

Stockport Development Plan

Supplementary Planning Document

IMPORTANT – PLEASE READ

The council intends to update all SPD/SPGs as and when resources allow but priority is being given to finalising the Local Plan to ensure a complete up-to-date statutory plan is in place. If in doubt please contact the Planning Policy team: planning.policy@stockport.gov.uk or 0161 474 4395.

Open Space Provision and Commuted Payments



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

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OPEN SPACE PROVISION AND COMMUTED PAYMENTS

INTRODUCTION

- 1.1 Supplementary Planning Documents (SPDs) are required by the Planning and Compulsory Purchase Act 2004 (as amended under the Localism Act 2011). Although not forming part of the statutory development plan, one of the functions of an SPD is to provide further detail on policies and proposals within the Local Plan. It is a material consideration in the determination of planning applications and assists the Council in securing local and national objectives in respect of sustainable development.
- 1.2 This SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the National Planning Policy Framework 2018, conforming and responding to all relevant local and national policies and is based on a robust and up-to-date evidence base. SPDs do not contain policies nor do they seek to allocate land but are to be considered alongside policies in the Development Plan Documents, their guidance should therefore be taken into consideration from the earliest stages of the development process of any site, including any purchase negotiations.
- 1.3 This paper is prepared as a Supplementary Planning Document to the Core Strategy Development Plan Document (March 2011) and Revised Unitary Development Plan (May 2006), in order to explain further the operation of Policy SIE 2 - Provision of Recreation and Amenity Open Space in New Development, Development Management Policy SIE-1 - Quality Places and Core Policy CS8 - Safeguarding and improving the Environment.
- 1.4 In view of the limited resources available to the Local Authority it will find it increasingly difficult if not impossible to make good existing and/or future shortfalls of public open space provision. Indeed the Local Authority should not be expected to provide open space that is required as a result of new development. It is appropriate to expect all new developments, to contribute to the open space needs generated by that development.
- 1.5 This document advises developers and their agents on the mechanisms for implementing our policies for open space provision in new housing developments, as set out in Stockport's Adopted Core Strategy. It is designed to help prospective developers establish their responsibilities and incorporate the requirements into their development proposals.
- 1.6 It provides worked examples of on-site or off-site provision and on the scale of charges which will be levied, for both the provision and maintenance of open space and off-site play equipment required as part of development.

DEVELOPER CONTRIBUTIONS

- 2.1 Section 106 (S106) of the Town and Country Planning Act 1990 (as amended) allows the drafting of legal agreements for the Council to control the impacts of development, which cannot otherwise be achieved via planning conditions. These are an established mechanism to secure the delivery of services or facilities needed as a result of new development, and are referred to as “planning obligations”. Contributions to infrastructure are delivered by way of physical works on or off-site, land transfer, or financial contributions. Obligations can also be secured through Unilateral Undertakings by developers.
- 2.2 The National Planning Practice Guidance emphasises that planning obligations assist in mitigating the impact of development in order to make it acceptable in planning terms, which benefits local communities and supports the provision of local infrastructure. Development Management Policy SIE 2 - **Provision of Recreation and Amenity Open Space in New Developments** from the adopted Core Strategy detailed below outlines how development is expected to take a positive role in providing for the open space to meet the needs of the occupants. Core Strategy Policy SIE 2 and this SPD therefore adheres to the approach set out in National Guidance.
- 2.3 The planning permission decision notice will only be issued once the S106 legal agreement has been entered into by all relevant parties and has been completed. If the Council are to draft the Section 106 agreement on your behalf, then an additional charge may be levied by the Council for legal drafting and administrative costs. The formulas for calculating the costs of providing and maintaining play and recreation provision is provided in the Technical Annex along with examples of calculating the provision for different types of schemes.
- 2.4 In order to enter into a planning obligation through a legal agreement, applicants will be required to provide the following:
- **Draft head of terms**
 - **Details of the applicant’s solicitor**
 - **Proof of title of the ownership of the site**
 - **An undertaking to pay the Council’s legal fees**
- 2.5 All landowners and parties holding an interest in the land will also need to be party to the legal agreement, and if the site is subject to a mortgage then the mortgagee will also need to enter into the legal agreement.

Compliance with CIL Regulations 2010

2.7 The Community Infrastructure Levy Regulations 2010 sets out limitations for the use of planning obligations (s106 Agreements). These limitations are set out below along with how this SPD meets them:

- a) Necessary to make the development acceptable in planning terms

Paragraph 34 of the NPPF, 2018 outlines how plans should set the contributions expected from development which should include green infrastructure, provided they don't undermine the deliverability of the plan. Paragraph 96 of the Framework highlights the importance of access to open spaces and opportunities for sport and physical activity as they make an important contribution to the health and wellbeing of communities. This SPD advises on how new residential developments should contribute towards open space and formal open space provision to meet the need of the residents. This is considered necessary to ensure that the residents of the new development have access to sufficient open space and formal open space provision.

- b) Directly related to the development

In terms of taking commuted sums for Children's play facilities, there are thresholds in place order to ensure the direct relationship test is passed these are set out below;

- 1000m of a Neighbourhood Equipped Area of Play (NEAP)
- 400m of a Local Equipped Area of Play (LEAP)
- 100m of Local Area of Play (LAP)

There may be instances where it is not feasible for a sum to be taken for play areas within the zones set out above. If this is the case, a statement will be issued that will explain how the chosen play area directly benefits the residents of the development.

- c) Fairly and reasonably related in scale and kind to the proposed development

The amount of contribution required from a new residential development by this SPD is based on the population capacity of the development proposed. The approach is therefore reasonably related in scale and kind to the proposed development.

Pooling of Developer Contributions

2.8 The CIL Regulations 2010 (as amended) introduced limitations on the use of planning obligations, effectively preventing the "pooling" of money from many different developments towards spending on infrastructure projects. The regulations cap the ability to secure new obligations where five planning obligations towards a particular infrastructure project or infrastructure type have already been included in signed S106 deeds since 6 April 2010.

2.9 Although there is not an adopted CIL in place in Stockport, the regulations still apply. Therefore in Stockport, since 6 April 2015, no more new obligations have been able to be secured in respect of a specific infrastructure project or a type of infrastructure in relation to the granting of planning permission, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010.

- 2.10 To ensure funds can be secured for children’s play and formal recreation facilities, the open space mitigation and improvements targeted for funding will be identified as discrete projects in s106 deeds, in line with the current requirements of the CIL Regulations 2010 (as amended). These infrastructure projects will be clearly referenced in the s106 agreement, for example specific types of equipment or improvement works, located in a named park, catchment area or neighbourhood. Once the specific infrastructure project has been referenced in five obligations, no more obligations will be sought towards that infrastructure project.
- 2.11 In October 2018, the Government announced that it intends to lift the S106 “pooling” restriction in all areas. Legislation will be required in order to implement these changes, and the Government has indicated that it will be consulting on the draft regulations later in 2018. Stockport Council will continue to abide by the legislation that is in force at the time of adopting this SPD, and any subsequently adopted legislation as it pertains to this SPD. If the pooling restriction is lifted, Stockport Council will continue to provide clarity within new S106 deeds regarding the purpose of the planning obligations.

