



Provision of Open Space and Village Halls Supplementary Planning Document (SPD)



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1 Introduction

1.1 Policy background

- 1.1 The Harrogate District Local Plan 2014-2035 sets out the council's strategy for growth to 2035. As part of this strategy policy TI4: Delivery of New Infrastructure seeks to deliver the infrastructure necessary to cater for the needs generated by development.
- 1.2 Where development generates a need for new physical or social infrastructure, the policy introduces an expectation that the developer provides, or contributes towards, these facilities so as not to place an undue burden on existing infrastructure.

Policy TI4: Delivery of New Infrastructure

In order to deliver sustainable development, the council will work with infrastructure and service providers and developers to deliver infrastructure and services to support existing and future development across the district.

Depending on the nature and scale of development proposed, and subject to viability, developers will be expected to make reasonable on-site provision and/or off-site provision and/or contributions towards infrastructure and services in order to cater for the needs generated by development.

Proposals involving the delivery of new or improved infrastructure or services, either on its own or in combination with other development, will be supported provided that it can be demonstrated that they are necessary to support new development and/or to rectify existing evidenced deficiencies in infrastructure or service provision:

A. To cause minimal disruption to existing infrastructure and service provision for residents and businesses development may need to be phased;

B. Where new infrastructure is needed to support development, the infrastructure must be operational no later than the appropriate phase of development for which it is needed;

- 1.3 Policy TI4 is used to secure improvements to a wide range of types of infrastructure, including:
- highway and transport infrastructure;
 - water supply and sewerage, gas and electricity supply, telecommunications;
 - schools and other services for young people, health care services and facilities for people with disabilities;
 - community facilities, community safety and crime prevention measures;
 - public open space, sports and recreation facilities;
 - hard and soft landscape infrastructure and habitat creation.
- 1.4 This document relates to the use of the policy to deliver community facilities in the form of village halls and the use of the policy alongside policy HP7: New Open Space and Recreational Development to deliver publicly accessible open space and outdoor sports facilities.

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- 1.5** Criterion A of policy HP7 requires developers to make provision for open space, including new sports and recreational facilities, to cater for the needs arising from their development.

Policy HP7: New Sports, Open Space and Recreational Development (extract)

- A. New housing and mixed use developments will be required to provide new sports, open space and recreational facilities to cater for the needs arising from the development in line with the provision standards set out in the Provision for Open Space in Connection with New Housing Development Supplementary Planning Document

- 1.6** Meeting the needs for open space and village halls that arise from the development of new housing may be achieved in two ways. A developer may be required to provide a new facility, for example a new piece of open space or a village hall, or may be required to enhance an existing facility.
- 1.7** Whether new provision or enhancements to existing provision are required is determined by considering the scale and nature of the development and the existing quantity and quality of the infrastructure type available locally, as set out in sections two and three.
- 1.8** The provision required may be delivered in one of two ways, or sometimes a combination of both. A non-financial contribution, (where the developer provides the infrastructure directly) and/or a financial contribution (where the developer pays money for the infrastructure to be provided) may be required.
- 1.9** The provision is usually secured through legal agreements called planning obligations. Commonly these are referred to as Section 106 agreements after Section 106 of the Planning Act. However, in some circumstances other legal mechanisms may be used.
- 1.10** Within this guidance the phrase developer contribution is used to describe the provision required from a development irrespective of whether this is a financial or non-financial contribution and irrespective of the formal legal mechanism that would be used to secure the provision.
- 1.11** The use of planning policies to secure development contributions is supported by paragraph 34 of the National Planning Policy Framework (NPPF) (2020) so long as the policies do not undermine the delivery of the plan.
- 1.12** The viability of development to meet local plan policies, including the requirements of policies TI4 and HP7, alongside the requirements of the Harrogate District Community Infrastructure Levy (CIL) Charging Schedule (2020) has been considered by independent inspectors as part of examinations prior to the adoption of each document. The evidence of viability is set out in the council's Local Plan Viability Update and CIL Viability Assessment (2019) as well as the Whole Plan Viability Assessment (2016).
- 1.13** The use of planning obligations is controlled by Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). This limits their use to situations where particular tests are met.
- 1.14** The council's approach to securing village hall and open space provision in connection with the development of new housing, as set out in policies TI4 and HP7 and this guidance, meets these tests. Further information is set out in section four.

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1.2 What is the purpose of this document?

- 1.15** This document provides guidance on how policies TI4: Delivery of New Infrastructure and HP7: New Sports, Open Space and Recreational Development are applied to secure provision for open space, including outdoor sports facilities, and village halls in connection with the development of new housing. This includes setting out the provision standards that are used to operate the policies.
- 1.16** The guidance has been prepared in order to help applicants make successful applications for planning permission. It explains:
- The types of development proposal that are relevant to the requirement to provide, or make a financial contribution towards, open space and/or village halls
 - How relevant proposals are assessed to determine whether provision is required, and the scale and nature of any provision required
 - The mechanisms used to secure the delivery of new infrastructure or the enhancement of existing infrastructure
- 1.17** The document is set out as follows:
- Section 2 deals with provision for open space. This includes setting out the types of open space that may be required and provision standards for each type. It also explains how proposals are assessed to identify whether open space provision is required, the scale and nature of any requirement and whether this should be delivered on the development site or at another location
 - Section 3 deals with provision for village halls. This includes setting out where the requirements of policy TI4 in relation to village hall provision apply, the council's village hall vision and provision standards for village halls. It also explains how proposals are assessed to identify whether village hall provision is required, the scale and nature of any requirement and whether this should be delivered on the development site or at another location
 - Section 4 sets out the mechanisms the council uses to secure the delivery of open space and village hall provision
 - Section 5 identifies where further information on the operation of these policies can be sought
 - Appendices one to four contain useful background information.

1.3 What is the status of this guidance?

- 1.18** This is a supplementary planning document (SPD), which sets out formal planning guidance that will be a material consideration in the determination of relevant planning applications. It has been produced in accordance with the relevant regulations set out in the The Town and Country Planning (Local Planning) (England) Regulations 2012, which has included consultation with interested parties that has informed its content.
- 1.19** This SPD replaces the guidance set out in the Provision of Open Space in Connection with New Housing Development SPD (revised 2015) and the Provision for Village Halls in Connection with New Housing Development SPD (revised 2015).

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2 Provision of Open Space

2.1 Background

- 2.1** A network of well-designed and cared for public open spaces helps to create places where people want to live, work and visit. Open space also contributes to the network of green and blue infrastructure, which plays a vital role in climate change adaptation whilst providing space for nature and opportunities for sport and recreation.
- 2.2** National planning policy, as set out in the National Planning Policy Framework (NPPF) (2020), requires local policies and decisions to aim to achieve healthy, inclusive and safe places that enable and support healthy lifestyles (paragraph 91). The vital role of open space in achieving this aim is also acknowledged; paragraph 96 highlights that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.
- 2.3** The importance of open spaces and opportunities for sport and physical activity is also recognised in local planning policies set out in the Harrogate District Local Plan 2014-35.
- 2.4** Policy HP6: Protection of Existing Sport, Open Space and Recreation Facilities aims to protect a wide range of indoor and outdoor sport, open space and recreation facilities in order to help secure and/or improve health and wellbeing. While policy HP7: New Sports, Open Space and Recreation Development aims to support the provision of new sports, open space and recreation facilities whilst ensuring that facilities are appropriately located.
- 2.5** Importantly policy HP7 also requires new housing developments to provide open space to cater for the needs arising from the development. This section provides guidance on how this requirement is operated.
- 2.6** The approach has been developed to achieve the following aims:
1. Retain and improve access for all groups to open space, sport and recreation facilities;
 2. Deliver a wide range of high-quality open space alongside the development of new homes that is fit for purpose and meets the needs of new residents across the district;
 3. Reduce the potential for crime and anti-social behaviour, and reduce the fear of crime;
 4. Integrate land-use and transport policies; and where possible, locate new open space, sport and recreation development where it is accessible to a range of transport modes
 5. Provide an appropriate balance between the provision of new open space and the enhancement of existing open space, so that the needs and aspirations of local communities are met.

2.2 When might open space provision be required?

- 2.7** Criterion A of policy HP7 requires proposals for housing and mixed-use developments to contribute to the provision of sports open space and recreation facilities in order to cater for the needs arising from the development.
- 2.8** The following types of development are examples of schemes that would be subject to the criterion if they propose to deliver a net gain in residential units:

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- Changes of use;
- Development of flats or bedsits ⁽¹⁾;
- Development of sheltered housing and extra/close care housing where the applicant has not completed an "Extra Care Housing Pro Forma" ⁽²⁾;
- Affordable housing schemes, unless the proposal is for the development of a scheme comprising solely of affordable housing (100% affordable housing schemes);
- Self-catering holiday accommodation where the accommodation is capable of normal residential use;
- Development of rural workers dwellings;

Exclusions and exemptions

2.9 Criterion A will only be applied to the following proposals:

- Developments comprising 10 or more dwellings in the urban areas of Harrogate, Knaresborough and Ripon and non-designated rural areas;
- Developments comprising five or more dwellings in designated rural areas ⁽³⁾;

2.10 In designated rural areas, where the development of between five and nine units takes place, contributions will be commuted in-line with the triggers set out in the agreed S106 or Unilateral Undertaking.

2.11 The scale of development being proposed should not be reduced in order to reduce or eliminate developer contributions for open space provision. This includes reducing the density of a scheme in order to deliver fewer units, and reducing the size of a site through subdivision into one or more smaller sites.

2.12 Where development is proposed at a density less than the minimum set out in local plan policy HS1: Housing Mix and Density, a robust justification must be provided.

2.13 To reduce the potential for subdivision criterion A will be applied on the basis of the composite site or naturally defined larger area, and planning applications on sites that form part of a more substantial proposed development (on the same or adjoining land) will be treated as an application for the whole development.

2.14 The following types of proposal are also excluded or exempt from the requirement to meet criterion A and, therefore, developer contributions for open space provision would not be sought:

- Rest homes;
- Nursing homes;
- Sheltered housing and extra/close care housing where the applicant has completed an "Extra Care Housing Pro Forma";
- Temporary dwellings;

2.3 Types of open space and the open space visions

2.15 Open spaces take many forms that serve a wide variety of different purposes. To plan effectively for open space it is important that these different purposes are considered.

1 There will be no requirement for 'provision for children and young people' from single bedroom dwellings as it is assumed that children will not occupy these units.

2 There will be no requirement for 'provision for children and young people' as it is assumed that children will not occupy these units.

3 A map of designated rural areas is included in Appendix 1.

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- 2.16** The council has classified open space across the district into seven typologies based on their primary purpose. The concept of primary purpose recognises that, in practice, most open spaces are multifunctional, at least to some extent, and will also have at least one secondary purpose.
- 2.17** When assessing whether a proposal would need to make a development contribution for open space, the need to make provision for each type of open space is assessed separately. This helps to ensure that the needs for open spaces that cater for a wide variety of different uses, which arise from a development can be satisfied.
- 2.18** A 'vision' has been developed for each type of open space, which sets out the main features and functionality necessary for spaces to meet their primary purpose.
- 2.19** The guidance in this document is aimed at ensuring that developer contributions for open space provision are used to deliver facilities that reflect the vision, however, the vision is not intended to provide an exhaustive check-list of detailed requirements.

