	<p>Thank you for consulting Suffolk County Council on this draft document. The county council is strongly supportive of open space, sport and recreation facilities as a vital component of sustainable development, and welcomes attempts by St Edmundsbury Borough Council to ensure that these facilities are delivered through the planning process.</p>		

	<p>The county council has only a few specific and relatively minor suggestions to make in response to the consultation, suggestions which, it is felt, will improve the quality and effectiveness of document. But this letter will first set out some broader thoughts as to the impact and effectiveness of this document and its links to other strategies.</p> <p>The Suffolk Health and Wellbeing Strategy</p> <p>St Edmundsbury Borough Council will be aware that Suffolk's Health and Wellbeing Board is currently developing its first Joint Health and Wellbeing Strategy. Whilst responsibility for preparing the strategy lies with the county council and the clinical commissioning groups, implementation of the strategy will depend on collaborative working. Given the importance of district and borough council roles in planning, housing, leisure and environmental health, they are key partners on the Board and in delivering the Strategy. Accordingly, St Edmundsbury (together with Forest Heath) is represented on the Health and Wellbeing Board, with recognition of the role of the borough council as a body with influence on public health outcomes articulated through the Vision 2031 strategies.</p> <p>The National Planning Policy Framework, in paragraph 17 (page 6), states that planning should, as core principle, take account of and support local health strategies. The St Edmundsbury Core Strategy recognises the Suffolk Health and Wellbeing Strategy as one of the strategies which the Local Development Framework should reflect. The emerging Health and Wellbeing Strategy, currently in draft form, includes access to a healthy environment as a priority.</p> <p>In order to emphasise the consistency of this SPD with both the NPPF and the eventual Suffolk Health and Wellbeing Strategy, the borough council may wish to contemplate how they reference the Suffolk Health and Wellbeing Strategy. Officers at the county council would be</p>	<p>This is acknowledged and forms an important element in the three Vision 2031 documents currently being developed to inform planning policy.</p>	
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	<p>pleased to discuss how this might be achieved.</p> <p>In addition to this, the Joint Strategic Needs Assessment provides evidence of health and wellbeing needs and therefore, may be of use for identifying specific issues that could be addressed through open space, sport and recreation facilities.</p> <p>Promoting the benefits of exercise</p> <p>St Edmundsbury Borough Council might also consider how this document could promote virtues of open space, sport and recreation facilities. As drafted, the document clearly sets out the framework for <i>requiring</i> development to contribute to facilities, but there may be an opportunity to advocate for these facilities, encouraging developers to provide them alongside development as a matter of course, to exceed minimum requirements without being forced to do so by planning policies.</p> <p>The facilities promoted by this SPD have real benefits for quality of life, as is alluded to in paragraph 1.03. The SPD could go further in emphasising the benefits of increased physical health and improvements in mental health that can be realised through enabling access to sports and recreation facilities. Reports such as the Department of Health's 'Start Active, Stay Active'¹ are useful for supplying justification for encouraging physical exercise.</p> <p>The Section 106 Developers Guide to Infrastructure Contributions in Suffolk</p> <p>Over the past year, St Edmundsbury Borough Council has worked with other Suffolk local authorities on the development of the Section 106 Developers Guide, and has itself adopted the Guide as supplementary guidance on 1st February 2012.</p> <p>The purpose of the Developers Guide is to provide guidance on infrastructure matters that need to be considered as development</p>	<p>However, this document is intended to assist in the implementation of existing policy.</p> <p>The purpose of the SPD is to provide clarity and assistance to all parties involved in the delivery of open space sport and recreation required by adopted planning policies. It cannot exceed the requirements of those policies.</p> <p>This is acknowledged, but as stated above, the document relates to existing policies. The promotion of benefits is being incorporated into the Vision 2031 documents</p> <p>The need for this SPD has required the council to prepare this SPD independently. Other councils in Suffolk have taken a similar approach. However, the suggestion that that it could be incorporated as a St</p>	
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	<p>proposals are worked up, and as applications are determined. It is intended to make clear the arrangements for both developers and local authorities. There are eleven 'topic papers' specific to the county council and other countywide service providers, namely the NHS and Suffolk Police.</p> <p>This SPD has very similar objectives to the Developers Guide and could be considered as a St Edmundsbury-specific Topic Paper on open space, sport and recreation. In the interests of simplicity and in order to present a complete picture for applicants on infrastructure requirements, the borough council may wish to consider ways in which this SPD could be linked to the Developers Guide, either as a Topic Paper or through effective presentation of this SPD on the borough council website.</p> <p>Community Engagement</p> <p>It is noted that this SPD does not include proposals for enabling community involvement in determining provision of sport, open space and recreation facilities, beyond paragraph 7.0.2 which states that there will be public consultation as to how contributions will be spent. This proposal is welcomed, but more detailed consideration of how this SPD might enable community engagement may be appropriate. This could be set out section 6.</p> <p>Further to this, whilst it may be more appropriate for other documents, such as the Vision 2031 strategies, the borough council may wish to consider articulating how communities could be involved with the ongoing management of open space, sport and recreation facilities. There are examples of how this has operated successfully in other parts of the country; for example the Incredible Edible movement.</p> <p>As is noted by paragraph 3.3, there is a qualitative element to open space, sport and recreation facilities, an element which is somewhat subjective. This is perhaps another area which could be considered for</p>	<p>Edmundsbury specific topic paper as part of the County wide Developers Guide could be explored further at a later date.</p> <p>This would be determined at step 2 – the way in which we might consult/engage on the spending of a contribution will be dependant on the audience/facility users, the scale of the facility proposed and its location. This level of detail is not something we'd propose to determine in this document.</p>	
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	<p>4.1.1 This paragraph could offer further information on how the borough council is justified in seeking to charge the same amount per person for improvements to existing facilities as for developing entirely new facilities.</p> <p>5.0.1 The county council would suggest that open space should be provided as part of a sheltered housing development. Please see county council comments on Table 7, below, for further information.</p> <p>Table 7 The county council suggests that this table should be reconsidered for a different method of categorising different of types of residential development, particularly the heading 'housing for the active elderly', which is not a classification that the county council recognises as being in existing use.</p> <p>As the borough council will recognise, housing for the elderly is difficult to classify. It reflects the widely varying needs of older people, and could be described as a spectrum, ranging from adapted general purpose housing, through to Sheltered, Very Sheltered and Extra Care housing for those with moderate (and varying) needs, with residential, nursing and dementia care at the end of the scale with the highest level of care needs. All of those types of housing have residents who are elderly and active to varying degrees, and as such it is not clear as to what forms of housing are for those who are active and what forms are for those who aren't. St Edmundsbury could consider classifying these housing types according to Use Classes, making use of the split between classes C2 and C3. However, this method is not without problems (see the Housing LIN Viewpoint 20: Planning Use Classes and Extra Care Housing2). Extra care housing is</p>	<p>The costs quoted do not take into consideration the cost of land purchase.</p> <p>Agreed, although it is correct to refer to exceptions, it should not exclude specific categories of housing.</p> <p>Agreed.</p>	<p>Delete reference to examples of exceptions.</p> <p>Delete separate column 'Housing for the active elderly' from Table 7</p>
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	<p>often classified under C3(b) (those living together as a single household and receiving care), though is sometimes classified as being in class C2.</p> <p>The county council would further suggest that it is not desirable to rule out housing for older people from being required to provide outdoor sports space and children and young people's space. Given the benefits to health and wellbeing that exercise and recreation provide, particularly in terms of maintaining mobility and reducing social isolation amongst older people, this document should not limit sport and recreation opportunities for older people.</p> <p>Section 6</p> <p>It is important to ensure that open space, sport and recreation facilities are accessible by safe and sustainable means of transport. Particularly if provision is to be off site, sustainable links should be provided to ensure that facilities are well related to the new development, as well as the existing settlement. These links should be built into existing networks, with a preference for pedestrian and cycle links.</p> <p>Section 6 of this document could therefore include a description of the requirement for sustainable transport links, with appropriate conformity with the Development Management Policies.</p>	<p>This is an important element of the overall design process, which is already addressed by existing policies.</p>	
<p>Carter Jonas for Wisdom Toothbrushes Limited</p>	<p>Carter Jonas, on behalf of our clients, Wisdom Toothbrushes Limited ('Wisdom'), welcomes the opportunity to comment on the emerging Local Plan for St Edmundsbury. Our prior contribution towards this process was for the Haverhill Vision 2031 consultation in April 2012. Our consultation submission response focused on the redevelopment options at the Old Silk Mill Site (3.6ha), which is located at Colne Valley Road/Duddery Hill in Haverhill. The Site is being promoted for residential development or residential led mixed-use development. On part of the Site there is currently an area reserved for use as private allotments (c.0.4ha) i.e. not Local Authority owned and managed.</p>		

