

Regulation and Planning Policy Committee

Wednesday 18 April 2018

*10.00 am, Council Chamber
South Norfolk House, Cygnet Court, Long Stratton,
Norfolk, NR15 2XE*

If you have any special requirements in order to attend this meeting,
please let us know in advance

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Contact Sue Elliott on 01508 533869 or democracy@s-norfolk.gov.uk



Members of the
Regulation and Planning Policy Committee:

Cllr Charles Easton (Chairman)
Cllr Vic Thomson (Vice Chairman)
Cllr Colin Gould
Cllr Murray Gray
Cllr Lisa Neal
Cllr Jeremy Savage
Cllr Kevin Worsley

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Agenda

1. To report apologies for absence and identify substitute voting members (if any);
2. To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to **Section 100B (4) (b) of the Local Government Act, 1972**. Urgent business may only be taken if, "by reason of special circumstances" (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency;
3. To receive **Declarations of Interest from Members**; (see guidance attached page 6)
4. To confirm the minutes of the Regulation and Planning Policy Committee held on 14 December 2017;
(attached – page 7)
5. **Guidelines for Recreation Provision in New Residential Developments Supplementary Planning Document (SPD) Revised Draft for Consultation**; (report attached – page 11)
Appendix A - Revised Draft Supplementary Planning Document: 'Guidelines for Recreation Provision in New Residential Developments'; (page 19)
Appendix B - South Norfolk Council Community Assets Strategy 2016-2021; (page 76)
Appendix C - Summary of representations made to the consultation on the first draft SPD, and the Council's proposed responses; (page 94)
Appendix D - Strategic Environmental Assessment Screening Report for Draft Supplementary Planning Document: 'Guidelines for Recreation Provision in New Residential Developments'; (page 154)
6. Forward Work Programme; (report attached – page 162)

Working Style of Cabinet Policy Committees

Member Leadership

Members of the Committees will take the lead in understanding the direction provided by Cabinet and delivering work to Cabinet requirements. Whilst recognising political allegiances, members will work in a collaborative manner with officers and cabinet portfolio holders to consider the relevant issues when developing Council policy.

Collaborative Working

All meetings of the Committees will be constructive and conducted in a spirit of mutual respect and trust. Officers will commit to supplying meetings with information relevant to making informed decisions on policies and matters. Members will commit to thoroughly reading and understanding papers, raising questions that are pertinent to the issues at stake. Members will, where feasible, agree definable actions to be taken forward by officers to develop policy, rather than having items for noting or simply to discuss.

Frequency and Nature of Meeting

Each Committee would usually have 3 formal, public meetings per year. In assessing items delegated by Cabinet for review, the Committee may decide that it wishes to meet on a more or less frequent basis.

The Committee may also hold informal meetings should it require in order to progress specific items in detail. However, if the Committee is meeting to determine whether to refer items for Cabinet approval, the meeting should follow the Council's Standing Orders and thus be subject to a formal agenda, be held in public and the meeting recorded.

Informal meetings may be held in any manner suitable for conducting business (e.g. via meeting, conference call, circulation of information via e-mail, or site visits); while relevant information will be supplied by officers where appropriate, these meetings will not be subject to a formal agenda or minutes. Where business of the Committee is undertaken through informal meeting, all members of the Committee will be provided opportunity to participate. Members will expect to be able to participate in a free and frank exchange of views when deliberating subjects.

Training

Members commit to undertaking development – for example, attending formal training sessions, or reading relevant background material, in order to properly equip themselves to deliver their expected role fully.

Accountability

The Policy Committees will be accountable to Cabinet. They will not be able to make decisions themselves, but can recommend decisions to Cabinet. Cabinet may review whether the Committees are discharging their duties effectively, and may receive progress reports on how the Policy Committee is working to discharge its duties.

Work Programmes

The Work Programmes for the Policy Committee will be established by Cabinet. Members of the Committee will not be able to raise items to be included in the work programme. Where topics have been identified for inclusion in the work programme, the Committee will work to identify how it will discharge its responsibilities, including the resources required to do so.

Managing Time

However, the Committee is meeting, it will attempt to conclude the business of each meeting in reasonable time. The Chairman will be responsible for ensuring the meeting stays focused on pertinent issue, and does not become side-tracked on issues that are not relevant to the policy under consideration, or those that should be discussed by a separate committee.

Agenda Item: 3

DECLARATIONS OF INTEREST AT MEETINGS

Members are asked to declare any interests they have in the meeting. Members are required to identify the nature of the interest and the agenda item to which it relates.

- In the case of **other** interests, the member may speak and vote on the matter.
- If it is a **pecuniary** interest, the member must withdraw from the meeting when it is discussed.
- If it **affects or relates to a pecuniary interest** the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting.
- Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.
- In any case, members have the right to remove themselves from the meeting or the voting if they consider, in the circumstances, it is appropriate to do so.

Should Members have any concerns relating to interests they have, they are encouraged to contact the Monitoring Officer (or Deputy) or another member of the Democratic Services Team in advance of the meeting.



Regulation and Planning Policy Committee

Minutes of a meeting of the Regulation and Planning Policy Committee held at South Norfolk House, Long Stratton on 14 December 2017 at 10.00 am.

Committee Members Present:	Councillors:	C Easton (Chairman), C Gould, M Gray, J Savage, V Thomson and K Worsley
Apologies:	Councillor	L Neal
Cabinet Members in Attendance:	Councillor:	L Hornby
Officers in Attendance:	The Planning Policy Manager (A Nicholls), the Head of Environmental Services (B Wade), and the Senior Economic Growth Co-ordinator (D Disney)	

47. DECLARATIONS OF INTEREST

The following members declared “other” interests in the items listed below:

MEMBER	ITEM	REASON
Cllr C Easton	Guidelines for Recreation Provision in New Residential Developments Supplementary Planning Document (SPD) (minute no. 49)	Employer is landowner
Cllrs C Gould and J Savage	Gaming Machines and Social Responsibility Measures Consultation Response (minute number 50)	Members of the Licensing Committee

48. MINUTES

The minutes of the meeting held on Friday 17 November 2017 were agreed as a correct record and signed by the Chairman.

49. GUIDELINES FOR RECREATION PROVISION IN NEW RESIDENTIAL DEVELOPMENTS SUPPLEMENTARY PLANNING DOCUMENT (SPD) REVISED DRAFT FOR CONSULTATION

Members considered the report of the Planning Policy Manager, which sought comments on the contents of the revised draft “Open Space” Supplementary Planning Document (SPD), prior to it being considered by Cabinet on 8 January 2018. When adopted, the draft SPD would replace the Council’s Recreational Open Space Requirements for Residential Areas Supplementary Planning Guidance, published back in 1994.

Members noted that the consultation on the original draft SPD had ran from June to August 2017, and that the new revised draft had taken account of the responses received. The responses had included criticisms regarding the scale of costs required by developers, which were felt to be unreasonable, with a lack of evidence behind the charges. The Planning Policy Manager explained that these concerns had been noted and that the approach had been simplified, so that the likely charge per dwelling was laid out more clearly, with evidence for the costs.

In response to questions, the Head of Planning Policy explained that recreational open space could only be sought where justified and that there could be occasions where the direct provision of a space or facility was not appropriate within the boundary of the site. However, in such circumstances, off site provision would need to be in close proximity to the site, as it would need to be directly beneficial to people living on the development. Officers explained that there should be no duplication of facilities, and that funds could, as an alternative, be used to upgrade existing facilities.

During discussion, one member suggested that play areas should not be located immediately adjacent to older people’s accommodation, particularly any ground floor bedrooms, and the Committee agreed that this condition should be added to the SPD under Design Requirements.

With reference to the Options for Adoption (para 9 of the draft Strategy), members noted that a hierarchy of management had been introduced, to include a new category of “community bodies”. The Head of Environmental Services stressed that although the Council must first be offered the opportunity to take on the management of the land, this would only happen in exceptional circumstances, for example to protect a community asset.

Discussion followed regarding the role of Management Companies, and some members expressed concern regarding the risks involved, should a Management Company fail. Members were reminded that these organisations were profit making and would want the management of assets to be successful. Local residents would play a key role and would usually be represented on the Management Company Board. Members queried whether a Management Company could take on the management of other existing Council assets, and officers explained that this was unlikely if there were no commuted sums involved.

RESOLVED: To RECOMMEND that Cabinet:

1. Notes the representations received on the first draft of the SPD, and agree the Council’s proposed responses;
2. Agrees the revised draft “Guidelines for Recreation Provision in New Residential Developments SPD, subject to minor amendment, for four weeks’ public consultation, to commence in January 2018;
3. Agrees that a Strategic Environmental Assessment for Guidelines for Recreation Provision in New Residential Developments SPD does not need to be prepared, but to seek consultation views on the revised Screening Opinion (Appendix 4); and
4. Delegates authority to the Director of Growth and Business Development, in consultation with the Leader of the Council, to make minor changes to the revised draft SPD prior to consultation where the Director considers this necessary or desirable.

50. GAMING MACHINES AND SOCIAL RESPONSIBILITY MEASURES CONSULTATION RESPONSE

Members considered the report of the Senior Economic Growth Co-ordinator, which presented the Committee with the Council’s proposed response to the national consultation on Gaming Machines and Social Responsibility Measures.

The Senior Economic Growth Co-ordinator presented his report to members, and drew attention to the Council’s proposed response, outlined at paragraph 4.

During discussion, members indicated their support for the consultation response. The Senior Economic Growth Co-ordinator explained that although South Norfolk did not have a high number of gaming machines, the Council still acknowledged its responsibility in protecting vulnerable residents. Members noted that officers in the Early Help Hub had been consulted on the Council's responses. Officers in the Hub had worked with families affected by gambling and officers were aware of the impact gambling could have on individuals and their families.

RESOLVED: To endorse the proposed consultation responses.

51. FORWARD WORK PROGRAMME

The Chairman referred to the Committee's current work programme. Members noted that it was not yet known when the Annual Monitoring Report and the National Planning Policy Framework consultation would be available for consideration. The Planning Policy Manager also advised that officers were still awaiting Government guidance regarding Starter Homes, before this work could be progressed.

Members noted that this was the last meeting of the Committee for the Planning Policy Manager, Adam Nicholls, before he left the Council. The Chairman thanked Mr Nicholls for his hard work and valued contributions, and members wished him well in his new position at Great Yarmouth Borough Council.

(The meeting concluded at 11.50 am)

Chairman

**Regulation and Planning Policy Committee 18 April 2018
Cabinet 30 April 2018**

Agenda Item 5

**Guidelines for Recreation Provision in New Residential Developments
Supplementary Planning Document (SPD) -
Revised Draft for Consultation**

**Report of the Interim Joint Spatial Planning Manager
Cabinet Member: John Fuller, The Economy and External Affairs**

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1. Introduction

- 1.1 The purpose of this report is to present the revised draft Guidelines for Recreation Provision in New Residential Development Supplementary Planning Document (SPD), which is attached as **Appendix A**.
- 1.2 The draft SPD will replace the Council's 'Recreational Open Space Requirements for Residential Areas' Supplementary Planning Guidance (SPG), which was originally published in 1994. The document has been updated to refresh the Council's recommended standards; refer to current adopted Local Plan policy, reflect the Council's current policy on adoption and maintenance and to give guidance on new recommended safety and design standards. It has also been amended in response to comments received during the first consultation in summer 2017.

2. Background

- 2.1 Supplementary Planning Documents (SPDs) are non-statutory planning documents prepared by a Local Planning Authority following public consultation. SPDs are intended to provide more detailed advice or guidance to assist with the interpretation and implementation of the policies in a Local Plan but cannot set new policy.
- 2.2 There is a need to update the 1994 SPG document to reflect current adopted Local Plan policy. Policy 1 of the Joint Core Strategy states that areas of open space are important as an integral part of development. Subsequently the Council adopted the Development Management Policies document in October 2015, which contains a policy DM 3.15 relating to the provision of recreational open space. The supporting text to DM Policy 3.15 refers to the need for regard to be given to the 1994 SPG "or any subsequent version" and so although the 1994 document still carries "weight" and is used in development management decision-making, it is now very dated. Legal advice recommends updating the document to make it more relevant; an updated document would carry greater planning weight in decision making, and would reflect the high priority that the Government and Council gives to recreation provision in the context of the health and wellbeing agenda.
- 2.3 Historically new community assets such as recreational open space and play areas have often been adopted and managed by South Norfolk Council. A Community Assets Strategy for South Norfolk was agreed at Cabinet in January 2017 (see **Appendix B**), which sets out how community assets will now be managed in the period up to 2021; the Strategy will come into effect fully when

the Recreational Open Space Requirements for Residential Areas SPD is adopted, which is likely to be in summer 2018. The Community Assets Strategy makes it clear that, following adoption of the SPD, the Council will accept no further transfer of Section 106 infrastructure, other than in exceptional circumstances, meaning that they will no longer routinely take on ownership or maintenance of new recreational open and play areas provided through new developments.

- 2.4 This means that for all planning decisions made after the adoption of this SPD, the developer will need to make robust arrangements for the adoption and long-term management and maintenance of such assets, with responsibility being taken on by either the relevant parish/town council (preferred), an appropriate community or a designated management company.
- 2.5 The January 2017 Cabinet concluded that Recreational Open Space Requirements for Residential Areas SPD should include useful guidance to parish/town councils considering taking on the adoption and maintenance of new open space and play space areas.
- 2.6 Consultation on the first draft ran from June to August 2017. 25 responses were received, ranging from parish councils, planning consultancies and developers to statutory consultees. **Appendix C** details the comments made and the Council's response to these comments. Subsequently the document has been subject to significant redrafting to address the issues raised.
- 2.7 The first draft of the SPD and the current SPG can both be found at <https://www.south-norfolk.gov.uk/open-space-spg>, and the original Cabinet report on the first draft SPD can be found at <https://www.south-norfolk.gov.uk/sites/default/files/Cabinet-Agenda-12-June-2017.pdf>. In the interim, the Regulation and Planning Policy Committee considered a further iteration of the document at its December 2017 meeting.

3. Current Position

- 3.1 The first draft SPD was produced by a team of South Norfolk Council officers, taking into account legislative requirements, best practice and legal advice. A number of detailed comments were made on particular elements of the draft SPD, for example, asking for it to reflect more clearly the needs of children with disabilities when planning play areas (wheelchair-accessible play equipment, for example). Where agreed with, these changes have generally been made to the document.

- 3.2** A second main area of comments came from Parish/Town Councils. Some expressed concerns about the costs and implications of taking on the maintenance of recreation spaces, highlighting worries about the long-term financial liability. The Council's clear position (as expressed in the revised SPD) is that the new recreational open space must be offered first to the relevant Parish/ Town council, with a 10-year maintenance commuted sum. However, if the Parish/ Town Council chooses not to take this on – and there is no requirement to so do – then the most likely option will be for the space to pass to a management company.
- 3.3** The only exception to this may be if another body is prepared to take on the recreational open space. The Land Trust (www.thelandtrust.org.uk) is a national charity “that is committed to the long-term sustainable management of open space for community benefit”; however, the body tends to deal with larger areas of open space rather than that associated with smaller developments. Occasionally there may be a local play area/playing field committee (independent of the parish council) which (with the 10-year commuted sum maintenance payment) will agree to take on the maintenance in perpetuity – Hingham is one such example in South Norfolk.
- 3.4** Some Parish Councils also raised worries about some of the practical effects of land passing to a management company for maintenance. It is important to note that the SPD can only cover planning matters, not property matters. Concerns about the costs of ongoing maintenance (which will normally fall on the householders of the associated development on an annual basis) are recognised as being an important matter, but the Section 106 legal agreement to secure new recreational open space cannot be overly-prescriptive about particular costs and standards of maintenance. These matters are covered in the management company's articles of association, and the Board of Directors of any management company will normally include at least some of the residents. It is for the Directors to help determine the appropriateness of the management regime, and costs. Prospective purchasers should be made aware, by their solicitors, of any ongoing costs, before buying a property.
- 3.5** Comments criticising the scale of the costs required by developers were made by several planning consultants and one housebuilder. The overall magnitude of the costs was asserted to be unreasonable, and also with no ability for any impact on overall scheme viability to be taken into account. These concerns have been noted, and various appropriate changes to the SPD have been made in reflection of these.

4. Proposals

- 4.1 The revised draft SPD is attached as **Appendix A**. The document has been updated to; refresh the Council's recommended standards, reflect the Council's current policy on adoption and maintenance, refer to current Local Plan policy and to give guidance on new recommended design standards. It also takes into account representations received on the first draft of the SPD.
- 4.2 The draft document has been extensively reviewed following the feedback from the 2017 consultation. The proposed approach has been revised and is now broadly based upon the most recent 2015 Fields in Trust (FiT) recommended standards. This was formerly known as the National Playing Fields Association's 'Six Acre Standard', which was instrumental in setting the standards in the 1994 SPG. In recognition of this approach the SPD seeks three main categories of recreational open space (Children's Playspace, Older Children and Adult's Recreation Space and Informal Recreation Space) the latter of which is an addition compared to the 1994 standards. As a consequence, the document now proposes an increased quantity of recreational open space - 4.9ha of recreational open space per 1,000 population. However, the SPD also recognises that open space can be multi-functional, and that informal space in particular can also form part of the landscaping, buffering to neighbouring uses and/or green infrastructure that is also necessary to make development acceptable.
- 4.3 The SPD cannot set new policy and can only provide guidance on the implementation of adopted policy, in this case Development Management Policy DM 3.15. Policy DM 3.15 does not set quantitative standards, referring only to the provision needing to be commensurate to the needs of the development. In light of the ongoing production of the Greater Norwich Local Plan, and the need for a timely current review of the SPG, it has been concluded that basic primary research to identify bespoke new standards is not pragmatic. The FiT standards are widely recognised as being good practice and used by many local planning authorities in England.
- 4.4 In recognition of the criticism of some of the proposals in the first draft of the SPD, an alternative strategy based on average household sizes and numbers of bedrooms (an occupancy multiplier) has been used to simplify the approach. Appendix 1 of the revised SPD sets this out clearly.
- 4.5 Appendix 1 also illustrates the costs for equipping and maintaining Children's Playspace, Older Children and Adult's Recreation Space and Informal Recreation Space. These costs are derived either from a blended rate of South Norfolk Council contractors or

Sport England. Worked examples have been set out in Appendix 2, illustrating the costs for a range of site sizes (15, 51, and 200 residential units). It is important to note that the precise cost for each site will vary depending on a number of factors which include (but may not be limited to) the numbers of residential units and the housing mix of units on site, the proximity and nature of existing recreation space and any viability considerations. The cost of land has not been included in these costings due to the complexities of seeking a standardised land value.

