

## **Viability of open space standards in light of the Open Space Strategy and miscellaneous key issues workshop discussion paper 4 May 2011**

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The purpose of this paper is to address the key issues raised in response to draft Policy HW1 Provision of Open Space and Outdoor Playing Space in New Development and HW2 Provision of Sport, Cultural and Community Facilities in New Development, of the Draft Core Strategy (incorporating Preferred Options). It assesses the context of the open space standards as defined within SSDC's Health and Leisure PPG17 Assessment and the Open Space Strategy.

1 comment was received in support; there were also 23 objections and 12 observations. The key issue arising are summarised and addressed below.

### **Issues:**

- There are no policies that acknowledge the major contribution of cultural and community facilities or protect these facilities against loss
- Additional mention should be made of accessible natural greenspace and the benefits on the wellbeing of local communities
- The text should provide examples of actual recreational use of space so design can anticipate functional requirement
- Recreational facilities may be considered acceptable in flood risk areas but suitability and appropriate use should be considered
- Policy wordy and confused mixing together 3 different elements of infrastructure provision; open space/sport/recreation, community facilities and cultural provision
- Support in principle but the lack of a published PPG17 assessment to help justify the standards make it difficult to stand up to scrutiny
- Where has the lack of open space been identified and quantified. Where do we find detailed assessment of needs and audit of existing facilities
- Wording relating to off site provision could be amended
- Policy HW1 too long and appears to be duplicated in HW2
- The lack of published evidence undermines the requirements of circular 05/2005 and any related charging schedule must be subject to independent public examination before being applied
- The woodland figure is low and I would be concerned if it were to compromise quantities of structural landscape planting, whilst adding value to open space is a separate planning element to Public Open Space
- Can cycleways be considered along side green corridors and is the case for securing contributions weaker due to a lack of agreed standards
- Lack of standards makes it difficult for these policies to stand up to scrutiny
- HW1 should mention the provision of natural wild areas for children's play
- Levels of provision sought within HW1 are unrealistic and contrary to advice contained within circular 05/2005. The policy would undermine site viability and would lead to an increase in the quantum of land required to deliver strategic housing requirement
- Object to sheltered housing, rest and nursing homes not being exempt from informal recreational open space.
- Would like to see stronger support for the role of accessible woodland
- Would like to see the policy more closely aligned with the need to reduce informal recreational pressure on the Somerset Levels & Moors
- Sports facilities long term plan must be to provide full indoor sports centre
- Object to the policies and standards pending greater transparency from the council on how they have been achieved
- HW2 deals only with facilities for new development but there are no policies for the provision of new cultural facilities in town centres

- Far too many get out clauses that could mean new facilities may be needed but not provided. Also are the proposed requirements correct they seem disproportionate and the provision of other facilities does not appear to be included.

### **Responses:**

Many of the comments and issues raised are as a result of the lack of publication of the evidence base (the PPG17 Assessment and the Open Space Strategy 2011-2015) that has informed these policies and the standards within. This has meant that there has been no opportunity for the standards to be properly scrutinised and justified. The Open Space Strategy has now been agreed at Full Council and is due for publication. The PPG17 Assessment has been done and is currently being worked into a report that can go forward for publication. These documents are essential for the soundness of these policies and it is important for this information is published as soon as possible. In the event that this information is not available before the publication document is submitted, these policies would be completely unsubstantiated and in danger of being found unsound at inquiry.

Concern has been expressed that there are no policies to protect existing cultural and community facilities from closure. Policy EP16 relates specifically to the protection and provision of local shops, community facilities and services, this includes leisure and community facilities. Rather than introduce a new policy for the protection of cultural facilities, it is considered more appropriate to expand the terminology of the existing policy to include cultural facilities.

It is acknowledged within the policy context that natural greenspace is beneficial to the health and well being of local communities. This is recognised within the Open Space standards, which includes country parks, natural open space, woodlands and allotments. The concept of accessibility to natural open space is further considered in Policy EQ4 Green Infrastructure, which identifies the Council's intention to promote a strategy to provide a network of connected and multifunctional open spaces.

The level of details, of actual recreational requirements that it is suggested are included in the supporting text, are considered too prescriptive for a spatial policy. These details would be considered on their own merits through the development management process on a site-by-site basis. This would also be applicable when considering recreational facilities within a flood risk area.

It is suggested that the policy is too wordy and confused mixing together different elements of infrastructure provision. There is also a duplication of HW1 in HW2. The infrastructure provisions covered within Health and Well Being are wide ranging and cover all aspects of open space, outdoor play, sports, cultural and community provision as set out in PPG17. The policies set out the quantity standards that would be required for new development, with details for space provisions in HW1 and the built provision in HW2. These standards are based on the requirements as stipulated within the PPG17 Assessment and the Open Space Strategy 2011.