	<p>There is also an area of shrubland to the south east of the existing allotments. The proposal scheme includes development over part of the existing allotment area, but a smaller, higher quality area of green space which would include approximately 24no. replacement allotments. Comments have been made, referencing the relevant sections of the draft Supplementary Planning Document (SPD) for Open Space, Sport and Recreation Facilities.</p> <p>Section 5.0 Thresholds for Contributions It is important for certainty to be provided to developers regarding the anticipated costs of a scheme, as a result of any required financial contributions, therefore this approach is encouraged. However, the SPD states within paragraph 5.0.2 that the occupancy levels have been 'based on the maximum capacity of bed spaces by the size of dwelling'; calculations within table 6 have therefore been subsequently costed from these occupancy figures. No evidence or justification has been provided as to why it is appropriate to use the 'maximum capacity of bed spaces' as opposed to the average or minimum capacity of spaces. It is recommended that this approach is re-visited on the basis that it is considered that such maximum costing is unreasonable. This is so, particularly taking into account that many properties will often (increasingly) only be occupied by single persons; in 2001 (census) 26.8% of households in St Edmundsbury were 'one person'.</p> <p>Section 6.0 Applying the Policies – Step 1: Does the scheme contain eligible types of development? Recognition is made within the document that there may be instances whereby affordable housing provision becomes uneconomic unless open space/sport/recreation contributions or requirements are waived. Such decisions would be made as a result of conducting a viability test. It is considered that is approach is correct, in light of the economic growth and housing targets expected within the Borough.</p>	<p>Agree that maximum occupancy levels do not reflect actual occupancy levels.</p> <p>Indeed such cases will be judged on a business model.</p>	<p>Amend Table 6 to reflect actual occupancy levels</p>
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	<p>Section 6.0 Applying the Policies – Step 3: Should provision be on-site, off-site or both?</p> <p>The decision as to whether it is appropriate to provide community facilities on-site or to make contributions towards the construction and development of the required facility elsewhere is critical to the scheme itself; the provider (manager) of that facility; and the end users. Although table 8 acts as a good general guide, flexibility is essential and appropriate, and each development scheme should be assessed against its own individual circumstances. As suggested within the SPD, many contributions are likely to be off-site in order to accumulate the required finance to provide an area, to be used as open space or for sport/recreation, which is of a justifiable scale in terms of its development and management. It is anticipated that due to the planned expansion of Haverhill much of these facilities should be located within the new strategic growth areas to the north-west and north-east of the town as this is where future need will be greatest. Infill schemes and those development located on previously developed land shall already benefit from existing services and facilities within the built up area of the town; off-site contributions are therefore more likely to be appropriate in these circumstances.</p> <p>Section 8.0 Loss of Open Space</p> <p>Within paragraph 8.1.1 the SPD outlines the factors which are to be taken into consideration when assessing the proposed loss of open space. It is pleasing to note that St Edmundsbury recognise the importance of good high quality open space, and the value of this as opposed to the offer of a larger area of open space that is of a poorer standard. This statement has not, however, been carried forward within Policy DM42 of the Forest Heath and St Edmundsbury Joint Development Management Policies Submission Document; we would advocate its inclusion to ensure continuity between the two documents. The allotment area and scrubland within the ownership of Wisdom is</p>	<p>These matters relate to another document</p>	
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	<p>currently privately owned and therefore does not provide a public facility. In addition, this area is not identified on the adopted development plan proposals map as an amenity open space or recreation open space and it should therefore not be considered formally as this or subsequently tested against those adopted policies which cover these areas.</p> <p>The part of the Site which is currently laid out as open allotments is dissected by a public footpath linking Hollands Road and Duddery Hill; therefore creating issues regarding vandalism. The remainder of the land not covered by Wisdom operations, to the south west of the red line area, is inaccessible and unused. An opportunity therefore presents itself as part of a wider re-development of the Site, as a residential scheme or residential led-mixed use scheme, for a smaller, more efficient and higher quality area of green space. This, it is anticipated, would include 24no. allotments providing much needed plots within the town. The Site is adjacent to existing residential areas and the area of the Site proposed for this purpose is the most compatible location for them, bordering the industrial units on Hollands Road.</p> <p>St Edmundsbury Borough Council own and manage no.21 allotments at Manor Road in Haverhill, however it is understood that there is currently a waiting list in the town as all these plots are taken. In addition under planning application reference SE/12/0034/FR3 part of the land at the former Clements County Primary School has been recently granted permission for change of use to allotments, which it is said will reduce the current waiting list by 30+ applicants. Although the proposed the development scheme at land within the ownership of Wisdom would provide new allotments, these should not be considered as a facility to address the existing deficit in supply, but viewed as an additional contribution serving the immediate new on-site development, as well other additional new growth across Haverhill.</p>	<p>In this instance they would be deemed an additional "onsite" provision/contribution. All contributions must be related to the development proposed and not to address a pre-existing deficit.</p>	
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St Edmundsbury Borough Council



St Edmundsbury
BOROUGH COUNCIL

Draft

Supplementary Planning
Document for Open Space,
Sport and Recreation
Facilities

December 2012

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1.0 INTRODUCTION

- 1.01 New development often creates a need for additional or improved open space without which there could be a detrimental effect on local amenity and the quality of the environment. Planning obligations are the mechanism by which measures are secured to enhance the quality of both the development and the wider environment. This SPD will help to ensure that development makes a positive contribution to sustainable development, providing benefits to the community as a whole.
- 1.02 A planning obligation is a legally binding agreement entered into between a local authority and a developer. It requires the developer to carry out certain works, or to provide, or contribute towards the provision of measures to mitigate the negative impacts of their development and to ensure that it makes a positive contribution to the communities within which it is situated. Obligations will be negotiated with the aim of reducing the negative impacts of development on local communities, achieving sustainable development and enabling improvements to local open space, sport and recreation facilities. In this context, planning obligations should be seen not only as a means of mitigating the impact of a development, but also as a mechanism for achieving positive planning by ensuring that development complements and enhances the social, environmental and economic requirements of its neighbouring communities. St Edmundsbury Borough Council believes that it is important that the views of local communities and their aspirations are given a high level of priority when considering planning obligations.
- 1.03 The provision of open space and facilities for sport and recreation helps underpin people's quality of life. The Council regards such provision as important to residents' health and well-being, and to the achievement of sustainable communities. Where new development occurs it is important that sufficient sport, recreation and open space provision is made to make proposals acceptable in land use planning terms.
- 1.04 This Supplementary Planning Document (SPD) sets out the Council's approach to the provision of open space, sport and recreation facilities in conjunction with new housing development.
- 1.05 This guidance details how the Council will implement policies within the Replacement St Edmundsbury Borough Local Plan 2016, The Core Strategy Development Plan Document (DPD), St Edmundsbury Borough Council Green Infrastructure Strategy and the National Planning Policy Framework (NPPF).
- 1.06 This guidance has been prepared to give developers and the public up-to-date information on developer contributions that are reasonably related in scale and kind to development proposals. It has been prepared, and will be operated, in accordance with the NPPF. The scales of contributions, and other relevant matters, will be updated regularly.
- 1.07 Once adopted, this SPD will be taken into account as a material planning consideration in determining planning applications. The Secretary of State will

also accord substantial weight to supplementary planning documents that are consistent with development plan policy when making planning decisions.

1.1 Purpose of the SPD

1.1.1 This SPD sets out the Council's approach when considering planning applications:

- For new residential development, which is likely to generate demand for access, to and use of open space and recreation facilities.
- For development on open space in St Edmundsbury Borough, whether it is in public or private ownership.

1.1.2 This SPD is intended to help support the planning of existing and new opportunities by:

- Providing guidance to developers on the provision of open space, sport and recreation facilities or contributions in lieu of such provision as appropriate.
- Setting out a consistent and transparent process to be followed in assessing applications for development on open space in St Edmundsbury Borough.
- It is intended that this document will supplement the policies outlined in the Replacement St Edmundsbury Borough Local Plan 2016 and Core Strategy.

1.1.3 The SPD contains the following guidance:

- Relationship of the SPD to other studies.
- A definition of the typology of open space, sport and recreation facilities in St Edmundsbury Borough.
- Existing policy related to open space.
- An outline of the St Edmundsbury Borough standards for open space, sport and recreation facilities.
- Costs for providing new or upgrading open space, sport and recreation facilities.
- Thresholds for contribution.
- Procedure for calculating developer contributions for new provision.
- Worked example of contributions required from new provision.
- Procedure for assessing the potential loss of open space.

