COLCHESTER BOROUGH COUNCIL

SUPPLEMENTARY PLANNING DOCUMENT

PROVISION OF OPEN SPACE, SPORT AND RECREATIONAL FACILITIES

Adopted 24 July 2006

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Why is planning guidance required?

This document forms part of a comprehensive package of guidance adopted by the Council to supplement policies in the local plan/local development framework. Guidance on recreational facilities and open space is required to;

- Define the mechanism by which new developments, particularly housing developments, within the Borough make appropriate provision for open space and recreation, required as a direct result of meeting the needs of that development;
- Establish a comprehensive long-term framework for the development of open space provision throughout the district;
- Highlight the importance of open space to the well-being of individuals, and the district as a whole.
- Ensure an adequate provision of play facilities and other amenities such as allotment gardens to satisfy the needs of local communities.
- Ensure a standard of 2.83 ha of open space per thousand persons and to ensure that homes are located within 400 metres of open space of at least 0.2ha, taking into account physical barriers that restrict access, such as roads, railways or rivers. This may result in the provision of more public open space in a ward than the minimum required by the standard, to overcome the constraints on access due to physical barriers.

What is Open Space?

The Council use the definition of open space as set out in PPG17. This includes all open space of public value, including not just land, but also areas of water which offer important opportunities for sport and recreation and can also act as a visual amenity. The following illustrates the range of open spaces that may be of public value – parks and gardens, green corridors such as cycleways, outdoor sports facilities such as tennis courts, greenspaces, skateboard parks, teenage shelters, allotments, churchyards, accessible countryside and civic spaces. This list is not exhaustive.

How is Sport and Recreation defined?

Sport and recreation are not defined in the PPG but for the purpose of this document they include swimming pools, indoor sports halls, leisure centres, indoor bowls centres, indoor tennis, ice rinks, community centres and village halls.

Is there national and regional policy?

National planning guidance on open space and recreation is contained within Planning Policy Guidance (PPG) 17, Planning for Open Space, Sport and Recreation and the accompanying Companion Guide. PPG 16, Archaeology and Planning is also applicable considering the historical importance of the Borough. Circular 05/2005 contains information on planning obligations. The draft East of England Plan contains a section on Culture which covers the provision and location of strategic leisure, sport, recreation, arts or tourism facilities, sporting facilities, recreation and natural resources.

What do local policies say?

Existing policies are contained within the Adopted Review Colchester Borough Local Plan (CBLP), adopted 2004, and the Essex and Southend on Sea Replacement Structure Plan (ESP) adopted 2001. Over time both these documents will be replaced by a Local Development Framework (LDF). The Built Environment Chapter of the ESP, specifically policy BE5 alongside CBLP Chapters Community Facilities and Infrastructure Provision together with Leisure, Recreation and Tourism contain the policies relevant to this SPD, specifically policies L1, L5 and CF1. The provision of at least 10% of open space, as required by Policy L5 of the CBLP, within new residential developments is a long established CBLP policy. In addition commuted sums will be required to cover future maintenance and management. As referred to above there are also policies dealing with new development and the general provision of community facilities. The emerging Local Development Framework will contain policies to replace L1, L5 and CF1 but it is intended that the new policies will continue to require contributions to the provision and maintenance of open space.

Several major projects are identified in the CBLP which contributions may be used towards. In addition Leisure Services keep a list of Strategic Open Space which the Council aspires to purchase. This list is kept updated regularly and contributions may be used to secure the land identified if new development is within close proximity.

Why are open space allocations necessary?

Open space allocations can improve an individual's quality of life as they enhance the environment in which they live. These areas regardless of size also have a beneficial impact upon the Borough's historic buildings and can influence Conservation Areas and Design standards. Along with enhancing the built environment, the environmental impact of open space is not to be forgotten. Open space improves the biodiversity of an area as well as providing opportunities for nature conservation and education.