- 4.6** The SPD seeks to retain a degree of flexibility, particularly relating to the provision of off-site recreational open space. However, it also makes clear that on-site provision of recreational open space is the Council's preferred option in order to directly mitigate the impact of development. The document also makes clear that the viability implications of the Recreational Open Space requirements will, where appropriate, be taken into account and that the Council will adopt a pragmatic approach.
- 4.7** A "screening" consultation on whether a Strategic Environment Assessment (SEA) would be required for the SPD concluded on 12 May 2017. The original SPD consultation document concluded that the SPD did not require a full SEA (see <https://www.south-norfolk.gov.uk/open-space-spg>); neither of the two consultation responses received (from Natural England and Historic England) disagreed with this conclusion, and Cabinet agreed that an SEA need not be undertaken. Whilst the substance of the revised draft SPD has not changed significantly, the SPD has been re-screened for SEA purposes (see **Appendix D**). It is concluded that the SPD still does not pass the tests for a full SEA. Nonetheless, this will be subject to consultation alongside the draft SPD to seek the views of consultees on this matter.
- 4.8** Once agreed by Cabinet, the revised draft SPD will be subject to four weeks' public consultation, commencing in May. The consultation will include all those previously consulted, including developers, housebuilders and all Parish/Town Councils in South Norfolk. All consultation comments will be considered, any appropriate modifications made and the SPD will then return to Cabinet for formal adoption (currently expected to be July 2018, but dependent on the volume and significance of representations received). As stated above in paragraph 4.6, from the date that the SPD is adopted, South Norfolk Council will not accept the transfer of any new open space and play space, unless the "exceptional circumstances" test set out in section 6 of the Community Assets Strategy is met.

5. Risks and implications arising

- 5.1** There will be no direct financial impact as the work to produce the SPD is covered within the current budget. However, when the Community Assets Strategy is formally adopted, the fact that the Council will no longer taking on maintenance responsibilities for new open space and play space will no longer increase the longer-term maintenance liabilities to the Council.
- 5.2** There may be increased risks if management companies fail or do not satisfactory undertake their responsibilities, or appointed parish/town councils do not undertake appropriate maintenance. However, the Council will ensure that appropriate maintenance arrangements are in place in principle through the S106 agreement for new development proposals (either to a parish/town council or management company). It must also be noted that Cabinet has already agreed (in January 2017) to the principle of the Council no longer taking on new open space and play space once the SPD has been adopted.
- 5.3** As the SPD cannot (and is not) introduce(ing) new policy, there will not be any significant equalities impacts. However, as stated in Appendix 4 of the revised draft SPD, there can be a number of advantages to more local control of open space and play space assets (for example, Parish/ Town Councils).
- 5.4** There are not likely to be any significant new environmental impacts, as the SPD is not proposing new policy. As noted in paragraph 3.2 above, the SPD has been screened for SEA purposes, and the Council's opinion remains that an SEA does not need to be undertaken.
- 5.5** It is not considered that there will be any negative impact on crime and disorder. Indeed, the draft SPD contains guidance to 'signpost' the better designing out of crime on open spaces.

6. Other options

- 6.1** Regulation and Planning Policy Committee could decide that appropriate clarifications and amendments should be made to the draft SPD before it is considered by Cabinet on 30 April 2018.

7. Recommendation

- 7.1** Regulation and Planning Policy Committee is asked to recommend that Cabinet resolves to:
- i) Note the representations received on the first draft of the SPD, and agree the Council's proposed responses (Appendix C);
 - ii) Agree the revised draft 'Guidelines for Recreation Provision in New Residential Developments' SPD (Appendix A) for four weeks' public consultation, to commence in May 2018;
 - iii) Agree that a Strategic Environmental Assessment of the 'Guidelines for Recreation Provision in New Residential Developments' SPD does not need to be prepared, but seek consultation views on the revised Screening Opinion (Appendix D); and
 - iv) Delegate authority to the Director of Growth and Business, in consultation with the Cabinet Member for Economy and External Affairs, to agree any minor changes to the revised draft SPD prior to consultation.

Appendices

- A: Revised Draft Supplementary Planning Document: 'Guidelines for Recreation Provision in New Residential Developments'**
- B: South Norfolk Council Community Assets Strategy 2016-2021**
- C: Summary of representations made to the consultation on the first draft SPD, and the Council's proposed responses**
- D: Strategic Environmental Assessment Screening Report for Draft Supplementary Planning Document: 'Guidelines for Recreation Provision in New Residential Developments'**

South Norfolk Council

GUIDELINES FOR RECREATION PROVISION IN NEW RESIDENTIAL DEVELOPMENTS

Supplementary Planning Document (SPD)

Second Consultation Draft –May 2018



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DRAFT

INTRODUCTION AND PURPOSE

1. This Supplementary Planning Document (SPD) sets out guidance for the provision, adoption and future maintenance of outdoor recreational facilities directly needed as a result of new residential development across South Norfolk. This space includes children's playspace as well as formal and informal recreational open space for older children and adults. This SPD is intended to supplement the Council's Development Management Policy DM3.15: '*Outdoor play facilities and recreational space*' and provides a tool to calculate the open space requirement a development will generate.
2. Developments proposing 15 residential units or more will be expected to provide play and recreation space and informal recreational space in accordance with the criteria set out within this SPD to meet the requirements of Policy DM3.15. The 15-unit threshold is a continuation of the Council's previous working practices. It is reasonable to expect sites delivering 15 residential units or more to accommodate on-site recreational open space provision. South Norfolk Council also considers that sites of 15 residential units or more are of sufficient scale to start impacting upon existing community facilities therefore this should be mitigated for within the proposed development.
3. The requirement for play facilities and recreational open space is separate from the provision of landscaping and other amenity spaces which form an equally important element of the design of new developments, although the dual use of land may be considered acceptable provided the land uses do not prejudice one another.
4. Larger scale facilities, including formal sports pitches, courts and greens, swimming pools and sports halls, may also be provided on-site as part of strategic scale developments; however, they are more likely to be funded (at least partly) through the pooled Community Infrastructure Levy (CIL) pot and timetabled for delivery through the Greater Norwich Infrastructure Plan. Such facilities may also utilise funding from other organisations, such as Sport England and sports' governing bodies.
5. It is important that the provision and composition of the open spaces and recreational facilities in a settlement/ community are well related to need. It is recognised that quality open spaces and play areas have benefits in terms of health and wellbeing and supporting sustainable communities. This is acknowledged through planning policy and reflects the cross-cutting importance of effective provision. The Council's Corporate Plan 2016-2020 recognises as a priority the need to enhance health and wellbeing and improve the quality of life of our communities. This is also reflected in the current Health and Wellbeing Action Plan which requires that future developments should take account of health and wellbeing through public health and planning approaches.

6. Sufficient facilities should be provided in appropriate and convenient locations to cater for the normal leisure activities of local residents. It is key that new residential developments contribute towards the provision of recreational facilities, either through Section 106 obligation/ planning condition and/or more strategically through the payment of CIL. This will ensure that appropriate levels of provision are maintained within settlements and that new communities have sufficient opportunities for recreation.
7. This SPD refreshes the Council's Supplementary Planning Guidance (SPG) '*Recreational Open Space for Residential Areas*' which was published in 1994. It has been updated to provide standards based on current Local Plan policy, the recommended Fields in Trust standards and to reflect the Council's policy on the adoption and maintenance of land. **Appendix 3** also provides guidance on design standards.
8. Whilst consistency is an important consideration in planning decisions, proposals will be assessed on the basis of their individual circumstances. The guidance and standards of this SPD should be read in this context and will be applied accordingly. Where appropriate the Council will take account of clearly evidenced viability and/or practical considerations concerning the delivery of the levels of recreational open space and playspace anticipated by this SPD, or the feasibility of the on-site delivery normally required by Policy DM3.15.
9. Historically, community assets such as open space and play areas have usually been taken on and managed by South Norfolk Council. In January 2017 a Community Assets Strategy for the Council was agreed at Cabinet. This document sets out how new open spaces, play areas and other public community assets in South Norfolk will be managed in the period up to 2021. The Community Assets Strategy should be read alongside this SPD and it will come fully into effect on the date this SPD is adopted. The Community Assets Strategy is not a statutory document, but nevertheless sets out a structured corporate approach which enables a more sustainable and progressive management regime.
10. The effect of this SPD, read in conjunction with the Community Assets Strategy, is that South Norfolk Council will no longer take on the ownership or maintenance of new recreational open space or play areas provided pursuant to planning permissions granted after this date of adoption of this SPD, unless there are exceptional circumstances. Developers will need to make robust arrangements for the adoption and long-term management and maintenance of such assets in line with the guidance in this SPD. This responsibility could be taken on by the relevant parish/town council or appropriate community group, or a designated management company (see **Chapter 6** for further details). The agreed details will be specified in a legal agreement. The Council cannot dictate who ultimately adopts or maintains these assets. Whilst it is the Council's preference for these recreational open spaces to be adopted by the Parish Council or appropriate community association, the most important objective is that the availability and maintenance of the facilities are effectively and permanently secured.

11. The success of playspace and recreational areas in fulfilling their intended role will depend in practice on the engagement and commitment of everyone contributing to their management. It will therefore be important that home purchasers are made aware of the responsibility for making any ongoing financial contributions towards the maintenance of playspace and recreational areas in instances where the maintenance management role resides with a management company. This information will be obtained via the home purchasers solicitor during the conveyancing process

12. In the context of this SPD the following recreational open space definitions have been applied:

South Norfolk Open Space Classifications	
Recreational open space	An umbrella term used to describe all of the different components of the open space requirements within the South Norfolk area.
Children's Playspace	Equipped areas of playspace aimed at children aged up to approximately 11 years, as well as areas of informal unequipped children's playspace (play equipment is considered to be ability based rather than age specific therefore any reference to age is indicative only).
Older Children & Adult's Recreation Space	Recreation space typically aimed at ages 11 years and above which may take a number of forms and could include facilities such as formal/informal pitches and courts, kick-about areas, outdoor gyms, trim trails, skate parks, bowls greens and Multi Use Games Area (MUGAs).
Informal Recreation Space	This could include areas such as natural green space, allotments, informal recreation areas (such as grassed areas, woodland and trails) as well as wider landscaping of the site and development buffer zones. Green infrastructure requirements resulting from new development may also contribute towards the informal recreation space provision provided that the land uses do not prejudice one another and full access to the land is achievable at all times.

Table 1: South Norfolk Open Space Classifications

13. The standards for the provision of recreational space are applicable throughout the South Norfolk District Area, irrespective of the location of the development site¹.
14. The document has been prepared using a m² (square metre) figure however a hectare (ha) conversion tool may be found in **Appendix 1**.
15. This SPD will be monitored through indicators relating to open space provision in the Council's Annual Monitoring Report (AMR). The SPD will be kept under review and amended as appropriate. Costings included within this SPD will be increased annually in accordance with the Retail Price Index (RPI) and applicants are advised to make these adjustments when calculating the financial liability generated by a development.

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¹ The Broads Authority will have regard to the requirements set out within this SPD for relevant applications determined by the Authority.

POLICY CONTEXT

National Policy

1. Paragraph 70 of the National Planning Policy Framework (NPPF, March 2012)² requires local authorities to plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments. It emphasises the need for communities to have access to high quality open space, and recreation as an important contributor to health and well-being.
2. The Planning Practice Guidance (PPG) provides additional guidance to support the NPPF and also contains information in relation to the provision of open space, sports and recreation.

Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk

3. The strategic context for the provision of open space and play facilities in South Norfolk is set by the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk (January 2014).
4. The JCS vision states that 'there will be excellent public open space, sport and recreational facilities and community centres'. Objective 9 states that 'Development must provide environmental gains through green infrastructure...' and objective 11 states that the 'accessibility of open space, the countryside, sports and recreational facilities will be improved'.
5. JCS Policy 1 requires the development of a multi-functional green network which provides opportunities for formal and informal recreation, walking and cycling, as well as encouraging and promoting biodiversity and acting to mitigate flood risk and combat the effects of climate change. Where there is no conflict with biodiversity objectives, enjoyment and use of the natural environment will be encouraged. JCS Policy 8 expects development to provide for access to green space, including formal recreation, country parks and the wider countryside.

South Norfolk Council Policy

6. The South Norfolk Council Corporate Plan 2016-2020 sets out the Council's vision to "retain and improve the quality of life and prosperity of South Norfolk, for now and future generations, to make it one of the best places to live and work in the country". In part, this vision is to be achieved by enhancing the health and well-being of South Norfolk communities and enhancing the built and natural environment in our towns and villages.

² In March 2018 the Government published proposed revisions to the National Planning Policy Framework (NPPF). As proposed the content referred to above at paragraph 1 above will remain at NPPF paragraphs 92 and 97. The SPD will be revised as necessary to reflect the published form of the replacement NPPF.

7. The South Norfolk Council policy for the provision of recreational open space is contained within the Development Management Policies Document (October 2015), specifically Policy DM3.15, '*Outdoor play facilities and recreational space*', as set out in **Table 2** below. Paragraph 3.105 of the Development Management Policies Document and the supporting notes to Policy DM3.15 refer to the use of the standards in the 1994 SPG or any subsequent/successor documents.
8. Individual site allocation policies in the Council's Site Specific Allocations and Policies document (October 2015), the Wymondham Area Action Plan (October 2015), Long Stratton Area Action Plan (May 2016), and any successor documents, will outline if there are any additional recreational requirements on allocated sites. If site specific requirements have not been identified it is expected that recreational open space provision will be in accordance with the details set out in this SPD.
9. Recreational requirements may also be contained within adopted ('made') Neighbourhood Plans, which can be found on the Council's website <http://www.south-norfolk.gov.uk/neighbourhood-plans>.

<p>Policy DM3.15: Outdoor play facilities and recreational open space</p>
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<p>New housing development will be required to provide adequate outdoor play facilities and recreational open space commensurate with the level of development proposed in order to meet the needs of the occupants.</p>
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<p>Development must not result in a net quantitative or qualitative loss of existing open space unless it can be demonstrated that there is a surplus of amenity space.</p>

Table 2: Development Management Policy DM3.15

LEGAL MECHANISMS FOR SECURING PROVISION

1. New recreational provision in South Norfolk will be secured/ funded in a number of ways, at both the strategic and local level. At the strategic level, outside the scope of this SPD, Community Infrastructure Levy (CIL) income will be used to help provide sport and play provision to serve the needs for the wider South Norfolk and Greater Norwich communities. At the more local level, Section 106 agreements or planning conditions will be used to secure the elements of playspace and recreational open space necessary to make a development acceptable in planning terms. It is this aspect of provision which is covered by this SPD. More information about CIL, Section 106 agreements and planning conditions is given below.

Community Infrastructure Levy

2. The Community Infrastructure Levy (CIL) was introduced by the Government to ensure that when land is developed it contributes the necessary infrastructure to support it, such as schools, public transport and leisure facilities. CIL is charged on almost all new buildings to ensure that development contributes towards the infrastructure needed to support growth in an area. Local Authorities set their own CIL charge, subject to independent examination, and the priorities for what the money is to be spent on. A portion of the CIL funds is payable to local communities for the purpose of localised spending on priority infrastructure projects. CIL funds may be used to fund the provision of sport and recreational facilities.
3. South Norfolk Council implemented a CIL from 1 May 2014 and, apart from any exceptions set out in legislation, all new residential development is liable to pay CIL. Further information about CIL (such as the Charging Schedule and the Charging Zones) can be found on the Council's website at <http://www.south-norfolk.gov.uk/how-does-cil-affect-me>. The majority of CIL (70-80%) is pooled by the Greater Norwich authorities to fund strategic infrastructure across the area, and it is from this pot that funding bids for specific strategic infrastructure projects are made. In line with national requirements, 15% of CIL is passed to the parish council within which the development takes place, this rises to 25% in areas covered by an adopted 'made' Neighbourhood Plan., The remaining 5% of CIL is set aside to cover administrative costs. Also, Parish/ Town Council's may spend the CIL income that they receive on recreational provision for their own communities.
4. The Council's published CIL Regulation 123 list (http://www.south-norfolk.gov.uk/sites/default/files/123_list.pdf) sets out what type of infrastructure will be funded, or part funded, through CIL. In terms of sport and play provision this includes outdoor sports pitches, courts and greens, informal recreation open space, equipped and unequipped space for children and teenagers, swimming pools and indoor sports halls, apart from any element of such provision that may be provided on-site as part of a development.

5. Where the need for additional formal sports resources are identified it will be important that such provision, as well as the associated amenities (for example, changing rooms, storage facilities and car parking areas), are provided to the Sport England quantitative and qualitative standards (see 'Natural Turf for Sport' (2011) or any successor document). In some instances, the land for such infrastructure may be provided on-site through S106 agreements with the facilities themselves being brought forward by CIL.
6. Specific schemes for green infrastructure and sport and play provision that are required to meet strategic needs are identified individually within the Greater Norwich Infrastructure Plan (GNIP) as projects that could potentially be funded, or part funded, from CIL contributions. A number of priorities were identified through the Playing Pitch Strategy and Indoor Sports Facilities Strategy that were produced for the Greater Norwich authorities in 2014. Further information on the GNIP and the Strategies can be found on the Greater Norwich Growth Board website at <http://www.greaternorwichgrowth.org.uk>.

Section 106 Agreements

7. Planning obligations made under Section 106 of the Town and Country Planning Act 1990 (as amended) – commonly known as Section 106 obligations – are legally binding promises made by developers to local planning authorities which make a development acceptable (that would otherwise not be acceptable in planning terms). S106 obligations focus on site specific measures to mitigate the impact of individual developments. Recreational open space and play facilities are thus often secured by such obligations with trigger points specified for the provision of the infrastructure. If the S106 obligation is not complied with it is legally enforceable against the person that entered into the obligation and any subsequent landowner. The Section 106 can be enforced by injunction.
8. Section 106 agreements should only be sought where they meet the following tests:
 - Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
9. From April 2015 the use of Section 106 obligations became more restricted as local planning authorities are prohibited from pooling contributions from five or more sources to fund a particular project or piece of infrastructure³.

³In March 2018 the Government proposed through its consultation document '*Supporting Housing Delivery Through Developer Contributions*' that this pooling restriction may be removed where there is CIL in place and that the requirement for a Regulation 123 List is also removed. The SPD will be revised to reflect these reforms if they are taken forward.

10. In terms of recreational open space and play provision, the CIL Regulation 123 List states that the type of infrastructure and other items to be funded through a Section 106 agreement (or secured through planning condition) include the on-site provision of formal open space and play space in accordance with development plan policies in force at the time, or a commuted sum to cover the off-site provision of such facilities. The provision of maintenance for such facilities and any necessary transfer of land to secure the long-term future of such facilities are also necessary.
11. CIL contributions and money secured through a Section 106 agreement ("double-dipping") cannot be used to fund the same piece of infrastructure.

