



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



Consultation Statement
June 2021

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1 Introduction

1 Introduction

Background

- 1.1** The Provision of Open Space and Village Halls Supplementary Planning Document (SPD) provides guidance on how policies TI4: Delivery of New Infrastructure and HP7: New Sports, Open Space and Recreational Development are applied in order to secure provision for open space and village halls in connection with the development of new housing.
- 1.2** 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
- 1.3** The SPD also sets out the open space and village halls provision standards that are used to operate the policies.
- 1.4** The SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended. On adoption of the SPD the guidance will be a material consideration in the determination of relevant applications for planning permission.

What is a consultation statement?

- 1.5** As part of the preparation of an SPD and prior to its adoption, Regulation 12(a) of the Town and Country Planning (Local Planning)(England) Regulations 2012 requires local planning authorities, such as Harrogate Borough Council, to prepare a statement that sets out:
1. The persons the local planning authority consulted when preparing the supplementary planning document;
 2. A summary of the main issues raised by those persons; and
 3. How those issues have been addressed in the supplementary planning document.

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2 Preparation of the SPD

- 2.1 The Provision of Open Space and Village Halls SPD was prepared by the council's policy and place team in discussion with relevant Harrogate Borough Council colleagues. The table below sets out the main issues raised during these discussions:

Provision of Open Space and Village Halls SPD		
<p>The SPD has been prepared in close co-operation with Parks and Environmental Services. Officers within this service are responsible for applying the guidance to establish the nature and scale of provision sought from individual developments. The service is also be responsible for maintaining new open spaces adopted by the council and using funds collected for enhancements of existing open spaces. The service has therefore fed into the development of the whole document. Further information on discussions in relation to encouraging more developers to chose council adoption of new open space is set out below.</p> <p>The guidance has also been prepared in close co-operation with the council's Section 106/Community Infrastructure Levy (CIL) Officer who is responsible for managing the operation and monitoring of developer contributions, and has, therefore, also fed into the whole document.</p>		
Principal Planning Lawyer	Need to ensure sufficient discussion of design, location etc. of on-site open space provision as part of the decision making process	Advice taken on board. In particular this has influenced the role of the Open Space Working Group (OSWG) in responding to planning proposals
	Where charged, need to ensure management charges are apportioned fairly between the dwellings in a scheme	A satisfactory approach to apportionment of management charges was described in the consultation draft SPD. The approach is retained in the final draft and supplemented with an algebraic formula. The same formula is used in affordable housing guidance
	Need to ensure sufficient internal processes are in place to support the operation of processes as described, in particular the new arrangements for open space maintenance and open space adoption	Many processes are unchanged from existing guidance and/or practice. At the same time the teams responsible for operating the guidance have been involved in its preparation or have been consulted on content. Stakeholders recognise a remaining need to determine some detailed aspects of operation concerning the OSWG and adoption/maintenance. These can be resolved in the lead-in to adoption.
Parks and Environmental Services	Discussions on how the existing approach to maintenance payments could be amended in order to encourage more developers to chose adoption by the council. In particular the budgetary implications of adopting greater areas of open space while seeking maintenance payments for a shorter period	These discussions have informed the content of the SPD as well as the approach taken to secure internal agreements necessary prior to seeking political approval
Development Management Officer	Ensure SPD is clear and logical	Advice taken on board
Finance	Advice provided on how to understand and communicate potential financial implications for the council of the amended approach to the maintenance/ adoption of new open space.	Advice taken on board in preparation of the report to Management Board

2 Preparation of the SPD

Provision of Open Space and Village Halls SPD		
Management Board	Advised to check and clarify the appropriate level of Member approval required in light of the level of financial implications for the council of the amended approach to maintenance/ adoption of new open space.	The appropriate level of Member approval in relation to financial implications was queried with the democratic services team and advice was provided.

Table 2.1 Main issues raised in discussions with HBC officers

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- 3.1** The Town and Country Planning (Local Planning)(England) Regulations 2012, as amended, set out how supplementary planning documents (SPDs) are to be prepared.
- 3.2** Regulation 12 requires the council to carry out public consultation on a draft of the Provision of Open Space and Village Halls SPD during the preparation of the document. A public consultation was held between Monday 12 October and Friday 11 December 2020.
- 3.3** The consultation was carried out in accordance with the regulations, including The Town and Country Planning (Local Planning)(England)(Coronavirus)(Amendment)Regulations 2020, which temporarily modifies regulation 35 (availability of documents) up to the 31 December 2021 in response to the Coronavirus pandemic. The modified regulation removes the requirement for the council to place paper consultation documents at council offices and other locations, such as public libraries, and instead only requires consultation documents to be published on the council's website.
- 3.4** The consultation documents, comprising the draft Provision of Open Space and Village Halls SPD, was made available in html and pdf formats on the council's website through the planning policy consultation portal. Alongside this a draft Consultation Statement was also published. In order to provide opportunities for consultees unable to view digital documents, paper copies were also made available to view by appointment at the Civic Centre in Harrogate, in line with COVID-19 rules.
- 3.5** The regulations require a minimum consultation period of four weeks, however, a longer period of a little over eight weeks was chosen in order to help ensure that interested parties had ample opportunity to consider the draft SPD during the pandemic.
- 3.6** The consultation was also carried out in accordance with the council's Statement of Community involvement (SCI), which was revised in August 2020 in response to the Coronavirus pandemic.
- 3.7** The council maintains a consultation database, which includes details of both specific and general consultees, as set in the SCI. Interested parties are able to join the database at any time or request their details are removed. This database allows the council to carry out continuous consultation with stakeholders and the wider community. It also enables people who have commented on previous consultations to be kept informed of future consultations.
- 3.8** All consultees listed on the database were notified of the consultation and invited to comment on the draft SPD. Consultees were able to provide comments directly through the consultation portal, by email and by post.

Key issues

- 3.9** The table below sets out the key issues raised during consultation on a draft of the SPD during preparation.
- 3.10** Within the table comments are summarised and set out alongside the council's response. Where a comment has given rise to a change to the SPD this is also noted.
- 3.11** Please note the paragraph references in the table relate to paragraphs in the consultation draft of the SPD (October 2020). These may not identify the correct paragraph in the final SPD where preceding paragraphs may have been added or removed.

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RowNo	ID	Name	Comments	Response	Amendments to SPD
General comments/ Comments relating to the whole document					
1	OS8/OS9	Kath West	Comment identifies a village where two developments have been approved in recent years. It goes on to assess these approved developments against the consultee's understanding of this draft guidance; identifying, in certain areas, where they feel the approach used does not follow this guidance. It asks why guidance is produced if not followed.	This consultation relates to a draft version of new guidance. The draft was published in October 2020 for comments. The guidance will not be used to consider a proposal's compliance with policies until it is adopted by the council, following consideration of the comments received and further work as necessary. The approach taken with the applications highlighted should be judged against the policy and guidance in place when they were determined	No change
2	OS8/OS9	Kath West	Parish councils should be consulted with regard to designation of Commuted Sums that are due to be designated to their village	Parish level councils are statutory consultees on planning applications	No change
3	OS11	Selby District Council	No specific comments to make. Look forward to continued dialogue on duty to co-operate matters	Comments noted	No change
4	OS12	Harrogate and District Green Party	This SPD should make stronger reference to the Green Infrastructure SPD in designing location and type of open space, so that it conveys the need to integrate high quality, well managed landscape into all developments (which the Green Infrastructure SPD promotes). The Open Spaces SPD should require developers to provide Provision of Open Space in line with the Green Infrastructure SPD. This SPD should reference the Biodiversity SPD from the perspective of enhancing biodiversity	It is not considered necessary to repeat guidance contained in other SPDs in this document as proposals are required to follow relevant guidance set out in all SPDs. However it is agreed that the guidance should cross refer to these SPDs. Guidance to promote biodiversity enhancements on open space where this is consistent with the primary purpose of the open space will also be added	Amend section 2.10 to more clearly highlight wider policy requirements in relation to the design and location of open space within development sites, including reference to guidance set out in the Green Infrastructure and Providing Net Gain for Biodiversity SPDs. Add para to section 2.3 to outline approach to biodiversity enhancements on open space

