

## CABINET ITEM COVERING SHEET PROFORMA

**AGENDA ITEM 18**

**REPORT TO CABINET**

**16<sup>th</sup> APRIL 2009**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

### **CABINET DECISION**

**Regeneration and Transport – Lead Cabinet Member – Councillor Cook**

#### **OPEN SPACE, RECREATION AND LANDSCAPING SUPPLEMENTARY PLANNING DOCUMENT**

1. Summary

This report seeks Member agreement to undertake the statutory six week consultation on the Open Space, Recreation and Landscaping Supplementary Planning Document. The document is intended to improve clarity and efficiency when requesting planning obligation contributions to open space and recreation facilities on new development. This is to be achieved through the setting of locally derived standards, which are contained within the SPD. The standards are based on a Planning Policy Guidance 17 Assessment, an evidence base document, which will be attached to the final SPD. This assessment and the SPD will also provide a basis for policy contained within the Core Strategy and Environment Development Plan Documents and the wider Local Development Framework.

2. Recommendations

Members are recommended to: -

- i) Note the contents of this report;
- ii) Agree the Open Space, Recreation and Landscaping Supplementary Planning Document for public consultation.

3. Reasons for the Recommendations/Decision(s)

Town and Country Planning (Local Development) (England) Regulations 2004 No.2204 outlines the need for a six week consultation period for the preparation of Supplementary Planning Documents. Comments received during this period will then be used to modify the document prior to its adoption. Cabinet approval is required in order to proceed with this consultation and progress to the adoption of the SPD.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of

conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

**Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.**

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**SUMMARY**

This report seeks Member agreement to undertake the statutory six week consultation on the Open Space, Recreation and Landscaping Supplementary Planning Document. The document is intended to improve clarity and efficiency when requesting planning obligation contributions to open space and recreation facilities on new development. This is to be achieved through the setting of locally derived standards, which are contained within the SPD. The standards are based on a Planning Policy Guidance 17 Assessment, an evidence base document, which will be attached to the final SPD. This assessment and the SPD will also provide a basis for policy contained within the Core Strategy and Environment Development Plan Documents and the wider Local Development Framework.

**RECOMMENDATIONS**

Members are recommended to: -

- 1) Note the contents of this report;
- 2) Agree the Open Space, Recreation and Landscaping Supplementary Planning Document for public consultation.

**DETAIL**

1. The Open Space, Recreation and Landscaping SPD will be designed to provide certainty to developers and improve the Council's negotiation of the planning obligation contributions required for open space, sport and recreation facilities. This

is to be achieved through the application of standards for provision set out in this document. Standards have been determined for the quantity, quality and proximity of open space, sport and recreation facilities. The Supplementary Planning Document is available as Appendix 1 to this report. The appendices to the Supplementary Planning Document are available as Appendix 2 to this report and can be viewed on E-Genda, Cabinet, 16<sup>th</sup> April 2009.

2. Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation outlines the need to move away from previous national standards to set locally derived standards. In order to derive these standards a robust local evidence base is required in the form of a Planning Policy 17 Assessment as outlined in Assessing Needs and Opportunities: A Companion Guide to PPG17.
3. This guidance outlines a process in which local needs must be identified, local provision audited, standards set and applied and policies drafted. Identifying local need has been undertaken through the Sport, Recreation and Leisure Survey and interest group consultation. Auditing local provision has been achieved through the Open Space Audit, a recent Open Space Audit Update and a built facilities audit. The PPG17 Assessment is available as Appendix 3 to this report and can be viewed on E-Genda, Cabinet, 16<sup>th</sup> April 2009.
4. A summary of this evidence is included in the PPG17 Assessment along with explanation of the standards. This will be provided as an appendix to the SPD in order to support the standards contained in it. The Assessment and SPD will provide evidence for policies that will be contained in the Core Strategy and Environment Development Plan Documents. The Assessment will also provide evidence for the emerging Green Infrastructure Strategy and the emerging Sport and Active Leisure Strategy.
5. The standards as contained in the document are set out below.

Parks and Gardens	Quantity:0.55ha per 1000 people Proximity: 2km of a park 5km of a strategic park
Natural Greenspace	Quantity:2ha per 1000 people Proximity: 1km
Outdoor Sports Facilities	Quantity:1.79ha per 1000 people Proximity: 1km
Amenity Greenspace	Quantity: 1.39ha per 1000 people Proximity: 600m
Play areas and Young People's Areas	Quantity: 1 play unit per 1000 people Proximity: 1km
Allotments	Quantity: 0.8ha per 1000 people Proximity: 5km
Cemeteries	Quantity: 180 burial plots per 1000 people Proximity: 5km
Health and Fitness Suites	Quantity:6.16 stations per 1000 people Proximity:2km
Indoor Bowls Centres	Quantity:0.04rinks per 1000 people Proximity:5km
Indoor Tennis Centres	Quantity:0.03 courts per 1000 people