Planning Conditions

12. Paragraph 203 of the NPPF (2012) states that planning obligations (i.e. Section 106 obligations) should only be used where it is not possible to address the unacceptable impacts of a development through a planning condition.
13. Planning conditions can only be imposed where they are:
- Necessary; and
 - Relevant to planning and to the development to be permitted; and
 - Enforceable; and
 - Precise; and
 - Reasonable in all other respects.
14. A condition might require additional approvals for specific aspects of the development (such as the colour of the materials) or might restrict the use of the site (for example, limiting operating hours). Some conditions are self-contained but others require the submission of further details to the Council. The wording of the condition may require these details to be approved in writing prior to commencement or occupation of the development and these conditions need to be discharged by the local planning authority. It may be possible to secure the open space and play facilities required to make a development acceptable through planning conditions. However, this may not always be practicable, for example where the process and nature of delivery may be complex and mean that the tests of precision and enforceability would not readily be met by condition. If so, a section 106 obligation will be expected.

APPLICATION OF THE SOUTH NORFOLK STANDARDS

Applying the standards

1. Following adoption, this SPD will apply to all new residential developments delivering 15 units or more.
2. The guidelines will apply to all new residential development (under Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended)).
3. Development proposals consisting entirely of non-institutional sheltered and retirement housing will be exempt from the requirement to provide children's playspace.
4. Development proposals that are within the Town and Country Planning (Use Classes) Order 1987 (as amended) categories that are likely to be exempt from the guidelines in this SPD include those set out below. Applicants for these forms of development should contact the Development Management team at the earliest opportunity to confirm whether the development would generate a requirement for recreational open space.
 - Hotels, boarding and guest houses under Class C1: Hotels;
 - Secure residential institutions in Use Class C2A.
5. Any recreational open space requirements for these types of development will be negotiated and assessed separately through the planning application process. Further advice can be obtained from the Council's Development Management team prior to the submission of an application.
6. The artificial sub-division of larger sites in an attempt to avoid the minimum 15 residential unit threshold will not be acceptable. In the instance an application for a smaller part of a larger site is submitted, (for example, part of a Local Plan allocation), the Council will have regard to the potential recreational open space requirements for the whole site in assessing the proposals for development on any part. It is not reasonable to defer play and open space requirements necessary for early phases of development to a later phase and agreement will be sought with the developer/landowner regarding the location, timing and delivery of provision appropriate to the whole site.
7. For large sites where a masterplan or design brief is to be prepared by the Local Planning Authority, more precise calculations and diagrammatic layouts can be incorporated and the developer made aware that open space of a certain size is required.
8. For outline applications where the precise dwelling mix is unknown an assumption in accordance with the current Strategic Housing Market Assessment (SHMA) (or equivalent

evidence base document) will be made. Full details of the quantity and occupancy calculations can be found in **Tables 3 and 4 and Appendix 1**. Worked examples based upon the 2017 SHMA figures are included in **Appendix 2**. Developers will be required to update the SHMA figures as appropriate to reflect the most up-to-date dwelling mix.

9. Maintenance contributions will be required for all sites, whether the recreational open space is provided on-site, at an off-site location or by off-site contributions (see later sections regarding the use of off-site provision). **Table 7** provides summary costs per 1,000 population.

Chapter 7 provides further information relating to the application of the maintenance costs and **Appendix 1** provides detailed equipment and maintenance costs.

South Norfolk Council Standards

10. South Norfolk Council expects all development to provide the stated amount of 'Children's Playspace' and 'Older Children and Adult's Recreation Space', as set out in **Table 3**, in order to meet the requirements of Policy DM3.15.

11. In addition, the Council also requires all development developers to provide appropriate levels of Informal Recreation Space to meet the needs of the development, unless circumstances dictate otherwise. The Council has therefore set out the standard it expects developers to comply with, based on the Fields in Trust (FiT) figure for Informal Outdoor Space.

12. **Table 3** sets out the South Norfolk Council classifications and standards.

13. The following section of the SPD will deal with each of these components in turn.

Recreational Open Space Classification	Standards - m ² per 1,000 population (ha per 1,000 population)
Children's Playspace (including a minimum Activity Zone of 400m ²)	6,000 m ² (0.6 ha)
Older Children & Adult Recreation Space: (a) Open Space; and (b) Playing Pitches and Courts	(a) 3,000 m ² (0.3 ha)
	(b) 16,000 m ² (1.6 ha)
Informal Recreation Space	24,000 m ² (2.4 ha)
Total	49,000 m² (4.9ha)

Table 3: South Norfolk Classifications and Standards

Children's Playspace

14. For children's playspace, South Norfolk Council has set a standard of 6,000m² (0.6 ha) per 1,000 population, exceeding the FiT figure but recognising the critical importance of children's playspace for children's health and wellbeing. The Council has translated this into an equivalent amount per dwelling based upon a standard occupancy multiplier, as set out in **Tables 4 and 6**.
15. In accordance with the FiT recommendations, playspaces must have a minimum activity zone of 400m². On those smaller sites that do not naturally provide the required minimum activity zone it will be necessary for developers and the Council to agree a reduction in the provision of other recreational space to ensure this requirement is met.
16. The Council will normally expect on-site delivery of all children's playspace. Age ranges are indicative, however playspaces aimed at children up to the age of 11 years are particularly important as places where children can safely play away from traffic. New housing

developments should include adequate areas of land in the right places to meet this objective.

17. Off-site delivery of children's playspaces, and commuted sums for the same, will only be agreed by the Council in exceptional circumstances where on-site delivery proves to be impractical or unreasonable (for example, the presence of an established, accessible playspace adjacent to the proposed development site).

18. Children of different age groups and abilities require different types of play facilities and therefore two types of playspace will be sought by the Council:

- Small informal areas appropriate for low-key games, provided with one or two smaller features to encourage use by younger children, including the under-5's. Attendant adult seating and adequate fencing will also need to be provided.
- Larger areas capable of more intensive use for the under-11's. These should incorporate appropriate fixed play equipment and a suitable hard playing surface or grassed area for informal/ casual activities.

These areas should be near to one another and laid out to enable supervising adults to observe mixed-age children easily. Detailed design guidance is set out in **Appendix 3**.

Older Children and Adult's Recreation Space

19. Open space that caters for the recreational requirements of older children and adults will also be required on-site to meet the demands of residents of new development.

20. Fields in Trust recommends a total combined provision of 1.9 ha (19,000m²) per 1,000 population of both older children's playspace and playing pitches. Reflecting this guidance, as well as the Council's previous approach, South Norfolk Council has combined both categories to create a single classification, 'Older Children and Adult's Recreation Space', which will deliver both the requisite play space as well as the formal pitches as appropriate.

21. The Council has translated the above requirement into an equivalent m² amount per dwelling based upon a standard occupancy multiplier as set out in **Tables 4 and 6**. Further detailed information about the equipment and maintenance costs by open space type can be found in **Appendix 1**.

22. Examples of the types of appropriate facilities within this category are set out in **Table 1** of this SPD. These suggestions are not exhaustive and developers may choose to enter into discussions with the Council about additional/ alternative recreational equipment and pitch provision.

23. Developers will be expected to incorporate 'Older Children and Adult's Recreation Space' within the development site unless site-specific considerations and/or site constraints preclude on-site delivery. In such circumstances, off-site delivery and/or commuted sums will need to be agreed following the submission of robust evidence by the developer at the planning application stage to support a departure from the Council's requirement for on-site provision.

Informal Recreation Space

24. Following the broad principles of the FiT guidelines, South Norfolk Council expects developers to provide appropriate levels of on-site 'Informal Recreation Space' as an essential component of the overall open space provision.

25. Informal Recreation Space is recognised as being a critical element of the overall open space provision and can play a vital role in meeting the casual recreational and amenity needs of local residents, boosting health and wellbeing and providing an important function in enhancing the biodiversity of the District.

26. The Fields in Trust recommended standard is 3.2 ha (32,000m²) of Informal Outdoor Space per 1,000 population. This figure is broken down into three separate elements including Parks and Gardens. However, in recognition of the rural character of the district, South Norfolk Council has deducted this component from the Informal Recreation Space recommendations and as such an overall figure of 2.4 ha (24,000m²) per 1,000 population is sought, as set out in **Table 3**.

27. Informal Recreation Space can take a number of different forms and may, in some instances, have a multi-purpose role within the development site. Careful planning can, for example, enable the dual function of informal recreation space for landscaping, buffering adjacent uses or the delivery of green infrastructure objectives, as well as recreational use. In these instances, it will be the developer's responsibility at the time of the planning application to demonstrate to the satisfaction of the Council that the dual use of the land does not inhibit or prejudice either function.

28. **Table 1** sets out some of the possible components of the Informal Recreation Space. As part of this provision, developers are encouraged to consider the routing of existing and proposed footpaths, trails and green infrastructure corridors and take opportunities to maximise connectivity with the open space being provided.

Off-site Provision and Commuted Sums

30. South Norfolk Council requires the on-site provision of recreational open space where practicable (in accordance with the above standards) because this is considered by the Council to be the best option to meet the needs of new communities occupying the development. This means the direct provision of a space or facility within the agreed boundary of the development site.
31. The Council recognises that on occasion the guidelines in this SPD may be difficult to adhere to, so negotiation may take place on individual sites regarding the type of space to be provided on the site, taking account the needs of the area and the existing provision and deficiencies. This approach is supported by Paragraph 3.106 of the Development Management Policies document which allows for off-site provision in certain circumstances.
32. Off-site provision of children's playspace will only be considered where on-site provision is clearly unacceptable or unreasonable. Off-site provision will need to be easily accessible from the proposed development, taking into account the young age of the children using the facilities. Off-site provision may be through the delivery of a new facility or the enhancement of already established play facilities. The latter will allow the developer to contribute by way of a financial payment to upgrade or improve those facilities.
33. Financial contributions for the off-site provision of all forms of recreational open space will be based on the size of the development and calculated in accordance with the equipment costs set out in **Appendix 1**, with specific terms to be negotiated and agreed in writing by all interested parties. A commuted sum will also be required to be paid to cover the cost to establish/refurbish and maintain recreational open space for a ten-year period (for further details see section on 'Ongoing Maintenance Costs'). Detailed breakdowns of these figures are set out in **Appendix 1**.
34. For those development sites where off-site contributions are considered to be an acceptable means of securing recreational open space, developers will also be required to agree and pay the appropriate land value equivalent to the value of providing the land on-site.
35. This cost is variable, depending significantly on the precise location and situation of the proposed development and this will also be subject to change over time as the market value of land alters. For this reason, the cost will need to be negotiated on a case-by-case basis. However, the cost will be calculated on an assumed cost of acquiring and laying out the area, based on a notional agricultural land value as improved to become recreational open space of the appropriate form.

Number of Bedrooms	Occupancy per dwelling
1 bedroom	1.5
2 bedrooms	2
3 bedrooms	2.5
4 bedrooms	3
5+ bedrooms	3.5

Table 4: South Norfolk Occupancy Multiplier

Open Space Type	Amount (m ² per 1,000 population)	(Amount (ha per 1,000 population)	Amount (m ² per person)
Children's Playspace	6,000	0.6	6
Older Children and Adult's Recreation Space: (a) Open Space; and (b) Playing Pitches and Courts	(a) 3,000	0.3	3
	(b) 16,000	1.6	16
Informal Recreation Space	24,000	2.4	24

Table 5: Open Space Quantity Multiplier by Person

No. of bedrooms	Equipped Children's Playspace (m ²)	Older Children and Adult's Recreation Space (m ²) (a) and (b)		Informal Recreation Space (m ²)
		(a)	(b)	
1 bedroom	9	4.5	24	36
2 bedrooms	12	6	32	48
3 bedrooms	15	7.5	40	60
4 bedrooms	18	9	48	72
5+ bedrooms	21	10.5	56	84

Table 6: Open Space Requirement by Dwelling Size (m²)

Open Space Classification	Amount (per 1,000 population) m ²	Equipment Cost (£)	Maintenance Cost (£), per annum	Commuted 10-year Maintenance Cost (£)
Children's Playspace	6,000	118,130	32,668	326,680
Older Children and Adult's Recreation Space:				
(a) Open Space	3,000	57,780	13,720	137,200
(b) Playing Pitches and Courts	16,000	184,516	19,358	193,580
Informal Recreation Space	24,000	121,616	68,329	683,290

Table 7: Summary Equipment & Maintenance Costs (per 1,000 population)

MAKING A PLANNING APPLICATION AND SUBSEQUENT REVISIONS

1. The location of on-site recreational open space shall be determined as part of the overall site layout of new residential developments and consideration must be given to the guidance in this SPD. The Council welcomes and encourages early pre-application discussion, prior to the submission of any planning application. Larger development schemes would also benefit from public pre-application consultation so that the early views of residents can be obtained and taken into account when preparing the planning application.
2. Developers are encouraged to make use of the Council's chargeable pre-application advice service (<https://www.south-norfolk.gov.uk/do-i-need-planning-permission>) to discuss options for providing for the open space and recreational needs of their development (alongside other relevant matters such as highways or heritage assets) at an early stage and to clarify what level of detail will need to be submitted with any planning application.
3. Establishing play and open space requirements at an early stage in the planning process is important as it can affect the overall design and layout of a proposed development scheme. Developers are required to give due consideration to the integration of the recreation and play space within the development site, as well as landscaping, buffering and green infrastructure/ecological enhancements that could be achieved on the site.
4. Where outline planning applications show the indicative layout of the houses, they will also need to show (indicatively) where the open space will be located on the site and how this relates to the housing. Full and reserved matters planning applications will need to show the precise details of the on-site provision. In both cases, it is likely that the principle would be secured through a Section 106 agreement, although it could be through a planning condition if appropriate. Where off-site provision is accepted this would be covered in a similar way. Trigger points in the development for the delivery of recreational open space will be included in planning permissions.
5. Developers will need to provide drawings clearly showing the location of the recreational open space provision for application purposes. At the time of either full- or reserved matters applications plans will need to be submitted at a scale of 1:250 (or similar) showing the detailed layout of hard and soft works and landscaping, boundary treatments, contours, proposed drainage of the site and any other information deemed to be necessary to the project. This should include a complete list of all materials, lighting, safety surfacing and equipment. Design guidance is given in **Appendix 3**.
6. The main points of contact within the Council will be the Development Management case officer and the Technical Advisor (where appropriate), until such time as all relevant conditions of a planning consent are complied with and/or all obligations are fulfilled in

accordance with any Section 106 Agreement or similar between the Council and any other party.

7. Any changes to the proposed scheme after planning permission has been granted must be agreed in writing by South Norfolk Council. Depending on the level of change, this may require an amendment or variation to the Section 106 legal agreement, or variation of the relevant planning condition. Some minor non-material amendments may be acceptable without the need for a new planning application to be made. Developers will be expected to seek advice from the Development Management case officer at the earliest opportunity regarding this.
8. Before any on-site works can commence by the nominated contractor, a full method statement shall be submitted to the Council along with full details of the construction. These details will need to be discussed and approved and a start date for site construction agreed, with details to include on-site information, times of construction, materials and working practices.

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OPTIONS FOR ADOPTION

1. As explained above, the effect of this SPD, in conjunction with the Council's Community Assets Strategy, is that the Council will no longer take on the ownership or maintenance of new recreational open space or play facilities, unless there are exceptional circumstances.
2. From the adoption of this SPD there will be three main options for the adoption and maintenance of new recreational open space and play facilities within new residential developments:
 - Transfer to the relevant Parish or Town Council, along with the agreed commuted sum (maintenance contribution).
 - Where appropriate to the location of the development, transfer to a community association or similar body, along with the agreed commuted sum (maintenance contribution); or
 - Maintenance of the recreational open space and play facilities by the developer, either directly or through the use of a management company.

(An advice note for Parish/Town Councils and community groups considering adopting recreational open space can be found at **Appendix 4.**);
3. Unlike Parish/ Town Councils, management companies are not statutory bodies and adoption by the Parish/Town Council is thus likely to provide advantages in terms of performance, increased protection against vulnerability to financial or management failure and greater accountability over the longer term. Management by a community association or similar body may also provide some of these advantages so this may be an appropriate option in some locations where the Parish/Town Council does not wish to take on the land. All developers required to provide recreational open space will therefore be expected to follow the 'hierarchy' of management:
 - i. The land must be offered (with the ten-year maintenance sum) to the relevant Parish/Town Council;
 - ii. If the Parish/Town Council does not wish to take on the land, it must then be offered (with the ten-year maintenance sum) to any community association or similar body in the area nominated by the Council; and
 - iii. If none of the foregoing bodies wishes to take on the land the developer will either then retain it or pass it to a management company approved by the Council.
9. Where the management company route results, the ongoing costs of the management and maintenance of the recreational open space will be met by the management company. Normal practice is for the company to then recharge its costs to residents of the development

which has generated the need for the additional facilities. Initial and subsequent purchasers of such properties would normally be required to enter into an obligation to meet these charges as part of the conveyancing process and should therefore ask their conveyancer to investigate the details of how any arrangement will operate.

10. South Norfolk Council recognises that the management and maintenance responsibility for the recreational open space may not have been agreed at the time of the planning application. In this instance, the S106 Agreement will require agreement of the management entity at an appropriate trigger point, in accordance with the Council's preferred hierarchy (as set out above).

11. It is important that residents of new housing schemes have the use of all of the facilities associated with the development following a reasonable period of occupation. Therefore, before recreational open spaces or play facilities are adopted by either the Parish/Town Council, a community association or a management company South Norfolk Council will ensure the following:

- That the play area is operational and functional in accordance with the agreed Section 106 agreement trigger points/ planning conditions; and
- That the play area has been issued with a post-installation inspection to the RoSPA standard of safety. (This inspection will be at the expense of the developer); and
- That all papers required to demonstrate regulatory compliance and other outstanding issues have been completed to the satisfaction of the Council.

ONGOING MAINTENANCE COSTS

1. All recreational open space and play facilities within new developments must be designed with ease of long-term maintenance in mind.
2. From the adoption of this SPD, barring exceptional circumstances, South Norfolk Council will no longer take on any maintenance liabilities for such areas. As outlined in Chapter 6 above, this will fall to either the relevant Parish/Town Council, community association or designated management company.
3. If the Parish/Town Council (or community association or similar) is intending to take on the responsibility for recreational open space and play facilities within a new development then it is recommended that they make an arrangement to cover the maintenance and management costs of the recreational open space areas provided on the site for a period of ten years from the date of the adoption. This will normally be in the form of a commuted sum / maintenance contribution paid to the adopting body in advance, based on rates calculated as at April 2017, and increasing annually in line with the Retail Price Index (RPI) or with actual maintenance costs if these are found to be significantly different. See **Table 7** for an overview of maintenance costs. Full details of the maintenance and equipment costs breakdown are set out in **Appendix 1**. Following the expiry of this ten-year period the longer-term management and maintenance cost will be the responsibility of the parish/town council or community association.
4. If a management company is appointed/ established, then it will be for the developer and management company to arrange the funds to allow for the management and maintenance to take place. In most cases, this will take the form of an annual financial charge to those householders on the new development who will benefit from the recreational open space and play facilities.
5. Until adoption of the recreational open space, (including the children's playspace), the Council expects maintenance of the equipment and general tidiness of the area to remain the legal responsibility of the developers/ appointed maintenance contractors, unless otherwise agreed. At present the Council favours a one-year period following completion and implementation of the site. Parish/town councils or community groups who are taking on responsibility may wish to make an alternative agreement with developers. This responsibility does not stop adoption by a parish/town council, community group or a designated management company.
6. Irrespective of the management arrangements, the Council will expect that public access to the recreational open space and play facilities will be permanently maintained to a standard appropriate to enable them to fulfil their intended functions.