Parks and gardens

A landscaped area laid out and managed to high standards, which is well maintained, safe to visit and provides pleasant areas to walk, sit, admire floral and landscape features, shrubs, trees and other natural characteristics. Area to be clean and free from dog fouling and include appropriate facilities (for the size of the site) such as paths, ponds, bandstands, seats, bins, toilets etc all in a good state of repair.

Natural and semi-natural greenspace (including urban woodlands)

A well-managed, easily accessible, semi-natural and native environment designated and protected for wildlife and managed to encouraged nature conservation and enhancement. It includes forests, grasslands, nature reserves, wetlands, woodlands etc. It includes water areas, information boards, bins, picnic areas, paths, appropriate car parking and is clean with no litter, fly-tipped rubbish or dog fouling etc.

Outdoor sports facilities

Land dedicated to competitive sport or training and/or participation in outdoor sports including the traditional sports pitches such as rugby, cricket and football etc as well as the less well pursued sports such as tennis, rounders, volleyball etc. Facilities to be of high quality, well drained and include changing rooms, toilets, adequate parking, signage, all weather play areas and floodlights where appropriate. All areas to be clean and well maintained and free from dog fouling.

Amenity greenspace

Publicly accessible grassed and landscaped areas providing for informal activities including jogging, sunbathing and dog walking. They enhance the appearance of residential areas and form a link between green corridors, natural and semi natural space and other local community facilities. For example, incidental grassed areas, landscaped areas and buffer

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planting provided as part of a high quality, well designed development scheme. To be planted using native species where appropriate and managed to take into account the habitats of such flora and fauna. With appropriate access. Areas to be clean, well maintained, free of litter, dog fouling and have sufficient bins and seats (provided). ⁽⁴⁾

Provision for children and young people

Exciting, stimulating, well equipped areas that provide a wide range of high quality facilities including play equipment, casual play areas (for kick about, cricket and other ball games), skateboarding areas, bike areas, basketball courts, teen shelters etc as appropriate, which cater for the needs of children and young people of all ages and abilities. Facilities to be well maintained, safe, secure, dog free and located within a clean environment with good access.

Allotments and community gardens

Secure sites for the production of home-grown food and flowers with adequate provision of both water and electricity and accessible to people of all physical abilities. Ideally sites should also include car parking, toilet facilities and facilities to deal with non-organic waste material and recycling, be well drained, have good access paths, meeting huts and rubbish bins.

Cemeteries, disused churchyards and other burial grounds

Local provision with cemeteries across the district, which are safe and accessible to all. Well landscaped and laid out areas with highly maintained landscaped features providing pleasant areas to walk, sit, contemplate and reflect. Areas should include facilities such as water points, information boards, historical data, seats, bins, toilets etc. As appropriate, which are fit for purpose.

Open space and biodiversity

- 2.20** The primary purpose of natural and semi-natural greenspace is to provide areas for wildlife and nature conservation. These are the open spaces that would usually have the greatest biodiversity value, however it is recognised that most open spaces will provide some biodiversity value.
- 2.21** Biodiversity enhancement is encouraged across all open space types. Biodiversity enhancement of new on-site open space can be supported where the nature of the enhancement is consistent with delivering the primary purposes of the open space type. These enhancements would need to be capable of enduring in the longer-term alongside normal public use consistent with the open space type and should not prejudice or undermine the functionality of the open space.

⁴ Tree belts should only be classed as amenity green space if they are publically accessible and provide opportunities for informal activities.

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2.4 Assessing whether open space provision is required: an overview

- 2.22** The council will seek a development contribution for open space provision from development proposals where it is assessed that the residents of the development would create additional needs for open space and the quantity and/or quality of existing open spaces accessible to the residents are not sufficient to cater for the needs they create. The development contributions sought may be financial, non-financial or a combination of both.
- 2.23** This section provides an overview of the process the council uses to assess whether development contributions for open space provision are required. A detailed explanation of this process, which is primarily aimed at developers but may contain information useful to other interested parties, is set out in section 2.6.
- 2.24** The need to make a development contribution for each of the seven types of open space identified in section 2.3 is considered separately. This helps to ensure that the needs for open spaces that cater for a wide variety of different uses can be satisfied. As a result, where a contribution for provision is required it would be for one or more specific types of open space.

Quantity and quality tests

- 2.25** Where relevant, the assessment of whether a proposal is required to make a development contribution for provision of a particular type of open space involves a quantity test and/or a quality test relating to the open space type being assessed.
- 2.26** The quantity and quality tests set out below are used alongside provision standards⁽⁵⁾ to calculate the scale and nature of any contribution for each type of open space except outdoor sports provision.
- 2.27** The approach used to calculate the scale and nature of any development contribution for outdoor sports provision is set out under the heading *Outdoor sports facilities* in section 2.5.

The quantity test

- 2.28** The quantity test is used to establish whether a development contribution may be required for the provision of new open space that is accessible to the new residents.
- 2.29** The provision of new open space of a particular type would not be required if the quantity test identifies that the existing amount of the open space type is greater than the needs of the current population, and this 'over supply' is sufficient to meet the additional needs of the proposed development.
- 2.30** The quantity test is not carried out in relation to cemeteries, disused churchyards and burial grounds as new provision of this open space type is not sought.
- 2.31** The quantity test involves the following steps:
1. Identifying the existing quantity of an open space type that would be accessible to the new residents;
 2. Estimating the increase in population arising from the development;
 3. Calculating the quantity of provision needed to meet the needs arising from development;

5 Details of the provision standards are set out in section 2.5 *Provision standards*

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4. Identifying whether there is a sufficient existing over-supply of the open space type that can accommodate the needs arising from development
 5. Where a need for new provision is identified, determining whether new provision should be provided within the development site (on-site provision) or away from the development site (off-site provision).
- 2.32** Where the provision of new open space is necessary, the council's preference is for this to be provided within the development site as a non financial contribution. However, in certain circumstances, the council may instead require a financial contribution towards the provision of new open space off-site ⁽⁶⁾.
- 2.33** When a development contribution is required for the provision of a new open space the new provision is required to be high quality so that it meets the needs of the new residents in terms of both the quantity and quality of provision available.
- 2.34** If the quantity test identifies that the existing amount of an open space type would be sufficient to meet the needs arising from development, a contribution for new provision of this type is not sought.
- 2.35** Where new provision of an open space type is not sought, a financial contribution to enhance the quality of existing open spaces of that type may be required, subject to the outcome of the quality test.
- 2.36** In certain situations where a need for new provision has been established through the quantity test, the council may require a financial contribution towards the enhancement of existing provision instead of seeking new provision, subject to the outcome of the quality test ⁽⁷⁾.

The quality test

- 2.37** The quality test is used to establish whether a financial development contribution may be required for the enhancement of existing open space that is accessible to the new residents.
- 2.38** The need to carryout the quality test for a particular open space type is, where applicable, dependent on the outcome of the quantity test.
- 2.39** The quality test is not carried out in relation to a particular open space type if, following the quantity test, a contribution for new provision of that open space type that fully meets the needs of the development is being sought. This is because the new provision is required to be high quality so that it meets the needs of the new residents in terms of both the quantity and quality of provision available and, as such, a further contribution for enhancement would not be appropriate.
- 2.40** As new provision of cemeteries, disused churchyards and burial grounds is not sought, and therefore, a quantity test of this open space type is not carried out, a quality test is always required.
- 2.41** Where the quality test identifies that all accessible open spaces of the type being considered are of sufficient quality and do not require improvement, a contribution for the enhancement of existing open space of this type would not be required.
- 2.42** The quality test involves the following steps:

6 Further information is set out in section 2.6 under the heading *Where should new open space be provided?*

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1. Identifying the quality of the existing open spaces of a particular type that would be accessible to the new residents;
2. Identifying whether one or more open spaces do not meet the required quality standard;
3. Where more than one open spaces require enhancement, identifying priorities for investment.

2.43 An open space is considered to fail the quality standard if recent assessment reveals a quality score of 80% or below. ⁽⁸⁾

2.44 Where a contribution for the enhancement of existing open space is required this would be a financial contribution based on meeting the open space needs of the new residents ⁽⁹⁾.

2.5 Provision standards

2.45 The following standards are used to assess whether a development proposal that is subject to criterion A is required to make a development contribution for each type of open space.

Accessibility standards and open space catchments

2.46 In order to meet the needs arising from a new development open space needs to be accessible to the residents of the development. Accessibility standards set the furthest distance for an open space to be considered accessible to a development site.

2.47 The standards are linked to how long it would take to walk to an open space. The standards set reasonable maximum times based on a 1km walk taking 10 minutes.

2.48 Accessibility standards have been set for each of the open space typologies in recognition that people will travel further to access some types of open space than others, often those with a more specialised primary purpose.

Type of open space	Accessibility standard used to define catchment
Parks and gardens	Within 1 kilometre (km)
Natural and semi-natural greenspace (including urban woodlands)	Within 3 km
Outdoor sports facilities	See below
Amenity greenspace	Within 1 km
Provision for children and young people	Within 1 km
Allotments and community gardens	within 1 km
Cemeteries, disused churchyards and other burial grounds	In Harrogate, Knaresborough and Ripon: within 3 km; in other areas: within 1 km

Table 2.1 Open space accessibility standards

8 Further information on the quality standard for open spaces is set out in section 2.5 *Provision standards*

9 Further information is set out in section 2.9 *How are financial contributions for the enhancement of existing open space calculated?*

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- 2.49** Open space catchments are used when assessing the quantity and quality of existing open spaces likely to be used by the residents of a proposed development. Specific catchments for each type of open space are defined for every proposal using the accessibility standards for the maximum distances from the the edge of the proposed site.

Quantity standards

- 2.50** Quantity standards set out the amount of open space considered necessary to meet people's needs. A separate standard is used for each open space typology. These standards are used to assess whether a proposal is required to contribute to the creation of new open space.

Type of open space	Quantity standard
Parks and gardens	0.15 hectares (ha) per 1000 people
Natural and semi-natural greenspace (including urban woodlands)	4.07 ha per 1000 people
Outdoor sports facilities	See below
Amenity greenspace	1.63 ha per 1000 people
Provision for children and young people	0.13 ha per 1000 people
Allotments and community gardens	0.35 ha per 1000 people
Cemeteries, disused churchyards and other burial grounds	0.5 ha per 1000 people

Table 2.2 Open space quantity standards

Quality standards

- 2.51** Quality standards set out the quality an open space needs to be so that it can successfully deliver its purposes. A separate standard is used for each open space typology to ensure that a wide range of open space needs are met. These standards are used to assess whether a proposal is required to contribute to improving the quality of existing open space.
- 2.52** The quality standards describe the attributes of high-quality open spaces that meet the relevant open space vision using a series of headings ⁽¹⁰⁾:

Attribute	
	Section 1: A welcoming place
1	Welcoming, with particular attention to the entrances
2	Good and safe access, including to the rest of the park
3	Appropriate signage, including hazards
4	Equal access for all, including appropriate car parking
	Section 2: Healthy, safe and secure

¹⁰ The scope and detailed wording of attributes may be updated where it is identified they no longer reflect evolving community needs and concerns

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Attribute	
5	Personal security in the open space
6	Appropriate provision of seats
7	Appropriate provision of sports equipment
8	Quality of facilities, including toilets
Section 3: Clean and well-maintained	
9	Adequate provision of litter bins
10	Adequate provision of dog bins
11	Grounds maintenance and horticulture
12	Arboriculture and woodland management
13	Buildings: toilets bandstands etc.
14	Infrastructure: drainage, fencing, walls, gates, lighting etc.
Section 4: Sustainability and conservation	
15	Evidence of conservation / biodiversity
Section 5: Community involvement and management	
16	Provision of appropriate educational material or interpretation board
17	Marketing and promotion onsite material

Table 2.3 Open space quality standards

- 2.53** The attributes under each heading are included in the quality standards for each open space type only where they are considered relevant to the purposes associated with the typology, based on the definitions of the typologies in section 2.3.
- 2.54** The determination of whether an open space meets the quality standard involves an assessment of the open space, which considers relevant attributes. For each relevant heading the open space type is scored on a scale of 0 to 10.
- 2.55** An open space is considered to meet the quality standard where the assessment results in a score of 80% or greater.