1.2 Relationship to other studies

1.2.1 The SPD has been informed by a number of key studies:

- Football participation Report St Edmundsbury Season 11/12 (Jan 2012).
- Sport England Local Sport Profile (update February 2012)
- St Edmundsbury Borough Council Play Strategy (2007).
- St Edmundsbury Borough Council Cemeteries Strategy (including closed church Yards) (2008)
- St Edmundsbury Borough Council Tree & Woodland Strategy (2009)

- Open Space Assessment for St Edmundsbury Borough Council (2005)
- St Edmundsbury Borough Council Green Infrastructure Strategy (2009).
- St Edmundsbury and Forest Heath Infrastructure and Environmental Capacity Appraisal (2009)
- **Play Matters: A Strategy for Suffolk**
- **Suffolk Health and Wellbeing Strategy**

1.2.2 **Football Associations Football Participation report St Edmundsbury Season 11/12 Report**

This report quantifies the number of football clubs and teams playing football in the Borough and compares participation levels with local authorities within the same sub-group.

1.2.3 **Sport England Local Sport Profile (update February 2012)**

The Local Sport Profile tool has been developed to help local authorities in England to generate a sporting profile for their area bringing together data on sporting participation and provision.

This data is fundamental to local authorities and other partners involved in developing and delivering sporting opportunities in their communities.

The tool provides up-to-date information including:

- Demographic data
- Health data
- Sports participation (formerly NI8)
- Market segmentation
- Facilities data with regional and national comparators
- CIPFA's nearest neighbour comparators
- Economic performance data (sport related businesses)
- Latent demand for sport (the proportion of adults who would like to do more sport).
- Local Enterprise Partnerships profiles.

The data is taken from a variety of sources including the Active People Survey, Active Places, Department of Health and the Office of National Statistics.

1.2.4 **St Edmundsbury Borough Council Play Strategy (2007)**

Details options and recommendations for the future provision of play facilities within the Borough, and should be used to inform decisions related to improving and providing new play facilities.

1.2.5 **St Edmundsbury Borough Council Cemeteries Strategy (including closed Church Yards) (2008)**

Details options and recommendations for the future provision of Cemeteries service includes burial statistics and future burial needs.

1.2.6 **St Edmundsbury Borough Council Tree & Woodland Strategy (2009)**

Quantifies the number of trees and areas of woodlands in the Borough and sets out a strategy for their managements in the future.

1.2.7 **Open Space Assessment for St Edmundsbury Borough Council (2005)**

The assessment emphasises specific needs of communities in the Borough's two main towns (where most of the new housing is planned) and a number of smaller settlements identified for more modest expansion.

The report looks at all accessible open space (excluding small amenity areas) both public and private and the many activities that can take place within it. It has two key elements - an audit of existing provision and an assessment of need for each of the communities, from which action plans for improvements have been derived together with overall standards for new provision.

1.2.8 **St Edmundsbury Borough Council Green Infrastructure Strategy (2009)**

The GI Strategy for St Edmundsbury forms part of the evidence base for the Local Plan. It provides an analysis of existing green infrastructure provision in the context of future growth and sets out a 'greenprint' (protection and enhancement of existing green infrastructure and the provision of new green infrastructure in advance of, and alongside, future development) for new and enhanced existing green infrastructure. It will be used to support the delivery of spatial options within the Local Plan.

1.3 Consultation on this SPD

In line with Government requirements, this draft SPD is subject to public consultation:

- A draft SPD will be available for consultation in September/October 2012.
- Comments received will be given due consideration by the Borough Council.
- A justified response to each comment received will be provided by the Borough Council, and the draft SPD will be amended as appropriate.
- The final SPD is timetabled for adoption in December 2012.

1.4 Sustainability Appraisal

The Planning and Compulsory Purchase Act 2004 requires that SPD's are subject to a sustainability appraisal. This process is intended to improve plan making through the better integration of sustainability objectives into plan preparation. This document is intended to provide guidance in respect of existing adopted Local Plan Policies which have already been subject to a sustainability appraisal and a further appraisal is not required.

1.5 Housing need in St Edmundsbury Borough

The adopted St Edmundsbury Core Strategy at Policy CS1 identifies the need for 15631 new homes between 2001 and 2031. Balancing the supply of infrastructure and the delivery of development is addressed at Policy CS14. Such growth will result in additional pressures being placed on the local stock of open space, sport and recreation facilities.

1.6 Defining open space, sport and recreation facilities

This section defines the range of facilities that are covered by this SPD.

1.6.1 Open Spaces

Typology	Primary Purpose	Sub set
Parks and Gardens (A)	Accessible, high quality opportunities for informal recreation and community events	A1 - Formal Parks
Natural and Semi-natural Greenspaces (B)	Wildlife conservation, biodiversity and environmental education and awareness	A2 - Country Parks B1 - Woodlands
Green Corridors (C)	Walking, cycling or horse riding, whether for leisure purposes or travel and opportunities for wildlife migration	B2 - Flood meadows C1 - Former railway line - linear walks C2 - Linear Woodlands/Shelter belts C3 – Recreational Paths
Outdoor Sports Facilities (D)	Participation in outdoor sports such as pitch sports, tennis, bowls, athletics or countryside and water sports.	D1 - Pitch sports D2 - Bowling greens D3 - Golf D4 - Fishing lake
Amenity Greenspaces (E)	Opportunities for informal activities close to home or work enhancement of the appearance of residential or other areas	E1 - Residential Amenity greens E2 - Highway verges E3 - Other Green Space
Provision for Children and Young People (F)	Areas designed primarily for play and social interaction involving children and young people, such as equipped play areas ball courts, skateboard areas and teen shelters.	F1 - LAP F2 - LEAP F3 - NEAP F4 - Other play facility
Allotments, Community Gardens and Urban Farms (G)	Opportunities for those to grow their own produce as part of the long term promotion of sustainability, health and social inclusion	G1 - Allotments
Churchyards and Cemeteries (H)	Quiet contemplation and burial of the dead, often linked to the promotion of wildlife conservation and biodiversity.	H1 - Active Cemetery H2 - Open Church yard H3 - Closed Church yard

NB. There is the potential for categories B, C and E to be multi-functional and contain sustainable urban drainage system's (SUD's).

1.6.2 **Built recreational facilities**

Built facilities are described below and include all facilities that are managed by the local authority. Those facilities that are managed privately or by schools/colleges etc would be included if they are subject to a public access agreement with the local authority.

Sports halls with community access

A sports hall providing for team indoor sports (basketball, netball, volleyball, 5-a-side football) will be some 32m x 18m (hall activity area), able to accommodate four badminton courts with safe run-off areas. A hall of this size with a multi-purpose floor will frequently be divided by curtains to enable mixed activity use and sometimes cricket nets. Smaller halls are less flexible commensurate with size. A sports hall may be used for team sports and clubs, martial arts, community activities and classes, large meetings, often as a polling station, again by all sections of the community within the town or sub-area that it serves.

Larger communities may require an eight badminton court equivalent sized sports hall for greater flexibility of use which may include sports competitions, exhibitions and shows for example. It could be a specialist regional facility for a particular sport, such as martial arts or badminton, subject to the specifications of the hall.

Fitness gyms (all provision)

Fitness gyms are traditionally provided within local sports and leisure centres, provided by the local authority, sometimes within education establishments linked to a sports hall where the community is encouraged to use the facility which also provides an income for the school, or within the private sector (fitness clubs and hotels). They are usually operated on a membership basis and combine gym equipment for aerobic or resistance supervised activity, free weights and exercise classes. In the private sector, hotel gyms are usually provided to attract other money making activity such as business conferences but they also open up to the community, as do fitness club chains, on a membership basis. Local authority and school gyms will usually offer a 'pay and play' option for community use.

Where provided by the public sector, fitness gyms are more likely to operate GP referral schemes and special equipment for disabled people, while all provide programmes linked to improved health through exercise. Gyms may provide between 20 and 90 pieces of equipment, or 'stations', subject to location and demand.

Swimming pools with community access

The standard size swimming pool promoted by the Amateur Swimming Association is a 25m x 4 lane (8.8m width) or 6-lane (12.5m width) pool, the latter offering greater opportunity and flexibility for club development, training and galas, exercise swimming and lessons and includes spectating facilities. A separate shallow learner pool may be provided specifically aimed at teaching people to swim. A swimming pool is sometimes provided by a local authority for community access (eg in Bury St Edmunds) and sometimes

located within a school facility (eg Culford School). In addition to swimming, activities such as sub-aqua, water-polo and diving (diving pool) might take place if sufficient space, depth and time can be provided. The National Curriculum requires compulsory teaching of swimming to Key Stage 3 in primary schools.