Negotiation of reduced contributions

- 2.12 As previously mentioned, the contributions from development should not undermine the deliverability of the plan. However in line with paragraph 57 of the NPPF where planning applications have complied with the policies in the development plan, they will be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. In reviewing the viability evidence, the council will take a view on the applicant’s case as a whole. It is however expected that developers should have regard to the scale of policy requirements and planning obligations when acquiring land as part of their due diligence, and therefore where a developer has clearly overpaid for a site this will not be accepted as a justification for negotiating a reduced contribution¹.
- 2.13 Where a developer intends to submit viability evidence as the basis for seeking to negotiate a reduced contribution, this evidence must be received prior to validation of the planning application unless otherwise agreed at the pre-application stage. Where evidence is submitted following validation without prior agreement, this may not be accepted given that the timescales associated with its independent appraisal and subsequent negotiation may compromise the council’s ability to meet the planning application determination deadline.
- 2.14 Where the council accepts the applicant’s case for a reduced contribution, the council will need to take a view on the prioritisation of the various contributions, having regard to the impact on development viability as a whole.

Clawback mechanism

- 2.15 Where the council accepts an applicant’s case for a reduced contribution, it will typically require the applicant to enter into a legal agreement which would require the developer to make a financial contribution in the event that the viability of a scheme improves subsequent to the undertaking of the initial viability appraisal. It may be that in the period between the point of an application’s submission and the completion of a development (which will typically be a number

¹ The Viability chapter within the Planning Practice Guidance identifies that in all cases, land value should reflect policy requirements and planning obligations.

of years for larger schemes), the viability of a scheme improves. This could be due to a range of variables, such as a reduction in construction costs, or an increase in sales values.

- 2.16 The council will enter into a legal agreement with a developer in relation to the clawback mechanism, which defines the process for the submission of updated viability evidence and the mechanism for the recovery of any financial contributions. The developer will be liable to pay any fees incurred by the council in relation to the independent financial appraisal of the viability evidence, and to pay any fees incurred associated with the preparation of the legal agreement.

Outline planning applications

- 2.17 In the case of planning applications where the number and type of dwellings is unknown (e.g. outline planning applications) the requirement for the provision of open space would have to be reserved through a legal agreement so it can be resolved when a detailed application is made.

PLANNING POLICY CONTEXT

National Planning Policy Framework

3.1 The revised National Planning Policy Framework (NPPF) came into force in July 2018. The NPPF advocates a presumption in favour of sustainable development and identifies the three dimensions of sustainable development as economic, social and environmental. Access to high quality open spaces and opportunities for sport and recreation are highlighted as an important aspect of healthy communities and helping to improve biodiversity, thereby contributing sustainable development.

3.2 Paragraph 170 of the NPPF outlines that planning decisions should contribute to and enhance the natural and local environment by... *‘recognising the wider benefits from natural capital and ecosystem services’*.

This guidance supplements and relates to the following specific Development Plan objectives and policies;

Objective 5 from the Core Strategy is to ‘Safeguard and Improve the Borough's Environment’

It aims to achieve this by

- Providing green infrastructure, civic spaces and public realm that are well designed, safe and accessible, sufficient to satisfy the recreational, leisure, health and amenity requirements of the population, which can adapt to the needs of and which help mitigate the impacts of climate change and which improve health
- Providing and maintaining high quality open spaces and recreation facilities commensurate with the needs of the borough's population;

Core Policy CS8 Safeguarding and Improving the Environment

This policy sets out the overarching strategy for achieving development that is to a high standard, sustainable, attractive, safe and accessible built and natural environment and outlines how high quality design which promotes a sense of place is of importance throughout the borough and should be an integral part of all development proposals.

Development Management Policy SIE-1 - Quality Places

This sets out that development that is designed and landscaped to the highest contemporary standard paying high regard to the built and/or natural environment within which it is sited will be given positive consideration.

Development Management Policy SIE-2- Provision of Recreation and Amenity Open Space in New Developments

The requirements from this Policy are for residential development schemes to contribute towards the provision of open space for formal recreation and children's play, to serve the future occupant's. This policy is based on the **Fields in Trust Standard** (FiT) in meeting the Borough's open space needs. In order to meet the Fields in Trust Standard (FiT), Stockport Council must provide 2.4ha (24,000 sqm) of open space provision per 1000 population of which 0.7ha (7,000sqm) should be for children's play casual recreation and 1.7ha (17,000sqm) for formal recreational space. As much as possible of the open space should be within or adjacent to the new development and play provision should incorporate facilities based hierarchy set out under table 2.

The above policies can be found at the following [link](#)

Separate SPDs which are of relevance to topics raised in this paper, including explaining the benefits of incorporating GI into development schemes are also available on 'Sustainable Design and Construction' and 'Residential Design'.

WHAT OPEN SPACE WILL BE REQUIRED?

Green Infrastructure

- 4.1 Open space performs both important recreational activity space and important environmental functions, such as moderating surface water run-off, air pollution and wind speeds, as well as providing wildlife habitats to aid biodiversity. Open space also plays an important role in meeting the challenge of climate change and flooding through integrating Sustainable Urban Drainage Systems (SuDS) and providing opportunities for conserving and enhancing the natural environment.
- 4.2 People's quality of life is very much influenced by access to a range of green spaces and experiences. **Green infrastructure** is defined in the NPPF as 'A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities'. Therefore protecting and enhancing open spaces for current and future generations to enjoy is essential. National and local planning policy promote the environmental, social and economic benefits to be gained from good quality diverse and accessible open space and recreational facilities. These green and blue spaces represent the green infrastructure components that contribute to the character, image and effective functioning of places and are valued by communities.
- 4.3 Existing features such as trees, hedgerows, changes in ground levels, and water features should be incorporated into the public open space wherever possible to add to the nature conservation and biodiversity value of the site, and to help create more individual, dynamic spaces.
- 4.4 Careful consideration should be given to the role that public open space can play in improving and enhancing the wildlife and biodiversity value, and how such features can assist the Greater Manchester Biodiversity Action Plan (BAP). The Borough would particularly encourage this approach in the case of larger developments where public open space features and the natural environment should be integrated.
- 4.5 Developers will be expected to work with the authority at the earliest possible stage in the process in order to protect, and enhance an integrated network of high quality and multifunctional green infrastructure in compliance with the policy position set out in this paper.
- 4.6 Green infrastructure is especially relevant to the housing and economic growth agenda to the regeneration of urban areas. Green infrastructure is about development going hand-in-hand with the protection and enhancement of existing environmental assets and the creation of new ones. It is about putting the environment right at the centre of the planning process and producing a strategic and linked, multifunctional network of spaces with benefits for people and wildlife. It's also about underpinning the sustainability of a town or city, including making it resilient to the effects of climate change and enabling local authorities to meet their duty to conserve biodiversity under the Natural Environment and Rural Communities Act (NERC) 2006.