SUSTAINABLE DRAINAGE SYSTEMS (SuDS)

1. Sustainable drainage systems (SuDS) comprise a range of water management measures designed to deal with surface water in a manner that is more in keeping with the natural process of water management, rather than the conventional system of piping surface water to a watercourse. Common SuDS features include:
 - Permeable surfaces;
 - Filter strips;
 - Filter and infiltration trenches;
 - Swales;
 - Detention basins;
 - Underground storage;
 - Wetlands; and
 - Ponds.
2. For recreational open spaces containing SuDS features these must be robustly designed and have planning obligations or conditions placed on them to manage risk into the future. To avoid compromising the intended use of the recreational open space, such features should not be sited on the recreational components of open spaces unless it can be demonstrated that they will not affect the use of that space for recreation and amenity purposes.
3. Developers must demonstrate at the planning application stage that the installation of such features will not have an adverse impact on safety (open water bodies, for example). It will not be acceptable to combine equipped playspace with areas set aside for SuDS.
4. SuDS features should be designed to be as low maintenance as possible. Anglian Water may opt to take on the maintenance responsibilities for at least some SuDS features in the future, so applicants are advised to ensure that Anglian Water are included in any pre-application discussions. This will provide Anglian Water with a full opportunity to comment on proposals. For further information please see Development Management Policy DM4.2: *Sustainable drainage and water management*.

ECOLOGY AND BIODIVERSITY

1. The protection and enhancement of ecology and biodiversity is a key thread running through all the South Norfolk Local Plan documents. In assessing planning applications that provide for recreational open space and play facilities, a high priority will be given to schemes that enhance ecology and biodiversity promote green infrastructure connectivity.
2. Opportunities to increase biodiversity and wildlife corridors should be maximised across all development sites, and is particularly relevant to those sites contributing towards the recreational open space provision throughout the district. Careful consideration of existing local sites and facilities and their connectivity can help to alleviate pressures on existing sensitive current sites that are currently meeting recreational demands.
3. The potential for new open space to contribute to improvements to Green Infrastructure (JCS Policy 1, the Greater Norwich Infrastructure Study and Development Management Policy DM4.9) and, where practicable, public rights of way (NPPF, paragraph 75) should also be explored for every potential new area of recreational open space, and especially relating to existing and/or required new landscaping.

APPENDICES

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APPENDIX 1 – SOUTH NORFOLK COUNCIL MULTIPLIERS & STANDARDS (DETAILED BREAKDOWNS)

Broadly following the Fields in Trust recommendations, the following tables provide the basis of the calculations that will determine the quantitative amounts of recreational open space to be delivered on those development sites delivering in excess of the Council's threshold of 15 dwellings. Table 1 (Chapter 1) provides a detailed breakdown of the recreational open space classifications.

- M²/ Ha Conversion Table
- South Norfolk Occupancy Multiplier
- SHMA Housing Mix Multiplier Figures (2017)
- Open Space Quantity Multiplier by Person
- Open Space Requirement by Dwelling Size (m²)
- Detailed Children's Playspace Equipment Costings
- Detailed Children's Playspace Maintenance Costings
- Detailed Older Children & Adult's Recreational (a) Open Space Equipment Costings
- Detailed Older Children & Adult's Recreational (a) Open Space Maintenance Costings
- Detailed Older Children's & Adult's Recreational Playing Pitch Equipment & Maintenance Costings
- Detailed Informal Recreation Space Equipment Costings
- Detailed Informal Recreation Space Maintenance Costings

Conversion Rates

m ²	Hectare (ha)
1,000	0.1
5,000	0.5
10,000	1
15,000	1.5
20,000	2
24,000	2.4
45,000	4.5

South Norfolk Occupancy Multiplier

Number of Bedrooms	Occupancy per dwellings
1 bedroom	1.5
2 bedrooms	2
3 bedrooms	2.5
4 bedrooms	3
5+ bedrooms	3.5

South Norfolk Housing Mix Multipliers (SHMA, 2017)

Dwelling Size	SHMA % by site
1 bedroom	4.12%
2 bedrooms	17.32%
3 bedrooms	53.91%
4 bedrooms	19.38%
5+ bedrooms	5.23%

(The above table provides an indicative breakdown of site composition for those development sites where housing numbers have not been identified. This figure is an illustrative one, based upon the 2017 SHMA figures, and developers will need to provide an updated position based upon the relevant year's published data).

Open Space Quantity Multiplier by Person

Open Space Type	Amount (m ² per 1,000 population)	(Amount (ha per 1,000 population)	Amount (m ² per person)
Children's Playspace (equipped and unequipped)	6,000	0.6	6
Older Children and Adult's Recreation Space: (a) Open Space; and (b) Playing Pitches and Courts	(a) 3,000	0.3	3
	(b) 16,000	1.6	16
Informal Recreation Space	24,000	2.4	24

Open Space Requirement by Dwelling Size (m²)

No. of bedrooms	Equipped Children's Playspace (m ²)	Older Children and Adult's Recreation Space (m ²) (a) and (b)		Informal Recreation Space (m ²)
		(a)	(b)	
1 bedroom	9	4.5	24	36
2 bedrooms	12	6	32	48
3 bedrooms	15	7.5	40	60
4 bedrooms	18	9	48	72
5+ bedrooms	21	10.5	56	84

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CHILDREN'S PLAYSPACE – EQUIPMENT AND MAINTENANCE COSTS

The figures in the tables below are a blended 2017 rate of costings, provided by various South Norfolk contractors. Actual costings may vary between suppliers and contractors however unless otherwise agreed developers will be required to provide off-site contributions and/or commuted sums based on the details set out below.

The figures presented in the tables below are presented as illustrative costs for equipping (supplying and installing) and maintaining a 6,000m² (0.6 ha) area of children's playspace. The required playspace includes an activity zone (minimum 400m²) and is calculated in accordance with the requirements set out in this SPD. Developers will be required to adjust the overall costings to reflect the level of provision of children's playspace generated by each development. Not all items will be necessary on all sites, nor in the given quantities, and there may be additional items sought on specific sites that have not been identified in the table below. Costings included within this SPD will be increased annually in accordance with the Retail Price Index (RPI) and applicants are advised to make these adjustments when calculating the financial liability generated by a development

NOTE: The 'Equipment' cost provided in the key tables below relate to equipment suitable for younger children. Older children will require larger, more complex pieces of play equipment and the costs should be adjusted accordingly based on the multipliers set out below. The number of pieces of play equipment to be provided will be determined by the overall size of the playspace (a minimum area of 400m² is required in all instances) and advice should be sought from the Council at an early stage in the process to clarify precise requirements. These requirements will inform the overall costs of equipping and maintaining areas of children's playspace.

Typical Equipment Costings for Children's Playspace

Equipment Type	Works/ Goods	Unit No.	Cost (£)
Younger children	Supply and install	1	6,400
Older children	Supply and install	1	7,100

Typical Equipment Costs for Children's Playspace

Item	Works/ Goods	Cost as provided by contractor (£)	Unit	No.	Cost per play area (0.6 ha) (£)
Equipment	5x items of equipment, supply and install	32,000	1	1	32,000
Fencing	Bow top galvanised, supply and install	100	Lin m	90	9,000
Seating	DDA compliant recycled seating, supply and install	1,375	1	2	2,750
Gates	Mono-hinge gates (1x access and 1x maintenance/ access), supply and install	4,900	No	1	4,900
Bin	Supply and install	300	1	2	600
Safety surfacing (Activity zone)	Wetpour, supply and install	98	m ²	150	14,700
Signage	2 informational signs, supply and install	185	No	2	370
Drainage (Activity zone)	(a) Excavate and lay new soakaway	195	m ³	3	585
	(b) Excavate and lay new land drain	115	Lm	15	1,725
Tarmac path	Constructed (5% of overall area)	85	Lm	300	25,500
Landscaping costs	Clearance of the site within the activity zone & preparation of site for handover	7.80	m ²	400	3,120
	Clearance of site outside the activity zone	4	m ²	5,600	22,400
Post installation inspection	Supply with written report	480	No	1	480

Typical Annual Maintenance Costings for Children's Playspace

Maintenance Works Description	Cost per m ² / lm/ visit (£)	No.	Quantity/Area (where applicable)	No. visits per annum	Cost per annum (£)
Grass: Mow and strim (Activity zone)	0.23	m ²	400	15	1,380
Buffer zone: Mow and strim	0.23	m ²	5,600	15	19,320
Shrubs & Hedges: Cut	2.29	Lm	90	2	412
Litter pick: Before every cut	2.00	As required		18	36
Bin: Empty bins	5.30	2		52	551
Path: Sweep path	0.50	m ²	300	18	2,700
Technical Maintenance: Equipment inspection, pressure wash, parts & labour	7% of overall equipment cost	As required		As required	8,269

The summary costs of supplying and installing children's playspace in accordance with the details set out in this SPD are as follows:

Total cost per Children's Playspace (per 6,000 m²): £118,130

Total Cost per person (per 1,000 population): £118.13

Total Cost per m²: £19.68

The summary costs of maintaining the children's playspace (per annum) in accordance with the details set out in this SPD are as follows:

Total cost per Children's Playspace (per 6,000 m²): £32,668

Total Cost per person (per 1,000 population): £32.67

Total Cost per m²: £5.44

Ten-year commuted maintenance sum (per 6,000m²): £326,680

OLDER CHILDREN AND ADULT'S RECREATION SPACE – EQUIPMENT AND MAINTENANCE COSTS

The tables below provide two sets of figures for the equipping and maintaining of Older Children and Adult's Recreation Space, reflecting the Council's requirement for both formal/informal pitches etc, as well as open space. Costings for the open space element of this category are a blended 2017 rate, provided by various South Norfolk contractors. Actual costings may vary between suppliers and contractors however unless otherwise agreed developers will be required to provide off-site contributions and/or commuted sums based on the details set out below. Costings included within this SPD will be increased annually in accordance with the Retail Price Index (RPI) and applicants are advised to make these adjustments when calculating the financial liability generated by a development

The pitch/ court figures presented below are based upon a Sport England sum for the provision of different types of formal and informal pitches and courts. These figures have been updated to reflect the South Norfolk Council requirement for 1.6ha provision per 1,000 population. They do not provide for changing rooms/ parking/ lighting etc – these may be required on certain sites but, if so, will be negotiated on a case-by-case basis. The actual requirement for the provision of pitches and courts within this recreational open space classification will be dependent upon site specific matters and will also be determined, in part, by the availability of facilities within the site's locality. The figures provided below should be considered as illustrative costings and developers will be required to adjust the overall prices to reflect the actual detail of the on-site provision agreed with South Norfolk Council.

In the event a developer wishes to provide an alternative form of pitch/ court on-site or type of space not listed in the table below (for example, a skate park or trim trails) then it will be necessary to contact the Council at the earliest opportunity to ensure that appropriate costings may be obtained.

Typical Equipping/Landscaping Costings for Older Children and Adult's Recreation Space

(a) Open Space

Item	Works	Cost (£)	Unit Type	Provision per 3,000m ² (0.3ha)	Cost per 3,000m ² (0.3ha)
Site clearance	Clear site & level for planting and seeding	4.00	m ²	3,000	12,000.00
Pathways (5% of overall area)	Provide & lay to tarmac (1.5x150)	85.00	Lm	150	12,750.00
Grass	Supply & lay topsoil	40.00	m ³	23	920.00
Seed	Supply & cultivate seed	1.20	m ²	750	900.00
Bin	Supply and install (mini plaza)	300.00	No.	2	600.00
Seating	Supply and install recycled DDA compliant seating	1375.00	No.	2	2,750.00
Fencing	Bird mouth with steel straps	41.00	Lm	675	27,675.00
Signage	Supply & install informational signs	185.00	No.	1	185.00

Typical Maintenance Costings for Older Children and Adult's Recreation Space

(a) Open Space

Works Description	£ per m ² / Lm/ visit	Unit type	Area	No. visits per annum	£ per annum (per 3,000m ²)
Grass: Mow & strim	0.23	m ²	3000	15	10,350.00
Path: sweep	0.50	m ²	150	6	450.00
Bin: Empty	5.30	2		52	551.00
Litter pick: Before every cut	2.00			18	36.00
Shrubs & Hedges: Cut	1.50	Lm	200	2	600.00
Technical Maintenance	3% of overall equipment costs				1733.00

The summary costs of equipping/ laying out the open space component of Older Children and Adult's Recreation Space (Open Space) in accordance with the details set out in this SPD are as follows:

Total cost per 3,000 m²: £57,780

Total Cost per person (per 1,000 population): £57.78

Total Cost per m²: £19.26

The summary costs of maintaining the open space component of Older Children and Adult's Recreation Space (Open Space) (per annum) in accordance with the details set out in this SPD are as follows:

Total cost per 3,000m²: £13,720

Total Cost per person (per 1,000 population): £13.72

Total Cost per m²: £4.57

Ten-year commuted maintenance sum (per 3,000m²): £137,200

Typical Equipping & Maintenance Costings for Older Children and Adult's Recreation Space (example pitches and courts to cover a 16,000m² area)

(b) Playing Pitches and Courts

Provision	Description	Cost (£ per m ²)	Percentage of 16,000m ² (1.6ha)	Total area to be provided (m ²)	Equipping cost per 16,000m ² (£)	Percentage of maintenance cost pa (%)	Maintenance cost per annum (£)
Adult football pitch	Lay & maintain grass pitch for 12x months	9.18	62%	9,920	91,065.00	16.7	15,207.00
Run-off to adult pitch	Clear site, top soil, seed	3.11	32%	5,120	15,923.00	13	2070.00
Tennis courts x 2 (No lighting)	Fenced tarmac court (36.58x33.53)	98.00	2.6%	416	40,768.00	0.5	204.00
Bowling Green	Flat/ Crown Green (40x40)	61.12	2.9%	464	28,360.00	6.5	1843.00
MUGA/FISA	Fenced tarmac court (36.6x21.35)	105.00	0.5%	80	8,400.00	0.4	34.00

The summary costs of equipping the playing pitches component of Older Children and Adult's Recreation Space in accordance with the details set out in this SPD are as follows:

Total Cost per Playing Pitches and Courts (per 16,000m²): £184,516

Total Cost per person (per 1,000 population): £184.52

Total Cost per m²: £11.53

The summary costs of maintaining the playing pitches component of Older Children and Adult's Recreation Space (per annum) in accordance with the details set out in this SPD are as follows:

Total Cost per Playing Pitches and Courts (per 16,000m²): £19,358

Total Cost per person (per 1,000 population): £19.36

Total Cost per m²: £1.21

Ten-year commuted maintenance sum (per 16,000m²): £193,580

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INFORMAL RECREATION SPACE – EQUIPMENT AND MAINTENANCE COSTS

The figures in the tables below are a blended 2017 rate of costings, provided by various South Norfolk contractors. Actual costings may vary between suppliers and contractors however, unless otherwise agreed, developers will be required to provide off-site contributions and/or commuted sums based on the details set out below. Costings included within this SPD will be increased annually in accordance with the Retail Price Index (RPI) and applicants are advised to make these adjustments when calculating the financial liability generated by a development

The figures presented in the tables below are presented as illustrative costs for equipping, planting and maintaining a 24,000m² (2.4ha) area of Informal Recreation Space. These costings are calculated in accordance with the requirements set out in this SPD and, in this indicative table, are assumed to comprise grassed amenity areas with landscaping. Developers will be required to adjust the overall costings to reflect the actual detail of the on-site provision agreed with South Norfolk Council. Not all items will be necessary on all sites, nor in the given quantities, and there may be additional items sought on specific sites that have not been identified in the tables below.

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Typical Equipping /Landscaping Costings for Informal Recreation Space

Item	Works	Cost (£)	Unit Type	Provision per 24,000m ²	Cost per 24,000m ² (£)
Site clearance	Clear site & level for planting and seeding	2.55	m ²	24,000	61,200.00
Pathways	Provide & lay to tarmac (1.5x150)	85.00	m ²	169	14,365.00
Grass	Supply & lay topsoil	40.00	m ³	188	7,520.00
Seed	Supply & cultivate seed	1.20	m ²	6,000	7,200.00
Shrub planting (10%)	Supply 2.5 shrubs per m ² (in 3 ltr pots)	8.50		750	6,375.00
	Supply & lay topsoil	40.00	m ³	37.5	1,500.00
	Cultivate ground & plant shrubs	5.00	m ²	375	1,875.00
	Supply & install ground cover weed control membrane	1.30	m ²	375	488.00
Hedging (5%)	Supply 5 plants per metre	8.00	Lm	375	3,000.00
	Cultivate & plant hedging	13.00	Lm	375	4,875.00
	Supply & install ground cover weed membrane	1.30	Lm	375	488.00
Trees	Supply native deciduous saplings	145.00	No.	15	2,175.00
	Cultivate ground & plant with 1no. stake each	40.00	No.	15	600.00
	Supply & lay ground cover weed membrane	1.30	No.	15	20.00
Bins	Supply & install mini plaza litter bin on concrete pad	300.00	No.	2	600.00
Dog bin	Supply & install dog bin on steel post	250.00	No.	1	250.00
Signage	Supply & install informational signage	185.00	No.	1	185.00
Seating	Supply & install recycled seating	1375.00	No.	2	2,750.00
Knee rail	Bird mouth with steel straps	41.00	Lm	150	6,150.00

Typical Maintenance Costings for Informal Recreation Space

Works Description	£ per m²/ lm/ visit	Unit Type	Area (where appropriate)	No. visits per annum	£ per annum (per 24,000m²)
Grass: Mow & strim	0.23	m²	16,000	15	55,200.00
Meadow grass: Mow	0.23	m²	8,000	2	3680.00
Shrubs/Hedges: Cut	2.29	Lm	800	2	3664.00
Litter pick: Before each cut	2.00		24,000	18	86.00
Bin: Empty	5.30	2		52	551.00
Path: Sweep	0.50	m²	500	6	1,500.00
Technical Maintenance	3% of equipping costs	As required		As required	3,648.00

The summary costs of equipping/ laying out the open space component of Informal Recreation Space in accordance with the details set out in this SPD are as follows:

Total cost per 24,000m²: £121,616

Total Cost per person (per 1,000 population): £121.62

Total Cost per m²: £5.07

The summary costs of equipping and maintaining the open space component of Informal Recreation Space (per annum) in accordance with the details set out in this SPD are as follows:

Total cost per 24,000m²: £68,329

Total Cost per person (per 1,000 population): £68.33

Total Cost per m²: £2.84

Ten-year commuted maintenance sum (per 24,000m²): £683,290

APPENDIX 2 – SOUTH NORFOLK COUNCIL WORKED EXAMPLES

The following tables provide a number of illustrative worked examples (15, 51 and 150 dwellings), utilising the multiplier figures set out in Appendix 1 above, and based upon the standards set out throughout this SPD. These figures provide an indication of the quantitative amounts of recreational open space a developer would be expected to incorporate into development sites of different scales, as well as the costings for equipping and maintaining these areas.