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RowNo	ID	Name	Comments	Response	Amendments to SPD
5	OS25	Natural England	Would welcome a cross reference in this SPD to the Green Infrastructure SPD and Avoiding Net Loss of Biodiversity SPD in relation to delivering biodiversity benefits in open spaces.	It is agreed that the guidance should cross refer to these SPDs. Guidance to promote biodiversity enhancements on open space where this is consistent with the primary purpose of the open space will also be added	Amend section 2.10 to more clearly highlight wider policy requirements in relation to the design and location of open space within development sites, including reference to guidance set out in the Green Infrastructure and Providing Net Gain for Biodiversity SPDs. Add para to section 2.3 to outline approach to biodiversity enhancements on open space
6	OS12	Harrogate and District Green Party	There is a focus on getting finances allocated for provision, this should be altered to refocus on the use and purpose of open space design to ensure it is properly integrated within the wider landscape and caters fully for the community	The main purpose of the document is to provide guidance on the operation of policies requiring developers to provide (or make financial contribution for) open space/village halls, including setting standards. Not producing this guidance risks the infrastructure not being provided and the needs of new residents not being met, which would lead to over-intensive use of existing facilities. The guidance sets out that new open space should meet the relevant quality standard (para 2.68). Detailed design is intended to be addressed through the Open Space Consultation Group as part of the planning process (section 2.10). This is considered appropriate due to the wide variety of circumstances that could arise. Further basic information is being added around para 2.68 and the role of the OSCG will be explained more fully.	Add further to para 2.68 to link high-quality with the open space visions and primary purposes, as well as the need to agree detailed designs with the council through the planning process. Add to section 2.10 to explain the role of the OSCG in agreeing detailed designs.
7	OS14	Sport Nidderdale	The SPD does not recognise that many open spaces and village halls are run by volunteers who receive nothing from Harrogate Borough Council to cover running costs. The most important	Comments noted. The issues raised relating to the financing of day-to-day running costs are beyond the scope of this guidance, which relates to the process for securing developer	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
8	OS15	Harrogate Civic Society	<p>thing about the new strategy is not where to put new facilities but to ensure existing facilities can survive</p> <p>Pleased that the content explains and expands both National Policy and Local Policy satisfactorily and in detail.</p>	<p>contributions. Developer contributions cannot be used to fund day-to-day costs</p> <p>Comments noted</p>	No change
9	OS21; OS26	Persimmon Homes (Yorkshire); Homes England	<p>Support in principle the need for a development to provide, or contribute towards, new physical or social infrastructure provided that it is necessary to make the development acceptable in planning terms, that is related to the development and is fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 (2) of 'The Community Infrastructure Levy Regulations 2010' ('the CIL Regulations')</p>	Comments noted	No change
10	OS35; OS44	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	<p>The SPD is overly complex and should be simplified</p>	<p>Assessing whether development should make provision for village halls and up to seven types of open space as well as determining the scale and nature of the provision involves many steps. To ensure a transparent approach it is important that these steps are fully explained. A summary of the process used to determine whether provision is required has also been included to aid understanding.</p>	No change
11	OS35; OS44	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	<p>The SPD should include clear worked examples of development schemes of varying sizes to cover the on-site / off site, quantity and quality scenarios of both open space and village hall requirements</p>	<p>It is not considered necessary to include worked examples since each stage is clearly explained. Given the wide range of proposals that come forward a large number of examples would likely need to be included for this to be useful across the board.</p>	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
12	OS35; OS42; OS44; OS51	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	Lacks guidance on large scale allocations required to deliver new Primary Schools on site. It would be logical that such facilities would be expected to act as a focal point for community activities, both indoors in the hall or outside on the playing fields. In such circumstances we would expect all new schools to be delivered with a Community Use Agreement. Further clarity required.	It is not considered appropriate for planning guidance to seek to require this approach. However it is recognised that Sport England do encourage use of such agreements in relation to sport provision. Proposals of this nature would need to be considered on their own merits and may be supported where they would meet identified needs.	No change
Section 1: Introduction					
13	OS12	Harrogate and District Green Party	Paragraph 1.1: Rephrase final sentence to say: 'we expect the developer to provide, or contribute to these facilities...'	The final sentence of para 1.1 is intended to begin to set out a justification for the approach rather than just setting out the approach. As such it is appropriate to explain that the approach is considered reasonable.	No change
14	OS21; OS27	Persimmon Homes (Yorkshire); Homes England	Welcome the recognition within Policy T14 that on-site / off-site open space provision and / or contributions can be 'subject to viability' and that the provision needs 'to cater for the needs generated by the development'.	Comments noted	No change
15	OS21; OS27	Persimmon Homes (Yorkshire); Homes England	Paragraph 1.7: In relation to aims 1 and 5, any on-site open space or off-site contribution should be reasonably related to the proposed scheme, as it would be unreasonable for a development to be required to rectify existing deficiencies in an area if it is not relevant to the proposed scheme.	The requirement for contributions to be reasonably related to the proposed scheme is set out in the CIL regulations. These are discussed in section four. It is considered that the intended aims can be met whilst complying with the regulations.	Amend introduction to make reference to Regulation 122 of the CIL Regulations. Amend open space aims to clarify that provision is related to the needs of new residents.

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RowNo	ID	Name	Comments	Response	Amendments to SPD
16	OS21; OS27	Persimmon Homes (Yorkshire); Homes England	Paragraph 1.7: In relation to aim 4, add 'wherever possible' to the end of the sentence to provide flexibility in case a situation arose whereby an open space was not accessible to a range of transport modes	Agree that it may not always be possible for open space to be accessible to a range of transport modes.	Amend aim 4 to read: 'Integrate land-use and transport policies; and where possible, locate new open space...where it is accessible to a range of transport modes'.
17	OS21; OS27	Persimmon Homes (Yorkshire); Homes England	Paragraph 1.9: States that: 'The level of contributions will be updated annually'. Request that this is changed to 'contributions will be adjusted for inflation based on the retail prices index'. Otherwise, it would be unreasonable for the level of contributions to be updated and changed annually without any consultation.	This issue is discussed in greater detail elsewhere in the SPD; for open space paras: 2.87; 2.96; 2.113, and for village halls para 3.57 and appendix 4; where it is explained that prices will be changed to reflect inflation based on the retail prices index (RPI) measure.	Amend para 1.9 to remove the final sentence
Section 2: Provision for Open Space					
2.1 Background					
18	OS12	Harrogate and District Green Party	Paragraph 2.4: Remove 'The SPD is intended to aid the implementation of the policy and not add unnecessary to the financial burden on development'. This implies if the cost is too great, the responsibilities may be disregarded	The need for SPDs to not add unnecessarily to the financial burden on development is a feature of national planning guidance, set out in the Planning Practice Guidance (PPG). However it is agreed that although the requirement exists it does not need to be re-stated in the guidance.	Para 2.4: remove 'The SPD is intended to aid the implementation of the policy and not add unnecessary to the financial burden on development'.
2.2 When does criterion A of policy HP7 apply?					
19	OS12	Harrogate and District Green Party	Paragraph 2.9: Remove the exemption for schemes involving solely affordable housing (100% affordable housing schemes) so that these development contribute to the infrastructure and services required for the dwellings	The council is generally not supportive of such schemes and would encourage an element of market housing to ensure a mix of tenure. In the small number of circumstances where this is supported it is considered appropriate to prioritise the delivery of a viable affordable housing scheme.	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
20	OS22; OS28	Persimmon Homes (Yorkshire); Homes England	Paragraph 2.9: With regard to revised planning permissions, agree with the approach that the standards would only apply to any uplift in the net number of additional bedrooms created through a revised planning permission. Paragraph 2.15: Support the following two exemptions: 'revised planning permission (provided that the number of bedrooms is not increased by the revision)' and 'renewal of planning permission that has not expired at the time of submission'.	The references to revised planning applications and renewal applications in paras 2.9 and 2.15 is not considered necessary and may give rise to confusion. For the avoidance of doubt the type of application (as opposed to the type of development proposed) is not relevant to whether the policy requirement applies. Where a revised application is received any previous calculation of open space needs would not be recalculated unless the revisions change information that is material to the calculation.	Paras 2.9 and 2.15: remove references to revised planning applications and renewal applications from the bullet lists.
21	OS16	Knaresborough Town Council	All housing developments should make contributions no matter how few houses are being built or whether they are in the town or the country. After all, this is all subject to viability.	The qualifying thresholds are the same as those set out in national planning policy for affordable housing contributions. The thresholds align with the CIL Charging Schedule and ensure that CIL can be used to capture contributions from small developments; this approach is in-line with national planning guidance.	No change
22	OS12	Harrogate and District Green Party	Paragraph 2.10: Exemptions include developments comprising less than 10 dwellings in urban areas and less than 5 dwellings in rural areas. Rephrase this statement and combine with 2.12 to state that exemptions will be made only on a case by case basis and it will be checked that developments have not been divided to avoid contributions to open spaces and village halls	The qualifying thresholds are the same as those set out in national planning policy for affordable housing contributions. The thresholds align with the CIL Charging Schedule and ensure that CIL can be used to capture contributions from small developments; this approach is in-line with national planning guidance. Paragraph 212 advises that sites should not be subdivided.	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
23	OS12	Harrogate and District Green Party	Paragraph 2.12 states that the scale of development should not be reduced in order to reduce or eliminate need for contributions to open space. It should be detailed how this will be monitored.	Reduced density: para 2.13 explains that proposed densities less than that required by policy HS1 would require robust justification. Judgement would be made following consideration of this. Site subdivision: para 2.14 explains that this is based on consideration of whether a site forms part of a more substantial proposed development. This is considered on a case by case basis.	No change
24	OS12	Harrogate and District Green Party	Paragraph 2.13: Strengthen this paragraph explaining how it will be monitored and state that it must have local support	The justification of a proposed density would have to be assessed against the council's density policy HS1 and other relevant policies in the development plan; comments on planning applications relating to these matters would be taken into account in-line with normal practice	No change
2.3 Types of open space					
25	OS12	Harrogate and District Green Party	Parks and gardens: Insert a statement to say they must be managed with principles of enhancing biodiversity	The different types of open space are identified based on a primary purpose. The 'vision' for each type is intended to highlight the specific features and functionality necessary for a space to meet the primary purpose, it is not intended to set out detailed guidance on all aspects of design and maintenance. All open space, including parks and gardens, will have some biodiversity value and while it is appropriate for this to be enhanced it is not considered as a defining feature relating to the primary purpose of parks and gardens. This can be compared to natural and semi-natural greenspace, which is managed for wildlife and nature conservation.	Further to para 2.20, explain that the open space visions have been developed to identify features and functionality related to the primary purpose; that the visions do not include an exhaustive check list to inform design and maintenance; and that biodiversity enhancements consistent with the open space functionality are encouraged on all open spaces