Outdoor sports facilities

- 2.56** Simple quantity and quality standards are not used to assess the need for outdoor sports provision. The use of such standards is discouraged by many stakeholders, including Sport England, who argue that effective planning for sport and physical activity should be based on evidence that provides a more thorough understanding of people's actual needs.
- 2.57** Instead they advocate the use of up-to-date local evidence alongside tools such as the Active Places Power Playing Pitch Calculator.

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- 2.58** The council is currently updating the Playing Pitch Strategy (PPS) in conjunction with key stakeholders, including Sport England. This will provide robust and up-to-date evidence of the need for new outdoor sport facilities that will underpin the approach to outdoor sports provision. The PPS will identify specific needs for facilities as well as both quantitative and qualitative deficits and surpluses.
- 2.59** The Active Places Power Playing Pitch Calculator will be used to aid implementation of the PPS by helping to identify the demand likely to be created by a proposed development.
- 2.60** Together the calculator and the PPS will provide information on the need for development to provide new playing pitches, changing rooms and/or 3G pitches etc. They will also be used to identify whether new provision (either on-site through a non financial contribution or off-site through a financial contribution) or enhancements to existing provision (through a financial contribution) is required. The calculator also provides information on the cost of provision and cost of maintenance.

Strategic sites

- 2.61** Sites expected to deliver around 500 or more dwellings are classed as strategic sites. ⁽¹¹⁾ Although the development of strategic sites is critical to the delivery of the local plan growth strategy, it will also have a vital role in ensuring that housing growth achieves sustainable development with place-making at its heart. The development of these large sites has the potential to generate significant land values and it is essential that schemes deliver the infrastructure and mitigation measures required to make development acceptable.
- 2.62** Strategic sites have been exempted from the community infrastructure levy (CIL) in recognition of the large amount of infrastructure and mitigation measures that they will be expected to provide, so whilst the methodology presented in this SPD to calculate open space contributions should be used to establish the starting point for contributions, the actual amount of on-site provision will be established as part of wider masterplanning discussions and in consultation with the Open Space Consultation Group. ⁽¹²⁾

2.6 Assessing whether open space provision is required: a detailed guide for developers

- 2.63** An overview of the process the council uses to assess whether development contributions for open space provision are required, including the quantity and quality tests, is set out in section 2.4.
- 2.64** This section provides further detail on this process and is primarily aimed at developers but may contain information useful to other interested parties.

When does the assessment take place?

- 2.65** The assessment of whether a proposal is required to make a development contribution for open space provision, the scale of any contribution and its purpose takes place as part of determining a relevant planning application. ⁽¹³⁾

11 Further information on the identification of strategic sites is set out in the Local Plan Viability Update and CIL Viability Assessment 2019

12 Further information on the Open Space Consultation Group is set out in section 2.10 *The role of Development Management (Planning) and the Open Space Consultation Group*

13 It is the council's intention that an online calculator and assessment tool will be provided in the future to enable applicants to undertake their own assessment and generate indicative figures as part of the preparation of a planning application. There are however no timescales available at the moment for this piece of work

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- 2.66** A relevant planning application is one where proposals include detailed information on the number of homes and the size of those homes. Indicative assessments can be carried out for outline proposals.
- 2.67** The council encourages pre-application discussions before a planning application is submitted. This aims to take some of the uncertainty out of the application process by providing constructive and without prejudice advice on the likelihood of a proposal receiving planning permission.
- 2.68** Where relevant, these discussions will identify whether a developer contribution for open space provision is likely to be required, the scale of any likely contribution and whether it is for new open space or the enhancement of existing open space.
- 2.69** Where the type and/or number of dwellings are not known the assessment is intended only as an indicative guide to the contribution likely to be required. In all cases this would be recalculated using the actual number of bedrooms when detailed permission is sought.
- 2.70** Further information on pre-application enquiries and the planning application process is set out in section 2.10: The role of Development Management (Planning) and the Open Space Consultation Group.

What are the stages within the assessment?

- 2.71** For six of the seven open space types ⁽¹⁴⁾ the assessment of whether development contributions for open space provision are required follows a staged process, as set out below:
- STAGE ONE: Identifying existing accessible open space;
 - STAGE TWO: The quantity test;
 - STAGE THREE: The quality test.
- 2.72** It should be noted that these stages are not used in the assessment of whether development contributions are required for outdoor sports provision. Information on the approach for outdoor sports is set out under the heading *Outdoor sports facilities* in section 2.5.
- 2.73** The assessment identifies whether:
- There is a need to contribute to the provision of new accessible open space, and whether this should be on-site or off-site; or
 - There is a need to contribute to the enhancement of existing accessible open space; or
 - No contribution is required
- 2.74** A separate assessment takes place for each relevant open space type. As a result an applicant could be required to provide different types of contribution for different types of open space and may not be required to make a contribution for all types of open space.
- 2.75** The need to carry out all three stages to assess whether developer contributions are required is dependent on the type of open space being considered and the results of previous stages, as set out below:

14 Information on open space types is set out in section 2.3 *Types of open space and the open space visions*

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- STAGE ONE: Takes place irrespective of the open space type being considered
- STAGE TWO: Identifies whether contributions are required for new provision of the open space type and takes place for all open space types except cemeteries, disused churchyards and other burial grounds as new provision of this type is not sought.
- STAGE THREE: Identifies whether contributions are required to enhance existing open spaces of the type being considered; and takes place for all open space types unless, following stage two, a contribution for new provision of the open space type that fully meets the needs of the development is being sought.

STAGE ONE: Identifying existing accessible open space

2.76 In order to apply the quantity and/or quality tests it is necessary to identify the existing open space that would be accessible to the future residents of a development.

2.77 The following steps are used:

A. Identify the catchment for the open space type being assessed

The catchment shows the area around the proposed development site where an open space is considered accessible.

The catchment is defined by mapping the exact boundary of the site and applying the relevant accessibility standard, set out in section 2.5 (table 2.1).

B. Identify open spaces of the relevant type within the catchment

The council has mapped the open spaces of each typology within the district

Any open spaces of the typology being assessed that are within the catchment defined in step A are highlighted.

STAGE TWO: The quantity test

2.78 The quantity test is used to establish whether a developer contribution may be required for the provision of new open space that would be accessible to the future residents of the development.

2.79 As the provision of new cemeteries, disused churchyards and other burial grounds is not sought the quantity test is not carried out in relation to this open space type.

2.80 The test involves the following steps:

A. Calculate the existing quantity of the open space type being assessed that would be accessible to the new residents

The areas of covered by the open spaces identified in STAGE ONE (step B) are added together to give a total area.

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B. Estimate the increase in population arising from the proposed development

This is calculated by estimating the population of the proposed development and subtracting the estimated current residential population of the development site (if any).

This is done using the following assumed occupation rates for different sizes of dwellings:

Number of bedrooms	1	2	3	4	5+
Assumed number of residents	1	2	3	4	5

Table 2.4 Assumed occupancy rates for different sized dwellings

If the type of dwellings proposed is not known, for example when considering an application for outline planning permission, the estimated increase in population will be calculated using an average household size of 2.35 people ⁽¹⁵⁾.

If the number of dwellings is also not known an assumed number will be calculated, usually on the basis of a 30 dwelling per hectare (net) development taking place. To establish the net site area the following assumptions are used:

Gross site area	Net site area
Up to 0.4 hectares (ha)	100% of gross area
Greater than 0.4 ha up to 2.0 ha	90%
Greater than 2.0 ha up to 5.0 ha	75%
Greater than 5.0 ha up to 10 ha	65%
Greater than 10 ha	55%

Table 2.5 Assumptions used to calculate net site areas

Where the type and/or number of dwellings are not known the assessment is intended only as an indicative guide to the likely contribution required. In all cases this would be recalculated using the actual number of bedrooms when detailed permission is sought.

C. Calculate the quantity of provision needed to meet the needs arising from development

This is calculated using the estimated increase in population arising from development (step B) and the relevant quantity standard, set out in section 2.5.

The quantity standard is divided by 1000 to give a per person amount and then multiplied by the increase in population.

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D. Identify whether there is a sufficient existing over-supply of the open space type that can accommodate the needs arising from development

The involves: i) estimating the total population within the relevant catchment following development; ii) calculating the quantity of open space needed by this number of people; and iii) comparing this amount with the existing amount of open space.

If there is not a sufficient existing over-supply a development contribution for the provision of new open space is normally required.

Where new provision is required, the quantity of provision would need to meet the full needs arising from the development (step C).

i. Estimate the total population following development

The existing population in the catchment is calculated using population per postcode data from the census. This is added to the estimated population of the development (step B)

ii. Calculate the quantity of open space needed by the total population

The relevant quantity standard, set out in section 2.5, is divided by 1000 to give a per person amount and then multiplied by the total population following development (step Di).

iii. Compare the quantity of existing open space with the quantity needed by the total population

The quantity of existing open space of the type being assessed (step A) is compared with the quantity needed by the total population within the catchment (step Dii).

If the quantity of existing open space is less than that needed by the total population it is concluded that there is not a sufficient existing over-supply to meet the needs of the development.

Where should new open space be provided?

- 2.81** Where a development creates a need for the provision of new open space this should be provided within the development site (on-site provision) as a non-financial contribution, wherever possible, as this would be the most effective way to ensure that the needs of the new residents are being met.
- 2.82** In order to ensure the provision of usable areas of open space that can be easily and economically maintained, open space should not be provided on-site if the quantity required falls below minimum size standards.

Open space type	Minimum size
Parks and gardens	0.25 hectares (ha)
Natural and semi-natural greenspace (includes urban woodlands)	0.25 ha
Outdoor sports facilities	0.8 ha

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Open space type	Minimum size
Amenity greenspace	0.1 ha
Provision for children and young people	0.04 ha
Allotments and community gardens	0.2 ha
Cemeteries, disused churchyards and other burial grounds	No standard ⁽¹⁾

Table 2.6 Minimum size standards for areas of open space

1. A standard has not been set for cemeteries, disused churchyards and other burial grounds as provision of new open space of this type is not sought.