As set out Chapter 4 (Chapter 4) these figures do not include land values due to the complexity of applying a standardised figure to all sites across the South Norfolk District. Developers will therefore need to ensure that this cost is built into their specific financial models when assessing individual site viability.

Equipment and per annum maintenance costs have been calculated by multiplying the appropriate m² figures from the above tables by the provision requirement generated by the development. As per the requirements of the SPD the site / dwelling breakdown is based upon the 2017 SHMA figures.

Example 15-Dwelling Site - Recreational Open Space Requirement

Dwelling Type	Dwelling Mix	Children's Playspace (m²)	Older Children & Adult's Recreation Space (m²)		Informal Recreation Space (m²)
			Open Space	Pitches	
1 bed	1	9	4.5	24	36
2 bed	2	24	12	64	96
3 bed	8	120	60	320	480
4 bed	3	54	27	144	216
5+ bed	1	21	10.5	56	84
TOTAL	15	228⁴	114	608	912

Example 15-Dwelling Site – Equipment and Per Annum Maintenance Costs

Dwelling Type	Dwelling Mix	Children's Playspace (£)		Older Children & Adult's Recreation Space (£)				Informal Recreation Space (£)	
		Equipping Cost	Maintenance Cost	(a) Open Space		(b) Playing Pitches		Equipping Cost	Maintenance Cost
				Equipping	Maintenance	Equipping	Maintenance		
1 bed	1	7,872	2,176	2,196	521	7,010	736	4,624	2,590
2 bed	2								
3 bed	8								
4 bed	3								
5+ bed	1								

TOTAL EQUIPPING COST: £21,702

TOTAL PER ANNUM MAINTENANCE COST: £6,023

TOTAL 10-YEAR COMMUTED MAINTENANCE COST: £60,230

⁴ Note: Minimum Activity Zone of 400m² required

Example 51-Dwelling Site - Recreational Open Space Requirement

Dwelling Type	Dwelling Mix	Children's Playspace (m²)	Older Children & Adult's Recreation Space (m²)		Informal Recreation Space (m²)
			Open Space	Pitches	
1 bed	2	18	9	48	72
2 bed	9	108	54	288	432
3 bed	27	405	202.5	1080	1620
4 bed	10	180	90	480	720
5+ bed	3	63	31.5	168	252
TOTAL	51	774	387	2064	3096

Example 51-Dwelling Site – Equipment and Per Annum Maintenance Costs

Dwelling Type	Dwelling Mix	Children's Playspace (£)		Older Children & Adult's Recreation Space (£)				Informal Recreation Space (£)	
		Equipping Cost	Maintenance Cost	(a) Open Space		(b) Playing Pitches		Equipping Cost	Maintenance Cost
				Equipping	Maintenance	Equipping	Maintenance		
1 bed	2	15,232	4,211	7,454	1,769	23,797	2,497	15,696	8,792
2 bed	9								
3 bed	27								
4 bed	10								
5+ bed	3								

TOTAL EQUIPPING COST: £62,179

TOTAL PER ANNUM MAINTENANCE COST: £17,269

TOTAL 10-YEAR COMMUTED MAINTENANCE COST: £172,690

Example 150-Dwelling Site - Recreational Open Space Requirement

Dwelling Type	Dwelling Mix	Children's Playspace (m²)	Older Children & Adult's Recreation Space (m²)		Informal Recreation Space (m²)
			Open Space	Pitches	
1 bed	6	54	27	144	216
2 bed	26	312	156	832	1248
3 bed	81	1215	607.5	3240	4860
4 bed	29	522	261	1392	2088
5+ bed	8	168	84	448	672
TOTAL	150	2271	1135.5	6056	9084

Example 150-Dwelling Site – Equipment and Per Annum Maintenance Costs

Dwelling Type	Dwelling Mix	Children's Playspace (£)		Older Children & Adult's Recreation Space (£)				Informal Recreation Space (£)	
		Equipping Cost	Maintenance Cost	(a) Open Space		(b) Playing Pitches		Equipping Cost	Maintenance Cost
				Equipping	Maintenance	Equipping	Maintenance		
1 bed	6	44,693	12,354	21,870	5,189	69,826	7,328	46,056	25,799
2 bed	26								
3 bed	81								
4 bed	29								
5+ bed	8								

TOTAL EQUIPPING COST: £182,445

TOTAL PER ANNUM MAINTENANCE COST: £50,670

TOTAL 10-YEAR COMMUTED MAINTENANCE COST: £506,700

APPENDIX 3 – DESIGN GUIDANCE

In order to secure good quality and functional recreational open spaces, careful consideration must be given to the design and location of all of these important spaces. This appendix gives additional guidance to developers regarding design requirements in relation to the provision of recreational open space, including specifically children's playspace, on new residential developments.

Location of Children's Playspace

It is essential, where possible, to locate children's playspace centrally to the new development. Areas should be sited at least five metres from the ground floor windows of adjoining houses and the perimeter of children's playspace activity zones should be located at least 25 metres from any dwelling. This will be the expected minimum for all play spaces; however, the location of larger areas for older children will be subject to negotiation on a site by site basis, using the guidelines below. The locations of such play spaces, and the number of pieces of equipment to be provided, will be agreed following discussion with South Norfolk Council.

The following twelve guidelines should be adhered to where possible:

1. Best practice is for children's play areas to be located within a specified walking distance – 400 metres (about five minutes' walk) is the Fields in Trust recommendation;
2. Accessible without having to cross main roads, railway tracks or waterways;
3. Separated from areas of major vehicle movement and accessible from pedestrian routes;
4. Sited in areas which are not secluded locations or enclosed by high fencing and trees;
5. Sited on suitable land for which the purpose of the area is intended;
6. High climbing equipment should not impose on nearby dwellings;
7. Buffer zones should be incorporated to reduce the disturbance from noise to the immediate dwellings;
8. Accessible by footpaths with a firm suitable surface;
9. Overlooked from dwelling or pedestrian routes that are well used;
10. Where possible, it is not advisable to install slides south-facing;
11. The need to have regard to the setting of heritage assets and the wider historic environment or landscape; and
12. Where practicable, play space should not be located immediately adjacent to older people's accommodation, particularly any ground floor bedrooms.

Further information relating to these guidelines can be obtained from South Norfolk Council (www.south-norfolk.gov.uk), Fields in Trust (<http://www.fieldsintrust.org/>), and Play England (<http://www.playengland.org.uk/>).

Layout of Recreational Open Space

The design and layout of recreational open space and children's playspace on new residential developments must be approved by South Norfolk Council. Oddly shaped areas of land should be avoided by being incorporated into private gardens from the outset.

Existing natural landscape features such as trees, hedgerows and changes in level should be preserved in such a way as to enhance the play experience and avoid adversely impacting on the ecological value of the site. Advice should be sought from South Norfolk Council at an early stage regarding this. It will not normally be acceptable to fell healthy mature trees to facilitate layout on recreational open space. New trees should be planted where possible to enhance the provision of play and recreational spaces and native species should be chosen to attract wildlife and improve the local ecology.

Play equipment should be chosen to ensure that children benefit from a variety of different experiences. Play equipment can, for example, incorporate sliding, spinning, swinging, climbing, social interaction and imaginative play. Many pieces of modern play equipment can be multi-functional. Similar consideration should also be given to the types of equipment and facilities

provided to meet the requirements of the Older Children and Adult's Recreation Space and the varied needs of these users. Advice should be sought from South Norfolk Council at an early stage in the design process to inform details of the requirement, which will in turn influence the layout.

Appropriate consideration must also be given to creating inclusive areas of recreational open space, including children's playspaces, that can accommodate those with disabilities. Simple design solutions can positively contribute to meeting this need for example, wheelchair accessible gates, wide pathways, inclusive play equipment, sensory areas and/or quiet breakaway areas. Further guidance may be obtained online (www.inclusiveplay.com or www.kids.org.uk) or from the Council's Technical Advisor.

Land Preparation and Construction

It is essential that the ground is properly prepared. Developers and/or their contractors will need to ensure that the land is cleared of brick rubble, sand, traces of cement and is left to stand for a period of time for excess salt (etc.) to be washed away. The land will need to be levelled a good seed (e.g. a conservation mix) used, one that is capable of withstanding intensive use and wear.

In terms of design, as a basic minimum the following requirements are important. It is expected that appropriate drainage methods will be used with full drainage schemes/reports signed off by South Norfolk Council before any works are permitted. It is expected that all sites that are provided will be drained and levelled (to running contours) with an established grass surface. Any landscaping conditions forming part of the planning consent will be additional to the above.

Where edgings are required these will be PCC (pre-cast concrete) unless otherwise agreed with South Norfolk Council.

All safety surfacing must comply with BSEN1177 guidelines relating to dimensional compliance and impact absorbency level, suitable for the relevant fall height and where possible constructed from a type 1 sub-base with a wet pour topping or any other suitable surfacing agreed with South Norfolk Council.

Where pathways are required they should be constructed from a suitable material e.g. concrete/bitumen, be a minimum 1.2 metres wide (for wheelchair accessibility) and with a suitable camber (1:40).

Drain and access manholes are not advisable on play areas, but where there are no other alternatives, all covers should be a sealed unit with screwed down fixings or a lockable cover.

Quality Control

All play areas to be provided on new residential developments are to be constructed under the guidance and regulations in the South Norfolk Council 'Standards Policy Document'. All works to be carried out strictly in accordance with the Health & Safety at Work Act 1974 and all other appropriate legislation. Best practice and industry legislation will apply (refer to RoSPA Play Safety).

South Norfolk Council will only permit play areas to be released for adoption if they obtain an acceptable standard following a final inspection by an independent play inspector (RoSPA).

The contractor will supply a certificate of warranty, and if the materials (safety surface) used are manufactured by others, in conjunction with the manufacturing company. All warranty documents must cover the items as laid down within the specification.

The contractor is duty bound to supply a certificate of warranty to the effect that due consideration is given to the sub-grade, formation and workmanship in laying down the safety surface. All warranties for the supplied equipment must be valid for at least a minimum twelve-month period.

Any defects arising from the works carried out will be rectified by the contractor at their expense, provided it is within the twelve-month 'Defect Correction Period', except for the wet pour safety surface, which must be guaranteed for five years.

Note: All such materials liable to deterioration or damage must be stored in such a way that they shall be in accordance with the specification at the time of use.

Planting

Guidance on planting should be sought regarding maintainable species, especially with thorny ground cover, as this can be a problem when litter picking. Planting should also be carefully chosen to ensure that it is of an appropriate type to withstand children at play. Detailed advice can be provided by South Norfolk Council regarding these matters, and to ensure that those species that are chosen are the most appropriate for enhancing the local ecology and biodiversity network. This is especially relevant for the more significant areas of informal recreation space that will be delivered in accordance with the requirements of this SPD.

All soft landscaping works will be undertaken in accordance with horticultural industry standards.

Road Safety

It is recommended that traffic calming measures should be installed throughout new residential developments, particularly in the vicinity of recreational areas and especially close to children's play areas. This is in addition to road signage and other measures as dictated by Norfolk County Council Highways.

Parking bays should not be positioned adjacent to children's playspaces.

Safety barriers or railings should be installed where necessary, in addition to traffic awareness signs depicting children at play.

When appropriate, appropriate spaces for bicycle and scooter parking should be provided.

Fencing and gates

Fencing should be provided, where considered necessary in agreement with the Development Management case officer and the Council's Technical Advisor.

All fencing surrounding the children's playspaces should be of a suitable type, mild steel, galvanised and installed up to a height of 1.2 metres. In each playspace there must be provision for two Mono Hinge self-closing gates 1 – 1.2 metres high and a minimum of 1 metre wide, giving an opening of 971mm. These gates should be easily distinguishable (for example, of a different colour to the Bow Top fencing (Equality Act 2010)). Provision should also be made for a maintenance gate if access is required for the use of mowing or surface cleaning machinery.

Where possible all gates should open outwards from the play area to ensure the area remains dog proof.

Seating

Appropriate seating should be sited in the vicinity of playspaces and playing pitches etc., fixed to the ground and where possible a minimum 1 metre distance from the perimeter of play area fencing. Consideration should also be given to installing family style picnic benches where appropriate.

Further seating may be required within the informal areas of recreational space however this will depend upon the scale of the development and the amount of recreational open space to be provided. Seating within these areas can provide a vital role in the enjoyment of these spaces, especially for those people with mobility problems or for older members of the local community.

Litter bins

Within the children's playspaces litter bins are to be sited within the confines of the play area, or in an agreed location, at a distance of 2 metres from the seating and 1 metre from the fencing.

Litterbins should be constructed of a standard Durapol or Aluminium material, with a lockable/secure lid and stainless steel liner (Glasdon Mini Plaza).

Signage

Until adoption of children's playspaces, a sign should be displayed at each entrance stating the following information:

- Name of play area;
- Site owner;
- Contact number for defect reporting;
- 'No dogs allowed';
- 'Children under eight years of age to be supervised'.

The postcode of the play area, together with Eastings and Northings, should be displayed on the sign to aid the response of emergency services to the playspace/playing field in the event of an incident.

Once the playspace is adopted, the adopting body will be required to erect their own signage.

Safety and security

Open spaces should be designed to enhance the safety and security of users. Natural surveillance, for example, can serve to 'design out' crime. If any lighting is required/desirable this will need to be agreed at the time of the planning application but in all instances, it should be designed to minimise light pollution. Cycle and scooter parking/ stationing areas should be sited in visible areas that are also subject to natural surveillance.

APPENDIX 4 – ADVICE NOTE REGARDING THE ADOPTION AND MAINTENANCE OF RECREATIONAL OPEN SPACE

This advice note provides information for parish and town councils (or community associations) who are considering taking on the adoption and maintenance of recreational open space in their locality.

What is a Supplementary Planning Document (SPD)?

A Supplementary Planning Document (SPD) provides additional information to assist with the interpretation and implementation of Local Plan policy. An SPD cannot set new policy. The *Guidelines for Recreation Provision in New Residential Developments* SPD supplements the Council's Development Management Policy DM 3.15 'Outdoor play facilities and recreational space'. It provides clear guidelines to developers as to the local requirements of South Norfolk Council when submitting planning applications for new housing developments and also gives information regarding the Council's approach to the adoption and maintenance of play facilities and recreational spaces.

What type of recreation provision is covered by the Council's 'Guidelines for Recreation Provision in New Residential Developments' SPD?

This SPD outlines guidelines for the provision of recreational facilities directly needed as a result of new residential developments across South Norfolk, including informal recreational space, playing pitches and children's playspace. The SPD provides suggested standards for the provision of all types of on-site recreational open space required throughout the district as a result of individual development proposals. It does not include the provision of landscaping or other amenity spaces within new developments. It is also separate from the provision of new strategic recreation provision designed to serve the wider community, such as formal sports pitches, courts and greens, swimming pools and sports halls, which will be funded, or part funded, through pooled Community Infrastructure Levy income.

How is recreational open space (including children's playspace) delivered on new developments?

At a local level, Section 106 agreements or planning conditions will be used to secure the elements of recreational open space, including children's playspace, necessary to make the development acceptable in planning terms.

Recreational provision can be delivered either on- or off-site as outlined in the SPD, although the Council's clear preference is for on-site provision wherever practicable. In virtually all cases, it will be for the developer to supply and install new open space and playspace, except where a financial contribution to off-site works has, exceptionally, been agreed instead.

What is South Norfolk Council's approach towards the adoption and maintenance of recreational open space?

Historically community assets such as open space and play areas have, in many cases, been taken on and managed by South Norfolk Council but has now changed. A Community Assets Strategy for the Council was agreed at Cabinet in January 2017 which sets out how South Norfolk's recreational open spaces and other community assets will be managed in the period up to 2021. The Community Assets Strategy comes fully into effect on the date that this SPD is adopted.

The Community Assets Strategy makes clear that, barring exceptional circumstances, after the adoption date of this SPD the Council will accept no further transfer of infrastructure secured through a Section 106 agreement. This means that the Council will no longer take on ownership or maintenance of any type of recreational open space provided as part of planning applications determined following the adoption of this SPD.

What are the future options for the adoption and maintenance of recreational open space within new residential developments?

Following the adoption of this SPD, the Council's expectation is that the developer of new residential schemes will need to make arrangements for the adoption and long-term management and maintenance of recreational open space. This responsibility will need to be taken on by either the relevant parish/town council (preferred), community association or a designated management company and this will be specified and secured through a Section 106 legal agreement at the planning application stage.

The Council will continue to plan for recreation provision on new residential developments, including type, layout, location and ensure that the area of recreational open space is operational and functional in accordance with S106 trigger points/planning conditions, has been issued with a post installation safety inspection and all legal issues have been completed before the area is transferred to either the parish/town council, community association or management company.

What are the potential benefits of a parish/town council taking on these areas?

There can be considerable benefits to parish councils adopting areas of recreational open space:

- 1) The parish council will have control of such areas in perpetuity, and so can decide how best (in consultation with local residents) they are managed, operated and improved, rather than by a more "remote" district council or management company;
- 2) Parish residents may feel a greater sense of "ownership" of areas that are owned and managed by the parish council, and some may feel more amenable to volunteer time and effort to, for example, cut the grass or hedges and/or re-paint benches and fences;
- 3) There might be opportunities for parish councils to identify more easily infrastructure projects to spend any CIL income on – without community assets, it can sometimes be difficult for parish councils to identify infrastructure projects to spend what can sometimes be relatively small sums of CIL money on;
- 4) There may be opportunities for parish councils to apply for funding sources (such as the Heritage Lottery Fund) to secure improvements to open space and play space which might not be available to private management companies;
- 5) There could be economies of scale in terms of maintenance, especially if the parish council already maintains other existing cemeteries, open space areas, play areas and/or sports pitches. It may also be possible for a parish council to sub-contract some maintenance to another nearby parish council to undertake if the second parish council already has a practised maintenance operation (for example, it may own a ride-on lawnmower);
- 6) Having areas of recreational open space under parish control may be of assistance if the parish council is considering preparing a Neighbourhood Plan by way of flexible future use and maybe expansion of community resources.

What will happen if a parish/town council decides to take on these areas and what financial contributions will they receive?

Before the area is transferred to the parish/town council, South Norfolk Council will ensure that the playspaces and facilities are operational and functional in accordance with the agreed S106 trigger points/planning condition, and that the relevant areas have been issued with a post installation inspection to the RoSPA standard of safety and all legal papers and outstanding issues have been completed.