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RowNo	ID	Name	Comments	Response	Amendments to SPD
26	OS12	Harrogate and District Green Party	Natural and semi-natural greenspace: Insert access must be provided via walking and cycling and public transport	While accessibility by walking cycling and public transport would be preferable it is not considered appropriate to be prescriptive about how users must be able to arrive at the spaces. For example a requirement that new provision is accessible by public transport may mean it's not be possible to deliver new areas in rural parts of the district, this would risk new provision that otherwise could be secured not being delivered.	No change
27	OS12	Harrogate and District Green Party	Outdoor sports facilities: Infrastructure support for access via walking, cycling and public transport	It is recognised that the SPD includes an larger accessibility threshold for outdoor sports (3km) than some other open space types (1km) and this means that users are more likely to arrive by non-walking means. In recognition the vision references 'adequate parking'. This relates to all parking necessary and therefore supports cycle parking. It is unclear what infrastructure for walking and public transport would be necessary on an outdoor sports facility.	No change
28	OS12	Harrogate and District Green Party	Amenity greenspace: infrastructure support for access via walking, cycling and public transport	It is noted that the SPD includes a smaller accessibility threshold for amenity greenspace (1km) than some open space types (3km) which will result in this open space being delivered closer to the residents of new developments. Therefore it is not considered essential that parking (cycle or other) is provided for the primary purpose of the space to be delivered. It is unclear what infrastructure for walking and public transport would be necessary on an amenity greenspace.	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
29	OS12	Harrogate and District Green Party	Cemeteries, disused churchyards and other burial grounds: remove 'well landscaped and laid out areas with highly maintained landscaped features' and replace with 'provide a mixture of landscaped features (such as well maintained paths) and wildlife areas to allow nature to flourish and contemplation areas for reflecting and connecting with nature.	While the inclusion of wildlife areas to allow nature to flourish within these spaces would have benefits they are not considered necessary for the primary purpose of this open space type to be realised. Further information will be added after para 2.20 to set out that biodiversity enhancement is encouraged across all open space types. The need for cemeteries, disused churchyards and other burial grounds to include areas suitable for contemplation is already identified in the vision.	Add text after para 2.20 to explain that biodiversity enhancement is encouraged across all open space types and can be supported where it is consistent with the primary purpose of the open space and does not undermine or prejudice its functionality.
30	OS12	Harrogate and District Green Party	Provision for children and young people: Vision should include opportunities for wild/adventurous play, also incidental features providing for play within the wider landscape (e.g. mounding, logs, stepping stones, trees for climbing). There should also be recognition that play facilities/spaces need to allow for social gathering but also include spaces for quiet imaginative play and solitude.	It is considered that current vision could support the delivery of the facilities identified could be delivered. Nevertheless it is highlighted that the vision is not intended to provide an exhaustive checklist to inform detailed designs. The type of facilities included within this open space type are intentionally focused on active play and social play. Although the provision is termed 'provision for children and young people' it is recognised that the open space needs of this group would also be met through other open space types. For example space for quiet play and solitude would be met through amenity greenspace.	Add text after para 2.20 to explain that the vision statements are not intended to provide an exhaustive check-list to inform detailed designs and maintenance plans.
31	OS12	Harrogate and District Green Party	Allotments: The vision should include a wider range of types of facility. On smaller developments it will not be feasible to provide secure allotments with a full range of community facilities, and it may be preferable to provide community growing areas, or a limited number of plots within walking distance and without car parking, if electricity	It is recognised that some allotments would not be a sufficient size to provide some of the community facilities listed, which is why 'ideally' is included before this list. The minimum size of new allotments is discussed in para 2.69	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
32	OS16	Knaresborough Town Council	<p>and water are to be provided these should be from renewable/sustainable sources</p> <p>Green spaces not necessarily associated with formal sports pitches, also be provided. People need informal green spaces to play kickabout or to walk their dogs.</p> <p>Sports pitches are not always used by the local people living in the area, for instance the rugby pitches at Hay a Park are not used by the residents of the Hay a Park estate.</p>	<p>The approach extends beyond the provision of only formal sports pitches. The need to make provision for several types of open space is assessed.</p> <p>The fact that people will travel further to access sports pitches than some other types of open space is reflected in the accessibility standard used for outdoor sports facilities.</p>	No change
33	OS36; OS45	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	<p>Disagree with the inclusion of 'Cemeteries, disused churchyards and other burial grounds' as an identified type of open space and object to the requirement of new development to contribute towards the provision of Cemeteries. Building new houses does not increase the population, it merely provides a home for the growing population in the District to live in. There can be no logical CIL Regulation 122 link between new housing and deaths and the upkeep of churchyards and cemeteries. Neither of these facilities are regarded as 'recreational'. Cemeteries are a Council duty, paid for and maintained through local Council Tax and through fees paid in the form of burials.</p>	<p>The open space function of publicly accessible cemeteries, disused churchyards and other burial grounds has been acknowledged in the council's approach to open space for a number of years.</p> <p>These areas provide local people with pleasant areas to walk, sit, contemplate and reflect, and are particularly important in rural areas where they may be the only open space in a village. The council does not seek developer contributions for the provision of new areas of this open space type and does not intend to begin doing so. The guidance will be clarified to state this explicitly. Although contributions may be sought for enhancement to these areas, subject to the quality test, enhancements are aimed at meeting the 'vision' for this open space type, which relates solely to open space functionality rather than any use (where this continues) for new</p>	<p>Amend section 2.4: Assessing Whether Open Space is Required: An Overview and section 2.6: Assessing Whether Open Space is Required: A Detailed Guide for Developers to clarify that new provision of cemeteries, disused churchyards and burial grounds is not sought. As such a quantity test is not carried out but a quality test is carried out to assess whether enhancements are required.</p>