2.83 New open spaces should meet the relevant open space vision and quality standard, set out in sections 2.3 and 2.5 respectively, in order to demonstrate that the provision is high quality and their primary purposes will be satisfactorily met. New or enhanced sport facilities must also meet either Sport England or the relevant National Governing Body for Sport design guidance. ⁽¹⁶⁾

2.84 Further requirements for the design of individual spaces and their integration within developments and the wider landscape should be discussed with the council as part of the pre-application enquiry and/or planning application process, as highlighted in section 2.10.

2.85 It may be possible to combine the types of open space without adversely affecting their individual primary purposes. For example, it may be feasible to accommodate amenity greenspace within the clearance zones of provision for children and young people. Dual use is acceptable so long as the primary purposes are met to a satisfactory standard and the quality of the open space overall is not harmed.

2.86 In some circumstances it will not be possible to provide all of the new open space required on-site, for example if the site is not large enough to accommodate the cumulative quantity of each open space type required. In these situations it would be a priority to accommodate amenity greenspace on-site ahead of other types of open space.

2.87 Where it is not possible to provide all of the new open space required on-site, for example because the quantities required fall below the minimum size or because the site is not large enough, the council may instead require a financial contribution towards the provision of new accessible open space on an identified site away from the development site (off-site). This payment would relate to the open space not provided on-site.

2.88 In certain situations where a need for new off-site provision has been established, the council may instead require a financial contribution towards the enhancement of existing provision of the same type. This would occur if it is considered that the approach would be more effective in meeting the needs of the new residents.

2.89 This would be the case when it is unlikely that appropriate land for off-site provision accessible to the new residents could be secured and the provision delivered, for example, because of a lack of suitable land within the catchment. In these

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circumstances a financial contribution for the enhancement of existing provision within the catchment would instead be sought if the quality test identifies existing provision is below the quality standard.

- 2.90** A financial contribution for off-site provision or enhancement may also be required in place of an on-site provision requirement if there is an accessible off-site local initiative or opportunity that would provide additional or improved facilities that could be usefully supported by financial contributions.
- 2.91** The process for calculating financial contributions for new off-site provision is set out in section 2.6 and the process for calculating financial contributions for the enhancement of existing open space is set out in section 2.9

STAGE 3: The quality test

- 2.92** Where necessary, the quality test is used to establish whether a financial developer contribution may be required for the enhancement of existing open space that would be accessible to the future residents of the development.
- 2.93** The test takes place for all relevant open space types unless, following stage two, a contribution for new provision of the open space type that fully meets the needs of the development is being sought.
- 2.94** The test involves the following steps:

A. Identifying the quality of the existing open spaces of the open space type being assessed that would be accessible to the new residents

The process for identifying open spaces that would be accessible to the new residents is set out in STAGE ONE and involves identifying a catchment for each open space type based on its accessibility standard.

The open spaces that are subject of the quality test are those identified in STAGE ONE (step B).

B. Identifying whether one or more open spaces do not meet the required standard

The council has assessed the quality of the open spaces in the district against the relevant quality standard, set out in section 2.5.

Open spaces that have a quality assessment score of less than 80% do not meet the required quality standard.

Where one or more open spaces does not meet the required standard a financial contribution for enhancement would be required.

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C. Where more than one open spaces requires enhancement, identifying priorities for investment

Where more than one accessible open space of the type being assessed requires enhancement the open space closest to the development site would usually be prioritised for funding and attract the funds necessary to improve it to the required standard. However the level of need for enhancement of each qualifying space (step B) will also be considered; in some cases the highest priority open space for allocation of funds may not be the closest accessible space.

If the contribution sought is greater than the amount needed to improve the highest priority space to the required standard, the remaining monies would be directed to the next priority space.

This procedure would be repeated until all monies are allocated, or there are no further accessible open spaces of the type being assessed (identified in step B) that require enhancement.

If the calculated financial contribution is greater than the cost of bringing all of the accessible open spaces of the type being assessed to the required standard, the figure sought would be reduced to reflect the amount required.

2.95 The process for calculating financial contributions for the enhancement of existing open space is set out in section 2.9.

2.7 How are financial contributions for new off-site open space calculated?

2.96 Where a development contribution for the provision of new open space is necessary, the council may require a financial contribution to cover the cost of providing the open space off-site instead of requiring the developer to provide the open space on-site as a non-financial contribution.

2.97 This would usually occur when it is not possible to provide some or all of one or more of the types of open space required on-site.⁽¹⁷⁾ The financial contribution would relate to the open space not delivered on-site and be used to deliver new open space that is accessible to the new residents.

2.98 For each type of open space a series of rates for new provision *per residential unit* have been set, as shown in table 2.7. The rates vary for different sized units to reflect the greater open space needs of larger households.

2.99 The rates have been rounded to the nearest pound (£) and costs are based on September 2016 prices. The rates are revised annually to take account of inflation using the retail prices index (RPI) measure of inflation.

2.100 The financial contribution that may be required for new open space would, therefore, be the sum of the individual amounts, relevant to the open space type being assessed, required for each dwelling proposed.

17 Further information is set out in section 2.6 under the heading *Where should new open space be provided?*

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Open space type	Size of proposed dwelling (number of bedrooms)				
	1	2	3	4	5
Parks and gardens (£)	44	88	132	176	220
Natural and semi natural greenspace (£)	261	522	783	1044	1305
Outdoor sports facilities	Commuted sum calculated using the Active Places Power Playing Pitch Calculator				
Amenity greenspace (£)	172	344	516	688	860
Provision for children and young people (£)	0	473	709	945	1181
Allotments and community gardens (£)	35	70	105	140	175
Cemeteries, disused churchyards and other burial grounds (£)	No rate ⁽¹⁾				

Table 2.7 Commuted sum rates for new off-site open space (cost per residential unit)

1. A rate has not been set for cemeteries, disused churchyards and other burial grounds as new provision of this open space type is not sought

2.101 The rates for new off-site open space are made up of two elements, the cost of laying out the open space and the cost of land acquisition.

2.102 For each type of open space, except provision for children and young people and outdoor sports, the cost of laying out the new open space has been calculated by:

1. Using the quantity standards (section 2.5) to identify a *per person amount of provision*;
2. Identifying a *per residential unit amount of provision* by multiplying the *per person amount of provision* by the assumed level of occupancy, using the assumed occupancy rates used in the quantity test, see section 2.6 (table 2.4).
3. Identifying a *per residential unit cost of laying out* by multiplying the *per residential unit amount of provision* by the cost of laying out per hectare

2.103 For children and young people provision the first two steps are followed but at step 3 the *per residential unit cost of laying out* is calculated by multiplying the *per residential unit amount of provision* by the cost of laying out per play area.⁽¹⁸⁾

2.104 For each type of open space the cost of land acquisition has been calculated by:

1. Identifying a *per residential unit cost of land* by multiplying the *per residential unit amount of provision* by the cost of land per hectare.⁽¹⁹⁾

¹⁸ This is based on the provision of an open space for children and young people at the minimum size standard of 0.04 ha.

¹⁹ Land acquisition costs use a land value of £35,000 per hectare. This is based on information within the Local Plan Whole Plan Viability Assessment (Oct 2016).

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Outdoor sports facilities

- 2.105** Financial contributions for the provision of outdoor sports facilities are calculated using Sport England's Active Places Power Playing Pitch Calculator ⁽²⁰⁾. The calculator provides capital costs for the new pitches required using Sport England's latest facility capital costs.
- 2.106** Within the calculator a regional cost variation is used to reflect the variation in costs across the country. These variations use pricing adjustment factors based on construction data from the Royal Institution of Chartered Surveyors (RICS) Building Cost Information Service (BCIS).

2.8 How is the maintenance of new open space funded?

- 2.107** Where a new open space is provided it must be high-quality, as defined by the quality standard, and any equipment should conform to relevant British standards.
- 2.108** New open space should be laid out and maintained by the developer to the satisfaction of the council's Head of Parks and Environmental Services for a period of 12 months.
- 2.109** Where a development contribution is made for new open space, either on-site or off-site, the new open space would need to be maintained so that its functions are not harmed. The developer is required to cover the cost of maintaining new open space for a period of 10 years through a commuted sum. ⁽²¹⁾
- 2.110** The preferred approach is for the council's Parks teams to carry out maintenance of new open spaces. Where new open space is provided on a development site this would occur following the adoption of the land by the council.

Adoption by the council

- 2.111** The council would adopt new open space once all relevant planning conditions have been discharged and it is agreed that the provision has been laid out and maintained by the developer to the satisfaction of the council's Head of Parks and Environmental Services for a period of 12 months. At this time ownership would be transferred to the council and the commuted sum for future maintenance would be paid.
- 2.112** After the 10 year period where maintenance is covered by the commuted sum the council would absorb the cost of funding the ongoing long-term maintenance of the open space as part of its budget.

Other arrangements

- 2.113** Where a developer proposes arrangements for access and maintenance that do not involve the council adopting the land and carrying out the works, these would need to be submitted in writing and agreed by the council. This would need to include details of how maintenance beyond the 10 year period covered by the commuted sum would be funded.
- 2.114** Where a developer proposes to transfer responsibility for maintenance to a third party private management entity, management plans would need to be submitted in writing and agreed by the council.

20 Further information on the Active Places Power Playing Pitch Calculator is set out in section 2.5 under the heading *Outdoor sports facilities*

21 The 10 year period would begin once it has been agreed that the open space has been laid out and maintained to the satisfaction of the council's Head of Parks and Environmental Services for a period of 12 months.

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- 2.115** Management plans are required show how the the open space will be maintained in a reasonable condition in accordance with the principles of good horticulture and estate management. This should include the regular inspection of play equipment and its maintenance in good condition in accordance with The Play Inspection Companies Essential Guide to BS EN 1176/7, and a requirement to keep records of inspections and maintenance.
- 2.116** The commuted sum for maintenance would be paid to the council once all relevant planning conditions, including those relating to long-term maintenance arrangements, have been discharged and it is agreed that the provision has been laid out and maintained by the developer to the satisfaction of the council's Head of Parks and Environmental Services for a period of 12 months. The commuted sum would also be transferred to the management entity at this time.
- 2.117** Where maintenance beyond the 10 year period covered by the commuted sum is to be funded by residents through management charges, these costs would need to be apportioned fairly between the dwellings based on their relative size. Management charges should be apportioned as set out below:

Apportionment of management charges

The management company contribution applicable to each individual dwelling = $A/B \times C$

Where:

- A = Gross internal floor space area of the individual unit (m²)
- B = Total gross internal floor space of all dwellings (m²)
- C = Total management fee applicable to all dwellings

- 2.118** The agreed arrangements would be formalised and enforced through planning conditions and/or S106 agreement.

Calculating a commuted sum for maintenance

- 2.119** The requirements for developers to fund the maintenance of new open space for a period of 10 years through a commuted sum applies irrespective of who would be responsible for carrying out the maintenance. Where a third party will be responsible for carrying out maintenance the commuted sum would be passed to the third party.
- 2.120** Calculations for maintenance commuted sums use the following rates:

Open space type	Annual cost (£/hectare)	Total cost (£/hectare)
Parks and Gardens	12,384	123,840
Natural and semi-natural greenspace (includes urban woodlands)	4,704	47,040
Outdoor sports facilities	Calculated using the Active Places Power Playing Pitch Calculator	
Amenity greenspace	7,537	75,370
Provision for children and young people	4,016	40,160

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Open space type	Annual cost (£/hectare)	Total cost (£/hectare)
Allotments and community gardens	915	9,150
Cemeteries, disused churchyards and other burial grounds	No rate ⁽¹⁾	

Table 2.8 Rates of charges for the maintenance of new open space

1. A rate has not been set for cemeteries, disused churchyards and other burial grounds as new provision of this open space type is not sought.