Sports Halls	Proximity: 6km Quantity: 92.22m <sup>2</sup> per 1000 people
Swimming Pools	Proximity: 2km Quantity: 16.47m <sup>2</sup> per 1000 people
Synthetic Turf Pitches	Proximity: 2km Quantity: 0.03pitches per 1000 people
Ice Rinks	Proximity: 4km Quantity: 7.65m <sup>2</sup>
Community Centres/Village Halls	Proximity: whole Borough Quantity: capacity of 34 per 1000 people
	Proximity: 2km

6. Standards are not intended to be retrospectively applied to existing development, although they can be used to inform improvements where opportunities arise; rather they are to be a requirement for new development. Quantity standards will be used to identify the level of demand caused by the new development and areas where provision is deficient. Quality information will be used to identify sites for improvement. Proximity will be used to highlight areas of deficiency and to demonstrate the location of open space and facilities that are directly related to developments.
7. To determine if open space is to be provided onsite a 'minimum acceptable size' standard has been included for different types of space to ensure that spaces are only included on site if they are to be of a sensible size to be of use and efficient to maintain.
8. In order to ensure that the open space provided as part of new development is suitable and to ensure that high quality developments are created the SPD includes a landscaping section. This section of the SPD has been prepared by Urban Design, in close consultation with colleagues from other sections. The landscaping section of the SPD has been designed to increase the weight given to existing knowledge and practice through its inclusion in planning guidance.
9. The next stage of the process is to undertake consultation on the document for a period of six weeks. Comments received will be used to modify the document where appropriate. It is anticipated that the consultation will be undertaken during April and May 2009. Once comments have been considered and amendments made, the document will return to cabinet to be considered for adoption.

## **FINANCIAL IMPLICATIONS**

10. The production of the Open Space, Recreation and Landscaping SPD can be achieved within existing budgetary provisions.

## **LEGAL IMPLICATIONS**

11. Consultation on SPDs during their preparation is a statutory requirement of The Town and Country Planning (Local Development) (England) Regulations 2004, and should be carried out in accordance with the Statement of Community Involvement. Failure to comply would invalidate the adoption of the SPD.

## **RISK ASSESSMENT**

12. This (subject matter of report) is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

## **SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS**

13. The improvement of the quantity, quality and accessibility of open space, sport and recreation facilities advocated by the Open Space Recreation and Landscaping Supplementary Planning Document Supports the priorities of the Sustainable Community Strategy.

### **Economic Regeneration and Transport**

14. The Open Space Recreation and Landscaping SPD will aid the delivery of green infrastructure and improve recreation facilities enhancing the Borough's offer as an attractive place to live and work.

### **Safer Communities**

15. The need for open space to be designed with important regard to users safety and to discourage anti social behaviour is highlighted throughout the Open Space, Recreation and Landscaping SPD.

### **Children and Young People**

16. Play areas and young people's areas have been prioritised through the nature of the standards set in order to improve the delivery of these facilities. The improvement of open space, sport and recreation facilities in general will also aid the ambitions of the Sustainable Community Strategy.

### **Health and Wellbeing**

17. The improved quantity, quality and proximity to open space sport and recreation facilities which the Open Space, Recreation and Landscaping SPD is designed to support, should promote healthy living and the benefits this provides.

### **Environment and Housing**

18. The improvement of the quantity, quality and proximity of open space and guidance on landscaping should improve the Borough's Environment and provide attractive settings for new residential development.

### **Supporting Themes:-**

#### **Stronger Communities**

19. The improvement of the quantity, quality and proximity of open space, sport and recreation facilities will improve access to and engagement with council services.

#### **Older Adults**

20. Older adults have been consulted during the preparation of the evidence base of the Open Space, Recreation and Landscaping SPD and the improvement of open space, sport and recreation facilities advocated will benefit older adults.

#### **Arts Leisure and Culture**

21. The improvement of sports facilities promoted by the Open Space, Recreation and Landscaping SPD should promote the opportunity to be involved in sport increasing Quality of Life.

## **Community Safety**

22. Community safety implications have been highlighted under the safer communities section of the Sustainable Community Strategy Implications.

## **EQUALITIES IMPACT ASSESSMENT**

23. An Equalities Impact Assessment has been undertaken of the Open Space, Recreation and Landscaping SPD. A copy of the EIA has been placed in the Members Library.

## **CONSULTATION INCLUDING WARD/COUNCILLORS**

24. As the Open Space, Recreation and Landscaping SPD is a Borough wide document it is not possible to identify specific wards or ward councillors for consultation. The document has been considered by the Local Development Framework Members Steering Group. The evidence base for the document has required extensive public consultation.

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### Background Papers

Planning Policy Guidance 17: planning for open space, sport and recreation

Assessing Needs and Opportunities: A companion guide to PPG17

Open Space Audit

Sport, Recreation and Leisure Survey

Emerging Stockton Green Infrastructure Strategy

Emerging Stockton Sport and Active Leisure Strategy

Ward(s) and Ward Councillors: N/A

### Property

Onsite open space provided as part of new development through the application of the SPD may increase the Council's landholding in this area. However, maintenance costs should be covered due to the nature of the title transfer outlined.