Synthetic turf pitches all provision

These have become increasingly popular in recent years with the suggested standard being 1 for every 25,000 population. The synthetic turf is traditionally sand-filled to accommodate in the main football training and hockey training and matches – the sport of hockey and most leagues and competitions now play on synthetic turf – but technology also allows water-based pitches (for top level hockey) and 3rd generation (3G) rubber crumb filled pitches for football use only. These are extremely popular and well used by community clubs and schools. They are frequently located within school grounds or adjacent to a local sports centre where management arrangements are in place. They are usually floodlit within permitted lux levels to optimize their use throughout the year. Half size or smaller synthetic turf pitches (sometimes called Multi-Use Games Areas) are also used for other outdoor games (tennis, netball, basketball). These provide local community access within a managed environment for recreational activities.

Indoor bowls

Indoor bowls centres come into their own between September and March outside the traditional outdoor bowls season. They provide between two and seven rinks, again subject to location and demand. Very popular amongst the older age-group, they are increasingly attracting younger people to the sport. The larger centres tend to be sub-regional with a membership level which might exceed 500 coming from many outdoor bowls clubs. They may include social facilities more widely used by the community. Smaller centres are more local in nature. All attract community use and generally reserve rink time for 'pay and play' access by the local community. Indoor rinks are sometimes provided as a separate hall within the leisure centre of large town.

2.0 POLICY BACKGROUND

2.1 National Planning Policy Framework (March 2012)

2.1.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should, amongst other things, plan positively for the provision and use of shared space and community facilities.

2.1.2 Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

2.1.3 Planning obligations should only be sought where they meet all of the following tests:

- 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.

2.2 Local Policy

2.2.1 Replacement St Edmundsbury Borough Local Plan 2016

On 27 June 2006, St Edmundsbury Borough Council adopted the Replacement St Edmundsbury Borough Local Plan 2016. The adopted plan forms part of the development plan for the area of St Edmundsbury and forms the basis for decisions on land-use planning affecting that area.

Under the provisions of the Planning and Compulsory Purchase Act 2004, all policies in the Replacement Local Plan were initially saved for a period of three years.

In April 2009 St Edmundsbury gained a letter of approval from Go-East to save (with the exception of two) all of the Local Plans policies until its Local Development Framework documents are adopted.

The Replacement Local Plan allocates a number of development sites for various uses which, because of the size, location and neighbouring uses and

the uses proposed on the site, require a masterplan. As part of this process, the Borough Council prepares a concept statement for each of the sites. The subsequent masterplans need to be prepared by developers in consultation with stakeholders, agreed with the Borough Council and must be in line with the concept statement for the site.

Specific policies in the Replacement Local Plan relating to open space provision are contained at **Chapter 6. Leisure:**

Aims and Objectives

To maintain and develop leisure, cultural and community facilities to meet the needs of residents and visitors to the borough.

To achieve this aim, the key objectives are to:

- a) Encourage the sustainable provision of sports, leisure, and cultural facilities and public art;*
- b) Protect important open areas for their amenity and recreation value;*
- c) Encourage improvements in open space provision and provide good quality, accessible facilities;*
- d) Ensure that new housing development makes appropriate provision for new and improved facilities; and*
- e) Allow recreation and tourist facilities to be accommodated in the countryside, where they can be provided without harm to the local environment.*

POLICY L4: STANDARDS OF OPEN SPACE AND RECREATION PROVISION

Developers of new housing areas will be required to provide open space including play areas, formal recreation areas and amenity areas and where appropriate, indoor sports facilities in accordance with the local planning authority's approved standards of provision.

Where appropriate, the local planning authority will seek the provision of recreational open space and sports and recreation facilities as part of office, retail and other commercial and mixed development schemes.

In addition to policies and proposals elsewhere in this Plan, proposals for the provision of new playing fields and sports facilities should be accompanied by a demonstration of need.

In appropriate circumstances, the local planning authority will permit the provision of indoor recreation facilities as an alternative to outdoor open space provision.

Note: Standards for open space provision are incorporated within Appendix E and Planning Guidance and any subsequent replacement Supplementary Planning Document.

Chapter 10. Natural Environment

Aims and Objectives

To achieve a balanced natural environment where the use of resources and energy is minimised, materials and waste recycled and development undertaken with minimum adverse impact, giving close regard to the principles of sustainability.

To achieve this aim the key objectives of the Natural Environment Chapter are to:

- a) promote the prudent use of land, water and other natural resources;*
- b) value, conserve, enhance and restore the distinct landscapes and biodiversity within the borough; and*
- c) protect human health and amenity through a safe, clean and pleasant environment.*

POLICY NE1: IMPACT OF DEVELOPMENT ON SITES OF BIODIVERSITY AND GEOLOGICAL IMPORTANCE

When considering development proposals which may have an adverse impact on nature conservation sites or interests, the local planning authority will have regard to the expert nature conservation advice provided by English Nature, Suffolk Wildlife Trust and other specialist sources and the following criteria:

- i) The ecological value and objectives for which the site was classified or designated;*
- ii) The integrity of the site in terms of its wildlife value, its diversity and relationship with other ecological resources;*
- iii) The cumulative impact of the proposal and other developments on the wildlife value of the site;*
- iv) The presence of protected species, habitat areas and wildlife corridors and proposed measures to safeguard and enhance them;*
- v) The opportunity to create new habitat areas and to improve the conservation status of locally vulnerable species;*
- vi) Guidance set down within biodiversity action plans, St Edmundsbury Borough Biodiversity Strategy, St Edmundsbury Nature Conservation Strategy, habitat management plans and other relevant sources; and*
- vii) The extent to which the imposition of conditions or planning obligation:
 - would mitigate the effects of the development and/or protect the nature conservation value of the locality;*
 - ensure replacement habitat or features; and/or*
 - ensure that resources are made available for the future enhancement**

and management of the replacement habitat or feature to enable it to attain the quality and attributes that have been lost.

Development which would have an adverse impact on areas of international and national nature conservation importance, as indicated on the Proposals Map, will not be permitted unless there are imperative reasons of overriding national public interest and that there is no alternative solution.

Development which would have an adverse impact on regionally and locally designated sites will not be permitted unless the need for the development outweighs the importance of the nature conservation value of the site.

Note: With respect to criterion (vii) the provision of replacement habitat or features is viewed as a last resort, rather than a regular development tool. Where compensation has been established as an acceptable alternative, it will be necessary to provide replacement areas to an equivalent value to the lost habitats. The local planning authority will normally expect that new habitats to be in place to a satisfactory standard before the original habitats are lost. At the same time the local planning authority will expect such compensation areas to be larger than the original.

In considering development proposals which may give rise to serious or irreversible environmental damage to important wildlife interests, the local planning authority will apply the precautionary principle.

POLICY NE2: PROTECTED SPECIES

Development which would have an adverse impact on species protected by schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981, the Protection of Badgers Act 1992, The Conservation Regulations 1994 and listed in the Suffolk Biodiversity Action Plan, or subsequent legislation, will not be permitted unless there is no alternative and the local planning authority is satisfied that suitable measures have been taken to:

- a) facilitate the survival of the protected species;*
- b) reduce disturbance to a minimum;*
- c) provide adequate alternative habitats to sustain at least the current levels of population.*

Note: Developers should take into account separate legislation, Acts, regulations, planning guidance and any subsequent replacement Supplementary Planning Documents and laws preventing interference with protected species.

Where appropriate, the local planning authority will use planning conditions and/or planning obligations to achieve appropriate mitigation and/or compensatory measures and to ensure that any potential harm is kept to a minimum.

POLICY NE3: PROTECTION OF THE LANDSCAPE

Development will be permitted only where:

- a) It does not have an adverse impact on features of wildlife, semi-natural habitat, historic features, landscape and amenity value, including Special Landscape Areas (as defined on the Proposal map), and protects them during construction;*
- b) It includes the retention and new planting of trees, hedgerows and woodland through the submission of a landscape scheme giving full details of planting species, species mix and plant specifications; and*
- c) Suitable compensatory provision is made in the event of unavoidable loss.*

Developers will be required to submit, where appropriate, landscaping schemes concurrently with applications for planning permission and approval of reserved matters. A landscaping scheme should include the following details as appropriate:

- i) an accurate site survey indicating the species, condition, position and size of trees and other features of wildlife, landscape and amenity value, clearly indicating any trees and/or features to be removed;*
- ii) a planting scheme showing the species and features to be provided and details of materials and management intended to aid establishment;*
- iii) means of protecting trees and other features of wildlife, landscape and amenity value during development;*
- iv) accurately plotted existing and proposed site levels supported by cross sections indicating effects on trees where appropriate;*
- v) a soil survey indicating details of soil shrinkage potential;*
- vi) a schedule of maintenance operations for a 5 year period and details of land to be offered for adoption; and*
- vii) hard landscaping including paving, surfacing, lighting, fencing, walling (including retaining walls) and other means of enclosure.*

For the purposes of this policy, features of wildlife, landscape and amenity value are defined as: trees, hedgerows, hedgebanks, watercourses, open water, heathland, wetland, grassland, woodland, green lanes and parkland.