2.121 These rates are derived from maintenance cost data collected from samples of each type of open space within the district. The annual figure is multiplied for a 10 year period to give the total cost. The rates are revised annually to take account of inflation using the retail prices index (RPI) measure of inflation.

Outdoor sports facilities

2.122 The maintenance costs required for outdoor sports facilities are calculated using Sport England's Active Places Power Playing Pitch Calculator ⁽²²⁾. The calculator uses Sport England's latest facility lifecycle costs to provide an estimate of the annual costs required to ensure a suitable sinking fund to cover major replacement works and for undertaking regular maintenance.

2.123 Within the calculator a regional cost variation is used to reflect the variation in costs across the country. These variations use pricing adjustment factors based on construction data from the Royal Institution of Chartered Surveyors (RICS) Building Cost Information Service (BCIS).

2.9 How are financial contributions for the enhancement of existing open space calculated?

2.124 The need to make a financial development contribution to enhance existing accessible open spaces of a particular type is determined by the outcome of the quality test.

2.125 The quality test takes place for all open space types unless, following the quantity test, a contribution for new provision of the relevant open space type that fully meets the needs of the development is being sought.

2.126 As new provision of cemeteries, disused churchyards and other burial grounds is not sought the quantity test is not carried out in relation to this open space type and, as a result, the quality test is carried out for all proposals.

2.127 For each type of open space a series of rates for enhancing existing open space *per residential unit* have been set. The rates vary for different sized units to reflect the greater open space needs of larger households.

2.128 The rates have been rounded to the nearest pound (£) and costs are based on September 2016 prices. The rates are revised annually to take account of inflation using the retail prices index (RPI) measure of inflation.

2.129 The financial contribution required for an open space type will be the sum of the individual amounts required in respect of that open space type for each proposed dwelling.

22 Further information on the Active Places Power Playing Pitch Calculator is set out in section 2.5 under the heading *Outdoor sports facilities*

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Open space type	Size of proposed dwelling (number of bedrooms)				
	1	2	3	4	5
Parks and gardens (£)	39	78	117	156	195
Natural and semi natural greenspace (£)	119	238	357	476	595
Outdoor sports facilities (£)	Commuted sum calculated using the Active Places Power Playing Pitch Calculator				
Amenity greenspace (£)	115	230	345	460	575
Provision for children and young people (£)	0	298	447	596	745
Allotments and community gardens (£)	23	46	69	92	115
Cemeteries, disused churchyards and other burial grounds (£)	102	204	306	408	510

Table 2.9 Commuted sum rates for enhancement of existing open space (cost per residential unit)

- 2.130** The rates for enhancement of existing open space reflect the policy requirement of providing for the needs arising from development and, therefore, amount to the cost of laying out an open space of the size required, as defined in the quantity standards.
- 2.131** The cost of laying out open space is calculated in the same way as when calculating financial contributions for new off-site open space. As a result a contribution for enhancing existing open space would be the same as that for the provision of new off-site open space, less the cost of land acquisition.
- 2.132** For each type of open space, except provision for children and young people and outdoor sports facilities, the cost of laying out the new open space has been calculated by:
1. Using the quantity standards (section 2.5) to identify a *per person amount of provision*;
 2. Identifying a *per residential unit amount of provision* by multiplying the *per person amount of provision* by the assumed level of occupancy, using the assumed occupancy rates used in the quantity test, see section 2.6 (table 2.4);
 3. Identifying a *per residential unit cost of laying out* by multiplying the *per residential unit amount of provision* by the cost of laying out per hectare
- 2.133** For children and young people provision the first two steps are followed but at step 3 the *per residential unit cost of laying out* is calculated by multiplying the *per residential unit amount of provision* by the cost of laying out per play area.⁽²³⁾

Outdoor sports facilities

- 2.134** Financial contributions required for enhancing outdoor sports facilities are calculated using Sport England's Active Places Power Playing Pitch Calculator⁽²⁴⁾. The calculator uses Sport England's latest facility lifecycle costs to provide an estimate of the annual costs required to ensure a suitable sinking fund to cover major replacement works and for undertaking regular maintenance.

23 This is based on the provision of an open space for children and young people at the minimum size standard of 0.04 ha.

24 Further information on the Active Places Power Playing Pitch Calculator is set out in section 2.5 under the heading *Outdoor sports facilities*

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2.135 Within the calculator a regional cost variation is used to reflect the variation in costs across the country. These variations use pricing adjustment factors based on construction data from the Royal Institution of Chartered Surveyors (RICS) Building Cost Information Service (BCIS).

2.10 The role of Development Management (Planning) and the Open Space Consultation Group

Development Management (Planning)

2.136 It is recommended that applicants engage in early pre-application discussion with the council's Development Management team who are responsible for considering applications for planning permission.

2.137 It is particularly important to establish requirements in relation to the level and design of open space as early as possible in the planning process because this can impact the overall design of a scheme and affect whether particular layouts are can be achieved.

2.138 Where possible the following points should be discussed prior to the submission a planning application:

- The number and mix of dwellings being considered;
- Planning and environmental objectives for the site, including any landscape constraints and mitigation, and where relevant how any requirement for biodiversity compensation or enhancement is being met;
- How any on-site open space will be integrated into the overall design of the scheme, including how opportunities to incorporate sustainable drainage have been realised, and how the open space connects to/or links between nearby green and blue infrastructure corridors;
- The design specification of any on-site open space, including whether multi-use space is proposed;
- How on-site open space will be maintained in perpetuity, particularly where this does not include adoption by the council

2.139 In developing proposals applicants should ensure that all local plan, and where relevant neighbourhood plan, policies are met.

2.140 In particular attention is drawn to local plan policy NE3: Protecting the Natural Environment and guidance relating to criterion E set out in the Providing Net Gain for Biodiversity Supplementary Planning Document (SPD); as well as local plan policy NE5: Green and Blue Infrastructure and guidance contained within the Green Infrastructure SPD.

2.141 When submitting applications for planning permission developers need to provide clear and specific details of what is proposed. Alongside other information required to determine applications the following must be provided:

- Annotated plans of the site layout showing the location and typology of any proposed on-site open space, this should include calculated areas for each typology in each area of provision;
- Detailed plans for each area of on-site open space, including where relevant planting schemes and the specification of equipment;
- Clear identification of the areas of open space where the council would carryout future maintenance and the areas where other arrangements would be put in place

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- 2.142** The council will seek the views of Sport England on relevant proposals, as well as the views of other stakeholders, where necessary. This may include specifically asking Sport England to confidentially seek the views of relevant national governing bodies for sports in relation to pre-application enquiries.

Open Space Consultation Group

- 2.143** The Open Space Consultation Group (OSCG) is a forum set up to bring together officers from a wide range of council teams involved in the design, delivery and/or future maintenance of open space with representatives from other relevant statutory bodies.⁽²⁵⁾
- 2.144** Through the OSCG the interconnected nature of the wide range of policy issues and considerations relevant to the delivery of open space can be recognised and, where necessary, conflicting requirements can be mediated and resolved.
- 2.145** The OSCG will be consulted on planning applications and pre-application enquiries where new open space is required and their input will be particularly important where new open space is required on-site.
- 2.146** In order to inform proposals the OSCG will recommend the amount and type of new open space required from a development, as well as the method of provision and, where relevant, basic design requirements. Where necessary, the OSCG will also provide comments on detailed designs and the specification of facilities and equipment in order that changes can be made to achieve policy compliance.
- 2.147** Recommendations from the OSCG will take into account the results of the quantity and quality tests including, where relevant, the outputs from Sport England's playing pitch calculator and findings in the council's Playing Pitch Strategy. Where necessary this information will be supplemented by other council policies, strategies and guidance as well as further relevant evidence and local knowledge.⁽²⁶⁾
- 2.148** The comments and calculations provided by the OSCG will be based on the policy requirements and available evidence at the time they are provided. These may need to be updated if significant time has passed before receiving proposals or revisions.

25 Further information on the proposed membership of the OSCG is set out in Appendix 2

26 A list of issues, policies and evidence commonly considered by the OSCG is set out in Appendix 3

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3 Provision of Village Halls

3.1 Background

- 3.1** Village halls that are fit for purpose and well maintained are invaluable assets for communities, providing a venue for a range of community uses, including as a meeting place for local groups or a place for indoor sport and recreation.
- 3.2** National planning policy, as set out in the National Planning Policy Framework (NPPF) (2020), requires local policies and decisions to plan positively for the provision and use of community facilities to enhance the sustainability of communities and residential environments (paragraph 92). It also states local planning should enable the retention and development of accessible local services and community facilities such as meeting places (paragraph 83).
- 3.3** The importance of village halls is also recognised in local planning policies set out in the Harrogate District Local Plan 2014-35.
- 3.4** Policy HP8: Protection and enhancement of community facilities aims to encourage the retention and improvement of community facilities, including village halls, to ensure that people across the district retain good access to facilities. While policy HP9: Provision of new community facilities supports the delivery of new facilities.
- 3.5** In rural settlements village halls are particularly important as they are often the only local facility able to meet many community needs so it is vital that as new housing is developed in rural areas village hall provision remains adequate to cater for the needs of the community.
- 3.6** In order to achieve this, local plan policy T14: Delivery of New Infrastructure is used to require new housing developments in these areas to provide village hall facilities to cater for the needs arising from the development. This section provides guidance on how this requirement is operated.
- 3.7** In developing this guidance it is recognised that some halls are called community halls rather than village halls, including in rural areas. While the naming of an individual hall is a matter for those responsible for the hall the phrase village hall is exclusively used throughout the document to refer to village halls, community halls and any other public hall irrespective of how it is named.