Application of these standards and the associated planning obligations for new developments would be assessed through the Development Management process on individual planning applications through a legal agreement with consideration to local requirements as identified in the Council's assessments of need. The envisaged introduction of an Infrastructure Delivery Plan will assess in broad terms viability of development and the application of the open space standards would be considered with all other infrastructure requirements.

The policies as submitted in the Draft Core Strategy were fairly comprehensive and included a lot of information. This was primarily as the supporting evidence had yet to be published. It

is proposed that when the policies are put forward in the publication document they will be reworded. The standards provided in the evidence base informing these policies have been produced in line with national policy. The Open Space Strategy covers the time period 2011-2015. These standards will need to be reviewed with regard to national policy and with regard to changes in local requirements. As the Core Strategy will cover the period 2012-2028, including the standards within the policies would be too restrictive and not allow for changes without reviewing the CS policies. It is therefore suggested that these are removed and the policies refer to compliance with the most recently adopted standard.

The woodland standard had been taken from the Open Space Strategy. Since then publication of the Draft Core Strategy, the standards for parks and gardens, informal recreational space and woodlands have been reviewed. As a result of this the standard for woodlands has been removed from the OSS. In reviewing these policies it may be more appropriate to look towards the inclusion of new woodland through development by incorporating this within policy EQ5.

When considering the contributions for infrastructure through development it was assessed as unreasonable to apply these standards for most of the categories. However it is considered that sheltered housing should continue to provide informal Open Space, as the elderly are able to make good use of these spaces by sitting in the gardens, enjoying the views and watching birds and wildlife.

The aims of these policies are enable development to provide a sufficient range of facilities in the right place. It does not consider the specifics of particular sites; this would be done on a development management basis. However it is intended that the Green Infrastructure Strategy would be able to look in greater detail at such issues and provide clear guidance on how the use of existing open space can be viewed in the context of further provision.

### **Other Issues Raised**

- A ring road of bridle paths around Yeovil to support walking and cycling
- Improving the environment in which people live can make healthier lifestyles easier
- PPG17 is open space, sport and recreation but does not give guidance on Cultural and community facilities
- We need more Cricket Grounds
- Strongly urge the Council to make affordable housing exempt from these types of contributions
- An additional paragraph should be added to consider the risk of noise disturbance arising from outdoor play space
- Ensure planting of garden friendly trees (fruit trees) in new builds
- Huge benefits to health and fitness by walking, riding and biking
- Specific concerns over the Lyde Road development

### **Responses:**

The aims and objectives of these policies are to facilitate and promote development with infrastructure that can promote a healthy lifestyle and environment. The policies cannot provide for specific proposals, for the type and location of aspirations for specified facilities. These would be considered in the context of individual planning applications, which would be considered on their own merit. This would include the amount of space provided for play areas and suitable minimum buffer zones to reduce disturbance from these areas, as stipulated within National Guidance.

Local standards are given for community facilities such as community halls within the policy. With the exception of regulatory functions; Planning, Historic Environment, Tourism, the Licensing Act 2003 and the Gambling Act 2005, the provision of all other cultural services are

at the discretion of the local authority. Within Somerset the provision of library services is controlled at a County level.

All development will generate the need for the type of facilities that could be provided through these policies. It is therefore reasonable to request contributions from developers even on affordable housing schemes. However within the context of the planning system it is possible for developers to negotiate the level of contributions required and these negotiations would take into consideration specific site details and levels of viability of the scheme.

## **Conclusions**

The delay in publication of the evidence base for Draft Core Strategy policies HW1 and HW2, and the subsequent comments received, has highlighted not only the importance of the Standards set but also the way in which these Standards have been updated during the course of this process. The existing legislation, PPG17 is currently responsible for setting standards for provision for sport, leisure and open space. Changes in the Government and their indication that the National Planning Policy Framework will replace all of the existing planning policy documents will inevitably lead to revisions to the standards being carried out within the next few years. The Open Space Strategy is adopted until 2015 at which point it will need to be reviewed.

This paper has demonstrated the way in which the Standards change to reflect the priorities of local need. Draft Core Strategy Policies HW1 and HW2 seek to ensure the provision of high quality facilities that will benefit the health and well being of the local population and the requirements of that provision will depend upon the character and location of the proposal. This needs to be clearly identified in a revised policy but by not including the Standards in these policies, it will allow for greater flexibility to adapt the Standards as the evidence base is reviewed and updated. This will reflect the changes in legislation and allow for the on going adaptation of requirements that emerge as policy and requirements change.

## **Recommendation:**

Revise policies HW1 and HW2 to comply with the aims and objectives as stipulated in the published evidence. At present this includes the Open Space Strategy (2011-2015), the PPG17 Assessment and the Strategy for Sport and Active Leisure in South Somerset 2006-12