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RowNo	ID	Name	Comments	Response	Amendments to SPD
<p>2.4 Assessing whether development contributions are required: an overview</p>					
34	OS12	Harrogate and District Green Party	Paragraph 2.24: Where additional open space or open space improvement is considered not needed, there should be an assessment to measure future need and financial contribution to a proportion of future need.	Whether contributions are required is based on an assessment of the future need arising from the development. Legislation controlling the use of developer contributions restricts their use to addressing impacts directly related to the development	No change
35	OS16	Knaresborough Town Council	There should be an obligation to provide allotments on every site larger than say 50 homes. Every site larger than say 10 homes should make a payment towards graveyards and cemeteries. Enlarging the current facilities because of a larger population should not be paid for by the existing council tax payers.	New open space provision (including allotments) can only be sought where existing accessible provision is not sufficient to meet the additional needs arising from the development. Where this is the case the level of provision required is related to the level of need created. The SPD sets out guidance on the processes used to make these assessments..	No change
36	OS22; OS28	Persimmon Homes (Yorkshire); Homes England	Section 2.4 provides an overview of the process of assessing whether development contributions are required. Paragraph 2.22 is somewhat unclear; it reads as though the Council will seek a 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. No mention is made as to whether any proposed on-site open space will be taken into account. Neither is on-site provision mentioned in the flowchart provided on page 9.	The phrase 'development contribution' is used within the SPD to refer to both a financial contribution and/or a non financial contribution, rather than just financial contributions. The provision of on-site open space in response to policy requirements would be a non financial contribution. While not all on-site provision is ultimately secured through a planning obligation for practical purposes, this use is considered appropriate and in-line with wider use of the phrase. The flowchart	Amend the document, including sections 2.4 and 3.4, to clarify use of the phrase 'development contribution'. Where necessary replace with 'provision for'.

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RowNo	ID	Name	Comments	Response	Amendments to SPD
			However, paragraphs 2.27 and 2.28 refer to the preferred approach being the on-site provision of open space or that a contribution could be provided in certain circumstances. Our client wishes to clarify the approach.	identifies new provision, this could be new provision on-site or off-site. The preferred approach is to deliver new provision, where necessary, and for this to be on-site, where possible and practical in terms of minimum sizes.	
	2.5 Provision standards				
	Accessibility standards and open space catchments				
37	OS12	Harrogate and District Green Party	The Fields In Trust benchmark standards for quantity and type of children's play facilities provide more detail. These standards could be used to detail the range of facilities to cater for all ages from local doorstep play for pre-school children to Multi-Use Games Areas (MUGA) for large developments. There are different standards for provision per head of population/number of dwellings and distance - for example a Local Area of Play for very young children should be available within 100m for developments of 5 to 10 properties. Developments up to 200 properties would be expected to also provide an equipped play area within 400m and contribute to a MUGA.	Due to differences in methodology and definitions, including the categorisation of open spaces into typologies, the Fields in Trust standards are not easily comparable with the standards the council uses. Nevertheless both are able to calculate how much open space should be provided for various sized developments. The SPD sets out an approach to standards that is based on the approach already in use, which the council can demonstrate does not make development unviable. Use of a wholly new approach to standards would require significant additional work to demonstrate viability that cannot be justified at this time. The use of different standards, including Fields in Trust could be considered as part of a review of the Local Plan.	No change
38	OS17	Knaresborough Town Council	Developers should make contributions towards major parks and gardens outside of the distance limits currently in place. Houses currently under construction around Knaresborough are making no contribution to necessary improvements at The	Distance thresholds are used to ensure that open space contributions are used for open space in locations accessible to new residents. Any new open space provided is open to all in the same way that existing open space is open to all.	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
			Castle, Bebra Gardens, Conyngham Hall and similar areas. These residents will all make use of these facilities.		
	Quantity standards				
39	OS12	Harrogate and District Green Party	The standard for natural green space needs more detail. Natural England's Accessible Natural Green Space Standards recommends "everyone...should have an accessible natural greenspace: of at least 2 ha, no more than 300 metres (5 minutes walk) from home; at least one 20 ha site within two kilometres of home; one 100 ha site within five kilometres of home; and one 500 ha site within ten kilometres of home; plus - a minimum of one hectare of statutory Local Nature Reserves per thousand population.	Due to differences in methodology and definitions, Natural England's Accessible Natural Greenspace standards are not easily comparable with the standards the council uses. In particular it is highlighted that NE's 'natural greenspace' is not analogous with the council's 'natural and semi-natural greenspace and may also include parks and gardens and spaces of other typologies depending on how they are managed. The SPD sets out an approach to standards that is based on the approach already in use, which the council can demonstrate does not make development unviable. Use of a wholly new approach to standards would require significant additional work to demonstrate viability that cannot be justified at this time. The use of different standards, including Natural England's Accessible Natural Greenspace standards could be considered as part of a review of the Local Plan.	No change
	Quantity standards: outdoor sports				
40	OS31	Sport England	Section welcomed; will ensure that any new sport facilities are delivered in line with an up to date evidence base.	Comments noted	No change
41	OS31	Sport England	Use of the Active Places Power Sport Calculator is welcomed.	Comments noted	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
42	OS31	Sport England	Understand that Harrogate have, or are producing a Built Sports Facility Strategy, although Sport England has not had any sight of this document. Provided this is a robust and up to date document, this should also be used as the evidence base to inform the provision of new sport facilities covered by this document.	The council is producing a Built Sports Facility Strategy and this will be used to inform applications relating to indoor sports, however, the guidance in this document relates only to outdoor sports facilities.	No change
43	OS35; OS37; OS44; OS46	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	The Council is updating the Playing Pitch Strategy (PPS). It is questioned how the SPD can be prepared ahead of the relevant evidence base being available and there is no information regarding whether the PPS will be the subject of consultation. The SPD is premature, as the PPS is not finalised and not available, yet is relied upon, in conjunction with the Playing Pitch Active Places Power Calculator and the draft SPD, to calculate Outdoor Sports provision including in west Harrogate. It is unfair that the development industry does not have the opportunity to comment or input into the PPS. Consultation on the SPD should therefore be deferred until this fundamental information is available.	NPPF para 96 requires that policies should be based on robust up-to-date assessments of the need for open space, sport and recreation facilities and opportunities for new provision. The information should then be used to determine the provision that is needed, which plans should seek to accommodate. National guidance in the PPG on how to assess needs for sports facilities identifies Sport England's guidance. The PPS is being produced in conjunction with key stakeholders including Sport England. The PPS is an evidence base document that assesses the level of supply and demand for outdoor sports facilities. The SPD identifies that this evidence will be used to inform the assessment of provision for outdoor sports but does not pre-judge its findings. The exact provision sought would be identified by the Open Space Consultation Group taking into account the PPS, results from the Active Places Power calculator and the issues, policies and evidence set out in the appendix.	No change
			Quality standards		

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RowNo	ID	Name	Comments	Response	Amendments to SPD
44	OS22; OS28	Persimmon Homes (Yorkshire); Homes England	Paragraph 2.53 advises that open space is considered to meet the quality standard where the assessment results in a score of 80% or greater. Can a scoring matrix be provided to ensure a clear and transparent approach?	The scoring matrix for the open spaces involved in the assessment of a proposal can be made available on request. This will show the score for each relevant attribute.	No change
45	OS37; OS46	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	It is not clear whether the threshold of 80% or greater for an open space to be considered to meet the quality standard applies to the overall score (cumulative score of the individual attributes) or whether each relevant attribute is required to meet 80% i.e. score at least 8 out of 10. Each of the 5 attributes include a range of requirements, ranging from 1 – 6 different elements. Do the 6 elements of the 'Clean and well-maintained' attribute have equal importance or is one element more important than another? It should be made clear which attributes are applicable for the quality standard for each open space type. Paragraph 2.51 is ambiguous. A table would be helpful as set with each relevant attribute highlighted against each open space type.	The threshold of 80% or greater for an open space to be considered to meet the quality standard applies cumulatively across all relevant aspects of the assessment of an open space. An open space would receive a score of 0 to 10 for each of the 5 headings relevant to the open space type. The score is derived from considering the more detailed attributes under the heading, which are relevant to the particular space. The importance of each requirement to the score would be based on the nature of the open space being assessed. It is not considered necessary to include details of each combination of attributes that might be relevant to every open space as this would be too numerous and there may be a need to update the details of assessment rationales if they no longer reflect evolving community needs. The scoring matrix for the open spaces involved in the assessment of a proposal can be made available on request. This will show the relevant attributes and their score.	Amend para 2.52 to clarify that open spaces receive a score of each heading rather than each individual requirement
2.6 Assessing whether development contributions are required: a detailed guide for developers					
When does the assessment take place?					