The Council uses the National Playing Fields Association standard, updated by the former Ministry of Housing and Local Government advice, of 2.83 hectares per 1,000 population as the minimum guideline for provision of sports and recreation facilities and open spaces. There are deficiencies in open space across the borough, which are made worse by additional housing developments; these

therefore need to make provision as part of the new development in accordance with the criteria above.

The planning policies referred to above set out that development will only be permitted where it makes provision for community facilities and other infrastructure requirements that are made necessary by and directly related to the development. Any new residential development will increase demand for open space, sport and recreational facilities across the borough, without a commitment to provide these facilities or a contribution, development would be unacceptable and further stretch the deficiencies that currently exist.

To be equitable and effective the Council considers that all new residential developments of one or more dwellings will impact on open space, sport and recreation provision. Therefore, a simple, fair and equitable approach has been established whereby a cost has been determined by the number of bed spaces per property.

Does the standard apply across the whole Borough?

The 2.83 hectare (7 acre) standard applies to the whole Borough. However, due to the isolated nature of some settlements and potential difficulty in accessing open spaces in rural areas, this standard is applied to individual village settlements, of which there may be two or more in a single ward. In parallel with the 2.83 hectare standard, we will aim for all the main town and village settlements to each have a multi-use recreation ground. Accordingly 25 locations are identified in the Open Spaces Register where there exists or it is desirable to have a recreation ground. S106 contributions will be used to help provide, upgrade and maintain these areas. Details are attached as an appendix to this document.

What happens if open space cannot be provided within the site?

The problems of pressure of use and a growing imbalance with the level of open space provision, together with an increasing population, need to be addressed. Where it is not practical to incorporate an area of open space on either the site itself (in accordance with Policy L5) or nearby, a financial contribution will be required. This approach ensures that all residential developments contribute to providing for either new and/or improved public open space. This will also ensure that there is no deterioration in the overall quantity or quality of provision, which would otherwise have to be paid for through an increase in local taxation.

Do I need to provide childrens play facilities?

Equipped childrens play grounds or a contribution to offsite provision will be required from most developments. Provision should be made in accordance with the strategy and standards set out in the Playground Development Plan. Conflict can arise about the location of such facilities, so developers are encouraged to identify sites as early as possible in the process. Specialist housing for the elderly or one bedroom residential flats will not be expected to provide children's play equipment; this is further outlined in Appendix 2.

What will the charges be?

All contributions received will be used to meet the needs of new developments and not to meet the deficiencies identified across the Borough. A list of current charges is shown in Appendix 1. The charges are reviewed regularly and will be updated accordingly. The formula is based on bed spaces in a development. When calculating the charge, account will be taken of open space provided by the developer within the site.

What if an outline application is submitted?

Where an application is received in outline, and the proposed size of the development in terms of numbers and/or type of dwelling is not known, the calculation of the potential population is not possible. In such cases the sport, recreation and open space requirements will be reserved through a planning obligation, so that it can be resolved when a detailed application is made, and the "population" of the development can be determined.

How will contributions be used?

The Council requires any contributions made under this guidance to provide/improve existing open space and sport/recreation as close to the location in which the money has been raised as is possible, and which is practical and consistent with the hierarchy of recreational need, or in accordance with the overall development plan for sport and sports grounds, as these are planned on the basis of a borough-wide catchment. As a guide the Council will require that the recreational needs of smaller children, namely Local Areas for Play (LAP), Local Equipped Areas for Play (LEAP) and Neighbourhood Equipped Areas of Play (NEAP) should be located within 100, 240 and 600 metres respectively, of the sites they are intended to serve. In rural areas they should be located within towns/villages where possible, or within the parish except NEAPs which can be within an adjacent parish or as near to the new development as is practical. For larger facilities such as cricket, football pitches, swimming pools and tennis courts, it is accepted that people may have to travel further afield to access facilities. The term “local” in this context is defined as either a 10 mile or 20 minute public transport or cycle travel time.

