
Part 2 Section 2

Recreation Open Space

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Recreation Open Space

Justification

2.2.1 The detailed policy basis and justification for seeking developer provision or contributions in respect of Recreation Open Space (ROS) is set out in national planning policy guidance (e.g. PPG17), the development plan (Regional Spatial Strategy and the saved SDLP – particularly Policy RT2) and is further detailed in this document below.

Land Use

2.2.2 Normally, only developments involving residential units will be considered for developer provision or contributions, in the form of Recreation Open Space. Such sites would include those with schemes for mixed-use developments with a residential component.

2.2.3 Exceptionally, provision or a contribution in respect of Recreation Open Space may be sought in connection with major retail and employment generating developments. This would only be the case where a direct impact on the need for Recreation Open Space in the local area around the site, or a need generated on-site (e.g. a play area and sitting out area at a supermarket/retail park or business park) can be demonstrated to arise directly out of the development, or be justified in order to mitigate the impacts of the development on the local community or the public realm (there may be an overlap with those subject areas - see Part 2 Sections 4 and 6 below)

Thresholds

2.2.4 In considering whether or not developer contributions relating to Recreation Open Space will be sought, all sites where residential development involving 5 dwellings or more is proposed are 'eligible'. For major retail and employment generating uses no threshold is specified, instead non-residential sites will be assessed individually to identify the impact it would have on the need for Recreation Open Space in the local area.

2.2.5 In assessing whether a proposed development or a site is eligible for seeking the provision of Recreation Open Space, the number of dwellings specified in this guidance will apply to or take into account the cumulative area to be developed for housing. For example, where a development is made up of two or more phases, or is the subject of two or more separate planning applications, the total number of dwellings will be the basis for determining whether provision will be sought. Thus developers should be aware that the Recreation Open Space requirement cannot be avoided by dealing with a site through more than one planning application.

Methodology

- 2.2.6 In Policy RT2 of the Selby District Local Plan (SDLP) – “Open space requirements for residential development”, the general methodologies for determining the need for ROS contributions, in kind or money are set out. The guidance set out below amplifies that Policy and describes fully its implementation.
- 2.2.7 The Council has published a companion document ‘Selby District Recreation Open Space Strategy’. The Strategy contains information on the availability of certain types of Recreation Open Space across Selby District, contains assessments of the need for additional ROS and improvements to existing facilities and includes indications of locally defined priorities for Recreation Open Space provision.
- 2.2.8 The basic parameters set out in Policy RT2 will remain unchanged, but the calculation methods and other detailed aspects of assessing the expected scale of contributions will be up-dated from time-to-time, to keep the sums involved in line with inflation and may be subject to other changes should circumstances indicate that they are necessary and justified.
- 2.2.9 The first fundamental principle guiding the location of Recreation Open Space and facilities provided as a result of a planning permission, is that they should wherever possible be on or close to the development site, The exceptions to this principle are set out in Policy RT2 of the Selby District Local Plan (SDLP) and further details are set out below. The second main principle is that wherever possible the ROS should be owned and managed by the locally elected representatives of the local community, the Town or Parish Council in which the provision is made, or their nominated body or organisation.

Planning Guidance for Recreation Open Space

Purpose of this Planning Guidance

The purpose of this Planning Guidance, which forms part of the Developer Contributions Supplementary Planning Document, is to set out and explain the Council's requirements for the provision of Recreation Open Space established in Policy RT2 of the Selby District Local Plan. It provides detailed advice on levels of provision for open space and where it is to be provided. In addition it provides details of when a commuted sum is appropriate and how contributions are calculated including the long-term maintenance of the open space. The guidance should be read in conjunction with the Council's Open Space Strategy.

1.0 Background to Recreation Open Space Requirement

National Planning Policy

- 1.1 The government is committed to the provision and enhancement of Recreation Open Space facilities. Planning Policy Statement 3 (PPS3 Housing, 2006) and Planning Policy Guidance Note 17 (PPG17 Sport, Open Space and Recreation, 2002) encourage the provision of or enable good access to community and green and open amenity and recreational space (including play space) as well as private outdoor space as part of achieving high quality housing in proposed developments.
- 1.2 PPS3 advises that particularly where family housing is proposed, it will be important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens, play areas and informal play space. There should be well-designed, safe, secure and stimulating areas with safe pedestrian access (Paragraph 17).
- 1.3 PPG17 advises that open space standards are best set locally and they should set locally derived standards for the provision of open space, sports and recreational facilities. Standards should be included in development plans (Paragraphs 6-9).