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RowNo	ID	Name	Comments	Response	Amendments to SPD
46	OS38; OS47	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	Footnote to paragraph 2.56: Refers to the Council's intention to provide an online calculator enabling applicants to generate indicative figures when preparing an application. This would be welcomed by our clients, providing greater transparency and fixed information early on in the application process. It is unfortunate that there are no timescales for when this on-line tool will be available.	Support for an on-line calculator is noted. It is highlighted that the information provided by the calculator would be indicative rather than fixed, as set out in the footnote, since the baseline information used is subject to change over time. As set out in para 2.56, the actual assessment takes place as part of determining a relevant planning application.	No change
What are the stages within the assessment?					
Stage 1: Identifying existing accessible open space					
Stage 2: Quantity Test					
Step A: Calculate the existing quantity of the open space type being assessed that would be accessible to the new residents					
47	OS38; OS47	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	There is no reference to how the Council calculates the quantity. This relates to transparency; applicants should be able to interrogate the Council's mapping of the quantity of existing open space within the catchment. The Council need to be consistent in the mapping of quantity of open spaces.	Clarification will be provided to explain that the council has mapped open spaces in the district and this information is used. It is agreed that consistency and accuracy is important. Details of the areas of open space identified by Stage 1: Identifying existing accessible open space can be provided on request	Amend box B in stage 1 to explain that the council has mapped the open spaces of each typology in the district and this information is used.
Step B: Estimate the increase in population arising from the proposed development.					
48	OS38; OS47	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	The Quantity Test uses an 'assumed occupancy rate' to calculate the estimated population of a proposed development. There is no evidence to justify these assumed occupancy figures. For example, it is questionable that 5+ bed properties have 5 residents in them; 2 or 3 bed dwellings which could be occupied by a single person,	It is considered important to employ an approach that recognises that different sized properties have different potential for occupancy and therefore different potential to generate need for open space. This is in part to demonstrate that contributions are fairly and reasonably related in scale and kind to the development (as required by reg 122) but also to make it less likely that	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
49	OS38; OS47	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	<p>who requires a spare bedroom. It is recommended that occupancy figures are updated based on clear evidence.</p> <p>There is no 'one rule fits all' in terms of assuming the number of residents. The uncertainty is recognised in the 2018 HEDNA 'Understanding how households occupy homes' paragraph 10.18. There is clearly no exact science, and it is acknowledged that the Council is working with an assumed number of residents; however further clarity is sought. What is particularly relevant in the existing pandemic, is the need for home working and therefore the need for homes with more bedrooms to use for home working. This will reduce the assumed number of residents.</p>	<p>open space is being under or over provided on individual developments. It is agreed that there is no one rule fits all and assuming occupancy is not an exact science. The call for evidence of occupancy levels in the district is noted, however, it is highlighted that this may involve significant work yet still be unrepresentative of occupancy levels in newly built developments.</p> <p>Occupancy levels may also change over time as new properties (or their residents) age and through socio-economic changes affecting properties across the district. The approach set out involves a simple rule of thumb, which is considered proportionate. The benefits of this include being relatively straight forward to calculate whilst still recognising that different sized properties have different potentials for level of occupation.</p>	No change
	Step D: Identify whether there is a sufficient existing over-supply of the open space type that can accommodate the needs arising from development				
50	OS8/OS9	Kath West	<p>How are the postcodes that are used to estimate the existing population decided, for example, in Dishforth has just YO7 been used or have the YO32 houses on the airfield been included?</p>	<p>The area where the existing population is estimated is the catchment relevant to the type of open space being assessed. See from para 2.38, which includes explanation that catchments are defined based on the distance from</p>	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
Where should new open space be provided?					
51	OS12	Harrogate and District Green Party	Paragraph 2.72: Where it is not possible to provide all of the new open space required on-site...the council may instead require a contribution towards the provision of new accessible open space away from the development site. Replace 'may require' with 'will require'	As set out in paras 2.73 to 2.75 it is not always possible to deliver new open space off-site within an accessible distance. These paragraphs go on to explain how developer contributions would still be required in these circumstances	No change
52	OS32	Sport England	Approach supported. Occupiers of new developments will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increase without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. On site provision may not always be appropriate and an off site contribution could provide a new sport facility to meet demand. Enhancing existing sport facilities would also increase its ability to cope with increased demand.	Comments noted	No change
Stage 3: Quality Test					
53	OS22; OS28	Persimmon Homes (Yorkshire); Homes England	In cases where there is more than one accessible open space, the approach is to use any contributions to fund improvements to the open spaces	Support for approach noted. It is highlighted that one aspect is being amended in response to other comments. Where there is more than	Amend Stage 3: The Quality Test-box C to explain that when more than one open space within distance thresholds require improvement priority for funds

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RowNo	ID	Name	Comments	Response	Amendments to SPD
54	OS32	Sport England	<p>closest to the site and if there are monies available, to then move to the next nearest open space and this process is then repeated. If there are no further accessible open spaces then the contribution would be reduced to reflect the amount required. Our client supports this approach but requests that text is included to clarify that the catchment area relates to those defined in Table 2.1.</p> <p>Any new sport facility provided should be fit for purpose and safe to play sport on. Poor quality provision could result in facilities that cannot be used due to safety concerns or because they do not meet relevant design guidance or National Governing Bodies for Sports guidance. The SPD should make specific reference to any new sport facility being fit for purpose and either meeting Sport England or the relevant National Governing Body for Sport design guidance.</p>	<p>one open space within the catchment defined by table 2.1 that requires improvement the requirement to direct funds to the closest in all cases is being amended to allow a more flexible approach that can also take account of the level of need for improvement.</p> <p>The accessible open spaces being assessed in stage 3: The Quality Test are those identified through stage 1: Identifying Existing Accessible Open Space. Text will be added to box A in stage 3 to make this link more explicit. The link between stage 1 and the accessibility standards in table 2.1 will be made more explicit in box A of stage 1. It is not considered necessary to refer to table 2.1 within stage 3.</p> <p>Para 2.68 (under the heading 'Where should new open spaces be provided?') highlights that new open space must meet the relevant quality standard, however it is agreed that further guidance should be provided, in particular in relation to sports provision.</p>	<p>would normally be given to space closest to the site but that the level of need for improvements will also be considered.</p> <p>Amend box A in stage 3 to further clarify that the open spaces being quality assessed are those highlighted by stage 1. Amend box A in stage 1 to include reference to table 2.1: Open Space Accessibility Standards.</p> <p>Add further information under the heading 'Where should new open spaces be provided?' setting out that new or enhanced sport facilities must meet their primary purpose and also meet either Sport England or the relevant National Governing Body for Sport design guidance</p>
2.7 How are financial contributions for new off-site open space calculated?					
55	OS10	Marion cum Grafton Parish Council	<p>Using a land value of £35,000 per hectare may reflect the value of agricultural land but land suitable for recreational needs to be level, have road access and be adjoining a</p>	<p>The quality and attributes of land suitable for open space provision will vary depending on the open space type being delivered, in relation to its primary function. The land value used</p>	<p>No change</p>