The parish/town council will receive a commuted sum to cover maintenance for a 10-year period, as detailed in Chapter 7 of the SPD. After the 10-year period has ended, the parish/town council will become financially responsible for the future management and maintenance of the area in perpetuity, and would need to ensure that this will be funded appropriately. In most cases, these costs are likely to be paid for through parish precepts. It will not be possible for a parish/town council to take on

maintenance for the first 10-year period and then to “hand over” the infrastructure to South Norfolk Council.

Adoption by the parish/town council will only be finalised once all concerned parties have agreed the commuted sum, maintenance contributions and agreed management plan.

Regardless of who assumes liability for the future management and maintenance the developer retains responsibility for the area for a one-year period after construction, to ensure maintenance of the equipment, that any defects are rectified and the general tidiness of the area. This does not stop adoption by parish/town council. This one-year period is recommended by South Norfolk Council, but parish/town councils may wish to negotiate their own arrangements with the developer.

If the parish/town council take on areas of recreational open space, what are their legal obligations?

As with any landowner owning land accessible to the public, the parish/town council would need to have Public Liability insurance in place, and would need to take all reasonable endeavours to ensure that key risks are assessed and mitigated regularly (i.e. play equipment is not in a dangerous state, trees are in good health etc). Those parish/town councils which already own/manage public land are likely to be familiar with these requirements.

In addition to these general requirements, there may of course also be specific legal requirements set out in the Section 106 legal agreement.

How to find out more information?

For more information please contact Planning or Technical Advisor through www.south-norfolk.gov.uk.

Helpful websites include:

- The National Association of Local Councils - <http://www.nalc.gov.uk/>
- Norfolk Association of Local Councils - <http://www.norfolkalc.gov.uk/>
- Norfolk County Council – www.norfolk.gov.uk
- South Norfolk Council – www.south-norfolk.gov.uk
- Anglian Water – www.anglianwater.co.uk
- Parish Council responsibilities - <http://www.localgov.co.uk/Parish-council-responsibilities/29135>

APPENDIX 5 – GLOSSARY

Activity zone

An equipped area within the designated children's playspace which must measure a minimum of 400m², as set out within this SPD.

Children's playspace

A designated public space or facility that children might legitimately use for play and informal recreation. These areas will include both equipped and unequipped play areas. Children's playspace is based on ability rather than age however it would typically be expected to cater for children aged up to approximately 11 years of age.

Community Assets

In terms of the South Norfolk Council Community Assets Strategy the terms refers to those assets that the Council manages which provide, in the main, public amenity value and are 'non-commercial' e.g. open space, play areas and commons but also footways, lights and other non-commercial assets.

Community Infrastructure Levy (CIL)

A financial levy on new development (as detailed in the adopted CIL Charging Schedule) to fund specific items contained with the CIL Regulation 123 list to ensure that when land is developed, it comes with the necessary infrastructure to support it, such as schools, public transport and leisure facilities. Local authorities can set their own CIL charge and the priorities for what CIL money should be spent on.

CIL Charging Schedule

A document which sets out the CIL charges which will apply to different types of development within a local authority area. A charging schedule may specify a number of different **CIL Charging Zones**.

CIL Regulation 123 List

A list of those items or types of infrastructure that the Council intends to fund, in whole or part, through CIL (as per regulation 123 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended)). The South Norfolk Council CIL website is at <http://www.south-norfolk.gov.uk/community-infrastructure-levy>

Development Management Policies Document

The Development Management Policies Document (adopted October 2015) is part of the South Norfolk Local Plan. It contains policies which are used to assess planning applications and guide development proposals to ensure the delivery of high quality sustainable developments across South Norfolk. See <http://www.south-norfolk.gov.uk/development-management-policies-document>

Fields in Trust (FiT)

Operating name of the National Playing Fields Association, who recommend benchmark standards for the quantity, quality and accessibility of open space, sport and recreation, including outdoor facilities for sport and play. <http://www.fieldsintrust.org/>

Greater Norwich Growth Board (GNGB)

Broadland District Council, Norwich City Council, South Norfolk Council, Norfolk County Council and the New Anglia Enterprise Partnership (LEP) work together through the Greater Norwich Growth Board to deliver homes and jobs in the Greater Norwich area. The Greater Norwich Growth Board provides strategic direction, monitoring and co-ordination of the Greater Norwich City Deal and the wider annual Growth Programme for the Greater Norwich area. <http://www.greaternorwichgrowth.org.uk/>

Greater Norwich Infrastructure Plan (GNIP)

Helps to co-ordinate and manage the delivery of strategic infrastructure in the Greater Norwich area to support growth, a high quality of life and enhanced natural environment. This includes enhancements to public transport corridors to move them towards fully fledged bus rapid transit, elements of the green infrastructure network and extensions to cycle routes. See <http://www.greaternorwichgrowth.org.uk/delivery/greater-norwich-infrastructure-plan/>

Green Infrastructure (GI)

Green spaces and interconnecting green corridors including natural green spaces colonised by plants and animals and dominated by natural processes. Green infrastructure can also comprise man-made managed green spaces, such as those used for outdoor recreation and sport including public and private open space, allotments and parks as well as their many interconnections such as footpaths, cycleways, green corridors and waterways.

Informal Outdoor Recreation Space

Areas of informal recreation space which may take a number of different forms including natural green space, allotments, informal recreation areas, woodland and trails. Green infrastructure may contribute to the informal recreation space required by this SPD in accordance with the details set out within this SPD.

Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk

The Joint Core Strategy (JCS) was prepared by the three Councils of Broadland, Norwich and South Norfolk Council, working together with Norfolk County Council as the Greater Norwich Development Partnership. The JCS was adopted in 2011 (amendments adopted 2014). It sets out the long term vision and objectives for the Greater Norwich area to 2026, identifying broad locations for new housing and employment growth. See <http://www.south-norfolk.gov.uk/joint-core-strategy>

Management Company

(Also referred as a Maintenance Company) A body established – usually by the developer of the site – to take on responsibility for the long term management and maintenance of the recreational open space, including financial responsibility. Management companies often include residents of the local development.

National Playing Fields Association (NPFA)

See Fields in Trust above.

National Planning Policy Framework (NPPF)

The National Planning Policy Framework (March 2012), replaces nearly all of the former Planning Policy Statements and Guidance Notes and sets out the Government's planning policies for England and how these should be applied. See https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Norwich Policy Area (NPA)

Part of the District which is centred on and strongly influenced by the presences of Norwich as a centre for employment, shopping and entertainment, generally comprising the fringe and first ring of large villages around the city of Norwich, but extending to Long Stratton and Wymondham.

Occupancy

The number of people typically considered to be resident within a single dwelling. The number of people depends upon the number of bedrooms.

Older Children and Adult's Recreation Space

Recreational space typically aimed at children aged 11 and above. This recreation space may take a number of different forms including formal/ informal playing pitches and courts, trim trails, kick-about areas, MUGAs and skate parks.

Planning Condition

A planning condition can be imposed on the grant of planning permission. A planning condition can require additional approvals for specific aspects of the development (such as the colour of materials) or might restrict the use of the site (e.g. limiting opening hours). Some conditions are informative (or restrictive) only but others require the submission of further details to the Council for approval and these types of conditions need to be discharged by the local authority

Planning Practice Guidance (PPG)

The Planning Practice Guidance (PPG) is a web-based resource which brings together planning guidance on various topics. <https://www.gov.uk/government/collections/planning-practice-guidance>

Pre-application advice service

South Norfolk Council offers a pre-application advice service to give information to potential applicants on the likely outcome of a planning application. For domestic enquiries this is a free service but there are a range of charged options for larger developments and more details can be found on the Council's website at <https://www.south-norfolk.gov.uk/do-i-need-planning-permission>

Section 106 Agreement

These relate to site specific infrastructure requirements which are negotiable and paid directly to the relevant infrastructure provider. S106 contributions are shown in the S106 legal agreement.

Site Specific Allocations and Policies document

The Site Specific Allocations and Policies Document (adopted October 2015) is part of the South Norfolk Local Plan. Guided by the Joint Core Strategy it designates land across the district to deliver housing, employment, recreation, open spaces and community uses. See <http://www.south-norfolk.gov.uk/site-specific-allocations-and-policies-document>

Six Acre Standard

Guidance produced by Fields in Trust which is based on a broad recommendation of 2.4 hectares of outdoor playing space per 1,000 population.

Supplementary Planning Document (SPD)

A document which compliments and defines further details of a policy contained in a Local Plan document.

Supplementary Planning Guidance (SPG)

The predecessor of SPDs (see above).

Sustainable Drainage Systems – SuDS

Sustainable drainage systems (SuDS) are drainage solutions that provide an alternative to the direct channelling of surface water through networks of pipes and sewers to nearby watercourses. By mimicking natural drainage regimes, SuDS aim to reduce [surface water flooding](#), improve water quality and enhance the amenity and biodiversity value of the environment. SuDS achieve this by lowering flow rates, increasing water storage capacity and reducing the transport of pollution to the water environment.

South Norfolk Council
Community Assets Strategy 2016



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1. Introduction

The Community Asset Strategy is the Council's corporate land and property strategy that sets out how the council will manage all aspects of community assets. This Strategy involves more sustainable and progressive management regimes, encouraging greater community involvement with attendant benefits to health and wellbeing, enhanced biodiversity and opportunities for increasing local devolvement. Given the likely future funding challenges a key aim is to create a more sustainable approach to our asset management and minimising future liabilities given the challenging financial environment we are facing whilst ensuring open spaces and other community assets remain part of the South Norfolk landscape.

South Norfolk Council holds a variety of land and property assets within its portfolio. These can broadly be divided into three main asset groups:

- **Operational Assets** – Used by the Council or partners to deliver direct services such as leisure centres, waste services, Council offices. These are often subject to a separate Asset Management Plan or programme of works.
- **Investment Assets** – Assets held solely for the purpose of generating rental/investment income/capital. These are often subject to a separate Asset Management Plan or programme of works.
- **Community Assets** – assets held or managed by the Council that play a vital role in the community with regards to delivering the Council's corporate objectives.

For the purposes of this Strategy, community assets are defined as:

- Common Land – registered commons subject to Schemes of Regulation
- 'Commons' – none registered 'Public Open Space'
- Parks, countryside areas and public open space land
- Trees and planting
- Easements and rights e.g.
 - Easements/rights of access, drainage
 - Grazing rights, agricultural tenancies
 - Leases/licenses commented with or 'over' community assets
- Community infrastructure assets:
 - Roadways, street and community lighting, pathways, car park areas
 - Playgrounds and Play equipment
 - Public toilets
 - Benches
 - Signage
 - Safety equipment (lakes and ponds)

Community assets may be held or "managed" historically by the Council on behalf of the community in a number of different ways:

- Freehold ownership

- Assets owned by third parties or with no defined owner over which the council has statutory or management responsibilities (for examples Common Land)
- Assets held by the Council under Lease/license/agreement for community benefit
- Assets held by others into which the Council has an input via various mechanisms, management, financial, advisory

2. Corporate Vision and Priorities

Community assets will be managed and maintained by the Council to enable the delivery of the Council's corporate vision, objectives, priorities and Business Plans as follows:

Corporate Vision, 2016 to 2020:

“To retain and improve the quality of life and prosperity of South Norfolk, for now and future generations, to make it one of the best places to live and work in the country”

Corporate Priorities:

We have three corporate priority areas where we focus our resources and efforts. These areas are underpinned by our customer focussed, collaborative and commercial approach to service delivery.



3. Community Asset Strategy - Summary

The Community Asset Strategy provides an overarching framework which defines how the Council will actively manage open spaces, commons and other community property to the maximum benefit of the Council and the community. The Strategy fully supports the corporate vision and priorities and can be summarised by the following fundamental principles:

- The introduction of more innovative sustainable management regimes including where appropriate “community divestment initiatives” supporting biodiversity and healthy living.
- An efficient and effective community asset and customer focused service making the most of our assets for the benefit of the community at least cost.
- Improving and increasing partnership work to deliver asset management:
 - Formulation of innovative delivery structures
 - Delivery of community development mechanisms.
 - Practical support as part of the Council’s ‘Early Help’ approach and the Health and Wellbeing strategy
 - Securing additional ‘government’, agency partnership and/or third party funding

<p>The Community Asset Strategy is intended to improve the future contributions made by community assets to the Council’s vision and priorities.</p>

Guiding Principles

- To improve and increase the contribution made by community assets to the community and in particular the agenda for Health and Wellbeing given the Council’s vision and priorities
- To identify opportunities for income generation and low impact infrastructure initiatives
- To improve the contribution made by community assets to biodiversity
- To contribute to the Council’s Health and Well-being Strategy working with schools, adult educational programmes and through the delivery of Early Help projects
- To increase diversification opportunities through potential promotion of community based initiatives involving other areas of community interest:

For example:

- Sculpture/art in appropriate settings
 - Theatrical and musical events
 - Local craft markets
 - Community allotments
 - Community planting schemes
- To improve where appropriate opportunities for external funding contributions (Government agencies, partner agencies, private investment) towards community asset maintenance and improvement

- To promote community participation in asset management and maintenance through various mechanisms including:
 - Development of engagement initiatives enabling responsibility and involvement of public sector partners and community groups
 - Development of “divestment” initiatives where appropriate enabling public sector partners, community groups to take over Council management and maintenance responsibilities
 - Promotion of volunteer days assisting in community asset improvements and maintenance

These guiding principles will be formulated into specific objectives and works programme as opportunities are identified within available resources.

4. Portfolio of Community Assets

These are assets of community benefit held or managed by the Council on behalf of the community which may have reservations, restrictions as to use and their disposal.

Asset	Number	Acreage	Maintenance Budget 2016/17
Commons and Parish lands	35	288.4	£20,000
Commons (Grants paid)			£26,000
Countryside sites	8	102.6	£30,000
Amenity land	103	73.6	£20,000
Cemeteries	2	3.7	£4,000
Street/footway lighting	1,063	N/A	£29,000
Play equipment (including inspection)	62	N/A	£97,000
Heritage sites	1	N/A	£2,500
Grounds maintenance services		N/A	£244,604
<i>Note – Data taken from South Norfolk Asset Management Plan and Programme 2014-17.</i>			

A number of community assets have been identified as surplus under the Council’s existing asset management plan and programme 2014/17. These assets will be reviewed during 2017/18 against the overarching vision and priorities of the Council and the approach determined by the Community Asset Strategy.

This Strategy has strong links with the following plans and strategies:

- South Norfolk Corporate Plan 2016/20
- South Norfolk Business Plan 2016/17
- South Norfolk Local Plan (2011 – 2026)
- South Norfolk Capital Strategy 2014/17
- South Norfolk Capital Programme
- Economic Growth Strategy (2016 – 2021)
- Tree Management Strategy
- South Norfolk Alliance, Your sustainable Community Strategy for South Norfolk (2008 – 2018)

Council Management Plans to be produced subject to approval of the Community Asset Strategy:

- | | |
|--|---------------------------------|
| • Tree Maintenance Plan | Proposed implementation 2017/18 |
| • Community/Street Lighting Management Plan | Proposed implementation 2017/18 |
| • Playgrounds/Play Equipment Management Plan | Proposed implementation 2017/18 |
| • Public Open Spaces management Plan | Proposed implementation 2017/18 |
| • Common Land and a Registered Commons Management Strategy | |

The Community Asset Strategy and associated Management Plans will have due regard to:

- Legislative and regulatory provisions/recommendations
- Codes of best practice
- Associated financial and regulatory constraints

5. Scheme for managing Community Assets

The Council will review, prepare and update the following strategies and management plans to reflect the Council's vision and objectives within this Strategy in relation to the following topical assets:

A. Introduction of Commons Land (Regulated Commons) Management Strategy

Outcomes:

- A strategic approach to commons management.
- Clear definition of the Council's management responsibilities
- Clear definition of owner, partner and owner responsibilities
- Enhancement of divestment opportunities

B. Tree Maintenance and Management Plan

This will include existing contracted survey and maintenance arrangements and the preparation and implementation of a robust, sustainable and risk based management and works regime.

Outcomes:

- Robust sustainable risk based survey and management strategy
- Identification of opportunities for active woodland management techniques enhancing woodland health, biodiversity, increased community access
- Identification of opportunities for increased involvement of services regarding survey and maintenance followed by potential to provide contracted services externally

C. Community/Street Lighting Management Plan

This will include the preparation of a robust, sustainable and risk based management plan.

Outcomes:

- A robust risk-based maintenance and survey regime and decision making based on future sustainable management
- The ability to introduce new technologies to reduce future maintenance and electricity costs.

D. Playgrounds/Play Equipment Management Plan

To include the preparation of a management plan which will detail the Council's standards and policy for existing and new play areas and equipment as part of developments.

Outcomes:

- Provision of challenging and safe play environments providing long term benefits to residents' health and wellbeing.
- The affordable enhancement of existing play equipment infrastructure by a robust quality plan of equipment replacement and installation
- Affordable quality planting schemes adjacent to play equipment providing enhancement to the environment and educational/community involvement opportunities

E. Public Open Spaces Management Plan

The preparation of management plans which detail standards and policy for public open/communal space as part of the planning policy development process.

Outcomes:

- The affordable enhancement of existing public open space management regimes to provide maintainable, consistent quality environments in keeping with their location which is affordable
- Affordable quality planting schemes providing enhancement to the environment and educational/community involvement opportunities
- Increased opportunities for community divestment

6. Divestment Strategy

South Norfolk's community assets represent valuable and in some instances landscapes and environments which deserve careful and proactive management so as to ensure their protection and availability for the use and enjoyment of the community.

The Council promotes community involvement and where appropriate 'divestment' enabling other organisations and groups to undertake the future management, improvement and maintenance of community assets. Given ongoing resource constraints it is important that the Council actively promotes alternative management approaches.

Any divestment partnership arrangement must be appropriate taking into account the following fundamental principles:

- Many Community Assets have legal encumbrances in the form of statute, covenants, restrictions and reservations which restrict opportunities for disposal.
- The Council in divesting of a community asset must where applicable ensure adequate and legally enforceable protection of that asset in the form of covenants and reservations. Generally such protection is more legally robust when an asset is disposed of under lease or license as opposed to freehold sale.
- Any disposal of public open space must comply with legislative provisions.
- The divestment partnership mechanism chosen must:
 - I. Enable the recipient organisation/group to meet current and future objectives and plans.
 - II. Ensure that the asset remains protected for the benefit of the community.
 - III. Provide identifiable advantages in terms of community benefit, management and financial terms as compared with retention by the Council.
 - I. Ensure local community involvement in the divestment process ***with the principle that the local Parish or Town Council have 'first refusal' albeit that the Council will make a decision based on the overall interests of the Council.***
 - IV. Comply with the Council's statutory, legal and fiduciary duties.