Local Plan Policy

- 1.4 Open spaces are essential in any community, not only for active sports and children's play, but also for general outdoor relaxation. The Council attaches great importance to the creation of new and retention and improvement of existing open space and recreation facilities close to where people live. The Council's 2005 survey of Recreation Open Space indicated that deficiencies in provision would be exacerbated in

some of the larger settlements where, in line with strategic policies, additional housing growth is proposed. It is essential that adequate provision for Recreation Open Space related to the scale of development be incorporated in the early planning of new residential development. The Council's standards are derived from the standards recommended by the National Playing Field Association; they are set out on Policy RT2 of Selby District Local Plan (SDLP):

“Proposals for new residential development comprising 5 or more dwellings will be required to provide Recreation Open Space at the rate of 60 square metres per dwelling on the following basis:

- (a) For schemes of more than 4 dwellings up to and including 10 dwellings, through a commuted payment to enable the District Council to provide new or upgrade existing facilities in the locality**
- (b) For schemes of more than 10 dwellings but less than 50 dwellings, the following options would be available subject to negotiation and the existing level of provision in the locality;**
 - (i) Provide open space within the site;**
 - (ii) Provide the open space within the locality;**
 - (iii) Provide the open space elsewhere;**
 - (iv) Where it is not practical or not deemed desirable for Developers to make provision within the site the District Council may accept a financial contribution to enable provision to be made elsewhere;**
- (c) For schemes of 50 dwellings or more, provision within the site will normally be required unless deficiencies elsewhere in the settlement merit a combination of on-site and off-site provision.**

Depending on the needs of residents and the total amount of space provided, a combination of different types of open space would be appropriate in accordance with NPFA standards.”

The Council may reassess these standards and local standards set as advised in PPG17 in future reviews.

2.0 What types of Open Space should be provided?

- 2.1 The National Playing Fields Association (NPFA) 2001 guidance recommends that the minimum standard of 2.4 hectares (ha) of open space per 1000 population be provided. Specific guidance is provided on areas for children's outdoor play, as follows:

Local Equipped Areas for Play (LEAP)

- 2.2 A LEAP is a piece of open space that is designated and equipped for children between the ages of four to eight years old. It should be constructed to meet the minimum standards set out by the NPFA for Local Equipped Areas for Play (LEAP). Equipped play areas should be fenced off and contain at least five pieces of fixed outdoor play equipment which comply with the relevant British safety standards. The fenced off areas should measure at least 0.04ha (400 square metres (sqm)) and should be located at a minimum of 20 metres (m) from the boundary of the nearest residential property so as to protect the residential amenities of the adjacent residents. For safety reasons, however, they should be visible from nearby houses or from well used pedestrian routes.

Local Areas for Play (LAP)

- 2.3 A LAP is a small area of open space specifically designated and laid out for young children to play close to where they live. These are normally located within 1 minute walking time from home. The LAP provides essential play opportunities for toddlers and young children in locations that are overseen by parents, carers and the local community. It caters for children up to six years in age. It should be constructed to meet the minimum standards set out by the NPFA for Local Areas for Play.

Neighbourhood Equipped Areas for Play (NEAPs)

- 2.4 A NEAP is a site that is designated and equipped mainly for older children but with opportunities for play for younger children too. A NEAP can be subdivided into two distinct parts, the first comprising a range of playground equipment and the second, an area intended for formal recreation use for e.g. pitches, courts and greens. This type of open space embraces public and educational facilities and also those in private use. Wherever possible, such areas should be made available for informal use by children. The minimum size for a youth and adult play area is dependent upon the type of facility.
- 2.5 Sports pitches should measure at least 0.81ha (based on minimum dimensions of a football pitch of 120m x 67m) plus clearance zones (9m on length and 6m on width). Youth facilities could also include such things as youth shelters, skateboard ramps or BMX tracks and five a side pitches.
- 2.6 It is important to note that only usable areas of Recreation Open Space count towards the ROS requirement. That is, verges, footpath links and

other associated landscaping and planting are not include within the ROS calculation.