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RowNo	ID	Name	Comments	Response	Amendments to SPD
56	OS22; OS28	Persimmon Homes (Yorkshire); Homes England	settlement, which would cost in excess of this due to hope value relating to future development potential Suggest that text is included to explain that where on-site open space is provided but where there is a shortfall against a typology, a contribution would only be sought for the shortfall against the typology.	is considered appropriate and is an amount the council can demonstrate does not make development unviable. Use of a significantly higher figure would require significant additional work to demonstrate viability, which cannot be justified at this time. Amending this approach could be considered as part of a review of the Local Plan. The council would only seek a financial contribution for off-site open space provision for areas that would not be delivered on-site. Further clarity will be added.	Amend para 2.81 to state: This would usually occur when it is not possible to provide <u>some or all</u> of one or more of the types of open space required on-site. The financial contribution would <u>relate to the open space not delivered on-site</u> and be used to deliver new open space that is accessible to the new residents. Amend para 2.72 to state: 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 away from the development site (off-site). <u>This payment would relate to the open space not provided on-site.</u>
57	OS22; OS28	Persimmon Homes (Yorkshire); Homes England	As Section 2.7 discusses how contributions will be calculated and as development viability is extremely important, text should be included to	NPPF para 34 requires that the contributions sought from development through local plan policies do not undermine delivery of the plan. This requirement is highlighted in section	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
58	OS39; OS48	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	explain that any contributions are subject to viability. Apart from the reference in Chapter 1 to Policy T14 (Delivery of New Infrastructure), which refers to viability, there are no other references within the draft SPD. Table 2.7 includes a cost for each open space type relating to the number of rooms of proposed dwellings. Logically this should be number of Bedrooms rather than number of rooms. This also applies to Table 2.9.	one, where it goes onto explain that the viability of development to meet the plan's contributions policies, including the approach to open space and village halls, as well as the CIL has been accepted through independent examination. The SPD increases predictability on the level of contributions that will be sought. The tables will be updated to provide greater clarity.	Amend tables 2.7 and 2.9 to clarify that the size of dwellings is measured by the number of bedrooms.
59	OS39; OS48	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	It is questioned why there is a financial contribution requirement for Allotments when these are usually self-financing via annual rents. A maintenance commuted sum to cover 10 years is not required as, by their nature, allotments are maintained by their users. Where an identified need will arise as a result of a large development, and allotments can be provided on-site, they should be made available to residents of the new housing only.	A financial contribution would be only be required where a development would give rise to a need for new allotments and these are not being provided on the development site. While allotment holders are required to keep plots tidy and cultivated the maintenance of shared areas and facilities is still required. The relatively low per hectare maintenance fee for allotments compared to other open space types reflects the fact that across the site as a whole the need for maintenance is less than for other open spaces. All new open spaces needs to be available for use by the wider public in the same way as existing open space is available for use by the new residents, this is no different for allotments.	No change
60	OS39; OS48	Anwyl Homes, Banks Group and Gladman Developments;	Question the need for a financial contribution for Cemeteries, disused churchyards and other burial grounds.	The open space function of publicly accessible cemeteries, disused churchyards and other burial	Amend section 2.4: Assessing Whether Open Space is Required: An Overview and section

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RowNo	ID	Name	Comments	Response	Amendments to SPD
		Taylor Wimpey UK Ltd and Vistry Group	A developer should not be required to pay for this typology when Cemeteries are a Council duty paid for and maintained through local Council Tax collected from residents, with no operational requirement to seek this up front. How does the development of new dwellings relate to a need for this payment? There can be no logical CIL Regulation 122 link between new housing and deaths and the upkeep of church yards and cemeteries.	grounds has been acknowledged in the council's approach to open space for a number of years. These areas provide local people with pleasant areas to walk, sit, contemplate and reflect, and are particularly important in rural areas where they may be the only open space in a village. The council does not seek developer contributions for the provision of new areas of this open space type and does not intend to begin doing so. The guidance will be clarified to state this explicitly. Although contributions may be sought for enhancement to these areas, subject to the quality test, enhancements are aimed at meeting the 'vision' for this open space type, which relates solely to open space functionality rather than any use (where this continues) for new burials. Where burials are taking place burial fees relate only to the purchase of the plot.	2.6: Assessing Whether Open Space is Required: A Detailed Guide for Developers to clarify that new provision of cemeteries, disused churchyards and burial grounds is not sought. As such a quantity test is not carried out but a quality test is carried out to assess whether enhancements are required.
2.10: Role of the Open Space Consultation Group and Planning and Development Management Service					
61	OS33	Sport England	As part of these process, the Council may want to consider seeking Sport England's views as part of a pre application enquiry. Sport England can then seek the views of the relevant National Governing Bodies for Sport. Sport England keeps pre application enquiries confidential, therefore permission must be given to Sport England to confidentially seek the views of the relevant sporting bodies.	The council consults Sport England on relevant proposals as a matter of course. The information relating to seeking the views of governing bodies is appreciated. Information on consulting Sport England will be added to the guidance	Add paragraph after para 2.118 to explain that the council will seek the view of Sport England and may ask for the views of relevant governing bodies

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62	OS40; OS49	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	Incorrect references to later sections are included in paragraphs 2.115 and 2.116. For example, pre application enquiries triggering the thresholds for open space are not set out in section 4.1; nor is the Open Space Calculator explained in section 4.3 and 4.5.	The highlighted references in paras 2.115 and 2.116 are not considered necessary and will be removed.	Para 2.115: remove ref to section 4.1. Para 2.116: remove ref to sections 4.3 and 4.5.
63	OS40; OS49	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	Will the Open Space Consultation Group be a statutory consultee on all applications triggering open space? Details should be included regarding how often this 'consultation group' meets, and links to any minutes of meetings should be made available/details provided within the SPD.	Seeking the views of the Open Space Consultation Group (OSCG) will not be a statutory requirement, however, views will be sought where on-site open space is required. Format and timings of meetings of the group will be dependent on the types of development proposals received by the council. The comments of the OSCG in relation to a particular application will be provided to the case officer and made publicly available on the planning file for the application in the usual way.	No change
64	OS40; OS49	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	Welcome engagement with the Planning and Development Management Service early on in the process relating to open space requirements and assume this is best achieved via a pre-application service. This will give certainty to developers and assist in the design process. It is requested that feedback from the Council is delivered in a timely manner and there is a degree of flexibility and common sense in negotiating on site open space, suitable to individual site requirements and constraints.	Comments noted	No change
Section 3: Provision for village halls					
3.1 Background					

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RowNo	ID	Name	Comments	Response	Amendments to SPD
65	OS18	Knarborough Town Council	Village halls should be renamed Community Halls	The naming of individual halls is normally a matter for the bodies managing the halls, however, the SPD should be clearer that it also relates to community halls.	Amend background to clarify that the guidance also relates to facilities named community halls.
3.2 Village hall vision					
66	OS8/OS9	Kath West	Paragraph 3.7: When were these assessments carried out and by who?	Village hall quality assessments were carried out throughout 2020. The assessment was devised by Harrogate Borough Council and completed by the bodies responsible for halls with support from the council.	No change
67	OS41; OS50	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	Paragraph 3.8: Incorrect reference to paragraph 5.3	The reference related to a previous iteration of the draft document. It is not considered that a reference is required at this point.	Amend para 3.8 to remove reference to para 5.3
68	OS41; OS50	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	Paragraph 3.5: Are the results of the consultation with local communities available to view? It would be helpful to see if there are any specific perceptions of key functions and features of site-specific Village Halls in the District, and in particular to the west of Harrogate.	Sites allocated as part of the urban extension of on the western edge of Harrogate are not required to contribute to village halls as they form an extension of Harrogate. The consultation highlighted relates to features of halls generally rather than specific halls and key features identified informed the vision. Evidence relating to individual halls, such as quality assessments, can be made available on request. Identifying wider perceptions of a local village hall to inform proposals would best be done through pre-app consultation with the community.	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
69	OS41; OS50	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	Table 3.1: How have the minimum size standards of village hall requirements been derived? There is no information regarding why 100 sqm is the minimum size of a 'main hall' or why 38 sqm is the minimum size of a 'meeting room.' Further justification is required. Should minimum size requirements be used, they should be subject to flexibility to account for local circumstances. This should be referenced in the SPD.	The minimum size standards are intended to ensure that new halls and enhancements to existing halls are able to meet the village hall vision. The standards are not prescriptive but as the guidance states, regard should be had to them.	Add text under the heading 'Where should new village halls be provided' to explain that regard should be had to size standards but detailed design of new halls should be discussed with the council through the pre-app/application process
3.3 When might village hall contributions be required?					
70	OS18	Knarborough Town Council	Village/community should be provided wherever the existing population of an area grows significantly due to housing. Village halls are useful places in our community and used for such things as polling stations.	Para 3.15 explains that contributions for village hall provision is not sought from developments in the district's main urban areas of Harrogate, Knarborough and Ripon. This is because communities in these settlements generally have greater opportunities to access a wider range of community facilities. In light of this it is considered appropriate that developer contributions for infrastructure in these locations are directed towards other infrastructure needs of the area.	No change
71	OS19	Knarborough Town Council	A community hall should be provided as part of the Manse Farm housing. A recent 400 home development in a rural ward should have been made to provide a village hall, but it wasn't. This development was "seen as an urban extension" and therefore there was no requirement to provide a village hall. This is wrong, the rule should be applied equally to all rural wards, even if the development was on the border	Para 3.15 explains that contributions for village hall provision is not sought from developments in the district's main urban areas of Harrogate, Knarborough and Ripon. The approach followed is based on the settlement where development takes place rather than the ward, which reflects the fact that some rural wards contain parts of the district's largest urban settlements. This ensures that development across an individual settlement is treated in the same way.	Amend section 3.3 to clarify how the extent of the main urban areas of Harrogate, Knarborough and Ripon are defined