What will the contributions cover?

The contribution from the developer will cover all aspects of open space requirements including recreation, sport and play (whether ‘on-site’ or ‘off-site and ‘nearby’ or already ‘existing’). It will represent the proportion of cost of required open space requirements that are of direct benefit to the new development. The Council will require developers, by way of a legal agreement or obligation, to provide this sum for open space requirements for recreation, sport and play required for the sole use of the new development and for shared use with existing nearby developments. Full details of what the contributions will cover can be found in the Appendix 1 and 2.

How is public space maintained?

Areas of open space, children's play facilities, and other adopted areas must be properly maintained and available for use by all residents and visitors. Accordingly, a one off commuted payment will be required, from developers, to provide for a maintenance period of 25 years. This will also apply to appropriate nature conservation management schemes. The current adopted figures are attached as Appendix 2.

Are there exceptions to the policy?

The standards, outlined above, are to be applied to all additional new residential units, where new build or conversions take place. In assessing the number of new units an allowance will be made for any existing units on the site or any extant planning permissions for residential units, where provision has been made for public open space. New development includes most specialised types of housing including agricultural dwellings, affordable housing and also staff accommodation since all will create additional demands for open space.

Does the policy apply to conversions?

New dwellings may be created by the conversion of a building currently or last used as a non-residential unit, for example, an agricultural barn. In addition, they may also be created where a change of use is made from any residential use with shared facilities, such as bed-sit accommodation or a care home, to independent residential units with separate facilities. The policy will apply in these circumstances.

What about replacement dwellings or extensions?

Replacement dwellings will not need to make provision, unless additional dwelling units are being created. If additional units are being created then the net gain of units will be expected to meet the recreational requirements.

Extensions to existing dwellings will only need to make provision where separate units of accommodation, with their own facilities, are being created. This applies whether or not the additional unit is tied by condition to the main house, for example, as staff accommodation. Provision will not, however, be required where the additional unit is for a dependant relative, and a specific planning condition or obligation is attached, limiting the occupation of the unit for this purpose.

Are there cases where a contribution will not be required?

It is accepted by the Council that there are certain types of development, which may not create a demand for certain facilities. For example, the occupants of a sheltered housing scheme, nursing homes, or certain types of hostel accommodation, where the occupancy is controlled, would not generate a need for facilities such as children's play areas. However, it is worth noting that whilst a play area may not be required, there will be a need to provide amenity land/communal space associated with the proposal. Such cases clearly need to be considered individually on their merits and conditions may be used to restrict

occupation. It may be appropriate to seek particular types of open space to best suit the development being proposed, such as the creation of sensory gardens.

At what point in the development will the contribution be required?

The requirement for open space, sport and recreational facilities and when they are to be provided will be specified in a legal agreement/obligation. The trigger point for the contribution will be set according to the needs of the development but usually in advance of occupation of the dwellings. Contributions will be indexed linked in case time elapses between planning permission being granted and the facilities being provided.

Are Standard Agreements Used?

The Council is experienced in negotiations with a wide range of individuals and bodies. In any circumstance the preference is to reach a decision on the level of contribution sought in agreement with all parties. Through this continued experience the Council is able to demonstrate each application is treated in a correct, standard and fair manner.

Where can I find out more?

There are many documents that contain relevant information, some are listed below;

PPG 17 Planning for Open Space, Sport and Recreation (ODPM)

Assessing Needs and Opportunities: A companion Guide to PPG17 (ODPM)

Start with the Park - CABE

The Adopted Review Colchester Borough Local Plan (March 2004) provides information on the planning policies adopted by the Council. They include policies on leisure, recreation and tourism.