3.0 When will Policy RT2 be applied?

- 3.1 The policy will be applied to all applications for new residential development of 5 or more dwellings including outline applications in sites of 0.15ha or more and renewal applications. The policy will also cover conversions and change of use applications where the development relates to 5 or more dwellings. In the case of developments consisting exclusively of single bedroom units the children's equipment and casual play space requirements will be waived, although more general leisure/amenity space may be required, particularly on flatted developments.
- 3.2 In the case of accommodation specifically designed for the elderly, applications will be subject to separate negotiation to provide appropriately sized leisure/seating areas as an alternative to play space provision.

Piecemeal Development

- 3.3 Should planning consent be given for residential development for less than 5 and then another consent on an adjoining piece of land within the same ownership be given subsequently for less than 5 dwellings, then should the aggregate number of dwellings be greater than 5, Recreation Open Space shall be provided in line with the standards set out in Policy RT2 for the combined number of dwellings.
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4.0 How much open space provision should be provided?

- 4.1 The standard referred to in Policy RT2 and PPG17 of 2.4 ha per 1000 population of open space is the minimum for all types of recreation facility. For the purpose of the calculation of the commuted sum and indeed for the negotiation of on-site provision of open space the standard shown in the second column of Table 1 will be used.
- 4.2 On a 'per dwelling' basis, worked out assuming an occupancy rate of 2.5 persons per dwelling, as for the 60m² figure in the RT2 Policy, the provision per dwelling for each type of facility will be as shown below at Table 1.

Table 1

Type	Area in m ² per dwelling	Area per 1000 Pop'n (ha)
Youth and Adult Facilities	32.5	1.3
Leisure/ Amenity Space	10	0.4
Children's Casual Play	6.25	0.25
Children's Equipped Play	11.25	0.45
Total	60	2.4

5.0 Where should the open space be provided?

5.1 The precise type and nature of open space to be provided will be subject to negotiation between the Council and the developer (and in some cases the representatives of the local community) on the basis of the Council's standards, local circumstances and the nature of the housing proposed. Various types of open space should be provided, at functional and maintainable sizes. Provision should generally be made on-site, although there may be circumstances where this is impractical because of site characteristics or other planning requirements or where off-site provision may help overcome deficiencies elsewhere.

5.2 In the case of equipped play areas, these will normally be required to be provided on-site, but in some circumstances a 5-minute walk or 400m distance from the development site may be acceptable. Casual play areas and Youth and Adult facilities should wherever possible be within reasonable walking distance of the new scheme (1.5km). If this is not possible the area should be within a reasonable cycling distance (5km). Where neither of these is possible, sites on a good public transport route can be considered.

5.3 In exceptional circumstances a site within 20 minutes drive may be considered.

5.2 In addition to ensure that the provision of usable areas of open space are provided which can be easily and economically maintained, it is not

considered appropriate to require open space provision on-site if the levels fall below the following minimum sizes:

- i) Youth and Adult facilities 0.81ha (size of a football pitch 120m by 67m).
 - ii) Children's Casual Play 0.15ha (reasonable size to provide kick-about space or basketball net).
 - iii) Children's Equipped Play Space 0.04ha.
-

6.0 When is a 'commuted sum' appropriate?

- 6.1 Occasions may arise where the provision of open space on-site is impractical for example owing to topography, the shape of the site, or because the scheme involves the conversion of existing buildings and provision cannot be achieved in the locality off-site. Alternatively the existing community may already be well served with open space. In such circumstances it may be appropriate to accept a commuted sum from the developer to enable the Council, working in conjunction with Town and Parish Council to make alternative provision elsewhere, or to enhance existing facilities, i.e. through the extension of an existing public Recreation Open Space, additional facilities on an existing public open space (including built facilities) or replacement of or improvements to existing facilities and/or fixed outdoor play equipment.
 - 6.2 This arrangement will clearly require a pro-active approach on the part of the Council, perhaps working in conjunction with Groundwork Selby and/or Parish Councils/local voluntary groups, to identify and acquire land. In order to assist this process, the Council has prepared the 'Selby District Recreation Open Space Strategy' (adopted February 2006), which identifies deficiencies, and aims to set out future needs and to assist in establishing a mechanism for providing open space across different parts of the District or upgrading existing facilities.
 - 6.3 The method that will be used in calculating contributions can be found in Annex A of this section.
 - 6.4 The way in which commuted sums are administered is explained in greater detail in Annex B of this section.
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7.0 Who pays for the maintenance of the open space and how is the cost calculated?