3.2 When might village hall provision be required?

- 3.8** Proposals for housing or mixed-use developments outside of the district's main urban areas of Harrogate, Knaresborough and Ripon are required to contribute to the provision of village halls in order to cater for the needs arising from the development.
- 3.9** Within these areas, the following types of development are examples of schemes that would be subject to the requirement if they propose to deliver a net gain in residential units:
- Changes of use;
 - Development of flats or bedsits;
 - Development of sheltered and extra/close care housing where the applicant has not completed an "Extra Care Housing Pro Forma";

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- Affordable housing schemes, unless the proposal is for the development of a scheme comprising solely of affordable housing (100% affordable housing schemes);
- Self-catering holiday accommodation where the accommodation is capable of normal residential use;
- Development of rural workers dwellings;

Exclusions and exemptions

- 3.10** The requirement to contribute to the provision of village halls does not apply to proposals within the urban extents of Harrogate, Knaresborough and Ripon as communities within these settlements generally have greater opportunities to access a wider range of community facilities. The urban extent of these settlements is defined by their development limit, as set by local plan policy GS3: Development Limits. ⁽²⁷⁾
- 3.11** Away from the urban extents of Harrogate, Knaresborough and Ripon the requirement will only be applied to the following proposals:
- Developments comprising 10 or more dwellings in non-designated rural areas;
 - Developments comprising five or more dwellings in designated rural areas. ⁽²⁸⁾
- 3.12** In designated rural areas, where the development of between five and nine units takes place, contributions will be commuted in-line with the triggers set out in the agreed S106 or Unilateral Undertaking.
- 3.13** The scale of development being proposed should not be reduced in order to reduce or eliminate developer contributions for village halls. This includes reducing the density of a scheme in order to deliver fewer units, and reducing the size of a site through subdivision into one or more smaller sites.
- 3.14** Where development is proposed at a density less than the minimum set out in local plan policy HS1: Housing Mix and Density, a robust justification must be provided.
- 3.15** To reduce the potential for subdivision the requirement will be applied on the basis of the composite site or naturally defined larger area, and planning applications on sites that form part of a more substantial proposed development (on the same or adjoining land) will be treated as an application for the whole development.
- 3.16** The following types of proposal are also excluded or exempt from the requirement and, therefore, developer contributions for village hall provision would not be sought:
- Rest homes
 - Nursing homes
 - Extra/close care housing where the applicant has completed an "Extra Care Housing Pro Forma"
 - Temporary dwellings

27 In the event of local plan development limits no longer being up-to-date, proposals outside of a relevant development limit, for example where a site is adjacent to the outside of limit, may still be considered an extension to the urban extent of Harrogate, Knaresborough or Ripon.

28 A map of designated rural areas is shown in Appendix 1

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3.3 The village hall vision

- 3.17** The council has undertaken extensive consultation with local communities to find out what they consider are the key attributes of village halls, and the results have been used to develop a 'vision' for village halls across the district.
- 3.18** The following vision sets out the main features and functionality considered necessary for a village hall to meet a wide variety of community needs.

A Vision for Village Halls in the Harrogate District

A focal point for community activities for all age groups, providing a clean, warm, safe and well maintained facility that meets equality of access and health and safety standards and that includes a main hall, a meeting room, a kitchen, toilets, storage space, sufficient equipment, recycling facilities and appropriate car and cycle parking facilities.

- 3.19** The guidance in this document is aimed at ensuring that developer contributions for village hall provision are used to deliver facilities that reflect the vision, however, the vision is not intended to provide an exhaustive check-list of detailed requirements.

3.4 Assessing whether village hall provision is required: an overview

- 3.20** This section provides an overview of the process the council uses to assess whether development contributions for village hall provision are required. A detailed explanation of this process, which is primarily aimed at developers but may contain information useful to other interested parties, is set out in section 3.6.
- 3.21** The council will seek a development contribution for village hall provision from development proposals where it is assessed that the residents of the development would create additional needs for village halls and the quantity and/or quality of existing village halls accessible to the residents are not sufficient to cater for the needs they create. The development contributions sought may be financial, non-financial or a combination of both.

Quantity and quality tests

- 3.22** The assessment of whether a proposal is required to make a development contribution involves a quantity test and, in most cases, a quality test.

The quantity test

- 3.23** The quantity test is used to establish whether a development contribution may be required for new village hall provision that is accessible to the new residents.
- 3.24** The provision of a new village hall would not be required if the quantity test identifies that the existing amount of village halls is greater than the needs of the current population, and this 'over supply' is sufficient to meet the additional needs of the proposed development.
- 3.25** The quantity test involves the following steps:
1. Identifying the existing quantity of village halls that would be accessible to the new residents;
 2. Estimating the increase in population arising from the development;

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3. Calculating the quantity of provision needed to meet the needs arising from development;
4. Identifying whether there is a sufficient existing over-supply of village halls that can accommodate the needs arising from development
5. Where a need for new provision is identified, determining whether new provision should be provided within the development site (on-site provision) or away from the development site (off-site provision).

3.26 Where the provision of a new village hall is necessary, the council's preference is for this to be provided within the development site as a non financial contribution. However, in certain circumstances, the council may instead require a financial contribution towards the provision of a new village hall off-site. ⁽²⁹⁾

3.27 When a development contribution is required for the provision of a new village hall the new provision is required to be high quality and meet the village hall "vision" and, therefore, the contribution would be considered to meet the needs of the new residents in terms of both the quantity and quality of provision available.

3.28 If the quantity test identifies that the existing number of village halls would be sufficient to meet the needs arising from development, a contribution for new provision is not sought, however, a financial contribution to enhance the quality of existing village halls may be required, subject to the outcome of the quality test.

3.29 In certain situations where a need for new provision has been established, the council may instead require a financial contribution towards the enhancement of existing provision. ⁽³⁰⁾

The quality test

3.30 The quality test is used to establish whether a financial development contribution may be required for the enhancement of existing village halls that are accessible to the new residents.

3.31 The need to carryout the quality test is dependent on the outcome of the quantity test.

3.32 The quality test is not carried out if, following the quantity test, a contribution for new village hall provision that fully meets the needs of the development is being sought. This is because the new provision is required to be high quality so that it meets the needs of the new residents in terms of both the quantity and quality of provision available and, as such, a further contribution for enhancement would not be appropriate.

3.33 Where the quality test identifies that all accessible village halls are of sufficient quality and do not require improvement, a contribution for the enhancement of village halls would not be required.

3.34 The quality test involves the following steps:

1. Identifying the quality of the existing village halls that would be accessible to the new residents
2. Identifying whether one or more village halls do not meet the required standard
3. Where more than one village hall requires enhancement, identifying priorities for investment

29 Further information is set out in section 3.6 under the heading *Where should new village halls be provided.*

30 Further information is set out in section 3.6 under the heading *Where should new village halls be provided*

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3.35 A village hall is considered to fail the quality standard if recent assessment reveals a quality score of 80% or below. ⁽³¹⁾

3.36 Where a contribution for the enhancement of existing village halls is required this would be a financial contribution based on meeting the needs of the new residents. Further information is set out in section 3.7 *How are financial contributions for village halls calculated?*

3.5 Provision standards

3.37 The following standards are used in order to assess whether it is necessary for a development proposal make provision for village hall facilities.

Accessibility standard and village hall catchment

3.38 In order to meet the needs arising from a new development a village hall needs to be accessible to the residents of the development. An accessibility standard sets the furthest distance for a village hall to be considered accessible to a development site.

3.39 It is important that village halls can be accessed by different forms of transport. Wherever possible new village halls should be well related to public transport, cycle paths and pedestrian routes.

3.40 However in setting an accessibility standard for village halls it is recognised that, due to quality and frequency of rural bus services, a significant number of users will access halls using a private car.

- The accessibility standard for village halls is: two miles (3.2km).

3.41 A village hall catchment is used when assessing the quantity and quality of existing village halls likely to be used by the residents of a proposed development. A catchment is defined for every proposal using the village hall accessibility standard for the maximum distance from the the edge of the proposed site

Quantity standard

3.42 A quantity standard sets out the number of village halls considered necessary to meet people's needs. This standard is used to assess whether a proposal may be required to contribute to the provision of a new village hall:

- The quantity standard for village halls is: one village hall per 650 people

Quality standard

3.43 A quality standard sets out the quality a village hall needs to be so that it can successfully meet the needs of the local community. This standard is used to assess whether a proposal is required to contribute to improving the quality of existing village halls.

3.44 The quality standard describes the attributes of a high-quality village hall that meets the village hall vision, and is set out as a series of statements covering different aspects of the hall and its functionality. ⁽³²⁾

31 Further information on the quality standard for village halls is set out in section 3.5 *Provision standards*

32 The detailed wording of the quality statements may be updated where it is identified they no longer reflect evolving community needs

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Aspect	Quality Statement
Foyer	The foyer is welcoming and well maintained with adequate lighting, heating, storage space, notice board space and signage.
Parking	There is sufficient car parking that is well maintained with marked bays and adequate signposting (including hazards), lighting, disabled bays and cycle parking.
Main hall	The main hall is of sufficient size and well maintained with good heating and lighting. The hall can accommodate a good range of different activities, including some sports.
Catering facilities	The kitchen is a well-planned space of sufficient size and is well maintained. The kitchen is fitted with modern units and has sufficient equipment to meet the village's needs.
Meeting room	The village hall has a meeting room that is a good size with adequate heating and lighting.
Toilet facilities	The toilets are a good size and standard, hygienic and with adequate heating and lighting. There are separate male and female facilities or self-contained unisex facilities. There are suitable facilities for people with disabilities.
Changing facilities	The village hall has changing facilities, including baby changing facilities, which are in a good condition and have adequate heating and lighting.
External appearance	The external appearance of the village hall is well maintained and cared for, tidy, well lit and feels safe and secure.
Building fabric	The overall building is of a robust construction in good condition with no structural issues. The building is thermally efficient (good insulation etc.) and renewable energy is generated on-site.
Health and safety	There are very few health and safety issues or problems with the village hall and its grounds.
Accessibility for all	The entire village hall can be accessed and used by all groups, including people with disabilities. There is a hearing loop.
Storage facilities	The village hall has sufficient storage space and recycling facilities.
Equipment	The village hall has sufficient equipment (including tables, chairs and indoor sports equipment) to meet the needs of the community. The equipment is generally in a good condition.

Table 3.1 Village hall quality standard

3.45 When assessing the quality of a village hall against the quality standard it is rated against each relevant statement using a scale of 0 to 10 (where a score of 10 means full agreement). Not applicable is used where an aspect is not relevant to the individual hall, for example, where a meeting room is not present and there is no identified need for one.

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3.46 The scores for the relevant aspects are summed and a percentage based on the number of relevant aspects is calculated. A village hall with an assessment score of less than 80% is classed as not meeting the quality standard.

3.47 This quality assessment has recently been used to assess the quality of existing village halls in the district. ⁽³³⁾ Alongside the assessment the survey also collected other useful information including:

- Hall contact details
- The approximate size and capacity of facilities and types of activities held
- The number and nature of toilet and changing facilities
- Levels of car and cycle parking, including parking for people with disabilities
- Whether electric vehicle charging points are present
- Details of any particularly important issues or challenges
- Details of future plans or aspirations for the hall

Minimum sizes for new or enhanced provision

3.48 In order to ensure that new village halls meet the village hall vision and the quality standard, and can be economically maintained, proposals for new facilities should be developed with regard to the following size standards.

3.49 Where relevant, the standards should also inform proposals for enhancements to existing village halls, for example, where extensions to existing halls are proposed.

Hall Feature	Minimum Size
Main Hall	100 sq m
Meeting Room	38 sq m
Storage Space	17 sq m
Kitchen	10 sq m
WCs, Circulation Space and Ancillaries	36 sq m WC facilities must comply with BS6465. Provision should be made so that all can access facilities, including people with disabilities
Car Parking	Appropriate on-site facilities, including provision for people with disabilities
Cycle Parking	No minimum size standard but provision required
Recycling Facility	No minimum size standard but provision required

Table 3.2 Minimum size standards for new village halls and enhancements to existing village halls

3.6 Assessing whether village hall provision is required: a detailed guide for developers

3.50 An overview of the process the council uses to assess whether development contributions for village hall provision are required, including the quantity and quality tests, is set out in section 3.4.