Recreational Open space

- 4.7 As defined in the Core Strategy Local Open Space (LOS) is in addition to the major areas of Strategic Open Space.

These areas generally fall within the following categories:

Local Open Space

- public parks
- recreation facilities
- school playing fields
- allotments
- small areas of woodland
- unused/derelict land (may include unmanaged or wild areas of positive value)
- churchyards and cemeteries
- green corridors
- other areas of local amenity value.

- 4.8 The recreational open space needs of new development are calculated using the standards in Core Strategy Policy SIE 2. Most proposals for new housing developments are required to contribute to the provision of recreation facilities and play provision and green infrastructure, within the proposed site or make an equivalent financial contribution to off-site provision in line with the standards set out in this policy and policy CS8. The provision will be calculated based on the population capacity of the development which calculated using table 1 below is;

Table 1 – Population capacity

1 bedroom	2 persons
2 bedrooms	3 persons
3 bedrooms	4 persons
4 bedrooms	5 persons

- 4.9 The open space provision is related to the population capacity of the proposed development. The total population per dwelling is arrived at by assuming 2 persons in the first bedroom and only one in each of any additional bedrooms.
- 4.10 The requirement for a financial contribution will be applied to all new dwellings including single dwellings. This includes barn conversions, conversions of houses to flats and the conversion of any non-residential building to residential use where there is a net increase in population capacity, subject to this being compliant with the current national planning guidance.
- 4.11 The policy emphasises that as much as possible of the open space should be within or adjacent to the new development and play provision should incorporate facilities based on the hierarchy set out in the table 'Play facilities' below. These are the minimum Standards for Children's Use according to the - National Playing Fields Association, 'Six Acre Standard'). This standard sets out that for each 1000 residents there should be 2.4 hectares comprising of 1.7 hectares for outdoor sport and recreation space (including parks) and 0.7 ha for children 's play with about 0.25 ha of this equipped playgrounds.

- 4.12 New housing developments present opportunities to create living environments that are inviting, attractive, sustainable, well-maintained and can be enjoyed by all sections of the community, including children, older people and people with disabilities. However, on smaller housing sites (those likely to be occupied by less than 50 people) it is often difficult to create open space and play space that is big enough to meet needs and is designed and located so as to not adversely affect the amenity of residents.
- 4.13 In such circumstances, the developer will need to make a financial contribution to the capital and commuted maintenance costs of off-site open space provision. Contributions will be required towards the provision of children's play space and formal recreational space. This is only applicable where such contributions would secure provision in a location close to and easily accessible from the new development and where it would be of direct benefit to its occupiers. Funds collected in lieu of on-site provision for children's/casual play space will be used within the appropriate distances as set out in table 2, unless a case can be made to illustrate how the chosen play space can directly benefit the residents of the funding development.
- 4.14 As opportunities to provide new facilities at new sites are limited, the Local Authority is more likely to lay out a new facility or improve an existing one at an existing site. The Council has developed a strategy which will create a network of NEAPS and LEAPs at existing sites within the Borough. A map showing the location of these facilities is available for Inspection.

Table 2 Minimum Standards for Children’s play (Source - National Playing Fields Association, ‘Six Acre Standard’)

FACILITY	TIME	WALKING DISTANCE	STRAIGHT LINE DISTANCE	MINIMUM SIZE		NEAREST HOUSE Property Boundary	CHARACTERISTICS	POPULATION (APPROX)
				Activity Zone	Total (inc Buffer)			
LAP (Local Area for Play)	1 min	100m	60m	100 m(sq)	400m(sq) (0.04 ha)	5m from Activity Zone	Small, low-key games area (may include “demonstrative” play features)	50
LEAP (Local Equipped Area for Play)	5 min	400m	240m	400 m(sq)	3,600m (sq) (0.36 ha)	20m from Activity Zone	About 5 types of equipment. Small Games Area	510
NEAP (Neighbourhood Equipped Area for Play)	15 min	1,000m	600m	1,000 m(sq)	8,500m (sq) (0.85 ha)	30m from Activity Zone	About 8 types of equipment. Kickabout and cycle play opportunities	1210

4.15 Formal Sport Commuted Sum Provision can be used to create new or improve existing sports facilities within an accessible area from the funding development. Formal sports provision is defined as ‘Open space provided for organised sporting activities, such as pitches, courts and bowling greens’ in the glossary of the Adopted Core Strategy. In respect of new housing developments and formal open space needs there are very few identified housing sites of adequate size to be required to accommodate the open space requirements on site. It is likely that in most cases the Council will conclude that the formal open space needs will be covered by a commuted sum.

- a. ‘Accessible area’ is not defined in planning policy or this SPD. Although it is expected some people travel some distance for formal sports, funds can only be used where it can be demonstrated there is a direct relationship between a facility and the funding development. Commuted sums for formal sports provision are currently allocated on a borough wide basis against strategic priorities reviewed annually with the Executive Councillor.
- b. In larger housing schemes developments likely to accommodate 100 people or more will be expected, in most circumstances to provide both formal and children’s play space, in accordance the Council’s Adopted standards. Developers should also consider the integration of open space and play provision, located with good visibility and access, yet far enough from houses to minimise disturbance to residents. A satisfactory relationship between housing, open space and play provision can only be achieved when the open space elements of the scheme are considered early on in the process as part of the overall layout of the development site.
- c. Funds will be held by the Local Authority in an account until such time that the appropriate thresholds have been reached and an improvement can be brought about through the use of the accumulated funds, where complaint with the most recent regulations. Funds for the provision of open space will be held no longer than eight years, in instances where they are they will be refunded. The Local Authority has established the level and distribution of open space provision that exists within the Borough and has adopted strategies for the improvement of provision. These strategies will be added to as certain work is completed and commuted payments are collected.
- d. Funds will only be used for improvements to provision. They will not be used for more general revenue purposes.

4.16 Types of improvements for children’s and formal open space will include:-

- laying out new or improving existing sports grounds
- constructing or improving changing facilities or park buildings associated with sport ie bowls pavillions
- laying out new, extending or improving children’s/casual play areas
- increasing car parking at an existing facility
- provision of new children’s play equipment

- infrastructure improvements including improved access pathways, site security and seating to outdoor recreational sport or play facilities
- soft landscaping improvements associated with outdoor recreational sport or play facilities

The allocation of the funds to play and recreational facilities will be in accordance with the tests under CIL regulations 2010 (as amended) and the Council's rules for allocation. The release of funds for open space provision will only take place after schemes for work have been approved in accordance with the types of improvements set out above.

- 4.17 The local authority would make a judgement on the most economically cost effective way to split the contribution between provision and maintenance. For projects requiring high capital investment the contribution would be split up to a maximum of 70 / 30 percent in favour of provision. For projects requiring high ongoing maintenance costs the contribution would be split up to a maximum of 70 / 30 percent in favour of maintenance.