- 7.1 Where open space is provided on-site, or off-site by means of contribution of land, the developer will pay for maintenance for a period of ten years. This works by developers paying a one off 'commuted sum' payment for maintenance.
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- 7.2 The Council will calculate the amount payable by working out the cost of maintaining the particular piece of open space for one year. From this figure an amount is calculated for a period of ten years taking into account inflation as well as other factors including interest from the money.
- 7.3 The open space is then normally taken over and maintained by the Parish Council. However in some circumstances the District Council or a management company or trust may take responsibility for the open space and carry out the maintenance works. It is not appropriate to provide a standard formula for working out payments since no two pieces of open space are the same in terms of maintenance.

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Annex A

How is the Contribution towards the Provision of Open Space Calculated?

The following examples illustrate the **methods**, which will be used in calculating contributions towards the provision of open space (note the basis for such calculations may be up-dated from time-to-time to reflect inflation).

Two figures are calculated, one for upgrading existing open space and one for the acquisition of land and laying out/provision of facilities.

(a) Upgrading Existing Open Space

Sport (1.7ha)	£
Levelling and seeding	4,041.45
Drainage	11,547.00
Fencing (based on 270 linear metre)	4,618.80
Goal Posts	923.76
Amount to provide multi-functional surface (NB Amount not sufficient for full 'astro' pitch but money gained could be match funded)	230,940.00
Seats x 2	461.88
Litter bins x 2	392.60
Signs x 2	346.41
Changing Accommodation (Price based on a temporary building type standard changing unit @ £26,000 plus £10,000 for services and base)	41,569.20
TOTAL	294,841.10

Children's Casual Play (0.45ha)	£
Levelling and seeding	1,339.45
Fencing (based on 145 linear metres)	2,309.40
Seat x 1	230.94
Litter bins x 1	196.30
Sign x 1	173.21
TOTAL	4,249.30

Equipped Play Area (0.25ha)	£
Levelling	923.76
Fencing	1,986.08
Seat x 1	230.94
Litter bin x 1	196.30
Sign x 1	173.21

Equipment and surfacing (5 pieces of equipment covering all play activities @ £6,000 each)	34,641.00
TOTAL	38,151.29

Ancillary Facilities (0.25ha)	£
Car Parking (based on 7 parking spaces, 2 of which are disabled spaces and access road @£70 per m ²)	20,784.60
Cycle Stands (£70m ²)	1,154.70
Footpaths (charged at £20m ² to include lighting worked out on a basis of 30 linear metres)	1,385.64
TOTAL	23,324.94

TOTAL	£
Total cost of 2.4 ha of Recreation Open Space (excluding land purchase)	360,566.62
10% Contingencies	36,056.66
TOTAL COST OF UPGRADING	396,623.28

Cost per square metre £16.52

Cost per dwelling for upgrading existing open space @ 60 m² = £991 (rounded up)

(b) Provision of New Facilities

The estimated cost of purchasing land for sport and recreation is based on an assumption that agricultural land will be purchased at around £7,000 per acre (about £17,290 per hectare). This is based on the assumption that land on the edge of settlements will have a degree of ‘hope value’ attached to the valuation of the land.

Cost of 2.4 ha of land.....£41,500k (rounded up)

Cost per sq m of land..... £30,000/24,000m = £1.73

Cost per dwelling for land acquisition.....60m² x £1.73 = £103.80

Cost per dwelling for provision of new recreation facilities:
 £991 + £103.80 = **£1,095** (rounded up)

N.B. The costs relating to land acquisition will be reviewed annually and increased in line with the latest data on land prices in the District, whilst those costs relating to equipment and carrying out works will be increased in line with the appropriate price index.