Sports and Playing Pitch Strategy
Provides a planning framework for the future development of pitches and ancillary facilities for the main pitch sports of football, cricket, rugby and hockey
Sports and Playing Field Development Plan adopted on 8 April 2004 based on survey and evaluation undertaken in 2001

Playground Development Plan
Sets out policies, objectives and future plans for equipped playground provision in the Borough – includes standards for provision, and guidelines for design and maintenance of playgrounds - identifies areas of need for new facilities
The current Plan was adopted in January 2001 and is due for review in 2004
Updated Playground Development Plan agreed by Portfolio Holder 11 January 2001

Parks and Green Spaces Strategy
Not yet fully in place.
The Plan will provide a framework for the planning and development of new and existing green spaces, relating use to management and maintenance, setting out a plan for greater community involvement.
When finalised will consolidate parks and green space planning into one overall strategy in accordance with CABE Space guidelines.
Policy framework for future planning and protection of parks and green space established by Employment, Economic Development, Leisure and Tourism Policy Panel 13 March 2001.
Green spaces strategy scheduled for completion in 2005.

Development Plan for Sport
Sets out the strategic direction for the delivery of sport in Colchester, connecting a range of different activities into one comprehensive plan, linking community sport, sports development and facility planning / site development.
The plan identifies the key issues and priorities and sets the framework for managing performance. Plan adopted by the Borough Council on 31 July 2003

Local cultural strategy
The development of a local cultural strategy is seen as a key instrument to help focus the cultural agenda in Colchester and the surrounding area. The strategy covers the whole spectrum of cultural interests in the area, taking into account the activities of the voluntary and private sectors and other public agencies as well as the Borough Council, adopting the wider definition of culture as defined by the Department for Culture, Media and Sport including parks and green spaces, countryside, tourism and sport, as well as arts, museums and events
The local cultural strategy is a plan for the area not the Council.
The local cultural strategy was adopted by the Borough Council on 21 May 2003.

Further advice is available from Street and Leisure Services Tel. 01206 282632

Glossary

Local Area for Play '*LAP Standard'*

1. Each site to be formally designated by the Council as a play area catering mostly for children aged 4-6, close to where they live (1 minute's walk/100m).
2. Each site to be enclosed by a fence or barrier (e.g. hedges or planting).
3. Each site to be of a minimum area of 100m^2.
4. Each site to have no play equipment.
5. Each site to be overlooked by housing, pedestrian routes, or other well used public facilities.
6. Each site to have signs excluding dogs.

Local Equipped Area for Play *'LEAP Standard'* for local facilities for play, principally for children in the 0 - 9 age group

1. Each site to be of a minimum area of 400m^2.
2. All equipment and facilities to have been assessed as safe for continued use by a competent playground inspector.
3. All equipment with a fall height greater than 600mm to have appropriate impact absorbing surfacing.
4. Each site to have a minimum of seven different activities. Multi-play equipment may be counted as having up to three separate activities (e.g. sliding, climbing, rocking, swinging, or social play).
5. Each site to have a small games area (may be grassed) within the boundary of the playground.
6. Each site to be entirely fenced with self-closing gates.
7, Each site to have signs excluding dogs.
8. Each site to be overlooked by housing, pedestrian routes, or other well used public facilities, with surfaced links to the footpaths network.

Neighbourhood Equipped Area for Play *'NEAP Standard'* for neighbourhood facilities with separate infant (3 - 5 years) and junior (5 - 11 years) areas

1. Each site to be of a minimum area of 1000m^2.
2. All equipment and facilities to have been assessed as safe for continued use by a competent playground inspector.
3. All equipment with a fall height greater than 600mm to have appropriate impact absorbing surfacing.
4. Each site to have a minimum of eight different activities. Multi-play equipment may be counted as having up to three separate activities (e.g. sliding, climbing, rocking, swinging, or social play).
5. Each site to have a hard surfaced kickabout/skating/cycle play area within the boundary of the playground.
6. Each site to be entirely fenced with self-closing gates.
7. Each site to have signs excluding dogs.
8. Each site to be overlooked by housing, pedestrian routes, or other well used public facilities with surfaced links to the footpaths network.