Chapter 12 Implementing the Plan

POLICY IM1: DEVELOPER CONTRIBUTIONS

Planning permission for development will be granted only where applicants can demonstrate to the satisfaction of the local planning authority and in accordance with the criteria in Circular 5/05 that the infrastructure required

to service and support the proposed development can be provided.

The local planning authority will expect such infrastructure provided by the developer, either on or off the site, to be an integral part of the development. Alternatively, it may be secured by means of financial contributions paid by the developer to the appropriate service providers and/or by the provision of land for the infrastructure.

The requirements of this policy will be met either by the imposition of appropriate planning conditions on a planning permission or by means of obligations contained in legal agreements in accordance with planning guidance and any subsequent replacement Supplementary Planning Document on developer contributions.

Note:

In the context of this policy, infrastructure includes: Landscaping, utility services, highways and transport, education services, affordable housing, community facilities, leisure facilities and playing space, libraries, open space, recycling facilities, local health facilities, environmental infrastructure and drainage.

St Edmundsbury Core Strategy 2010

The St Edmundsbury Core Strategy was adopted in December 2010 and provides a strategic policy framework that will manage and guide development in the borough over the plan period.

Policy CS14 sets out the approach to the sequential development of sites and community infrastructure capacity and tariffs.

Policy CS14 Community Infrastructure Capacity and Tariffs

An Infrastructure Delivery Plan has been prepared to supplement the Core Strategy and ensure that development and the delivery of infrastructure is coordinated.

All new proposals for development will be required to demonstrate that the necessary on and off-site infrastructure capacity required to support the development and to mitigate the impact of it on existing infrastructure exists or will exist prior to that development being occupied.

In circumstances where the provision or improvement of infrastructure or other works or facilities is necessary, both within and beyond the borough boundary, to address community or environmental needs associated with new development or to mitigate the impact of development on the environment or existing communities, standard charges and/or standard formulae will be imposed for the payment of financial contributions towards such infrastructure, works or facilities to ensure that all such development makes an appropriate and reasonable contribution to the costs of provision.

The requirement to pay the standard charge and/or standard formulae will be reviewed and modified as appropriate in circumstances where the provision of infrastructure, works or facilities normally covered by standard charges is to be provided as part of the development proposals.

The provision of infrastructure will be linked directly to phasing of development on land throughout the borough to ensure that there is no detrimental impact on existing infrastructure, the environment or residential amenity. It will be coordinated and delivered in partnership with other authorities and agencies such as the local highways authority, local education authority, the environment agency, primary care trusts, Suffolk Constabulary, utility companies and other private and public sector partners. The Local Strategic Partnership will also have an important role to play in the co-ordination of infrastructure delivery.

Key infrastructure requirements to deliver the objectives of the Core Strategy include, but are not limited to:

1. Fundamental Infrastructure

- New relief roads in Bury St Edmunds;*
- Improved sustainable transport links between new neighbourhoods and town centres and other destinations, including cycle networks;*
- Junction improvements to A14;*
- Additional substations and upgrades to wastewater works.*

2. Essential Infrastructure

- Additional school place provision, including new school sites;*
- Additional GPs and Dentists;*
- Local convenience shops;*
- Police resources such as Police Community Support Officers.*

3. Required Infrastructure

- Community facilities across the borough;*
- Leisure, open space, recreation provision and public realm enhancements.*

The current standards set by the National Playing Fields Association² refer to the "Six Acre Standard" which recommends that a minimum of 2.4 hectares (6.0 acres) of open space per 1,000 population should be available. The NPFA guidance further recommends that this should be comprised of 1.6 – 1.8 hectares for youth and adult sport and 0.6 - 0.8 hectares of Children's Outdoor Play Space. Of this, 0.2 - 0.3 hectares should be equipped play space, and 0.4 – 0.5 for casual or informal play.

² The NPFA was replaced by 'Fields in Trust' (FIT) in 2005. FIT have developed new standards for open space, however, to date these have yet to be adopted, and the existing NPFA standards are still in place. As and when the new standards are adopted this SPD will need updating.

2.3 Sport England

- 2.3.1 Sport England have produced "Spatial Planning for Sport and Active Recreation – Sport and Recreation in Supplementary Planning Documents" (Spring 2009). This SPD follows the advice and guidance contained within this publication.

2.4 Section 106 Obligations

- 2.4.1 Planning obligations are completed under Section 106 of the Town and Country Planning Act 1990. ~~Circular 1/97 Planning Obligations gives guidance on the interpretation of the powers conferred by the Act.~~ Planning obligations are agreements that can be negotiated to provide on and off-site community facilities related to a development or, in the case of smaller developments, can provide a contribution to nearby provision (~~paras. B2 and B13~~). Planning obligations may also be used to provide a capital sum for future maintenance.
- 2.4.2 ~~Circular 1/97 has now been superseded by Circular 05/2005, which clarifies the basis on which obligations should be assessed for their acceptability in policy terms, and gives further guidance on the process of securing obligations. In accordance with the current Circular,~~ The Council will only seek to secure the provision or upgrading of sport, recreation and open space facilities which are necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects. It is important to note that the term 'necessary' extends well beyond what is physically needed to make the development economically viable, and includes a range of off-site impacts resulting from development.

3.0 OPEN SPACE, SPORT AND RECREATION FACILITY STANDARDS

The St Edmundsbury standards have been developed following the Open Space Assessment report prepared by White Young and Green, sport England's local area profile. Local standards have three key elements:

Quantity, Access and Quality, which are summarised in the tables below.

3.1 Open Space Standards

Table 1: Summary of open space standards: Quantity and Access

Open Space Typology	Quantity Standard	Access Standard	Supporting documentation
Parks and Gardens (A)	0.5 ha/1000 0.25 ha/1000 5 sqm per person 2.5 sqm per person	800 metres (10 minutes straight line walk time)	Open Space Assessment for SEBC (2005)
Natural and Semi-natural Greenspaces (B)	0.5 ha/1000 0.25 ha/1000 5 sqm per person 2.5 sqm per person	800 metres (10 minutes straight line walk time).	Open Space Assessment for SEBC (2005)
Green Corridors (C)	0.5 ha/1000 0.145 ha/1000 5 sqm per person 1.45 sqm per person	800 metres (10 minutes straight line walk time).	Open Space Assessment for SEBC (2005)
Outdoor Sports Facilities (D)	1.2 ha/1000 12 sqm per person	800 metres(10 minutes straight line walk time)	Fields in Trust benchmark standard for pitch sports – other sports can be contained within Parks & Gardens
Amenity Greenspaces (E)	0.2 ha/1000 0.13 ha/1000 2 sqm per person 1.3 sqm per person	1,500m (20 minutes straight line walk time)	Open Space Assessment for SEBC (2005)
Provision for Children and Young People (F)	0.30 ha/1000 0.25 ha/1000 3 sqm per person 2.5 sqm per person	Junior Provision – 400m (just under 10 minutes straight line walk time). Youth Provision – 1000 m (15 minutes straight line walk time)	Fields in Trust benchmark standard for designated play space including equipped play space. Informal play can be contained in A, B, & C
Allotments, Community Gardens and Urban Farms (G)	0.15 ha/1000 (based on 6 x 250sqm plots) 1.5 sqm per person	1,500m (20 minutes straight line walk time)	SEBC standard based on current provision: Ref: Open Space Assessment for STEDS (2005)
Churchyards and Cemeteries (H)	0.2 ha/1000 0.025 ha/1000 2 sqm per person 0.25 sqm per person	960 metres 3,000 metres (20 minutes 40 minute straight line walk time)	SEBC current provision. Ref: STEDS Cemeteries Strategy 2008

SPD for Open Space, Sport and Recreation Facilities September 2012

Total

24 Sqm

Fit Six Acre Standard

3.2 Built Facility Standards

Table 2 Summary of built facility standards

Sports Facility	Proposed standard per 1,000 pop	Proposed facility per no. population	M ² per person	Access Standard
Sports halls	40 48.3 m ² (0.07 of a 4 court hall)	1 sports hall per 15,000	0.04 0.0483	1,500 m walk or up to 5km drive
Swimming pools	11.5 9.91 m ² (0.05 of a 25m x 4 lane pool)	1 equiv. per 20,500	0.012 0.0099	1,500m walk or up to 5km drive
Fitness gyms	4 stations (16 20m²)	1 station per 325	0.016 0.2	1,000m walk or up to 5km drive
Synthetic turf pitches	240 225.78 m ² (0.04 0.03 of a full size pitch)	1 per 25,000	0.24	1,500m walk or up to 10km drive
Indoor bowls	0.05 rink	1 x 6 rink centre equivalent. per 50,000	0.0101	1,000m walk or up to 5km drive
Community hall	150 m² 61 m²	subject to population spread	0.15 0.061	1,000m walk or less than 3km drive

The above walking and driving times for St Edmundsbury translate approximately, subject to precise local conditions, as:
 20 minute walking time represents 1,500 metres distance
 10-15 minute walking time represents 1,000 metres distance
 15 minute drive time represents 5 km catchment distance
 10 minute drive time represents 3 km catchment distance.