Annex B

How Is The Provision Of Recreation Open Space Commuted Sums Administered?

1. The Council has a long established system of administering the provision of on-site open space and its maintenance and its main features are retained.
2. The Council will need to satisfy itself that the developer has made proper provision to ensure that the open space is completed; it will continue to calculate the costs of maintenance, supervise the laying out of the open space, and receive the land and a commuted payment to cover the ongoing costs of maintenance for a period of ten years.

Commuted Sums for Provision

3. In terms of contributions towards off-site provision or the upgrading of existing facilities, separate 'Parish Funds' have been set up. Open space contributions will be received into the relevant Parish Fund and, other than in exceptional circumstances, used in the locality in which the development takes place, in order to improve existing open space as identified within the Recreation Open Space Strategy, or in some instances provide additional open space where there is an identified shortage. In certain circumstances, if provision cannot be made in the Parish the development is in, funds may be used in other locations within the District (see paragraph 5) below.
4. **The way in which the District Council will operate the system** is as follows:
 - i) The Council will inform developers or purchasers of sites for housing development of the requirement for open space provision within the District either through pre-application discussions or when a planning application is received. This establishes the developer's responsibilities early on and aims to avoid subsequent problems of developers being unaware of the requirements or having wrongly valued the site.
 - ii) Whilst dealing with the planning application, the case officer will assess the open space requirement established and any deficiencies in provision will be noted if not done already, the amount of financial contribution required (if any) for the size of development in lieu of the provision is established and the developer informed.
 - iii) If planning permission is granted, payment is secured through the applicant entering into a Section 106 Agreement prepared by the

District Council, using where possible a standard format to simplify procedures (Section 106 undertakings may be acceptable in some circumstances). Pre-application discussions can assist in speeding up this process. This will require the payment to be made to the District Council, prior to the commencement of the development (or at specific phases in a large scheme). The planning decision notice is issued to the applicant, only after the completion of the Section 106 agreement.

- iv) The appropriate contribution is received into the relevant Parish Fund held by the District Council in accordance with the terms of the Section 106 Agreement.
- v) When funds are received in the Parish Fund the District Council will write to the relevant Parish Council to inform them of the sum of money being held and details of how they can obtain the money.
- vi) In order to apply for the release of funds Parish Councils will need to apply with detailed information on the proposed scheme, including plans/brochures and costs and also how it is to be implemented. It maybe, in exceptional circumstances, the funds are vested in a body nominated by the Parish Council, e.g. a local Playing Fields Association, In such circumstances the District Council will have to be satisfied as to the following: that the body in whom the facility or funds may be vested meet stringent criteria in terms of their legal status; that the Parish Council remains the first point of contact for the District Council; that there are formal approved audit and financial management processes in place; and that the facility funded from the Parish Fund is open to all of the local community on a basis agreed formally with the Parish Council and the District Council.
- vii) The bids are assessed by the District Council, and detailed discussions take place with the appropriate Parish Council/Playing Field Association. If a proposed scheme is satisfactory, permission is given to commence work and half the total estimated cost (or half the cost of that part of the scheme required by new development) is transferred from the Parish Fund to the Parish Council or nominated body.
- viii) Once the scheme or an agreed phase of the scheme is completed, the open space facility is inspected by the Parish Council to ensure that it has been provided in accordance with the agreed specification. The remaining half of the cost of the scheme is then released to the Parish Council upon formal confirmation to the District Council. In larger schemes, it is possible that a facility may be completed in phases and the funds released in stages.

- ix) The Parish Council takes on responsibility for operating and maintaining the open space.

5. **There will be a criteria based system for allocating the funds.** It will operate as follows:

- For the first three years the funding will be available exclusively to the Parish in which the development has taken place.
- If the money remains unspent at the end of year three, then adjacent Parishes are given the opportunity to put forward detailed bids.
- Finally, at the end of year four if the money remains unspent then the District Council can use the money within the District for the improvement of existing or the provision of new leisure/recreation facilities.
- If the monies deposited in the fund have not been spent within five years then they will be returned to the developer with interest.

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