Exemptions to financial contributions

- 4.18 We will consider making exemptions to financial contributions for recreation and play provision for particular types of housing development including:

- Sheltered Housing
- Special Needs Housing for Elderly People

The relaxation of requirements for recreation and play facilities does not curtail the need to integrate Green Infrastructure into development proposals for this type of need. This could be achieved through providing quality landscaped amenity areas etc which pay high regard to the natural environment.

EVIDENCE BASE

- 5.1 The development plan policies are supported by the Stockport Open Space Assessment, 2017 and the council's Annual Monitoring Report (AMR) which monitors the borough's open space against recommended standards for open space in the borough including the Fields in Trust (FiT) standard (2.4ha of open space provision per 1000 population of which 0.7ha should be for children's play casual recreation and 1.7ha for formal recreational space).
- 5.2 The contributions sought from new development are related to the population capacity of the development. Stockport's Development plan adopts the FiT minimum standard, against that standard, Stockport has some 1.3ha per 1000 pop, this is a borough wide shortfall of some 105 ha. The Council is aware that all existing facilities are already overused and are capable of being improved so as to cater for any additional demand. The council is currently having a Playing Pitch Strategy undertaken, once this is complete, the decisions for expenditure on formal open space will be based on its outcomes.
- 5.3 In terms of the existing provision of play areas across Stockport a review was carried out which audited all of the 135 play areas in the Borough in February 2015. Table 3 provides information on the amount and typology of play areas currently available in Stockport. (Please note the areas noted refer only to space used by the equipped area for play, not for example the entire play area).

Table 3 Quantity of play facilities in Stockport

Typology	Number		Area
	Nº	%	Ha
Local Area for Play (LAP)	48	35.56%	1.822
Local Equipped Area for Play (LEAP)	52	38.52%	3.693
Neighbourhood Equipped Area for Play (NEAP)	29	21.48%	2.929
Destination	6	4.44%	1.625
TOTAL	135	100%	10.069

- 5.4 Table 4 uses the FiT quantity benchmark to assess the provision of play areas at Borough, area committee and ward level. It shows that the current provision is 0.21 hectares per 1,000 population below the required quantity standard for equipped playing space, with significant shortfalls in all committee areas.

5.5 It is therefore justified to seek planning obligations to remedy local deficiencies in the quantity or quality of open space, sports and recreational provision, owing to development pressures on local needs.

Table 4 Play Provision per Area Committee

Area	Hectares per '000	+/- FiT Standard (0.25ha per '000 population)
Stockport MBC	0.04	-0.21
Area Committee		
Bramhall	0.03	-0.22
Central	0.05	-0.20
Cheadle	0.03	-0.22
Heatons & Reddish	0.01	-0.24
Marple	0.06	-0.19
Stepping Hill	0.04	-0.21
Werneth	0.03	-0.22

DESIGN

Making prospective residents aware of open space and play provision

6.1 The location and proximity of open space, play provision and footpaths can result in noise and disturbance problems for residents. Although this type of disturbance can be minimised by careful design, the responsibility is with the developer to ensure that prospective buyers are made aware of the location and extent of the open space and play provision. The developer should also inform prospective purchasers of the surrounding homes that maintenance of the open space will remain their responsibility and should provide appropriate contact details.

Community safety

6.2 The safety of people and the security of property can be enhanced by good design. Developers should liaise and consult with the Crime Prevention Team at Greater Manchester Police at the pre-application stage when there is a perceived risk management issue. The unit can advise on design measures to reduce crime and anti-social behaviour.

6.3 Every design solution must take account of community safety issues and avoid creating potential opportunities for crime and anti-social behaviour such as areas that are unobserved, poorly lit or under-utilised and feel threatening to the intended users. All landscape design submissions should demonstrate how community safety and crime prevention measures have been considered. In addition the provision and maintenance of access for the emergency services should be ensured.

Protecting natural features

6.4 Opportunities to link networks of open space would also be encouraged. However, only land which makes a positive, practical and usable contribution to the overall open space should be considered. Highway verges, visibility splays, long thin planting beds adjacent to roads, awkwardly shaped pieces of land and private gardens will not be accepted as counting against the overall open space requirement for a housing development.

Local Areas of Play

6.5 When submitting design proposals for a LAP, the council expect the developer to demonstrate how they are providing a good quality space that creates an informal natural play space with a sense of character and identity. This document has been produced to highlight the key design principles that must be considered in the design of LAP's.

Philosophy

6.6 A LAP is to be imaginatively landscaped to encourage play, although no play equipment or safety surface is to be provided. The play value should come from the enhancement of existing natural features, the modification of the landform (ie mounding) and planting. The developers are expected to take every opportunity to retain and enhance existing natural features as informed by their wider landscape survey of the site; any existing natural feature on the site that would add safe informal play value should be incorporated into the play space rather than removed.

6.7 Where possible play areas should have clear connectivity with wider Green Infrastructure assets and recreational facilities etc., of which the council holds data that can be utilised.

Positive play spaces

6.8 The play area will be a natural multi-functional space incorporating features to allow informal play for young children and a place of calm and relaxation for adults. The design layout should allow for the space to be adaptable and respond to the changing circumstances of the community it serves. The LAP must be a minimum of 400 square metres in size; it is expected the developer will take the opportunity to maximise the greenspace within the LAP for informal play. Hard surfaces should be limited to footpaths and seating areas.

6.9 The site must be free draining so that it is useable throughout the year. The developer must consider the opportunities to link networks of open space and how the new play area can improve access to other existing recreational spaces and greenspace infrastructure. Play Areas must be located only on land which makes a positive, practical and usable contribution to the area, awkwardly shaped pieces of land with poor accessibility are not considered to be suitable. The location of play space needs careful consideration.

6.10 Opportunities for interactive natural play, providing a habitat for wildlife will be strongly encouraged. Trees woodlands, ponds and watercourses are important natural

landscape features that add to the nature conservation value of a site and so should be incorporated into the area of play. Designs should use natural sustainable materials where possible – such as tree trunks – with great consideration placed on increasing local biodiversity. Case studies on where this has been implemented can be found here;

<http://www.merseyforest.org.uk/our-work/education/>

<http://www.playengland.net/wp-content/uploads/2015/09/design-for-play.pdf>

Play through landform modelling

- 6.11 Landform modelling of the play space will add huge play value and developers are expected to maximise this opportunity within their proposal. However, the creation of mounds or depressions must be done in line with the Councils ability to maintain the play space. Landforms should not have gradients steeper than 1 in 4 or 14 degrees.

Soft landscaping and trees

- 6.12 We do not supply developers with a preferred plant list as they should be selected to meet the individual requirements of the site. All planting must be low maintenance. The planting scheme should connect children and young people with the nature and biodiversity of the local environment. The planting should demonstrate seasonal change and provide natural objects to play and be creative with such as leaves, seeds and bark.
- 6.13 New tree planting should be of a suitable size, species and location to the context of the play space and approved by Council Tree officer. Tree sizes are required to be Heavy Standards (12-14cm DBH girth) and container grown unless otherwise approved. Underground guying or single stake guying will be required for stability and planting pit to be dug square and 30% larger than the container to allow improved root incursion.
- 6.14 Play England provides useful information on play area planting and the maintenance level it requires, this could be used by the developer for inspiration.