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RowNo	ID	Name	Comments	Response	Amendments to SPD
72	OS18		<p>of a town. A line needs to be drawn somewhere, and this should be respected.</p> <p>In Knaresborough, concern that existing polling stations cannot accommodate further electors. Policy should not only apply in rural areas</p>	<p>Para 3.15 explains that contributions for village hall provision is not sought from developments in the district's main urban areas of Harrogate, Knaresborough and Ripon. This is because communities in these settlements generally have greater opportunities to access a wider range of community facilities. In light of this it is considered appropriate that developer contributions for infrastructure in these locations are directed towards other infrastructure needs of the area.</p>	No change
73	OS23; OS29	<p>Persimmon Homes (Yorkshire); Homes England</p>	<p>Agree with the approach that the criterion for village halls would only apply to any uplift in the net number of additional bedrooms created through a revised planning permission (para. 3.11) and that the exemptions include renewal of planning permissions that had not expired at the time of submission (para. 3.15).</p>	<p>The references to revised planning applications and renewal applications in paras 3.11 and 3.15 is not considered necessary and may give rise to confusion.</p> <p>For the avoidance of doubt the type of application (as opposed to the type of development proposed) is not relevant to whether the policy requirement applies. Where a revised application is received any previous calculation of the need for village hall provision would not be recalculated unless the revisions change information that is material to the calculation.</p>	<p>Paras 3.11 and 3.15: remove references to revised planning applications and renewal applications from the bullet lists.</p>
74	OS42; OS51	<p>Anwyl Homes, Banks Group and Gladman Developments;</p>	<p>Paragraph 3.15: Clarity is sought on the types of proposals which are excluded/ exempt from contributions for Village Halls. In particular in relation to the exclusion of 'new housing</p>	<p>Para 3.15 explains that contributions for village hall provision is not sought from developments in the district's main urban areas of Harrogate, Knaresborough and Ripon. It is agreed</p>	<p>Amend section 3.3 to clarify how the extent of the main urban areas of Harrogate, Knaresborough and Ripon are defined</p>

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RowNo	ID	Name	Comments	Response	Amendments to SPD
75	OS42	Taylor Wimpey UK Ltd and Vistry Group Anwyl Homes, Banks Group and Gladman Developments	development in the urban areas of Harrogate, Knaresborough and Ripon'. Clarity is required in the SPD that explicitly references allocations within the development limits of Harrogate, Knaresborough and Ripon as being exempt. We require confirmation that the exemption includes Local Plan allocations H49 and H51. These are on the western edge of Harrogate but are contained within the Development Limit and are therefore part of the urban area and ought to be exempt. It is noted that Village Hall contributions are required on all developments of 5 or more dwellings in designated rural areas (paragraph 3.10). It is also noted that the plan at Appendix 1 appears to show H49 and H51 within a non-designated rural area, which would therefore be exempt. It would be helpful if the wording of the SPD made it clear that Village Hall contributions are not required on sites in non-designated rural areas.	that further clarity on how the extent of the urban areas is defined should be provided. This will make clear that these areas are defined by the development limit for each settlement. As sites H49 and H51 are urban extensions of Harrogate and are within the development limit they are excluded from village hall contributions. However it is not considered necessary to list in the guidance how individual local plan allocations relate to the requirements. Outside of the development limits for Harrogate, Knaresborough and Ripon all sites are captured by the requirement (subject to the type and scale of development taking place), irrespective of whether they are in designated or non-designated rural areas, although it should be noted that thresholds are different in designated and non-designated rural areas. Further clarity will be provided.	Amend section 3.3 to clarify that sites outside of the urban extents of Harrogate, Knaresborough and Ripon may be required to make contributions for village hall provision whether they are in a designated rural area or a non-designated rural area.
3.4 Assessing whether development contributions are required: an overview					
76	OS23; OS29	Persimmon Homes (Yorkshire); Homes England	Paragraph 3.20: It is noted that the flowchart is not visible. Please could this be provided.	It is considered that the flowchart included after para 2.24 and the flowchart intended to be included after para 3.20 are not required.	Remove ref to flowchart at para 3.20. Remove flowchart after para 2.24

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RowNo	ID	Name	Comments	Response	Amendments to SPD
77	OS12	Harrogate and District Green Party	Add a requirement for full consultation with local communities during the assessment of the existing provision/ need for extra provision and the contributions required.	Existing provision is assessed by the body responsible for the hall with the support of the council. These bodies can consult with hall users and the wider community if they consider it appropriate. Assessment of whether new provision is required must meet legal test and takes place in-line with the process outlined in this guidance. Local communities are able to comment on applications for planning permission.	No change
	Quantity test				
	Quality test				
78	OS23; OS29; OS41; OS50	Persimmon Homes (Yorkshire); Homes England Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	Paragraph 3.30: Incorrect reference to section 5.5.	The reference related to a previous iteration of the draft document and should be updated	Amend para 3.30 to remove reference to section 5.5 and add reference to section 3.6
	3.5 Provision standards				
	Quantity standards				
79	OS23; OS29	Persimmon Homes (Yorkshire); Homes England	Strongly object to seeking one village hall per 650 people and seriously concerned no evidence has been provided to justify this. This is contrary to the NPPF which requires that all policies are underpinned by relevant and up-to-date evidence, which takes	The approach is a local standard based on the level of provision which is, on average, currently available and aims to maintain this level. This standard was chosen following surveys of residents in rural areas, which broadly revealed satisfaction with the current	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
			into account relevant market signals (para. 31). This figure is considered extremely excessive. E.g. a development of 200 homes outside of Harrogate, Knaresborough or Ripon would need to provide a village hall. Our client recognises the importance of providing community facilities; however, they are seriously concerned this could result in the village halls provided being underused.	level of provision. This is considered a logical, reasonable and proportionate approach	
		Quality standards			
80	OS12	Harrogate and District Green Party	Paragraph 3.36: Add the following to the assessment of the quality of village halls: heating type and cost and energy efficiency; cycle storage/ locking facilities; access via public transport; electric charging points	Para 3.35 explains that the quality of village halls were assessed in 2020. This was based on an updated quality standard that includes: thermal efficiency (insulation) and on-site renewable energy; as well as cycle parking. The survey also records the presence/absence of electric vehicle charging points. This should be noted in the SPD. It is not considered appropriate to assess village hall quality against public transport provision as this is beyond the responsibilities of the bodies who manage halls.	Amend section 3.5 Provision Standard (quality standard) to clarify aspects covered in the quality standard and the assessment of hall quality
81	OS23; OS29	Persimmon Homes (Yorkshire); Homes England	Paragraph 3.35 advises that the village halls have been recently assessed (2020) against the quality standards and paragraph 3.38 advises that 13 statements are used to assess the quality of a village hall, with a score of under 80% not meeting the quality standard. Could the assessment and scoring criteria be made publicly available, to ensure a clear and transparent approach? Introduction of a scoring matrix would be beneficial.	It is agreed that further detail should be provided regarding the quality standard and the recent assessment of halls. The assessments of individual halls can be made available on request.	Amend section 3.5 Provision Standard (quality standard) to clarify aspects covered in the quality standard and the assessment of hall quality