A community asset will only be considered as 'surplus' and therefore available for unencumbered freehold sale in the following circumstances:

- II. The Council has undertaken a robust review and identified that the asset concerned provides no current or future identifiable community need.
- III. Unencumbered freehold sale is considered to be in the public interest and accords with the Council's legislative and fiduciary duties.
- IV. There is no financial benefit from retention having regards to:
 - The financial and other resources required in continued ownership.
 - There are no current/future development opportunities/considerations.
 - The financial consideration achieved through sale represents 'best value' taking into account:
 - The provisions of Section 123 of the Local Government Act 1972.
 - The cost of future maintenance and management of asset if retained.
- V. Disposal complies with legislative provisions.
- VI. Public or community consultation in accordance with legislative provisions has been undertaken.
- VII. ***That the local Parish or Town Council have 'first refusal' albeit the Council will make a decision based on the overall interests of the Council.***

7. Acquisition Strategy

The Council may acquire community assets in exceptional circumstances:

- There is an identified community need or benefit from acquisition
- Acquisition will add value to an existing community asset
- Acquisition offers protection to an existing or proposed community asset

All acquisitions will be assessed through a robust business case with particular reference to costs, benefits, impacts and risks of the asset and how it relates to the Council's corporate objectives. Acquisitions can be undertaken through negotiation, auction, Compulsory Purchase Order (CPO) Acquisitions will be undertaken in accordance with Council policy and Rules of Governance.

The Community Infrastructure Levy introduced under the Planning Act 2008 is a charge on almost all forms of development providing contributions towards the infrastructure needed to support growth in an area. It is intended for general infrastructure contributions whereas S106 is intended for site specific mitigation. The Council adopted CIL charging in 2014. CIL general provisions are:

- Must be spent on infrastructure to support development of the area.
- CIL can be spent on the provision, improvement, replacement, etc of infrastructure; it does not have to be used to fund capital investment.
- Infrastructure can include sporting recreational facilities and open spaces.
- CIL cannot be used to fund anything that is not required to support the development of the area.

After 1 April 2017 the Council will accept no further transfer of S106 infrastructure. The Council's expectation being that the developer is expected to make arrangements for the adoption of open spaces, street lighting, SUDs etc. as part of the development management process and to arrange long term robust management and maintenance strategies to cover all future responsibilities. ***Parish or Town Council's will, as now, be able to negotiate with the developer to adopt infrastructure although the Council cannot dictate who ultimately adopts.***

8. Tree Management Strategy

The 2014 Tree Management Strategy covered trees, hedgerows, high hedges. The strategy has the following key objectives:

- Identify and adopt a standard framework for managing and maintaining tree stock.
- Reduce risk from hazardous trees.
- Ensure efficient use of resources.
- Control and monitor tree maintenance.
- Ensure trees continue to enhance the character of the district.
- Replace trees where there is a requirement under TPO, conservation area and where there is need.

The Natural Environment and Rural Communities Act 2006 created a duty for local authorities to conserve biodiversity. This Council's vision is to continue to protect and enhance our natural environment.

Currently tree surveys and maintenance is undertaken by contractor upon an annual basis as well as works remedial works being undertaken directly by the Council's depot. In order for the Council to meet its tree management objectives, during 2016/17 a Tree Management and Maintenance Plan will be prepared incorporating:

- A risk based approach.
- Inspections and surveys carried out by suitably trained arborists under a tendered contractual approach providing the following information:
 - An effective computer based record system whereby all relevant trees are GIS identified and recorded.
 - A risk based assessment approach taking into account zoning.
- Future inspection regime and frequency based upon risk.
- Schedule of works both maintenance and improvement based upon survey information.

The introduction of the Tree Management and Maintenance Plan will enable the Council to:

- To adopt a more robust approach as compared with existing annual arrangements.
- Develop closer links in order to maintain compliance with the Council's policies regarding Tree Preservation Orders and consent to works.
- Prepare annual and cyclical maintenance plans that are risk based and financially costed.
- Provide better control as regards allocating contractor, in house staff and maintenance resources against priorities.
- Identify future opportunities for improvement programmes.
- Provide greater control as regards biodiversity.
- Assist in creating opportunities for government and third party funding.
- Assist in creating opportunities for greater partnership working with Parish/Town Councils and local volunteer groups.

9. Footway Lighting Management Plan

Footway lighting within the South Norfolk area falls under the following responsibilities:

- Street lighting directly maintained by Norfolk County Council as Highway Authority.
- Street lighting maintained by the Highway Agency e.g. the A11 and A47.
- Street lighting maintained/owned directly by Parish Councils:
 - Hethersett, Long Stratton, Pulham, Roydon, Scole, Wortwell, Hingham, Dickleburgh, Cringleford, Ashwellthorpe.
- Street lighting within Parish and Town Council areas managed by this Council and some owned by Saffron Housing Association but maintained by the Council.

As at 2016, the Council maintains circa. 1,061 street lights on behalf of Parish/Town Councils and Saffron Housing. The Council will in future review the provision of footway lighting in line with the general principles of this strategy and the future approach and policies of the Council.

10. Playgrounds and Play Equipment Management Plan

The Council manages some 62 equipped playgrounds across the district. Various policies and strategies currently relate to playgrounds. They will be subject to review, where appropriate, in tandem with the relevant planning policies:

1. The South Norfolk Recreational Open Space Requirements for Residential Areas 1994 states:

- Children's play space - required for all developments where overall density of estate is greater than 16 dwellings/ha.
- Minimum open space required – 400 sq m for 15-24 dwellings, 1000 sq m for 25-50 dwellings plus 17.5 sq m per dwelling over 50.
- Where developers wish the District Council to assume ownership of open spaces, a contribution for maintenance in the form a 10 year commuted lump sum **has been** required. The appropriate Town or Parish Council will, **in the first instance**, be asked **if they wish to** assume ownership. It should be noted that only a small proportion of new playgrounds are taken by Parish Councils.

2. A Play Strategy for South Norfolk (2007 to 2012)

3. European Standards for Play Areas EN 1176/1177

4. ROSPA Play Safety Standards

5. Currently safety inspection of play equipment is undertaken under an ESPO Framework contract upon an annual basis. This contract is currently being reviewed.

6. ROSPA currently undertakes an annual inspection of all playgrounds.

The following work programme is planned for 2016/17 and beyond:

- Preparation of a playground and play equipment management plan incorporating:
 - Proposed standards for future play equipment.
 - Proposed standards for playground provision.
- Review of risk based inspection regime.
- Preparation of annual programme of planned/cyclical maintenance work in addition to responsive maintenance regime which currently exists.

11. Public Open Space Management Plan

The Council owns or manages a variety of public open spaces and countryside sites. Currently cyclical maintenance such as grounds maintenance (Grass cutting, hedge trimming, litter removal, waste bins) is undertaken by the depot. In addition ad hoc inspection regimes and responses to maintenance problems identify additional work to be undertaken by the depot or by private contractors (depending upon the scope of the works).

Currently a need has been identified for:

- A reviewed cyclical grounds maintenance strategy ***with engagement with the local parish/town council.***
- An open space strategy defining the Councils intentions with regards to:
 - Quality standards with regards to landscaping and planting schemes.
 - Assessment of current biodiversity and proposed improvement strategy.
 - Programmes of improvement.
 - Proposals regarding greater public and community use of open spaces.
 - Proposals regarding divestment and greater community involvement.
 - Enhanced opportunities for increased community volunteer schemes.
 - Opportunities for increased government and third party funding.

The Public Open Space Management Plan proposed for 2016 onwards is intended to address these issues and provide a clear strategic direction and affordable 'improvement approach' which accords with South Norfolk Council's vision and priorities.

12. Common Land – (Regulated Commons) Management Strategy

The Council manages five registered Commons; they are Mulbarton, Swardeston, Hales Green, Smockmill, and Flordon. These Commons are privately owned land (Save for one which has no identifiable owner), over which there are “rights in common” which include:

- Defined rights to graze certain stock.
- Rights of access to everyone to roam including walking, picnicing, running etc.
- Certain specific rights of access benefiting property adjoining the Common.

The Commons Act 1899 as amended by the Commons Act 2006 introduced Local Authority Schemes of Management which gave powers to District Council to make schemes for regulation and management, including the making of byelaws. In addition Local authorities produce “Management Plans” which are non statutory guidelines setting out how the common land will be managed.

It is the view of DEFRA that where common land is subject to a scheme of regulation the Commons Act 1899 the effect of the scheme is that the local authority becomes responsible for managing the land. Such schemes usually include a clause requiring the LA to keep the common free from encroachment.

Virtually all works to a common (including changing the surface, structures) require Secretary of State approval under S38 of the Commons Act 2006. The purpose of this formal application process being:

- Stock of common land is not diminished.
- Works take place only when they maintain or improve the condition of the common, or exceptionally where they confer some wider public benefit.
- Applications are assessed taking into account the interests of the neighbourhood and public interest.

All registered common land is subject to Part 3 of the 2006 Act which makes it unlawful to construct any works which would restrict or prevent access to the land, or to resurface the land without the consent of the Secretary of State. This means it is unlawful to erect a fence (except those temporarily installed and removed for animal husbandry) or a building/structure. Such work is not an offence but any person may ask the courts to require the works to be removed.

Where works are undertaken and no action is taken it may be possible to show factual possession and in such cases the fact that such works are unlawful does not, in itself undermine a claim to adverse possession. As a general rule encroachments/works resulting in a successful claim for adverse possession are more likely to be established if there are rights that the landowner could have granted, then after 20 years the right can be established and no one can object.

It should however be noted that a successful adverse possession claim does not change the designation of the common land involved.

Responsibility for enforcement against encroachment/unlawful works lies with the landowner, local community and any person (including the local authority, Parish Council) may seek enforcement action by application to the County Court.

Of note is the view of DEFRA relating to proposals to construct/improve driveways across common land. Whilst consent to works is required by the landowner and under S38 of the 2006 Act such applications may be consistent with continued use of common land even where the driveway is entirely for private use, because construction will not prevent public access, or access for commoners animals.

The legal position regarding common land and encroachment/unlawful works can be complex depending upon the nature of the breach and its impact upon the environment and access being available to all.

Any potential encroachment/works in order to be fully complaint would require:

- Formal consent of the landowner such consent being in accordance with the management scheme introduced by the local authority.
- Formal approval by the Secretary of State to the works under S 38 of the 2006 Act.

Alternatively unlawful encroachment/works could be legitimised by a successful claim for adverse possession after a period of some 20 years or by an unsuccessful enforcement action through the County Court.

A number of the Commons have been the subject of numerous historic encroachments and unlawful works as well as a number of more recent issues.

The majority of historic encroachment/works including works undertaken by the Council have not been the subject of objections by either the landowner or public users/graziers. Indeed, Council works have often been in direct response to users/residents concerns and the desire to improve the amenities and use of the common land.

Under the Community Asset Strategy this Council will define its future management style and strategy with regards to common land.

From initial assessment there would appear to be little to be gained from pursuing historic cases of encroachment/unlawful works especially where works have been supported by the community, landowner and users.

However recent/current cases (for example those occurring within say the last 3 years) could be considered for action in order to ensure that the Council manages common land in accordance with its obligations and safeguards the land for the benefit of all. Such action would take two forms depending upon a pragmatic and reasonable assessment of case circumstances:-

- I. For encroachment/unlawful works which are not considered to detriment the common land and access rights (examples – access to property where similar access exists, signs, boundary fences) the parties involved are advised:
 - To seek formal consent from the landowner.
 - To formally apply under S38 for Secretary of State consent to work.
- II. Works considered to be of detriment to the common land and users (examples – encroachment by owners moving boundary fences, unlawful structures, signs, car parking areas not considered appropriate) are formally pursued by the council ideally with a successful outcome not involving litigation.

A key element of this enforcement approach will be providing adjoining residents, owners and key partners such as the Parish Council with clear written advice covering:

- The legal position regarding Common Land regarding encroachment and authorisation of works.
- A clear statement from this Council of its management responsibilities with regards to the Common.
- A clear statement from this Council with regards to its expectations of others regarding areas of maintenance where contributions are expected from primary users.

In addition the Council will on an ongoing basis review existing Management Plans in conjunction with partners in order to provide a uniform approach regarding:

- Identifying a clear programme of works to include:
 - Cyclical maintenance to be carried out annually.
 - Cyclical maintenance to be carried out bi- annually or at a determined frequency.
 - Responsive maintenance tasks (one offs).
- A clear programme of works will enable the following improvements to be made regarding Commons management and maintenance:
 - A prioritised financially based programme set against available finances.
 - Division of programme responsibilities between South Norfolk Council, land owners, Parish or Town Councils, and third sector or volunteer groups.

In the future the Council is keen to engage landowners/users/residents with regards to Community Asset transfer. One mechanism for this defined in the 2006 Act is Commons Councils individually established through an order made by the Secretary of State. The powers of a Commons Council could exceed those available to the local authority (albeit the local authority is likely to be a member) depending upon the powers conferred by the Secretary of State.

It is understood that a Commons Council or similar collective body may be more likely to be successful in securing third party funding.

Appendix C – Representations Received on First Draft of Recreation Space SPD and Council's Responses

No.	Name of respondent/ Organisation	Para No/ Section	Comment	Response	Action
1.	Sally Minns (Sally Minns & Associates)		It is disappointing that there is no consideration of children with disabilities and wheelchair accessible play equipment which is essential for inclusive development	Play areas in South Norfolk have historically been designed with disabled access and wheelchair accessible play in mind. We require wheelchair accessible gates, suitable width pathways and suitably designed equipment. There are mentions of DDA compliance in Appendix 3 but recognise that this has now been replaced by the Equality Act 2010. There is a need to update the document to reflect this.	Amend Appendix 3 to reference the Equality Act 2010 and the need to ensure that suitable consideration is given to the needs of children with disabilities. The relevant section in Appendix 3 has been expanded and includes references for further guidance.
			Maintenance payments should be for a minimum of a generation ie 20 years	South Norfolk Council has traditionally always required 10-year maintenance payments. Consideration has been given to increasing this to 15-20 years but it has been found that there is limited appetite for this	None

				amongst developers, so there are no plans to change this requirement at the moment.	
2.	Hilary Elias (Costessey Town Council – Clerk)		<p>From original letter sent on 3 July 2017:</p> <p>Proposal 1: Costessey Town Council requests that South Norfolk Council immediately reconsider their recent decision regarding the adoption of s106 infrastructure (see local example 1 for details).</p>	<p>The Council's decision to no longer accept the transfer of assets was made as part of our Community Assets Strategy which was agreed at Cabinet on 9 January 2017, following extensive consultation with all parish/town Councils, developers and others with an interest in development. Some reservations were noted as part of the consultation but overall it was considered that the Council could no longer sustain the future legacy arising from continuing to adopt such assets. It is intended that this part of the Community Assets Strategy will come into force upon adoption of this SPD.</p>	None

			<p>Where residents of developments are directly paying to a private company to provide “public” services it is unreasonable that they are not afforded a discount to their Council Tax payments that, for the majority of existing households, cover the provision of public services. Residents of new developments are effectively subsidising existing public services that other households are benefiting from and are not required to pay for privately!</p> <p>Privatising the maintenance of public facilities by default, is a mistake that will result in a higher average cost per household for the provision of public amenities in South Norfolk.</p>	<p>It would not be lawful for the Council to offer a discount on Council Tax payments to residents of developments who are also paying maintenance charges to private companies. Residents should be fully aware of this charge when purchasing the property</p> <p>Parish councils will have the option of taking on new recreation areas themselves through the hierarchy of offering open space</p>	<p>None</p> <p>Details of the “cascade” approach to taking on land has been included in Chapter 6.</p>
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			The residents of South Norfolk will be worse-off as a result of this decision!		
			Proposal 2: Costessey Town Council proposes that where South Norfolk Council approves the transfer of s106 assets to a private management company, South Norfolk Council then has an obligation to ensure that the developer markets its properties with realistic information regarding the on-going maintenance costs. (see local example 2 for details)	It is the responsibility of the developer to ensure that new properties are marketed in an open and honest way, including information regarding the on-going maintenance costs, and for the purchaser to investigate this (through their solicitor). It is not a planning matter, however, so South Norfolk Council cannot require this. These responsibilities could be noted in the SPD, however.	The expectations of the developer/management company and purchasers have been clarified and the responsibilities of conveyancers highlighted.
			Proposal 3: Costessey Town Council proposes that where South Norfolk Council declines the adoption of s106 assets, the adoption of such assets must be offered to Parish/Town Councils (together with a minimum 10 year commuted maintenance sum) prior to such assets being transferred to a private management company. As a result of the requirement upon the	South Norfolk Council cannot insist that the developer offers the adoption of S106 assets to the Parish or Town Council prior to such assets being transferred to a private management company. However, the SPD could be written in such a way that suggests that the developer should offer such assets to	Amend the SPD to say that although South Norfolk Council cannot insist that a developer offers the adoption of S106 assets to the Parish or Town Council prior to such assets being transferred to a private management company it would be good practice for

			<p>developer to pay a commuted sum, it is clearly in their financial interest to transfer assets to a private company, instead of to Parish/Town Councils (who may be able to provide the maintenance in a significantly more cost-effective manner). (see local example 3 for details)</p>	<p>the relevant Town or Parish Council before going down the Management Company route</p>	<p>developers to approach the relevant Town or Parish Council prior to going down the Management Company route. The hierarchy for adoption is set out in Chapter 6.</p>
			<p>Costessey Town Council respectfully requests that South Norfolk Council members research the implications and consequences of its previous resolution, and revisit the decision regarding the adoption of s106 infrastructure with a view to helping residents of the new developments in Costessey who would, we are sure, be very grateful for a change in policy.</p>	<p>The Council's decision to no longer accept the transfer of assets was made as part of our Community Assets Strategy which was agreed at Cabinet on 9 January 2017, following extensive consultation with all parish/town Councils, developers and others with an interest in development. Some reservations were noted as part of the consultation but overall it was considered that the Council could no longer sustain the future legacy arising from continuing to adopt such assets. It is intended that this part of the Community Assets Strategy</p>	<p>None</p>

				will come into force upon adoption of this SPD.	
		Page 11	Formal Costessey Town Council response: Family Housing: 5.5 – Approve recommendations	Comments noted	This section has been removed as it did not relate to public open space.
		Page 12	Non-family Housing: 5.7 & 5.8 – Approve recommendations	Comments noted	None
		Page 12	Children’s Playspace: 5.10 “Adequate Fencing will need to be provided”. This should <u>not</u> include knee high wooden fencing of the type which is prevalent at Queens Hills, as it affords no protection to young children from passing traffic or from running away from the area and does not keep dogs out of the play areas.	Comment noted. More detailed design requirements for fencing and gates etc can be found in Appendix 3 of the document.	Detailed design advice has been set out in Appendix 3 and this reflects best practice guidance.
		Page 13	Minimum Requirements for Children’s Playspace: Approve National Playing Fields Association standards	Comments noted	None
		Page 19	Options for adoption 9.2: Costessey TC is against this strategy, which it considers to be on a par with the leasehold system criticised recently in the news and would like South Norfolk to reconsider it. CTC has had a spate of complaints about “absentee” management companies	South Norfolk Council has limited powers to direct how management companies look after open space, but the SPD will contain some information on this	The expectations of developer/management company have been clarified throughout.