<http://www.playengland.org.uk/media/120468/nature-play-maintenance-guide.pdf>

Soft Landscaping Plans must be provided to the council for approval, detailing soft landscape plan, specification and maintenance schedule.

Accessibility

6.15 Pedestrian footpaths through play areas must be constructed to the SMBC Highways adoptable standard; with concrete edging and drainage falls towards grass and planting areas. All pedestrian routes must be recognisable and allow for movement and accessibility for all.

Community safety

6.16 The design must consider the integration of open space in the context of its surroundings. Play areas should be located in an area where there is good casual surveillance over the space with good visibility in and out of the space. There needs to be a satisfactory relationship between housing and the open space, the play area must be located and designed in such a way as to minimise disturbance to residents.

6.17 The design submission should demonstrate how community safety and crime prevention measures have been considered and must take account of any community safety issues. Any design should avoid creating potential opportunities for crime and vandalism such as areas that are unobserved, poorly lit or under-utilised, which can feel threatening to users. The design layout should limit the opportunity for use as an informal sports area for ball games.

6.18 The location and proximity of the open space and footpaths can result in noise and disturbance problems for residents. **Although this type of disturbance can be minimised by careful design, the responsibility is with the developer to ensure that prospective buyers are made aware of the location and extent of the play area.**

Fencing

6.19 There is no requirement to enclose the play space with fencing unless there is a genuine danger posed by a neighbouring hazard. Where possible the use of mounding and vegetation should be used to create a sense of enclosure.

Where fencing is required it must meet the following specification:

- 1200mm high bow top fence with 16mm round bar infill, Manufactured to TuV/BS standard, fully galvanised and polyester powder coated to RAL6005 fitted using snaplock security bolts.
- Posts must have solid metal caps and intermediate panel stays and must be set in a wet concrete mix. Fencing must meet ROSPA standards.

If fenced, a minimum of two gates will be required, this will include one single self-closing and one double leaf self-closing gate to meet the below specification:

- Self Closing Gate: IAE Prosafe (or similar approved) self-closing gate with posts, 16mm round bar infill, fully galvanised and polyester powder coated RAL 3000 1200mm high to match railings.
- Double Leaf Gate: Half-locking IAE Prosafe (or similar approved) self-closing gate with posts, 16mm round bar infill, fully galvanised and polyester powder coated RAL 3000 and 1200mm high to match the fencing. Drop bolts should align with ground ferrules and marry with locking eyes.

Seating

6.20 The Council's standard metal seats must be installed and the current specification and suppliers available as a separate document. All seats to be installed to allow a 460mm seat height from ground level, fully concreted footings to secure seat and either concrete plinth to full width and length of seat and beyond by 50mm or in matching hard surface.

Signage

6.21 Where the developers are retaining the ownership and maintenance responsibility for the site they must display clear welcome signage providing the site name, the business name of the developer and their telephone / email contact. The sign should also include 'No Ball Games' and 'No Dogs'.

The Adoption process and Landscape maintenance

- 7.1 There is no requirement for any Local Planning Authority to adopt any open space, it is a matter for negotiation and requires the approval of the Deputy Chief Executive. It is anticipated that where the Play Area design has been designed and constructed to the approved standard by the Play and Infrastructure officer and the developer has made the required maintenance contribution, the recommendation would be to adopt. Should the play area not be to the approved standards, the council cannot be in a position to adopt and the necessary enforcement procedures may be taken. The developer should make their intention clear at planning permission stage if they are expecting to seek the Local Authority to adopt the site.
- 7.2 In the event the developer retains the ownership of the play space within their development site, they will be solely responsible for ongoing management and maintenance of the public open space (and ensuring that it remains accessible to the general public) and will need to demonstrate at the planning application stage that they have put in place an acceptable alternative means of ensuring future maintenance. Alternatively, with the agreement of the Council, developers may appoint a maintenance company or land trust to manage and maintain the public open space on their behalf. Where amenity open space is not to be adopted by the council, full details will be required of such arrangements and it will be secured for a suitable term through a planning condition or section 106 agreement that covers future maintenance of on-site open space in perpetuity.
- 7.3 On completion of the Play Area, the developer should notify the council so that an inspection of the landscaping and the open space provision can be undertaken to ensure it is in accordance with the approved plans, whether or not it is proposed to dedicate the land to the council. In cases where it is agreed between the developer and the Council that the Council will carry out the maintenance of open space on the developers' behalf, dedication boundaries should be clearly identified. It will also be necessary for the developer to pay a commuted sum covering the maintenance for a set period based on the finished area.
- 7.4 Developers must maintain the site to an agreed standard for a minimum period of 12 months, subject to the planting season. This includes the maintenance and replacement of failed planting. Two months before the end of the maintenance period the developer must arrange with the Council to inspect the site again and agree any

remedial works. Until such time as the land and any play provision is adopted, the developer will remain responsible for public liability. If the play area fails the 1 year inspection because its maintenance needs to be made good; that cost will be an extra cost to the applicant in addition to the standard maintenance contribution. Once the legal process has been completed and all due financial contributions are made the land will be formally entered on our land register for future maintenance. **The developer will remain responsible for public liability for the play space until the adoption process is completed.**

- 7.5 The current Council policy requires that the commuted sum cover maintenance for 25 years providing adequate cover for at least one generation. Therefore, once 25 years of maintenance has expired, the Open Space then becomes the responsibility of the general Council revenue budget (not the responsibility of the applicant).

OPERATION OF THE POLICY

8.1 The Local Planning Authority will seek to inform prospective developers or purchasers of sites for housing development of the requirements for open space provision in the borough. Information will be given at pre-application discussions.

8.2 A note regarding the open space system will be issued with all relevant planning applications. This will allow the developer to be aware of all their responsibilities and will help in valuing a site.

- The open space requirements shall be assessed as part of the processing of the planning application and deficiencies will be calculated.
- The amount of financial contribution (if any) should be calculated covering the lack of physical provision and its maintenance, if appropriate.
- The contribution should be notified to the applicant.
- If planning permission is likely to be granted the applicant may:
 - i. Enter into a Section 106 Agreement, using a standard format to simplify procedures. This will require the financial contribution to be made into the open space account prior to commencement of the development or specific phases. The decision notice will only be issued after the section 106 agreement has been completed. There will be an additional charge for the drafting of the legal agreement, the amount required is likely to be higher than that required for immediate payment, therefore, contributions calculated for provision and maintenance shall be index linked from the date of the Section 106 agreement.
 - ii. If the application is an outline application, the applicant shall be asked to enter into a Section 106 Agreement to determine the precise open space requirement or contribution at the detailed planning application stage.
 - iii. If an application is refused on the basis of the guidelines prescribed above, a reason for refusal will relate to the failure to make adequate provision for open

space. If the applicant then appeals, the Local Authority would seek to enter into an agreement for the appropriate open space contribution to be paid, to ensure that provision for open space is made if the appeal is allowed and to restrict the appeal debate to those other issues of concern to both parties. In this way, development allowed on appeal would then be subject to the same requirements for open space provision as other housing developments in the Borough.