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RowNo	ID	Name	Comments	Response	Amendments to SPD
82	OS42; OS51	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	The quality tests of the Village Halls should be available on the Council's website, along with the identified issues/ challenges affecting the individual Village Halls as stated by the management committee / parish council representatives (paragraph 3.39). Information should be included regarding how often the Village Hall quality tests are carried out, in order to account for contributions received and any upgrades that have been carried out. An annual quality test would be considered appropriate.	It is not considered practicable to publish surveys for the over 80 village halls in the district. Similarly it is not practicable or necessary to re-assess every village hall annually, reassessments will take place as required. Completed survey forms that include the quality assessment and the issues/challenges identified by the responsible body can be made available on request. If an applicant considers an assessment may be out-of-date a request could be made for reassessment. This would be considered with regard to whether there is a reasonable likelihood that scores would have changed.	No change
83	OS34	Sport England	Paragraph 3.36: Village and community halls are the smallest buildings that can accommodate a sports programme. Sport England has produced guidance on this. Any new sports provision in village halls should be determined by an evidence base as set out in earlier comments. The SPD should be amended to include and recognise the sporting use of village halls.	The SPD recognises that, in general, village halls can have potential for sports but also recognises that while some facilities are used in this way others are not. The village hall quality assessment includes consideration of this for relevant halls. Contributions made to village hall provision could, therefore, be used to enhance this aspect. Further information on the quality assessment will be added to the SPD	Amend section 3.5 Provision Standard (quality standard) to clarify aspects covered in the quality standard and the assessment of hall quality
3.6 Assessing whether developer contributions are required: a detailed guide for developers					
84	OS23; OS29; OS41; OS50	Persimmon Homes (Yorkshire); Homes England; Anwyl Homes, Banks Group and Gladman Developments;	Paragraph 3.40: Incorrect reference to section 5.3	The reference related to a previous iteration of the draft document and should be updated	Amend para 3.40 to remove reference to section 5.3 and add reference to section 3.4

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RowNo	ID	Name	Comments	Response	Amendments to SPD
85	OS23; OS29	Taylor Wimpey UK Ltd and Vistry Group Persimmon Homes (Yorkshire); Homes England	Development viability is critical. Request that text is included in Section 3.6 which advises that contributions are subject to viability, in accordance with Harrogate Local Plan Policy T14	NPPF para 34 requires that the contributions sought from development through local plan policies do not undermine delivery of the plan. This requirement is highlighted in section one, where it goes onto explain that the viability of development to meet the plan's contributions policies, including the approach to open space and village halls, as well as the CIL has been accepted through independent examination. The SPD increases predictability on the level of contributions that will be sought.	No change
When does the assessment take place?					
86	OS38; OS47	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	Footnote to paragraph 3.42: Refers to the Council's intention to provide an online calculator enabling applicants to generate indicative figures when preparing an application. This would be welcomed by our clients, providing greater transparency and fixed information early on in the application process. It is unfortunate that there are no timescales for when this on-line tool will be available.	Support for an on-line calculator is noted. It is highlighted that the information provided by the calculator would be indicative rather than fixed, as set out in the footnote, since the baseline information used is subject to change over time. As set out in para 2.56, the actual assessment takes place as part of determining a relevant planning application.	No change
What are the stages within the assessment?					
Stage 2: Quantity test					
Step B: Estimate the increase in population arising from the proposed development.					
87	OS38; OS47	Anwyl Homes, Banks Group and Gladman Developments;	The Quantity Test uses an 'assumed occupancy rate' to calculate the estimated population of a proposed	It is considered important to employ an approach that recognises that different sized properties have different potential	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
		Taylor Wimpey UK Ltd and Vistry Group	<p>development. There is no evidence to justify these assumed occupancy figures. For example, it is questionable that 5+ bed properties have 5 residents in them; 2 or 3 bed dwellings which could be occupied by a single person, who requires a spare bedroom. It is recommended that occupancy figures are updated based on clear evidence.</p> <p>There is no 'one rule fits all' in terms of assuming the number of residents. The uncertainty is recognised in the 2018 HEDNA 'Understanding how households occupy homes' paragraph 10.18. There is clearly no exact science, and it is acknowledged that the Council is working with an assumed number of residents; however further clarity is sought. What is particularly relevant in the existing pandemic, is the need for home working and therefore the need for homes with more bedrooms to use for home working. This will reduce the assumed number of residents.</p>	<p>for occupancy and therefore different potential to generate need for open space. This is in part to demonstrate that contributions are fairly and reasonably related in scale and kind to the development (as required by reg 122) but also to make it less likely that open space is being under or over provided on individual developments. It is agreed that there is no one rule fits all and assuming occupancy is not an exact science. The call for evidence of occupancy levels in the district is noted, however, it is highlighted that this may involve significant work yet still be unrepresentative of occupancy levels in newly built developments. Occupancy levels may also change over time as new properties (or their residents) age and through socio-economic changes affecting properties across the district. The approach set out involves a simple rule of thumb, which is considered proportionate. The benefits of this include being relatively straight forward to calculate whilst still recognising that different sized properties have different potentials for level of occupation.</p>	
88	OS38; OS47	Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	<p>It is not clear where the net site areas are derived from for the differing gross site areas in Table 3.3. It is considered that a net developable area of 90% for sites between 0.4ha and 2 ha is overly high.</p>	<p>The net site areas used are the same as those used by the council in other areas of forward planning work, including monitoring housing land supply. The net areas are used to enable indicative calculations of the level of provision required only in cases where a proposal has not indicated a number of dwellings</p>	No change
		3.7 How are developer contributions for off-site provision or enhancement calculated?			

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RowNo	ID	Name	Comments	Response	Amendments to SPD
89	OS20	Knarborough Town Council	Table 3.4: Does rooms mean bedrooms? Clearly a very different result will ensue if rooms includes all living rooms. This should be made explicit.	The table will be updated to provide greater clarity.	Amend table 3.4 to clarify that the size of dwellings is measured by the number of bedrooms.
Section 4: Mechanisms for delivery of open space and village hall provisions and enhancements					
90	OS24; OS30; OS43; OS52	Persimmon Homes (Yorkshire); Homes England; Anwyl Homes, Banks Group and Gladman Developments; Taylor Wimpey UK Ltd and Vistry Group	Paragraph 4.2 bullet a: Incorrect reference to sections 3.6 and 4.5	The reference related to a previous iteration of the draft document and should be updated	Amend para 4.2 bullet a to remove reference to sections 3.6 and 4.5 and add reference to sections 2.5 and 3.5
91	OS24; OS30	Persimmon Homes (Yorkshire); Homes England	Paragraph 4.2: Support the inclusion of the specific tests for the use of planning obligations, as set out under Regulation 122(2) of the CIL Regulations.	Comments noted	No change

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RowNo	ID	Name	Comments	Response	Amendments to SPD
92	OS24; OS30	Persimmon Homes (Yorkshire); Homes England	Paragraph 4.4: states that any funds unspent 10 years after completion of the development will be repaid to the applicant. Persimmon considers this period too long. In the case of large-scale developments, where some payments could be made prior to commencement or phased throughout the construction period, situations could arise where it could be 15 to 20 years before this is triggered. As such, a 10 year period is considered to be unreasonable. Persimmon respectfully requests that the period is reduced to 5 years.	All funds secured for new or enhanced open space or village hall provision are required so that the development does not place an undue burden on existing infrastructure. However some funds, particularly those from smaller schemes, are not sufficient on their own to fund a new piece of infrastructure or an identified enhancement. A period of 10 years is required to allow a reasonable time for future development generating funds to come forward so that the necessary provision can be delivered.	No change

Table 3.1 Summary of issues raised