3.3 Quality standards

- 3.3.1 The standards also include a 'qualitative' element which responds to the audit of open space carried out within the Open Spaces Assessment for St Edmundsbury Borough Council. Subsequent update audits of Council owned facilities are now undertaken on an annual basis to ensure that Assessments remain updated.
- 3.3.2 The Assessment makes recommendations with regards to the priorities for improving existing open space and built facilities, and outlines good practice in relation to the quality of new provision. This advice will be passed on to developers in the pre-application discussions for a proposed development.

- 3.3.3 As a result of the studies, the Council will seek on site provision, or capital contributions for off-site provision or upgrading, in accordance with the local standards.

4.0 THE COST OF PROVIDING FACILITIES

- 4.0.1 In order to calculate developer contributions for facilities a methodology has been adopted which calculates how much it would cost the local authority to provide them.
- 4.0.2 These costs have been calculated using the following sources of evidence:
- Experience of real capital projects;
 - Industry unit costs provided in Spon's **External Works and Landscape Price Book (31st edition)**;
 - Benchmarking against other local authorities costs for providing facilities.

A summary of the costs are outlined in the tables below:

4.1 Open space costs

- 4.1.1 Contributions towards the provision or improvement of open space are calculated using the capital cost of provision. The same charges apply to both provision of new facilities and the upgrading/improvement of existing facilities. This is in line with bullet point three paragraph 204 of the National Planning Policy Framework 2012, according to which obligations should be "fairly and reasonably related in scale and kind to the development". Contribution per person is therefore taken to be a reasonable measure of that impact, irrespective of whether new provision or improvement of existing facilities is required.

Table 3: Costs for providing open space

Open Space Typology	Standard per person (m ²)	Cost of provision	
		Cost / m ²	Contribution per person
Parks and Gardens (A)	5 <u>2.5</u>	£72.00	£360.00 <u>£180.00</u>
Natural and Semi-natural Greenspaces (B)	5 <u>2.5</u>	£15.00	£75.00 <u>37.50</u>
Green Corridors (C)	5 <u>1.45</u>	£15.00	£75.00 <u>£21.75</u>
Outdoor Sports Facilities (D)	12	£21.00	£252.00
Amenity Greenspaces (E)	2 <u>1.3</u>	£15.00	£30.00 <u>£19.50</u>
Provision for Children and Young People (F)	3 <u>2.5</u>	£170.00	£510.00 <u>£425.00</u>
Allotments, Community Gardens and Urban Farms (G)	1.5	£30.00	£45.00
Churchyards and Cemeteries (H)	2 <u>0.25</u>	£25.00	£50.00 <u>£6.25</u>
Total	2.40		<u>£1,397.00</u> <u>£987.00</u>

This shows that it costs ~~£1,397~~ **£987** per person to provide open space or upgrade existing open space in order to meet the St Edmundsbury standard.

4.1.2 These calculations are to be used to calculate developer contributions. There are, however a number of issues which will affect the total financial contribution actually required and these are:

- Whether open space is provided as part of the development. If this is the case a 'credit' will be applied to the value of that open space in line with the figures outlined above.
- The above figures assume that the developer will maintain any new 'on site' provision for a period of ten years. If the developer seeks earlier adoption of the space by the council, a financial contribution for maintenance will be required.

4.2 Built facilities costs

Table 4: Costs for providing built facilities

Type of provision	Standard m2/ person	Cost of provision	
		Cost/m2*	Contribution: cost/person per facility type
Sports halls	0.04 0.0483	£2,500 £1,859.48	£100 £89.81
Swimming pools	0.012 0.0099	£2,500 £12,024.62	£30 £119.16 (inc. Ancillaries)
Fitness gyms	0.016 0.02	£2,500 £1,859.48	£40 (all provision) £37.19
Synthetic turf pitches	0.24 0.2258	£100 £98.33	£24 (sand-based) £22.20 (3G)
Indoor bowls hall	0.009 0.0101	£2,000 £1745.48	£18 £17.63
Community halls	0.15 0.0610	£1,800 £2,171.58	£270 £132.47
Total		£11,400 £19,757.97	£482 £418.46

*Approximate costs/m2 based on current estimates but dependent upon size, specification, materials and location of buildings. **These approximate estimates will be kept under review as actual schemes emerge.** The rationale and variables underpinning the scale of total indicative costs includes:

- 4.2.1 Sports hall - A four badminton court size sports hall suitable for team games including basketball, netball, volleyball and 5-a-side football. The sports hall should be able to be divided for multi-activity use. Ancillary accommodation including reception, changing, first aid, catering, circulation, storage areas, car park and external landscaping.
- 4.2.2 Swimming pool - A 6 lane or 4 lane swimming pool facility (which may include a learner pool). Ancillary accommodation including changing facilities, spectator viewing for galas, reception, first aid, catering, circulation, storage areas, car park and landscaping.
- 4.2.3 Synthetic turf pitch - Access, floodlighting, fencing and sub-structure. Associated car parking and changing facilities would need to be considered.
- 4.2.4 Fitness gyms - Requiring reception, fitness testing, studio, merchandise sales and changing (and steam/sauna) provision. Car parking and landscaping as provided for associated facilities.
- 4.2.5 Multi-Use games area - Access, floodlighting, division.

4.3 Maintenance Contributions

- 4.3.1 Where open space is provided on site, and the developer is looking to the council to adopt the facility, a commuted sum will be payable to maintain that facility for a period of 10 years. The commuted sum is calculated using typical metre squared costs for maintaining different types of open space. Certain types of open space cost more to provide and maintain than others – for example a play area is much more expensive to ~~layout and~~ maintain than an area of amenity grassland.
- 4.3.2 The costs were drawn from existing contract prices where possible and from SPON'S (External Works and Landscape Price Book). A summary of the costs for providing different types of open space are shown in table 6.

Table 5 Commuted sum costs for maintenance of open space

Open Space Typology	Cost/m2
Parks and Gardens (A)	£2.20
Natural and Semi-natural Greenspaces (B)	£0.42
Green Corridors (C)	£0.42
Outdoor Sports Facilities (D)	£0.92
Amenity Greenspaces (E)	£0.62
Provision for Children and Young People (F)	£3.67
Allotments, Community Gardens and Urban Farms (G)	£0.13
Churchyards and Cemeteries (H)	£1.85