8.3 The efficient operation of this approach to open space provision required by new development will depend upon close cooperation between Place Directorate, Administration, and Finance Divisions. The financial aspects of this policy will require monitoring and reviewing on an annual basis to ensure that costs and the level of contributions required remain up-to-date. It may also be required to review and revise, if necessary, details of this approach to open space provision as Government Legislation and National planning guidance change.

8.4 The funds are held in separate accounts which are specifically for open space provision and maintenance.

Technical Annex

CALCULATING CONTRIBUTIONS

1.1 The approach requires that a calculation be made to assess the financial contribution. The calculation will take account of the number and type of dwellings proposed and the population capacity of the proposal having regard to Table 1- Population capacity. The calculation will also take account of the amount of open space which is to be provided on site.

1.2 The amount of financial contribution required will be based on an estimated standard cost for making the appropriate provision of formal and casual/children's play space to the overall standard of 2.4 hectares per 1000 population. The figure includes the anticipated costs of laying out a facility of the required size.

The estimated costs include:-

- levelling
- drainage
- equipment
- accommodation
- special surfaces
- landscaping
- design
- parking
- administration

1.3 The estimated costs relate to the provision of facilities per 1000 population therefore, a per capita cost can be easily calculated.

Provision

Formal	-	No of persons x £561
Children's	-	No of persons x £402.50

Maintenance

Formal	-	No. Persons x 17 (sq. m.) x £20
Children's	-	No. Persons x 7 (sq. m.) x £27.50

Note: - The sums have been updated to reflect the real life costs of improving equipped play areas.

The cost per person:-

Formal open space	£901.00
Children's/casual play	£595.00

Total cost per person £1496

1.4 The figures are based on data supplied by the Council's Parks and Recreation Service. In order to establish fair commuted sums contribution the Council has attributed an asset value per metre square to its open space provision. This is detailed in Tables 5 and 6.

Table 5 Rates for Open Space Commuted Sum

		A1	B1	C1	D1	E1	
		Area required per person by the Standard (sqm)	Cost of provision per sqm	Cost of maintenance per sqm	Total per sqm (B1 + C1)	Cost per Capita (A1 x D1)	Total Contribution Sought per capita
Children's Play	Equipped Play	2.5	£125.00	£50.00	£175.00	£437.50	£595.00
	Casual Play space (Amenity Open Space)	4.5	£20.00	£15.00	£35.00	£157.50	
Formal Sport	Sports Provision	17	£33.00	£20.00	£53.00	£901.00	£901.00

Table 6: Summary of rates for Open Space Commuted Sum

	<u>Cost per capita for provision</u>	<u>Cost per capita for maintenance</u>	<u>Combined provision / maintenance per capita (B2 + D2)</u>
Children's Play	£402.50	£192.50	£595.00
Formal Sport	£561.00	£340.00	£901.00

EXAMPLES OF THE APPLICATION OF THE POLICY

New residential developments

Large New Residential Developments

A) Where occupancy levels of 100 people or more are expected,

Proposals in this category are required to satisfy both formal and children's play space needs.

Formal recreation space

The first requirement of the policy is for on-site provision, however, in cases where the formal recreational open space needs are not required on site, it will be necessary for the open space needs to be covered by a commuted sum on the following basis:

Example: population capacity = 172

Provision $172 \times £561 = £96,492$

Maintenance $172 \times 17(\text{sq. m.}) \times £20 = £58,480$

Total = £154,972

Children's play space

The proposal would be required to satisfy its children's play space needs on site. Every 50 persons require the consideration of the provision of a LAP (1 LAP satisfies 57 persons). This example could be required to provide 3 LAPs on site. After taking account of the distance related criteria (i.e. that all homes are within 100 m. walking distance of a LAP) it may be that the number required on site could be reduced. In cases where the total need is not provided on site the residual amount would be required to be covered by a commuted sum. For example: 2 LAPs on site satisfying 114 persons play space needs, leaves 58 persons play space needs which would be required to be covered by a commuted sum on the following basis:

Provision $58 \times £402.5 = £23,345$

Maintenance $58 \times 7(\text{sq.m.}) \times £27.50 = £11,165$

Total =£34,510

Maintenance of on-site provision (i.e. LAPs etc.)

If it is the intention of the developer to ask the LA to be responsible for the on-going maintenance of these areas, it would be on the following basis:

Equipped area $2 \times 100 \text{ sq. m.} \times £50 = £10,000$

Buffer zone $2 \times 300 \text{ sq.m} \times £15=£9,000$

Total for 2 LAPS equates to £19,000

Actual sums can only be calculated once the finished surface area is known.

B) Where occupancy levels between 50 and 100 people are expected,

Proposals in this category are required to satisfy both formal and children's play space needs.

Example: population capacity = 60

Formal recreation space

The first requirement of the policy is for on-site provision, however, in cases where the formal recreational open space needs are not required on site, it will be necessary for the open space needs to be covered by a commuted sum on the following basis:

Provision $60 \times £561 = £33660$
Maintenance $60 \times 17(\text{sq. m.}) \times £20 = £20,400$
Total = £54,060

Children's play space

If the development is in the catchment zone of two or more equipped play spaces, **an off-site contribution would be the preferred option or improvements were sought for access to existing facilities, in order to help secure and maintain varied play opportunities for different age groups across the borough.** Onsite LAPs would only be included if residents did not have reasonable access to existing outdoor recreational facilities. ie not in the catchment area of an existing facility and it would provide multifunctional benefits such as aesthetic and contribution to wildlife etc.

If a proposal were not to fall within a nearby play area, the proposal would require 1 LAP on site. In cases where the total need is not provided on site the residual amount would be required to be covered by a commuted sum. For example: 1 LAP on site satisfying 57 persons play space needs, leaves 3 persons play space needs which would be required to be covered by a commuted sum on the following basis:

Provision $3 \times £402.5 = £1207.50$
Maintenance $3 \times 7(\text{sq.m.}) \times £27.5 = £577.50$
Total = £1785

Maintenance of on-site provision (i.e. LAPs)

If it is the intention of the developer to ask the LA to be responsible for the on-going maintenance of these areas, it would be on the following basis:

Equipped area $1 \times 100 \text{ sq. m.} \times £50 = £5,000$
Buffer zone $1 \times 300 \text{ sq.m} \times £15 = £4500$
Total for 1 LAP equates to £9,500

Actual sums can only be calculated once the finished surface area is known.