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- 3.51** This section provides further detail on this process and is primarily aimed at developers but may contain information useful to other interested parties.

When does the assessment take place?

- 3.52** Whether a proposal is required to make a village hall development contribution, the scale of any contribution and its purpose would be established as part of determining a relevant planning application. ⁽³⁴⁾
- 3.53** A relevant planning application is one where proposals include detailed information on the number of homes and the size of those homes. Indicative assessments can be carried out for outline proposals.
- 3.54** The council welcomes pre-application discussions before a planning application is submitted. This aims to take some of the uncertainty out of the application process by providing constructive and without prejudice advice on the likelihood of a proposal receiving planning permission.
- 3.55** Where relevant, these discussions will identify whether a developer contribution for village hall provision is likely to be required, the scale of any likely contribution and whether it is for new village halls or the enhancement of existing village halls.
- 3.56** Where the type and/or number of dwellings are not known the assessment is intended only as an indicative guide to the contribution likely to be required. In all cases this would be recalculated using the actual number of bedrooms when detailed permission is sought.

What are the stages within the assessment?

- 3.57** The assessment of whether development contributions for village hall provision are required can be broken into the following stages:
- STAGE ONE: Identifying existing accessible village halls;
 - STAGE TWO: The quantity test;
 - STAGE THREE: The quality test.
- 3.58** The assessment identifies whether:
- There is a need to contribute to the provision of a new village hall(s), and whether this should be on-site or off-site; or
 - There is a need to contribute to the enhancement of an existing accessible village hall; or
 - No contribution is required
- 3.59** The need to carryout all three stages to assess whether developer contributions are required is dependent on the results of previous stages, as set out below:
- STAGE ONE: Takes place for all proposals

³⁴ It is the councils intention that an online calculator and assessment tool will be provided in the future to enable applicants to undertake their own assessment and generate indicative figures as part of the preparation of a planning application. There are however no timescales available at the moment for this piece of work

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- STAGE TWO: Identifies whether contributions are required for provision of new village hall(s) and takes place for all proposals
- STAGE THREE: Identifies whether contributions are required to enhance existing village halls and takes place unless, following stage two, a contribution for provision of new village hall(s) that fully meets the needs of the development is being sought.

STAGE ONE: Identifying existing accessible village halls

3.60 In order to apply the quantity and quality tests it is necessary to identify existing village halls that would be accessible to the future residents of a development.

3.61 The following steps are used:

A. Identify the catchment for village halls

The catchment shows the area around the proposed development site where a village hall is considered accessible.

The catchment is defined by mapping the exact boundary of the site and applying the accessibility standard of two miles (3.2km), as set out in section 3.5.

B. Identify relevant village halls within the catchment

The council has mapped the location of village halls within the district.

Any existing village halls that are within the catchment defined in step A are highlighted.

STAGE TWO: The quantity test

3.62 The quantity test is used to establish whether a developer contribution may be required for new village hall provision that is accessible to the future residents of the development.

3.63 The test involves the following steps:

A. Calculate the existing quantity of the village halls that would be accessible to the new residents

The village halls within the catchment identified in STAGE ONE (step B) are counted to give a total number number of halls

B. Estimate the increase in population arising from the proposed development.

This is calculated by estimating the population of the proposed development and subtracting the estimated current residential population of the development site (if any).

This is done using the following assumed occupation rates for different sizes of dwellings:

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Number of bedrooms	1	2	3	4	5+
Assumed number of residents	1	2	3	4	5

Table 3.3 Assumed occupancy rates for different sized dwellings

If the type of dwellings proposed is not known, for example when considering an application for outline planning permission, the estimated increase in population will be calculated using an average household size of 2.35 people ⁽³⁵⁾.

If the number of dwellings is also not known an assumed number will be calculated on the basis of a 30 dwelling per hectare (net) development taking place. To establish the net site area the following assumptions are used:

Gross site area	Net site area
Up to 0.4 hectares (ha)	100% of gross area
Greater than 0.4 ha up to 2.0 ha	90%
Greater than 2.0 ha up to 5.0 ha	75%
Greater than 5.0 ha up to 10 ha	65%
Greater than 10 ha	55%

Table 3.4 Assumptions used to calculate net site areas

Where the type and/or number of dwellings are not known the assessment is intended only as an indicative guide to the likely contribution required. In all cases this would be recalculated using the actual number of bedrooms when detailed permission is sought.

C. Calculate the quantity of provision needed to meet the needs arising from development

This is calculated using the estimated increase in population arising from development (step B) and the quantity standard of 1 village hall per 650 population, as set out in section 3.5.

The quantity standard is divided by 650 to give a per person amount and then multiplied by the increase in population.

D. Identify whether there is a sufficient existing over-supply of village halls that can accommodate the needs arising from development

The involves: i) estimating the total population within the relevant catchment following development; ii) calculating the quantity of village halls needed by this number of people; and iii) comparing this amount with the existing amount of village halls

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i. Estimate the total population following development

The existing population in the catchment is calculated using population per postcode data from the census. This is added to the estimated population of the development (step B).

ii. Calculate the quantity of village halls needed by the total population

The relevant quantity standard of 1 village hall is divided by 650 to give a per person amount and then multiplied by the total population (step Di).

iii. Compare the quantity of existing village halls with the quantity needed by the total population

The quantity of existing village halls (step A) is compared with the quantity needed by the total population within the catchment (step Dii).

If the quantity of existing village halls is less than that needed by the total population it is concluded that there is not a sufficient existing over-supply to meet the needs of the development.

When might a new village hall be required?

If there is not a sufficient existing over-supply ⁽³⁶⁾ either (i) as a result of the proposed housing development, or (ii) because the proposed housing development adds to the existing deficiency, a development contribution for the provision of a new village hall is usually required. For example:

- i. the estimated population of the new housing development is 20 people and the existing population within a two mile radius of the development is 640, giving a total population of 660 people;

There is one existing village hall within the two mile radius

This gives a ratio of one hall per 660 people, which exceeds the quantity standard (one per 650)

- ii. The estimated population of the new housing development is 50 people and the existing population within a two mile radius is 1350, giving a total population of 1400 people

There are two existing village halls within the two mile radius

This gives a ratio of two halls per 1400, or one hall per 700 people which exceeds the quantity standard (one per 650)

Where new provision is required, the quantity of provision would need to meet the full needs arising from the development (step C).

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Where should new village halls be provided?

- 3.64** Where the scale of an individual development creates a need for a new village hall, wherever possible, the hall should be provided on the development site as a non-financial contribution, as this is usually the most effective way to ensure that the needs of the residents are being met.
- 3.65** New village halls should meet the village hall vision and quality standard, set out in sections 3.3 and 3.5 respectively. This includes having regard to the minimum size standards in table 3.2.
- 3.66** Detailed requirements for the design of individual halls and their integration within developments should be discussed with the council as part of the pre-application enquiry and/or planning application process, as highlighted in section 2.10.
- 3.67** Where it is not possible to provide a suitable village hall on-site the council may instead require a financial contribution for the provision of a new village hall on an identified site in an accessible location away from the development site (off-site).⁽³⁷⁾ A financial contribution towards the provision of a new off-site village hall on an identified site may also be required where a development is not large enough to generate a need for a new village hall in itself, but creates or adds to an existing deficiency in village halls provision.
- 3.68** In certain situations where a need for new village hall provision off-site has been established, the council may instead require a financial contribution towards the enhancement of existing halls that are accessible to the development site. This would occur if it is considered that the approach would be more effective in meeting the needs of the new residents.
- 3.69** This would be the case when it is unlikely that an appropriate site for an off-site hall accessible to the new residents could be secured and the hall delivered, for example, because of a lack of suitable land within the catchment. In these circumstances a contribution for the enhancement of existing village hall provision within the catchment, which may include an extension of the hall, would instead be sought if the quality test identifies existing provision is below the quality standard.
- 3.70** The process for calculating financial contributions for new off-site village halls is set out in section 3.7.

STAGE 3: The quality test

- 3.71** Where necessary, the quality test is used to establish whether a financial developer contribution may be required for the enhancement of existing village halls that would be accessible to the future residents of the development.
- 3.72** The test takes place unless, following stage two, a contribution for provision of new village hall(s) that fully meets the needs of the development is being sought.
- 3.73** The test involves the following steps:

³⁷ An accessible village hall (new or existing) would need to be located within the village hall catchment, which is defined using a 2 mile radius (the accessibility standard) around the development site, as set out in section 3.5: Provision standards.

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A. Identifying the quality of the existing village halls that would be accessible to the new residents

The process for identifying village halls that would be accessible to the new residents is set out in STAGE ONE and involves identifying a catchment using the village hall standard of 2 miles.

The village halls that are subject of the quality test are those identified in STAGE ONE (step B).

B. Identifying whether one or more village halls do not meet the required standard

The council has assessed the quality of the village halls in the district against the village hall quality standard, set out in section 3.5.

Village halls that have a quality assessment score of less than 80% do not meet the required standard.

Where one or more village hall identified in step A does not meet the required standard a financial contribution for enhancement would be required.

C. Where more than one village hall requires enhancement, identifying priorities for investment

Where more than one village hall requires enhancement the hall nearest to the development site would usually be prioritised for funding and attract the available funds necessary to improve it to the required standard.

If the contribution sought is greater than the amount needed to improve the highest priority hall to the required standard, the remaining monies would be directed to the next priority space, usually the next nearest

This procedure would be repeated until all available monies are allocated, or there are no further accessible village halls requiring enhancement (step B).

If the calculated financial contribution is greater than the cost of bringing all of the accessible village halls to the required standard, the figure sought would be reduced to reflect the amount required.

- 3.74** The process for calculating financial contributions for the enhancement of existing village halls is set out in section 3.7.

3.7 How are financial contributions for village halls calculated?

- 3.75** The level of a financial development contribution will depend on whether a new village hall is to be provided or an existing village hall is to be enhanced, with the former including the cost of land acquisition. The table below shows developer contributions

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per residential unit. These are based on September 2020 prices⁽³⁸⁾ and have been rounded up or down to the nearest pound. These costs are revised annually to take account of inflation using the retail prices index (RPI) measure of inflation. More detail on how the costings are derived can be found in Appendix 4. The actual developer contribution required may vary slightly from those published here.