5.0 THRESHOLDS FOR CONTRIBUTIONS

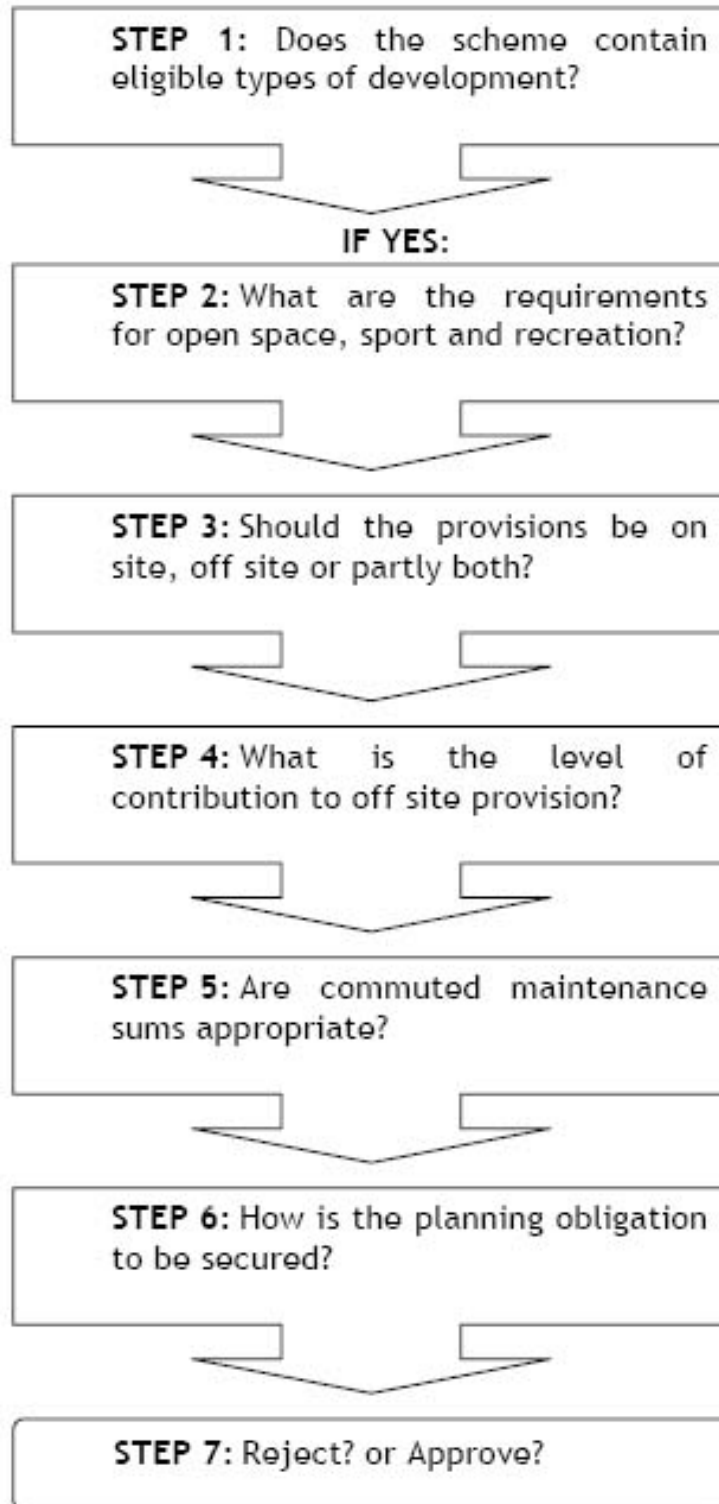
- 5.0.1 Contributions will be sought for all new development, i.e. there is no overall minimum threshold for numbers of new houses below which obligations will not be sought. In principle all new housing types (with only a few exceptions, e.g. sheltered accommodation, nursing homes and hostels) leading to a net increase in population within a locality will be required to provide new open space and recreation provision in accordance with Borough Council guidance; or else, offer developer contributions in lieu of provision.
- 5.0.2 The table below gives figures for the occupancy levels based on the ~~maximum capacity of bed spaces by the size of dwelling. For example a two-bedroom dwelling is assumed to have a maximum occupancy of three persons. For each dwelling, the costs outlined in table 5 have been applied.~~ **average occupancy of properties in the Borough. The overall average occupancy of properties in the Borough is 2.4 people (based on 2011 Census).** For each dwelling, the costs outlined above have been applied.

Table 6: Contributions based on dwelling size

Dwelling Size	Household Size	Open space contribution	Built facilities contribution	Total
1 bed	2 <u>1.2</u>	£2,794 <u>£1,184.40</u>	£964	£3,758 <u>£2,148.40</u>
2 bed	3 <u>1.7</u>	£4,191 <u>£1,677.90</u>	£1,446	£5,637 <u>£3,123.90</u>
3 bed	4 <u>2.4</u>	£5,588 <u>£2,368.80</u>	£1,928	£7,516 <u>£4,296.80</u>
4+ beds	5 <u>3.5</u>	£6,985 <u>£3,454.50</u>	£2,410	£9,395 <u>£5,864.50</u>
Active elderly persons (1 bed)	1	£635	£482	£1,117
Active elderly persons (2bed)	1.5	£1,270	£964	£2,234

6.0 APPLYING THE POLICIES

The process for considering planning obligations relating to new housing, is outlined in the following Flow Chart. This includes seven steps by which the scale of any contributions due will be calculated.



Step 1 – Does the scheme contain eligible types of development?

The residents of most types of residential development will generate additional demands for open space, sport and recreation. Table 7 below lists what are eligible types of residential development for the purposes of this SPD.

Affordable housing is likely to create demands for sport, recreation and open space and is therefore included. It would need to be demonstrated by the agent/applicant that the level of the contribution or requirement proposed in conjunction with affordable housing would make the scheme uneconomic for this provision to be waived. This viability test will be required for all such planning applications. ~~The heading ‘active elderly’ includes provision specifically for the active elderly who have a level of on site services such as a warden, common room or launderette. Occupants of such accommodation may be as young as 55 years and may be able to participate in many activities. Contributions will not be sought from such developments for playing fields or local play~~

Table 7: Eligible types of residential development

Category	Open Market Housing / Flats	Affordable Housing	Housing for the active elderly	Permanent mobile homes
Parks and Gardens (A)	✓	✓	✗	✓
Natural and Semi-natural Greenspaces (B)	✓	✓	✗	✓
Green Corridors (C)	✓	✓	✗	✓
Outdoor Sports Facilities (D)	✓	✓	*	✓
Amenity Greenspaces (E)	✓	✓	✗	✓
Provision for Children and Young People (F)	✓	✓	*	✓
Allotments, Community Gardens and Urban Farms (G)	✓	✓	✗	✓
Churchyards and Cemeteries (H)	✓	✓	✗	✓
Built Facilities	✓	✓	✗	✓

~~Includes agricultural workers' dwellings. Excludes extensions (for administrative reasons) and replacement dwellings and nursing houses types.~~

Step 2 - What are the requirements for Open Space, Sport and Recreation?

Having established the relevance of the development to the categories of open space, sport and recreation provision, then step 2 should be carried out. This involves establishing:

- The number of people estimated to be occupying the development on completion (using table 7); and
- Multiplying this by the level/area of sport, recreation and open space provision required per person (tables 1 and 2).
For example, for a development of 10 no. 3 bedroom houses:
- Number of people = 10 units x ~~4~~ **2.4** people = ~~40~~ **24**;
- Amount of open space required is ~~36m²~~ **24m²** per person = ~~40~~ **24** x ~~36~~ **24** = ~~1,440~~ **576** m²
- This provision may be provided on site or off site depending on the considerations below.

Step 3 - Should provision be on-site, off-site or both?

The required open space, sport and recreation facilities can be provided by on-site provision, and/or by a financial contribution for the provision of new, or the upgrading of existing facilities. Where facilities are to be provided on-site, the Council will expect the developer to provide the land for the facility and either:

- Design and build the provision to the satisfaction of the Council; or
- Make a financial contribution to the Council so that it may arrange for the construction and development of the required facility.

The decision on whether facility provision is to be on-site, off-site or both depends on the following considerations:

- The size of the proposed development;
- The existing provision of facilities within the Parish and/or the urban area for the main settlements (Appendix 1);
- Existing access to facilities within the Parish/urban settlement (Appendix 2).

For the most part St Edmundsbury contributions will be to off site provision, in view of the likely scale of development in the Borough.

Table 8 provides an indicative guide to assess which types of housing generate a need for facilities in the categories listed – developers will have the opportunity to determine precise arrangements within these overall guidelines.

Table 8: Requirement for open space, sport and recreation facilities

Type of Provision	1-9 dwellings	10-49 dwellings	50-199 dwellings	200-599 dwellings	600+ dwellings
Outdoor Sports Space	*	*	*	*	✓
Children & Young People's Space	*	✓	✓	✓	✓
Parks, Gardens & Recreation Grounds	*	*	*	✓	✓
Informal Open Space	*	*	✓	✓	✓
Natural Greenspace	*	*	✓	✓	✓
Allotments	*	*	*	*	✓
Built facilities	*	*	*	*	✓

KEY: ✓ on site provision normally sought
 * off site provision normally required

Step 4 - What is the level of contribution to off site provision?

Where financial contributions are sought for off-site facilities, these are based on the principle of securing or improving existing provision. Tables 3 and 4 provide costs for the provision of the full range of open space, sport and recreation facilities covered by the SPD. The justification for provision of the facilities is set out in the Councils Open Spaces Assessment. The studies look at current level of provision and look forward to 2031 to assess the demand for future provision. In general terms there is a requirement for increased/improved provision across the Borough for all aspects of open space, sport and recreation facilities.

For Example, for a development of 10 no. 3 bedroom houses:

- **Number of people = 10 (3 bed units) x 2.4 (people per unit) = 24;**
- **Contribution per person open space & built facilities = £987 + £418 = £1,405.46;**
- **Total contribution = £33,731.04**

Step 5- What Commuted Maintenance Sums are payable?

Where open space is to be provided on site, the Council would expect the developer to maintain the facility for a period of 12 months following practical completion. Following this, the Council will adopt the land, providing it meets the expected standard. ~~In line with Circular 05/05, a commuted sum will be payable where the facilities are predominantly for the benefit of the users of the associated development. Where an asset is intended for wider public use, the costs of subsequent maintenance and other recurrent expenditure will be met by the Council.~~

Where a commuted sum is required, it will be for a period of 10 years and the commuted sum is calculated typical metre squared costs for maintaining different types of open space, (see 4.3 above).

Step 6 - How is the Planning Obligation / Unilateral Agreement to be secured?