Small New Residential Developments

Developments to be occupied by less than 50 people

Proposals in this category are required to satisfy both formal and children's play space needs by means of a commuted sum subject to their being a facility which can be improved or constructed within the appropriate distances (see table X) . In respect of children's this test can be carried out reasonably quickly by use of a plan (see para X) which shows all the existing facilities which can be improved within the borough. The basis for calculation is as follows:

Example: population capacity = 22

Formal recreation space

Provision $22 \times £561 = £12,342$

Maintenance $22 \times 17(\text{sq. m.}) \times £20 = £7480$

Total = £19,822

Children's play space

Provision $22 \times £402.50 = £8855$

Maintenance $22 \times 7(\text{sq.m.}) \times £27.50 = £4235$

Total =£13,090

Conclusion

The consideration of any proposal under this policy should be made after reading the guidelines set out above.

Note

Figures for commuted payments (apply as appropriate to size of development as explained above). The above rates apply from the adoption of this SPD. They will be subject to an annual review and increased at the annual rate of Consumer Price Inflation CPI provided by the Office for National Statistics. The new rates will apply from 1 April in each subsequent year.

Appendix 1

Costs associated with equipped Play Areas

A Local Equipped Area of Play is primarily aimed at junior aged children that can play independently. It will typically have a minimum activity zone of 500 square metres and have at least **5 play opportunities**.

A Neighbourhood Equipped Area of Play is aimed at children of all ages and include dynamic equipment for older children, it will typically have an activity zone of 1000 square metres and at least **8 play opportunities**.

Whilst the FiT Six Acre does not prescribe the type of play equipment that should include, a standard equipped area would allow for the following core play experiences;

- Climbing
- Sliding
- Swinging
- Rotating
- Rocking

Good play spaces are designed as places in their own right and would follow Play England's ten design principles. However, as a guide for establishing the real life costs of improving equipped play areas the tables below detail the costs associated with improving existing play spaces.

Table 1 (Below) shows the typical costs of providing and installing play equipment and associated impact attenuating surface for a LEAP. The figures have been based on tendered play area improvement works in 2017.

Table 1: Typical costs for costs for play equipment (core play experiences)

	Footprint SQM	Supply and Install Cost	Safer surface cost	Total Item cost	Cost per SQM
Multi Use Play Unit with slide	70	£25,000.00	£7,000.00	£32,000.00	£457.00
Three bay swing including junior and toddler and inclusive seats	70	£ 6,000.00	£7,000.00	£13,000.00	£186.00
Roundabout	30	£ 6,000.00	£3,000.00	£ 9,000.00	£300.00
See saw	20	£ 3,000.00	£2,000.00	£ 5,000.00	£250.00
TOTAL	190	£43,000.00	£19,000.00	£62,000.00	£326.00

A NEAP would include the above core items and dynamic play opportunities such as those detailed below in Table 2.

Table 2: Typical costs for dynamic play items

	Footprint SQM	Supply and install cost	Safe surface cost	Total cost	Cost per SQM
High Rope Climber	110	£15,000.00	£11,000.00	£26,000.00	£236.00
Cantilever swing	40	£ 6,000.00	£ 4,000.00	£10,000.00	£250.00
Dynamic rotator	85	£ 6,500.00	£ 8,500.00	£15,000.00	£176.00
Electronic play (cost estimate)	40	£25,000.00	X	£25,000.00	£625.00
TOTAL	375	£52,500.00	£23,500.00	£76,000.00	£202.00

The average real life cost of delivering equipped play improvements is **£264.00 per sqm**.

Maintenance costs are calculated at 30% of the capital investment, **£79.20 per sqm**.

Appendix 2

The case for revising Commuted Sums for Play and Formal Sport

Introduction

The rates at which Section 106 Commuted Sums for Open Space for both provision and maintenance need revising as they no longer reflect the actual cost to the Council to provide and maintain high quality play spaces.

Commuted Sums for Open Space are required in four areas;

- Play Provision
- Play Maintenance
- Formal Sport Provision
- Formal Sport Maintenance

Background

Section 106 (S106) of the Town and Country Planning Act 1990 (as amended) allows the drafting of legal agreements for the Council to control the impacts of development, which cannot otherwise be achieved via planning conditions. This is an established mechanism to secure the delivery of services or facilities needed as a result of new development, and are referred to as “commuted sums”. Contributions to infrastructure are delivered by way of physical works on- or off-site, land transfer, or financial contributions.

The commuted sums for Open Space Provision and Maintenance are used to enable the Council to provide / improve open space for the increase demand that the development has created.

Policy and Standards

Core Strategy Policy SIE 2 ‘Recreation and Amenity Open Space in New developments’ applies the Fields in Trust Standard (FiT), commonly known as the ‘*Six Acre Standard*’ to determine the improved open space required by a development. This is widely used as the National Standard.

In order to meet the *Six Acre Standard*, Stockport Council must provide 2.4ha of open space provision per 1000 population.

Of this provision approximately 0.7ha should be for children’s play. The *Six Acres Standard*, further recommends that this would normally contain approximately 0.25ha of equipped play space and approximately 0.45ha of casual play space. 1.7ha should be for Sports provision of which approximately 1.15ha should be sports pitches.

Meeting the Standard

In order to meet the *Six Acre Standard*, Stockport Council should provide 2.4ha or 24,000 square metres per 1000 population. This equates to 240 square metres of open space provision per person. This will include;

Play Provision -7 square metres of play provision per person, of which approximately 2.5 square metres would be for equipped play space and 4.5 square metres would be for casual play (amenity grass land).

Sport Provision - 17 square metres of formal sport provision per person, of which approximately 11.5 square metres should be sports pitches.

When a new development creates a bedroom space it increases population capacity, this is calculated using the table below.

Table 1

Development type	Population Capacity Increase
1 Bedroom dwelling	2 persons
2 Bedroom dwelling	3 persons
3 Bedroom dwelling	4 persons
4 + Bedroom dwelling	5 persons

Current Commuted Sums Rate

The Commuted Sums contributions were last revised in October 2006. The following rates per person are currently used to calculate the commuted sum contribution.

Table 2

	Provision capita	per	Maintenance capita	per	Combined Total
Childrens Play	£167.31		£83.02		£250.33
Formal Sport	£198.35		£201.62		£399.97
					£650.30

Stockport Council requires that commuted sum cover a maintenance period for 25 years. Any commuted sum maintenance received is then drawn down by Stockport Council at a rate of one twenty fifth per year (once the associated capital payment has been spent).

Revising the Commuted Sum Contribution

The existing rate charged through Commuted Sum for play is not reflective of the current cost to the Council for improving and maintaining open space provision in line with the increasing population.

In order to establish a fair commuted sums contribution the Council has attributed an asset value per metre square to its open space provision. This is detailed in Table 3: Proposed Rate for Commuted Sums for Open Space Provision.