In addition to the Audit Commission definitions, the Borough Council recognises facilities for the 11+ age group as a distinct area of provision; the Borough Council's ***'11+ Standard'*** is:-

1. Each site to be of a minimum area of 400m^2.
2. Each site should normally be enclosed by a fence or barrier.
3. Each site to have a minimum of two activities plus a socialising or 'hanging-out' area; appropriate activities might include a single basket ball skills goal, a climbing boulder or similar.
4. Each site to have signs excluding dogs.
5. Each site to have at least one litter bin.
6. Each site to be located so as to be part of their local area, without creating potential disturbance to nearby households or other public or private properties.

APPENDIX 1

Schedule of Commuted Sum Rates – Open Space and Recreation

Type of Open Space / Facility	Rate **[Effective 1 April 2005]**
Public Open Space, predominantly urban in character, e.g. short mown 'amenity' grass, limited number of standard trees, shrubs, hedges; access paths, street furniture etc.	£9.60 per square metre for sites less than 1 hectare in extent. £43,460 per hectare for single sites greater than 1 hectare in extent
Rural and/or suburban countryside, Woodland (established) and Wildlife Sites	£1.31 per square metre for sites less than 1 hectare in extent £9,430 per hectare for single sites greater than 1 hectare in extent
Woodland (new planting) Shelter Belts, Urban Nature Conservation Areas	£32,400 per hectare or £3.24 per square metre
Water Bodies, natural and artificial lakes and ponds, unlined retention and balancing ponds.	£80,940 per hectare (or pro rata for water bodies in excess of $100m^2$)
Road-side Grass Verge (mown without trees or other obstructions), shrub borders, groundcover planting	£8.00 per square metre
Specimen Trees and Avenues (existing and new planting). Categories are based on BS5837 1991 Trees on Development Sites. Prices based on existing contractor rates	• 1st third of life (Young trees) £89.00 each • 2nd third of Life (Middle age trees) £284.00 each • 3rd third of Life (Mature and over mature trees) £463.00 each
Children's Playground (capital cost for provision of new playground to LEAP standard)	£48,100 per playground (subject to site conditions and requirements)
Children's Playground (adoption for maintenance to LEAP standard)	£43,200 per playground
Children's Playground (capital cost for provision of new playground to NEAP standard)	£112,600 per playground
Children's Playground (adoption for maintenance to NEAP standard)	£65,600 per playground

Type of Open Space / Facility	Rate **[Effective 1 April 2005]**
Town Squares - hard services and street furniture (No grass, shrub borders or trees in this calculation. These will be added where relevant.)	£22.20 per square metre
Open space perimeter fences – wood. (Panel, picket and post and rail fencing). Where boundary fence line is adopted this is charged in addition to the sum for the area	£8.60 per linear metre
Open space perimeter fences and gates – ironwork. (Ornamental railings, bow top, security fencing Where boundary fence line is adopted this is charged in addition to the sum for the area	£62.00 per linear metre
Cycleways and pedestrian footways	£14.00 per square metre
Maintenance of sports pitch area	£69,750 per hectare [assuming 50% recovery of cost through income]
Maintenance of new allotments garden areas	£5,175 per hectare [allowing for income from tenants]