The Council will confirm the level of contribution and any other arrangement in a unilateral or Section 106 agreement of the Town and Country Planning Act 1990. The Council will place standard terms of agreements on its web site, as well as examples of completed agreements.

Step 7 – Reject? Or Approve?

Reject: If by this time, a unilateral or section 106 agreement has not been completed, the Council will, after 21 days or when appropriate, refuse the planning application.

Approve: Provided a unilateral or section 106 agreement has been signed and all other material planning considerations are resolved, the planning application will be determined according to normal procedures.

7.0 SPENDING OF CONTRIBUTIONS

7.0.1 Contributions made under the guidelines in this SPD will be placed in ring-fenced accounts managed by the Council. These have been specifically set up for the receipt and expenditure of community facilities and open space contributions for each category in the guidance note. The spending of developer contributions will be guided by the priorities outlined in the St Edmundsbury Green Infrastructure Strategy and the Built Facilities Study, and will include the following:

- Acquisition of land, facilities or equipment for open space, sport and recreation;
- Laying out of land for open space, sport and recreation;
- Where appropriate maintenance of land and facilities for open space, sport and recreation;
- Upgrading of land, facilities and equipment for open space, sport and recreation all within the reasonable catchment of the development in question. Where contributions are made towards the upgrading of facilities, monies will be spent on the first relevant priority scheme for improvement at the point where sufficient monies have been collected to defray the cost.

7.0.2 As detailed in the guiding strategies, spending of contributions will also be subject to local community consultation as required.

- 7.0.3 If funds remain unspent after 10 years following payment, the monies will be repaid to the applicant, on application to the Council, with any accrued interest.

8.0 LOSS OF OPEN SPACE

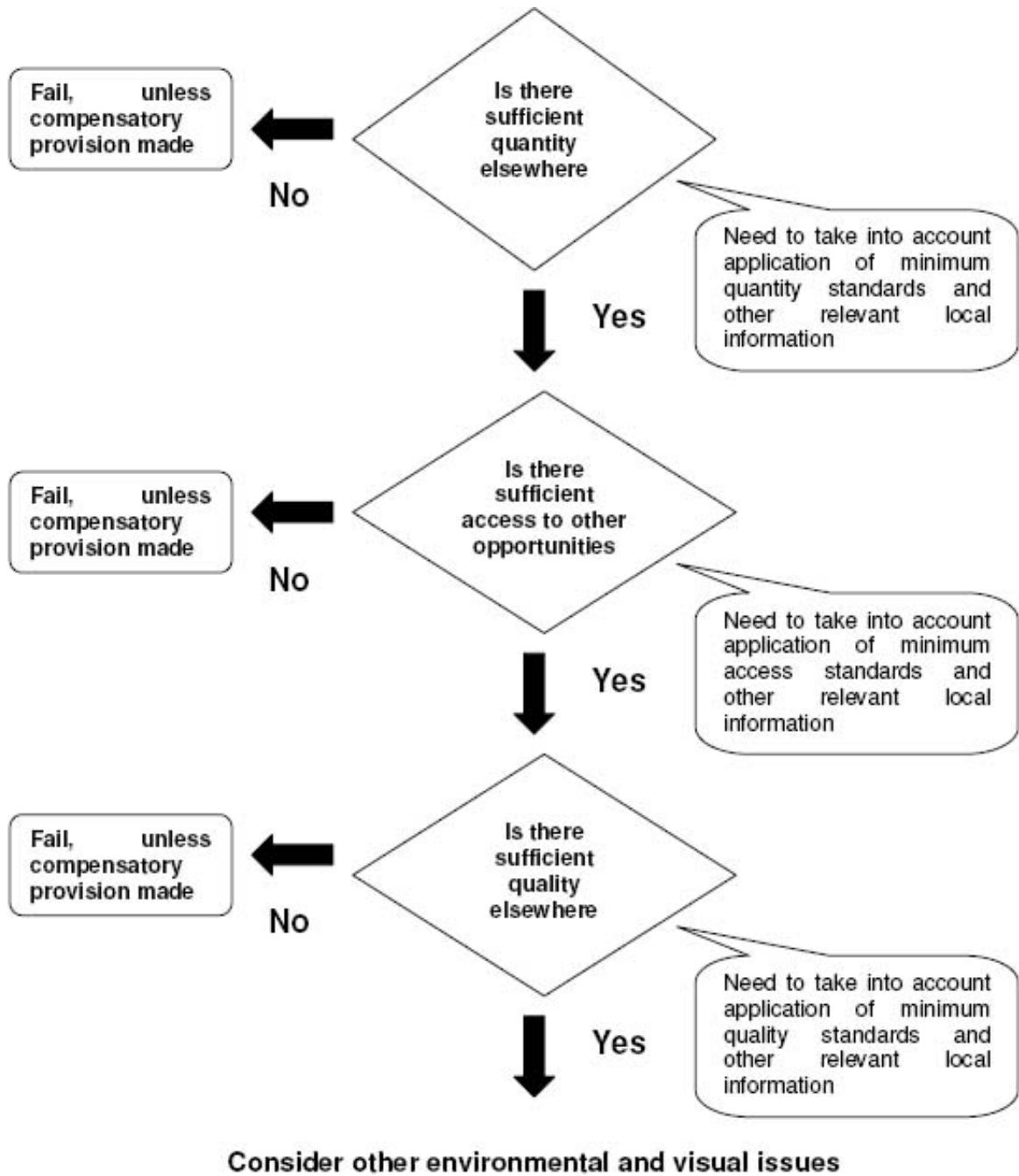
- 8.1 Process for determining potential loss of open space

- 8.1.1 The 2005 Open Space Assessment indicates that whilst there is under provision relative to the minimum standards in some parts of the Borough, there are other areas where provision compares favourably with the standards. However, it is stressed that the standards are for minimum levels of provision. Factors to be taken into account before any decision to release open space and recreation facilities to alternative uses can be taken include:

- The de facto use of a given open space - as it may be a locally popular resource;
- Whether future local development/population growth might generate additional demands for open space;
- Whether there is a demonstrable need for some other type of opportunity within the locality that an open space would be well placed to meet;
- Other non-recreational reasons that suggest a space or facility should be retained (which might include ecological and visual reasons); and
- Whether the development value can be utilised to provide a significant upgrade for public use of the remainder of that same open space area, if a partial development is permitted.

- 8.1.2 These considerations can be summarised in figure 1 below:

Figure 1: Outline decision making process in relation to the sanctioning the (re)development of open space/recreation facilities



A hypothetical example of how this might be applied is as follows. This is related to an area of informal/amenity space.

Q. Is there sufficient quantity?

A. If the minimum quantitative standard for Informal/amenity space is achieved in a defined geographical area, the relative provision of other forms of open space must then be considered. (Informal open space can in principle be converted into other forms of open space where the need arises). If a) provision meets the minimum quantitative standard; b) there is no significant local information suggesting a need to retain the site; and, c) there is not a perceived lack of other forms of open space. The next question can be addressed.

Q. Is there sufficient access to other opportunities?

A. Within the defined geographical area there may be good overall provision of informal space relative to the quantity standard, but is it in the right place and can it be easily reached? Applying the accessibility component of the minimum standards will help to answer this question. If other similar open space cannot be easily reached, the site's disposal for other uses may be unacceptable.

Q. Are other accessible and similar opportunities elsewhere of sufficient quality?

A. If it can be demonstrated that alternative opportunities are sufficient both in quantity and accessibility, there may still exist issues with the quality of these alternative provisions. The quality component of the proposed standards may indicate that certain improvements to alternative opportunities must be made which should be funded and secured before development is sanctioned. Even if these three tests are passed there may be other reasons for the site to remain as open space. For example, it may genuinely be nice to look through and over, and/or has a natural habitat value. Such considerations are important, but beyond the scope of this report.

9.0 Financial Contributions

- 9.0.1 All financial contributions contained in planning agreements will be index linked (using the Retail Prices Index – all items) to the date of the Committee, or delegated authority approval. Financial contributions will normally be expected to be paid upon commencement of development (as defined in Section 56 of the 1990 Town and Country Planning Act). However, in exceptional circumstances the payment can be made at various stages during the development process, for example, upon first occupation. Trigger dates for the payment of financial contributions will be included in the Planning Agreement, as will any time periods by which the contribution is to be spent.
- 9.0.2 Following receipt by the Borough Council, financial contributions will be held in interest bearing accounts and will be individually identifiable due to each contribution being allocated a unique finance code. Contributions remaining unspent at the end of a time period specified in the Planning Agreement will be returned to the payee along with any interest accrued.

10.0 Monitoring of Obligations

- 10.01 Monitoring of obligations will be undertaken by the Borough Council to ensure all obligations entered into are complied with on the part of both the developer and the Council.