Table 3: Proposed Rate for Commuted Sums Open Space Provision

		A1	B1	C1	D1	E1	
		Area required per person by the Standard (sqm)	Cost of provision per sqm	Cost of maintenance per sqm	Total per sqm (B1 + C1)	Cost per Capita (A1 x D1)	Total Contribution Sought per capita
Children's Play	Equipped Play	2.5	£125.00	£50.00	£175.00	£437.50	£595.00
	Casual Play space (Amenity Open Space)	4.5	£20.00	£15.00	£35.00	£157.50	
Formal Sport	Sports Provision	17	£33.00	£20.00	£53.00	£901.00	£901.00
							£1,496

Table 4: A comparison between the current rates and proposed rate for Open Space Commuted Sum

	A2	B2	C2	D2		
	Current cost per capita for provision	Proposed cost per capita for provision	Current cost per capita for Maintenance	Proposed cost per capita for maintenance	Current combined provision / maintenance per capita (A2 + C2)	Proposed combined provision / maintenance per capita (B2 + D2)
Childrens Play	£167.31	£402.50	£83.02	£192.50	£250.33	£595.00
Formal Sport	£198.35	£561.00	£201.62	£340.00	£399.97	£901.00
					£650.30	£1496

Benchmarking

Whilst all the GM Authorities base their Planning Guidance for Open Space Provision on the *Six Acre Standard*, the formula by which they work out commuted sums is often different, which can make direct comparison of rates unclear. As an example Wigan Council apply an Open Space Commuted Sum contribution per dwelling rather than per capita and Trafford Council use a different formula (to Stockport) to calculate the population increase per development.

Salford Councils Planning Guidance is set out in a similar way to Stockport's and therefore is the more appropriate for the comparison of the individual rates.

Table 3: A comparison between Salford's commuted sum rates with the proposed for Stockport.

	Childrens Play Provision per capita	Childrens Play Maintenance per capita	Formal Sport Provision per capita	Formal Sport Maintenance per capita	Combined Open Space Contribution per capita
Salford (June 2015)	£314.00	£214.00	£571.00	£340.00	£1,439.00
Stockport Proposed	£402.50	£192.50	£561.00	£340.00	£1,496.00

Worked Example

The below shows what neighbouring Councils would charge in Open Space Commuted Sums for a development of 15 houses – 5 with two bedrooms, 5 with three bedrooms and 5 with four bedrooms.

Council	Combine Play rate per capita	Formal Sport rate per capita	Population Capacity	Play Contribution	Formal Sport Contribution	Combined Open Space Commuted Contribution
Stockport Council Proposed	£595.00	£901.00	60	£35,700.00	£54,060.00	£89,760.00
Salford City Council 2015	£528.00	£911.00	60	£31,680.00	£54,660.00	£86,340.00
Trafford Council 2014	£540.54	£520.00	37	£19,999.98	£19,240.00	£39,239.98*
Bury 2015						£41,553.90
Stockport Council Current 2006	£250.33	£399.97	60	£15,019.80	£23,998.20	£39,018.00
Stockport Council Current 2006 with inflation	£347.39	£555.05	60	£20,843.40	£33,303	£54,146.40

Trafford have adopted a Community Infrastructure Levy (CIL). In this instance CIL replaces the use of some planning obligations, including contributions towards open space in Trafford. Although the costs associated with s106 contributions appear low; it is important to note that improvements required for local open space, semi natural green space, children's play equipment and outdoor sports facilities to address impacts arising from development will be named on the CIL Regulation 123 list, which describes what type of infrastructure projects CIL funds will be spent on. The link to Trafford's Supplementary Planning Document on Planning Obligation can be found here;

<http://www.trafford.gov.uk/planning/strategic-planning/docs/revised-spd1-planning-obligations-2014.pdf>

Conclusion

It is recommended that the Commuted Sum for Open Space Provision is increased from £650.30 to £1,496.00 per person and commuted sums are charged at the following;

Childrens Play Provision: per person	£402.50
Childrens Play Maintenance per person (25 year period)	£192.50
Formal Sport Provision per person	£561.00
Formal Sport Provision per person (25 year period)	£340.00
Total	£1,496.00

Appendix 3

Determination statement on the need for Sustainability Appraisal and Strategic Environmental Assessment of the review of the 'Open Space Provision and Commuted Payments' SPD

- 3.1 The Planning Act 2008 and associated regulations removed the mandatory requirement for a sustainability appraisal to be prepared alongside a supplementary planning document (SPD). The intention of this was to bring to an end the duplication of effort resulting from local planning authorities having to prepare a sustainability appraisal report even when appraisal had already been undertaken for an overarching plan. Local planning authorities are however still required to screen their SPDs to ensure that the legal requirements for sustainability appraisal are met where there are impacts that have not been covered in the appraisal of the parent plan, or where an assessment is required by the Strategic Environmental Assessment Directive².
- 3.2 The Strategic Environmental Assessment Directive is a European Union requirement that seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing certain plans and programmes.
- 3.3 The aim of the Directive is "to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment."
- 3.4 Strategic environmental assessment alone can be required in some exceptional situations. This is usually only where supplementary planning documents could have significant environmental effects that have not already have been assessed during the preparation of the Local Plan.
- 3.5 Before deciding whether significant environment effects are likely, the local planning authority should take into account the criteria specified in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004, which, in turn, are based on Article 3(5) and Annex II of the SEA Directive and consult the consultation bodies.
- 3.6 The criteria relate to: (i) the scope and influence of the document; and (ii) the type of impact and area likely to be affected.

² European Directive 2001/42/EC transposed into UK law by the Environmental Assessment of Plans and Programmes Regulations 2004.
Stockport Council

Impacts at Parent Plan level

3.7 The review of the SPD will supplement the following saved policies of the Core Strategy:

- Core Policy CS8 - Safeguarding and improving the Environment
- Development Management Policy SIE-1 - Quality Places
- Development Management Policy SIE-2- Provision of Recreation and Amenity Open Space in New Developments

3.8 The impacts of policies are set out in the Sustainability Appraisal Report for the adopted Core Strategy, April 2010. The main process of appraisal with regards to Stockport's Core Strategy has been to apply Stockport's Sustainability Wheel at various stages of development of the policies. The Wheel is a tool which was devised by the appraisal lead, with input from various colleagues and partners in the Borough, using their expertise across economic, social and environmental issues to inform the Sustainability Objectives the Wheel uses to assess documents.

3.9 As expected policies from the 'Safeguarding and Improving the Environment' chapter performed well against the sustainability objectives of the wheel. The revision to the 'Open Space Provision and Commuted Payments' SPD does not set a framework for development. Although it will set out the use of small areas (i.e. it will provide guidance on what type and amount of open space could be secured at different developments) it is not the driving policy document.

3.10 The principles of open space delivery and enhancement are set out in the Core Strategy's 'Safeguarding and Improving the Environment' chapter. The SPD only adds clarity to the delivery mechanism and the types of open space that could be provided.

3.11 It is considered that the SPD would not have additional significant impacts compared to those already identified in the appraisal of the Parent Policies;

- Core Policy CS8 - Safeguarding and improving the Environment
- Development Management Policy SIE-1 - Quality Places
- Development Management Policy SIE-2- Provision of Recreation and Amenity Open Space in New Developments

Therefore, SEA is not considered to be necessary for the Open Space Provision and Commuted Payments' SPD.