Size of proposed dwelling (number of bedrooms)	Enhancement of existing hall	Provision of new hall
1	£738	£752
2	£1476	£1504
3	£2214	£2256
4	£2952	£3008
5	£3690	£3780

Table 3.5 Commuted sum rates for village hall financial contributions (cost per residential unit)

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4 Mechanisms to Secure Open Space and Village Hall Provision

- 4.1** Meeting the needs for open space and village halls that arise from the development of new housing may be achieved in two ways. A developer may be required to provide a new facility, for example a new piece of open space or a village hall, or may be required to enhance an existing facility.
- 4.2** The provision required may be delivered in one of two ways, or sometimes a combination of both. A non-financial contribution, where the developer provides the infrastructure directly, may be required; and/or a financial contribution, where the developer pays money for the infrastructure to be provided, may be required.
- 4.3** Development contributions for open space and/or village hall provision are usually secured through legal agreements called planning obligations. Commonly these are referred to as Section 106 agreements after Section 106 of the Planning Act. However, in some circumstances other legal mechanisms may be used.
- 4.4** The use of planning obligations is controlled by statutory regulation set out in The Community Infrastructure Levy Regulations 2010 (as amended).
- 4.5** Regulation 122(2) sets out specific tests that control the use of planning obligations. These limitations and how they relate to the provision of open space and village halls are set out below:
- a. necessary to make the development acceptable in planning terms - development is required to contribute towards new and/or enhanced open space and/or village halls to ensure it is provided in accordance with the standards in section 2.5 for open space and 3.5 for village halls. This is considered necessary to ensure residents have access to open spaces and village halls that are of a good quality, well maintained, planned and designed, and in the right location to meet their needs.
 - b. directly related to the development - the provision of open space and/or village halls is required directly as a result of additional demand for new or enhanced open space/village halls generated by each new individual development
 - c. fairly and reasonably related in scale and kind to the development - the open space/village halls required from a new development is based on the anticipated increase in population in the local area resulting from each new development ensuring that it is reasonably related in scale and kind to the proposed development.
- 4.6** Section 106 agreements are legal undertakings that are negotiated on a site by site basis and used to manage the transfer of land and/or the payment of money to the council.
- 4.7** Where a Section 106 agreement is necessary an applicant would need to appoint a solicitor and would also be required to contribute to the council's legal costs. For many smaller-scale developments, where small financial contributions are required, a Section 106 agreement may not be necessary and the commuted sums can be paid using a unilateral undertaking.
- 4.8** The council maintains separate accounts for financial contributions for open space and village halls and there is further separation between funds for new provision, funds for enhancement and, where relevant, funds for maintenance. Monies received for a particular type of infrastructure, such as a particular type of open space or a village

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hall, cannot be used to fund other types of infrastructure. Similarly monies received for provision at a particular location or within a certain area cannot be used to fund projects or schemes elsewhere.

- 4.9** Monies received will be safeguarded until there are sufficient funds to undertake the necessary works. If funds remain unspent ten years after completion of the development that generated the funds, they will normally be returned to the applicant.
- 4.10** The council will usually only authorise the spending of funds allocated to enhance a village hall or an area of open space if the facility has a minimum security of tenure of ten years, at the time of spending.⁽³⁹⁾

5 Further Information

Further information

- 5.1** For further information about the operation of the open space and/or village hall policy please contact:

Planning Policy

Telephone: 01423 500600

planningpolicy@harrogate.gov.uk

S106 and CIL Delivery Officer

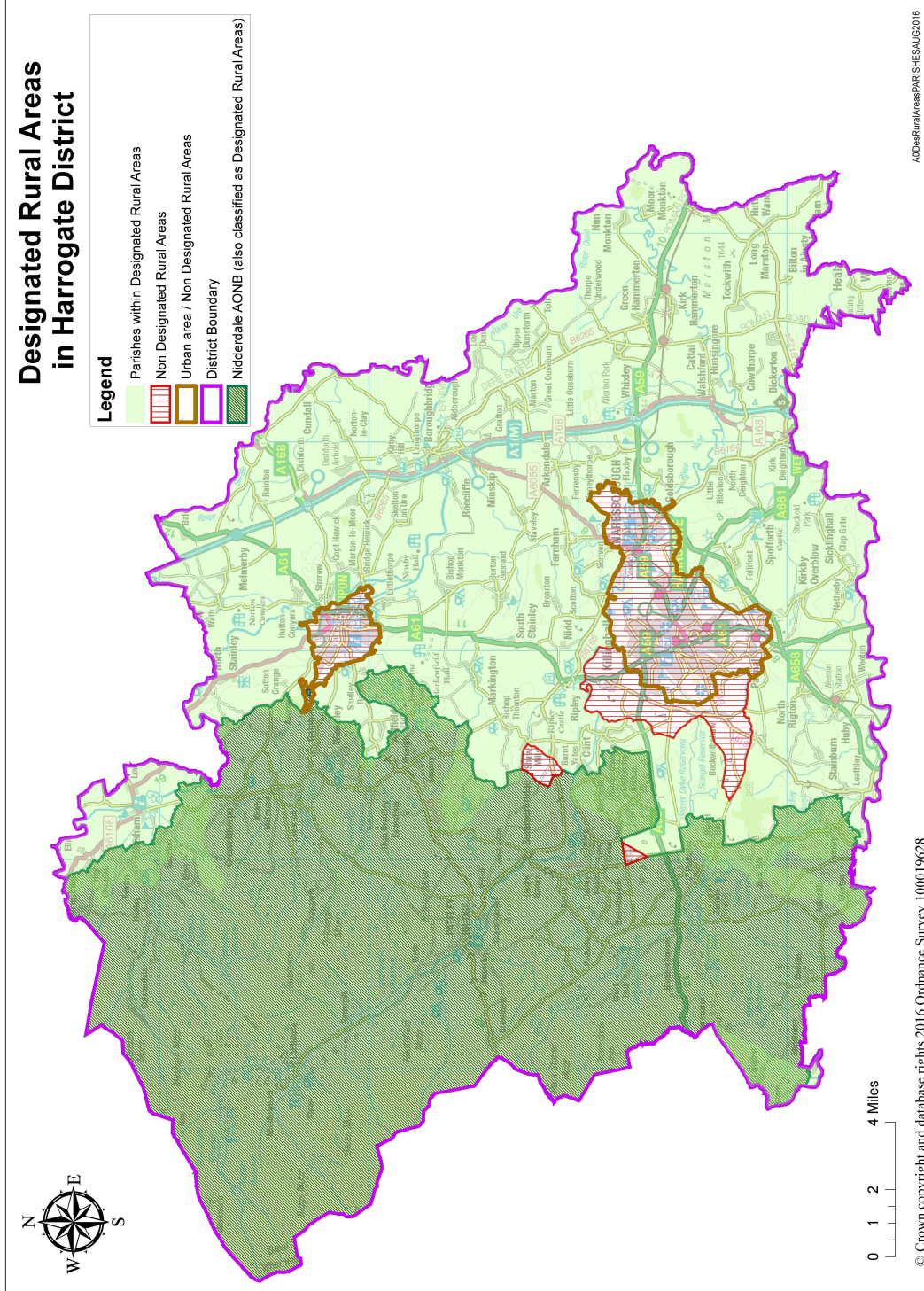
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³⁹ If a facility has a minimum security of tenure of less than ten years at the time of applying to the council for funding and there are exceptional circumstances to justify this expenditure, the final decision will be taken by the Cabinet Member for Culture, Tourism and Sports. Potential examples of exceptional circumstances include: (i) the landowner has been reluctant to enter into a long term lease, but the land has been used for recreational purposes or a village hall for a significant number of years. However, the landowner confirms that they have no plans to take back the land in the near future and the sum of money is not significant; (ii) there are nine years and ten months remaining on, for example, a 25 year lease and the lease is currently being negotiated.

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Appendix 1 Designated Rural Areas



Map 1.1 Designated Rural Areas.

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Appendix 2 Open Space Consultation Group Membership

The Open Space Consultation Group (OSCG) will be set up to bring together officers from a wide range of council teams involved in the design, delivery and/or future maintenance of open space with representatives from other relevant statutory bodies.

The proposed membership of the OSCG is out below:

- Development Management Officers (Application Case Officer)
- Planning Policy Officers
- Parks and Environmental Services Officers, including Grounds Maintenance
- Play Officers
- Countryside Access Officers
- Sports and Development
- Biodiversity and Green Infrastructure Specialism
- Anti-social behaviour, safer communities (Housing, Transport and Public Protection)
- Estates
- Legal
- Lead Local Flood Authority (North Yorkshire County Council)
- Police Liaison Officer (North Yorkshire Police)

Where input is required from other specialist areas officers would be added to the group as necessary.

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Appendix 3 Information used by the Open Space Consultation Group

The table below set out a list of the issues, policies and evidence commonly considered by the Open Space Consultation Group (OSCG) when considering the provision of open space. Further information on the OSCG is set out in section 2.10.

Evidence
Complaints and Anti-social Behaviour Issues
Customer Surveys
Biodiversity plans and strategies
Harrogate Borough Council Officer Expertise
Harrogate District Local Plan 2014 to 2035
Sports strategies
Health and safety reports
Highways traffic reports
National Planning Policy Framework (NPPF)
Open Space Database
Open Space Quality Assessments
Playing Pitch Strategy
Sport England's Active Places Power Playing Pitch Calculator
Public Rights of Way information
Relevant Supplementary Planning Documents (SPDs)

Table 3.1

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Appendix 4 Village Hall New Provision and Enhancement Costings

1. Calculating the cost of providing a new village hall

The formula below has been developed to calculate the level of developer contribution that will be required per person (bedspace) in order to provide a new village hall in the district. The costs will be revised annually to take account of inflation using the retail prices index (RPI) measure of inflation.

A (40)	Cost of building a new "General Purpose Hall" <i>multiplied by:</i>	£2132 per sq m (41)
B (42)	Fees <i>plus:</i>	12%
C (43)	Land cost <i>equals:</i>	£44 per sq m
D (44)	TOTAL cost per sq m of providing a new village hall in the district <i>multiplied by:</i>	£2431 per sq m
E	The minimum floorspace of a new village hall <i>equals:</i>	201 sq m
F	The total cost of providing a new village hall in the district <i>divided by:</i>	£488,799.84
G	The quantity standard <i>equals:</i>	1 hall per 650 people
H	TOTAL developer contribution required per person (bedspace)	£751.99

Table 4.1

2. Calculating the cost of enhancing an existing village hall

-
- 41 rate per m2 gross internal floor area
 40 Cost based on RICS publication 'Building Cost Information Services' (BCIS)
 42 Fees to cover architect, surveyor, structural engineer, building regulations officer etc
 43 Harrogate Borough Council's Building Management team advises a land value of £44 per sq m
 44 201 sq m is the average floor space of the three village halls in the district which from the basis of the minimum size thresholds: Kettlesing Millennium hall, Coronation Hall, Milby and Calcutt and Forest Moor Village Hall

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The formula below has been developed to calculate the level of developer contribution that will be required per person (bedspace) in order to enhance an existing village hall in the district. The cost will be updated annually by the Retail Price Index (RPI) measure of inflation. The difference between this formula and the one used to calculate the cost of providing a new village hall is that it does not take a land cost into account.

A (45)	Cost of building a new "General Purpose Hall" <i>multiplied by:</i>	£2132 per sq m
B (46)	Fees <i>plus:</i>	12%
C (47)	TOTAL cost per sq m of providing a new village hall in the district <i>multiplied by:</i>	£2387.84 per sq m
D	The minimum floorspace of a new village hall <i>equals:</i>	201 sq m
E	The total cost of providing a new village hall in the district <i>divided by:</i>	£479,955.84
F	The quantity standard <i>equals:</i>	1 hall per 650 people
H	TOTAL developer contribution required per person (bedspace)	£738.39

Table 4.2

45 Cost based on RICS publication 'Building Cost Information Services' (BCIS)

46 Fees to cover architect, surveyor, structural engineer, building regulations officer etc

47 201 sq m is the average floor space of the three village halls in the district which from the basis of the minimum size thresholds: Kettlesing Millennium hall, Coronation Hall, Milby and Calcutt and Forest Moor Village Hall