APPENDIX 2

Supplementary Planning Guidance - Planning Obligations Standards				updated @ 01/04/2005 Provision Unit rate	Cost	updated @ 01/04/2005 Maintenance Unit rate	Cost	**Total contribution**
Open space	**1.63**	**ha.**	**per 1000 population**	£155,250	£253,058	£43,460	£70,840	**£323,898**
Hard landscaped areas					£0	£60,000	£0	**£0**
Wildlife & countryside areas					£0	£9,430	£0	**£0**
Woodland / shelter belts					£0	£9,430	£0	**£0**
Lakes and ponds					£0	£80,940	£0	**£0**
New tree / woodland planting					£0	£32,400	£0	**£0**
Trees [mature]					£0	£10,350	£0	**£0**
Children's play								
LAP			included in open space		£0		£0	**£0**
LEAP	1.00	no.	per 1000 population [target 1 play area per 300 population aged 0-9 years, assuming 13% population in this age range = 0.5] factoring in catchment and physical barriers limitations	£48,100	£48,100	£43,200	£43,200	**£91,300**
NEAP	0.28	no.	per 1000 population	£112,600	£31,528	£65,600	£18,368	**£49,896**
11+ facility	0.28	no.	per 1000 population	£51,750	£14,490	£36,300	£10,164	**£24,654**
Sports and recreation	**1.20**	**ha.**	**per 1000 population**	£50,000	£60,000	£69,750	£83,700	**£143,700**
Sports changing / ancillary	1.20	no.	per 1000 population	£100,000	£120,000	£51,750	£62,100	**£182,100**
Indoor sports facilities (4 court hall)	1.00	no.	per 13,800 population	£2,556,432			£0	
	0.072	no.	per 1,000 population		£184,063	£25,875	£1,863	**£185,926**
Swimming (4 Lane pool)	1.00	no.	per 20,650 population	£2,000,261		£3,678,000		
	0.0484	no.	per 1000 population		£96,813		£178,015	**£274,828**
Allotments	0.2	ha.	per 1000 population	£41,400	£8,280	£5,175	£1,035	**£9,315**
Public art	1.00	no.	per 1000 population	£43,200	£43,200	£5,175	£5,175	**£48,375**
Total					**£859,532**		**£474,460**	**£1,333,992**

Per person	1000	Divided by rate per population		£859.53	£474.46		**£1,333.99**
Per dwelling	2.40	Multiply by average persons per dwelling		£2,062.87	£1,138.70		**£3,201.57**
	1	bedroom [occupied by one person]	1.0	£859.53		1.0	**£1,333.99**
	2	bedroom [occupied by two people]	2.0	£1,719.06		2.0	**£2,667.98**
	3	bedroom [occupied by 3.5 people]	3.5	£3,008.36		3.5	**£4,668.97**
	4	bedroom [occupied by 5 people]	5.0	£4,297.65		5.0	**£6,669.95**
	5	bedroom [occupied by 6 people]	6.0	£5,157.18		6.0	**£8,003.94**

Appendix 3

Extract from Open Spaces Register

Schedule B

'Village settlements' in rural areas included in count:		Existing recreation ground
Abberton and Langenhoe	1	YES
Aldham	1	YES
Ford Street Aldham	1	NO
Birch	1	YES
Boxted Cross	1	NO
Chappel and Wakes Colne	1	YES
Copford Green	1	YES
London Road Copford	1	NO
Dedham	1	YES
Dedham Heath	1	NO
Choats Corner Eight Ash Green	1	NO
Eight Ash Green	1	NO
Fingringhoe	1	YES
Fordham	1	YES
Great Horkesley	1	NO
Horkesley Heath	1	NO
Great Tey	1	YES
Langham	1	YES
Layer-de-la Haye Malting Green	1	YES
Marks Tey	1	YES

Settlements not included in count:
Hardy's Green Birch
Boxted
Workhouse Hill Boxted
Swan Street Chappel
Bargate Lane/Long Road Dedham
Lamb Corner Dedham
Easthorpe
East Mersea
Gt Wigborough
Layer Breton
Smythes Green Layer Marney
Little Horkesley
Little Tey
Mount Bures
Salcott & Virley
Wakes Colne/Middle Green

Messing	1	NO	
Peldon	1	YES	
Rowhedge	1	YES	
West Bergholt	1	YES	
Wormingford	1	YES	
Total	25		
Number with recreation ground	16	YES	64.00%
Number without recreation ground	9	NO	36.00%