			<p>whereby a national housebuilder engages a national management company to look after a development. This management company is based far away from the development site and appears to do very little in the way of maintenance. The management fees rise exponentially year on year and no redress/appeal process is afforded to the residents, who are often only told about the management fee just before completion of the house sale, when it is too late to pull out of the sale without losing a large sum of money. The standard of maintenance can be poor and residents' complaints about dangerous equipment, poor workmanship or forgotten areas are often ignored. If residents fall behind with their payments then the management company has been known to withhold the services so that an area falls into disrepair – again with no redress for those residents who continue to pay</p>		
		Page 19	Options for adoption 9.4: Agree with SNC's assurance	Comments noted	None

		Page 20	Maintenance 10.1: Costessey TC is against this strategy – see 9.2 above	Comments noted	None
		Page 20	Maintenance 10.2: Will SNC continue to publish guidelines for Town & Parish Councils and will it revise them if inflation rises above the 2.5% inflation rate quoted? Please advise	The SPD sets out some basic guidance for parish councils (in Appendix 4). However, the Council cannot dictate the maintenance figures themselves through the grant of planning permission – these are typically agreed annually by the board of the management company (which will almost always have representation from the local residents).	The SPD has been amended to make clear that installation and maintenance figures are 2017-based, and will normally need to be increased by RPI inflation, although each case will be assessed on an individual basis
		Page 20	Maintenance 10.4: Approve recommendations	Comments noted	None
		Page 21	SuDS 11.1: Approve recommendations	Comments noted	None
		Page 21	SuDS 11.2: Approve recommendations. HOWEVER, it seems presumptuous of SNC to state that “it is likely that Anglian Water will be taking on maintenance responsibilities for SuDS features in the future”. CTC’s understanding is that Anglian Water are reluctant to take these on (as per the northern	<p>The Council understands that Anglian Water may well take on some (but perhaps not all) SuDS features – the wording will be adjusted appropriately</p> <p>It is beyond the scope of the SPD to cover whether</p>	The SuDS chapter (Chapter 8) has been adjusted to indicate that Anglian Water may not take on maintenance responsibilities for all SuDS features

			lagoon at Queen's Hills) which means that management companies will again be brought in to maintain them. Is there any form of enforcement/redress to ensure that management companies fulfil their obligations without charging residents extortionate fees?	management company fees are "extortionate" (this is a property/legal matter), but local residents will normally, at the very least, be represented on the board of the management company and so can express views on fee levels	None
		Page 26:	Appendix 3 Location: Approve recommendations and 10 guidelines	Comments noted	None
		Page 27	Appendix 3 Layout: Approve recommendations. How will be preparations and drainage installations be monitored and enforced?	Preparations and drainage installations and other similar requirements will be monitored and enforced by South Norfolk Council.	None
		Page 27	Appendix 3 Construction: Approve wet pour as bark/shredded rubber etc is difficult to inspect for foreign materials	Comments noted	None
		Page 28	Appendix 3 Road Safety: Approve recommendation. What traffic calming measures are envisaged given that Central Government is driving to remove speed tables to improve air quality?	Norfolk County Council Highways will advise on the most appropriate traffic calming measures to be used in individual developments and it is not intended to specify detailed requirements in the SPD	None

		Page 28	Appendix 3 pp28-29 – Fencing and gates – Standard of gates approved. HOWEVER – outward opening gates are a concern as children could “escape” onto roads etc. CTC had previously been informed, when it requested inward opening gates that outward opening gates were safer for children to escape if they were being bullied. There was no mention of it being part of a dog policy	Comments noted	None
		Page 30	Appendix 4 – Note on adoption & Maintenance. Pooled CIL monies are currently earmarked for upgrading equipment on existing play areas	Comments noted	None
		Page 31	Appendix 4 – Community Assets Strategy. CTC is not in agreement with SNC’s decision – see 9.2 above	Comments noted (see response to Section 9.2 above)	None
		Page 31-33	Appendix 4 – Potential Benefits – Approve recommendations	Comment noted	None
3.	James Mann (Breckland Council)		Thank for allowing us the opportunity to consult on the draft guidelines for recreation provision in new residential developments SPD. At this time we have no comments to make but still request to be included in future consultations	Comments noted	None
4.	Naomi Chamberlain		Much of the document is fine. However we would wish to see more	Comments noted. It is agreed that it would be a	The role of Green Infrastructure and the

	(Norfolk County Council – Infrastructure and Economic Growth Team)		<p>emphasis placed as to looking outside of the 'red line' with regard to connectivity.</p> <p>When discussing the policy background in section2, the document refers to JCS Objectives 9 and 11 and Policy 1. These all refer to green infrastructure, green networks, walking and cycling etc. The emphasis of these objectives and policies is clearly focused on <i>connectivity</i>, not simply the provision of (potentially isolated) open space. The JCS reflects the current national definition of green infrastructure which specifically states that Green Infrastructure <i>"is not simply an alternative description for conventional open space"</i> (https://www.gov.uk/guidance/natural-environment#para027).</p> <p>Recreation provision in South Norfolk should be seen in this context, specifically as being part of a wider coherent green infrastructure network delivering multiple functions. The JCS provides fully-evidenced GI corridors with the intention that new</p>	<p>good idea to add an additional section to the SPD referring to green infrastructure. Highlighting connectivity and links with the wider GI network. Consider adding a new section to the document following 'Ecology and Biodiversity'.</p>	<p>connectivity between existing GI corridors has been expanded. The benefits of GI to the whole District have been highlighted and links to existing trails and PROW have been promoted.</p>
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			<p>developments could contribute to enhancing these corridors, partially through the appropriate siting and design of their areas for recreation provision. By not making this link explicit, and indeed by not referring to the GI corridors, the SPD is failing to guide the delivery of Policy 1 of the JCS in an appropriate manner.</p> <p>We would hope the SPD could make specific reference to the potential for recreation space to contribute to the Green Infrastructure Corridors within the JCS in the context of connectivity. We would also hope to see encouragement to link recreation space to the existing Public Rights of Way (PRoW) network (in accordance with paragraph 75 of the NPPF). This would enable people to make better lifestyle choices with the benefits to society that brings, and to contribute to enhanced ecological networks.</p>		
5.	Debra Yeomans (Chedgrave Parish		The Councillors felt that there should be some provision for Parish Councils to be consulted on; the local area, the layout, location and	Parish Councils have an opportunity to comment on the area, layout, location and equipment provision for proposed new recreation	None

	Council – Clerk)		equipment provision for any proposed new recreation area.	areas at the planning application stage	
6.	Lee Sutton (Norfolk Playing Fields Association – Chairman)	Appendix 1, page 24	<p>Translation of the National Playing Fields Association (Fields in Trust) reflects benchmarks published in 2008 by Fields in Trust in the report <i>‘Planning and Design in Outdoor Sport and Play’</i>. Updated guidance by Fields in Trust was published in October 2015 in the report <i>‘Guidance for Outdoor and Play: Beyond the Six Acre Standard’</i> and includes benchmarks for skate parks and multi-use games areas.</p> <p>Strongly recommend the SPD reflects the 2015 Fields in Trust benchmarks.</p>	The Council are revising the overall approach to open space standards in the SPD document based on comments received to the consultation. This will include ensuring that the SPD reflects the latest 2015 Fields in Trust benchmarks. There will be a second public consultation on the SPD.	Amend the SPD to ensure that the latest 2015 Fields in Trust benchmarks are used, unless explained why. See Appendix 1.
		Appendix 2, page 25	<p>Summary of open space provision for new residential areas do not reflect the Fields in Trust updated guidance, for example the updated guidance for 10 dwellings recommends a locally equipped play area, whereas under the draft there is no provision for this, such provision begins at 15 dwellings.</p> <p>Strongly recommend the SPD reflects the 2015 Fields in Trust benchmarks.</p>	Comments noted, however the Council have no plans to require open space provision on sites of less than 15 dwellings. This seems to be comparable to other local authorities, many of whom have much higher thresholds.	None

		Page 29	<p>There is no stated requirement that signage provides an accurate location of the play area. The lack of this information has the potential to impact on accurate conveyance of the location to emergency services.</p> <p>The association strongly recommends the postcode of the play area, together with the Eastings and Northings is displayed on the sign to aid the response of emergency services to the play area/playing field in the event of incident.</p>	Comments noted and agreed	The postcode of the play area, together with Eastings and Northings, should be displayed on the sign to aid the response of emergency services to the play area/playing field in the event of an incident.
		Page 26	Under location, of the 10 guidelines, <i>Accessible</i> does not state the Fields in Trust accessibility distances, that for example a locally equipped play area should be within 400m, that is a 5-minute walk. It does say at 1) 'best practice requires children's play areas to be located within specified walking distances'.	Comments noted. As these are guidelines the Council do not wish to be overly prescriptive regarding exact distances but agree there could be some benefit in including the Fields in Trust accessibility distances as an example.	Amend 1) of the 10 guidelines on page 26 to include Fields in Trust accessibility distances as an example.
			The association recommends that the distance of existing recreational facilities is taken in to account when determining provision. Existing facilities that are within Fields in Trust guidelines that meet the draft SPD	Comments noted	None

			<p>guidance at 2) 'accessible without having to cross main roads, railway tracks or waterways' should be improved and supported by developers as an alternative to providing facilities at a new location.</p> <p>A) to help maintain existing facilities, B) to expand existing facilities and C) to encourage community through bringing families from new and established developments together.</p>		
			<p>The association is disappointed that the draft guidelines offer very little in design guidance to ensure that recreational space, in particular formal play and sport provision, is accessible to those with disabilities. The draft guidance refers to outdated legislation on pages 27 and 28, DDA, that is the Disability Discrimination Act. The Equality Act 2010 places a duty on public bodies, including local authorities, to have a due regard to advance the equality of opportunity, (section 149(1)(b)). This involves the considering of the need to:</p> <ul style="list-style-type: none"> - Remove or minimise disadvantages suffered by people due to their protected characteristics; 	<p>Play areas in South Norfolk have historically been designed with disabled access and wheelchair accessible play in mind. We require wheelchair accessible gates, suitable width pathways and suitably designed equipment. There are mentions of DDA compliance in Appendix 3 but recognise that this has now been replaced by the Equality Act 2010. There is a need to update the document to reflect this.</p>	<p>Amend Appendix 3 to reference the Equality Act 2010 and the need to ensure that suitable consideration is given to the needs of children with disabilities.</p>

			<ul style="list-style-type: none"> - Meet the needs of people with protected characteristics; and - Encourage people with protected characteristics to participate in public life or in other activities where their participation is low. <p>The association strongly recommends that the draft guidance is amended to include a section within the design guidance on disability access and inclusive play.</p> <p>The association further recommends that new provision <u>must</u> include inclusive play equipment that is accessible. In promoting inclusive play, to future proof recreational facilities and meet the public duty.</p>		
7.	Sonya Blythe (Cringleford Parish Council – Clerk)		Cringleford Parish Council is extremely disappointed by this retrograde step which seems to be SNC shredding its responsibilities and assuming that other, smaller, authorities will have the resources to manage it in your place. Could you advise me whether you propose to provide resources to manage this please.	The Council's decision to no longer accept the transfer of assets was made as part of our Community Assets Strategy which was agreed at Cabinet on 9 January 2017, following extensive consultation with all parish/town councils, developers and others with an interest in development.	None

				<p>Some reservations were noted as part of the consultation but overall it was considered that the Council could no longer sustain the future legacy arising from continuing to adopt such assets. It is intended that this part of the Community Assets Strategy will come into force upon adoption of this SPD.</p> <p>Where a parish council takes on the responsibility for maintaining open/play space, South Norfolk Council will not be providing extra resources to manage this as these will come through the 10-year commuted sum maintenance payment, agreed between the Parish Council and the developer. After the 10-year period is up then the Parish Council will have to fund further costs themselves.</p>	
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				In cases where the maintenance responsibility lies with a management company, the costs will be paid for by an annual levy on the homeowners in the new development	
8.	Trevor Gurney (Wymondham Town Council – Clerk)		The above guidelines have now been discussed by the Town Council's Leisure and Environment Committee and I write to advise that the contents have been noted and each development and proposal will be considered on its own merits	Comments noted	None
9.	Julian Halls (Member of Public and Town Councillor)		What happens if the management company appointed to run these areas, if one is appointed, goes bust?	South Norfolk Council has few powers to direct how management companies look after open space – this is not a planning matter. Section 106 agreements require the key principles of the maintenance to be agreed, however	The main expectations of the developer/management company have been clarified throughout.
			Why is there a presumption that either a management company or a parish Council take these over, with only rare exceptions after October	The Council's decision to no longer accept the transfer of assets was made as part of our Community Assets	None

			(see also section 9 and Appendix 4). This is not a consultation, more of an instruction as to what is going to happen	Strategy which was agreed at Cabinet on 9 January 2017, following extensive consultation with all parish/town Councils, developers and others with an interest in development. Some reservations were noted as part of the consultation but overall it was considered that the Council could no longer sustain the future legacy arising from continuing to adopt such assets. It is intended that this part of the Community Assets Strategy will come into force upon adoption of this SPD.	
			As this document acknowledges, CIL will be reviewed in the autumn statement so why are we doing this at this stage when it could all change?	Strategic recreational space is provided and paid for through CIL but more local open space provision required as part of new developments tends to be secured through S106 agreement and this is the primary focus of this SPD.	None.

		1.7	Talks about a legal agreement to manage these areas but who is going to prepare and pay for the legal costs involved here? This needs to be specified	Normally each side meets its own legal costs, but the position can be complicated – the Council can advise (in general terms) on a case-by-case basis	None
		3.7	Correctly says areas have to directly relate to the area of the development (legal requirement). This is not the same as specified in the Community Assets Strategy	The Community Assets Strategy is an adopted document and amendments are outside the scope of this SPD consultation. Comments will be passed to the relevant team in the Council to be actioned as appropriate	No changes; comment passed to internal Council colleague for information
		Section 5	Simply identifies other standards and includes them as South Norfolk recommended standards yet as this is all passing to Parishes and management companies anyway, who is going to enforce these?	The SPD provides guidelines for recreational provision in new residential developments and uses nationally recognised standards for provision. South Norfolk Council will continue to oversee the provision of open space and play facilities up to the point of adoption. It then becomes more a property matter – so long as the main terms of the S106 agreement are met	None

				in an ongoing manner, it will be for the directors of a management company (which normally includes local residents) to ensure that the actions taken are appropriate	
			Several of the 'standards' are written in such a way as to all things to all people which one has to say will simply encourage those who wish to, to 'cherry pick' the standards they wish to use, noise and distance are but two key aspects	Precise and unvarying standards are not always helpful (particular circumstances can vary); overall "reasonableness" is the key	None
			The document refers at several points to the Community Assets Strategy (CAS) as being a key linked document. This requires correction and amendment	The Community Assets Strategy is an important related document in respect of this SPD so the Council do not consider that any correction/amendment is needed.	None
			<p>Comments on the Community Assets Strategy: I note that this item has been approved by Cabinet in Jan 2017 but it has some fundamental flaws and contradictions:</p> <ul style="list-style-type: none"> • The document is full of phrases and terms which are unclear e.g. 	<p>The Community Assets Strategy is an adopted document and amendments are outside the scope of this SPD consultation. Comments will be passed to the relevant team in the</p>	No changes; but comments on CAS passed to internal colleagues

			<p>what does 'sustainable' means in this context, what are 'community divestment initiatives' and 'low impact initiatives'</p> <ul style="list-style-type: none"> • The proposed robust lighting management plan given the recent changes imposed by County is out of date • The document is poorly written and not correctly indexed. In section 6 the roman numbering is all over the place as the section is marked i, ii, iii, and i again, then jumps to iv. Section 10 should be marked 10.1, 10.2 • The legal interpretation of CIL is incorrect and is not the same as given in the guidelines for Rec provision, as referred to above the word 'directly' is omitted. 	Council to be actioned as appropriate	
10.	C. Cook (Thurlton Parish Council – Clerk)	5.10 – 5.22	This Parish Council would not be willing to take on ownership or tenancy of a new recreational area where there are already existing facilities in the village/area and access to same covers the requirements of the guidelines (see sections 5.10 to 5.22).	Comments noted. However, Development Management Policy 3.15 (<i>Outdoor plan facilities and recreation space</i>) allows some flexibility – for example, contributions could be made to enhancing existing facilities instead of providing	None

			The problem as we see it, as occurred on the original planning application for the Beccles Rd development in Thurlton, is that Parish Councils are confronted with a plan for a recreation area with play equipment when the planning application arrives. This takes no account of location and extent of existing facilities.	new facilities in some cases where there is adequate quantitative open/play space	
		7.1	There should be consultation with Parish Councils by developers and/or SNC at the pre-application stage regarding the provision of recreational facilities.	South Norfolk Council currently does not consult parish/town councils at the pre-application stage due to the confidentiality of such discussions	None
		Section 6	According to the guidelines we also therefore support the suggestion that a Parish Council may therefore be entitled to some contribution to the refurbish/maintenance of our current facilities	Comments noted	None
11.	Louise Oliver (Natural England)		<p>We welcome the development of this SPD and offer the following advice on the draft document:</p> <p>The scope of the draft SPG is quite narrow and Natural England recommends that it should be</p>	Comments noted. It is agreed that it would be a good idea to add an additional section to the SPD referring to green infrastructure. Highlighting connectivity and links with	An additional chapter, Ecology & Biodiversity, has been included to address this important dual function of recreational open space.

		<p>widened to include the delivery of green infrastructure in new residential developments in the district. It should provide guidance on how the requirement set out in Development Management Policies will be applied. The requirement for appropriate mitigation measures was identified through the Habitats Regulations Assessment (HRA) process, undertaken for the Joint Core Strategy (JCS), the Site Allocations DPD and DMDPD, which concluded that impacts on Natural 2000 (N2K) sites were considered unlikely but could not be ruled out entirely and hence mitigation was deemed necessary.</p> <p>A good example of an SPD which covers recreational provision, with similar circumstances to South Norfolk Council, is Broadland District Council's <i>Recreational Provision in Residential Development SPD (adopted April 2016)</i>. We endorse the approach taken in Broadlands SPD as it recognises that mitigation measures in the form of recreation provision are required in order to</p>	<p>the wider GI network. Consider adding a new section to the document following 'Ecology and Biodiversity'.</p>	
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			conclude that increased visitor pressure from residential development within the district will not have an adverse effect on the integrity of N2K sites. The SPD refers to policies in JCS and DMDPD. It also makes reference to the Greater Norwich Green Infrastructure Study and Delivery Plan which underpin the JCS. We strongly recommend that SNC amend their draft SPD accordingly.		
		SEA Screening Report	<p>As far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils), there are unlikely to be environmental effects from the proposed SPD.</p> <p>Please note that Natural England reserves the right to provide further comments on the environmental assessment of the play beyond this SEA screening stage should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.</p>	Comments noted	None

12.	Natalie Beal (Broads Authority)		As SNDC are aware we are intending to have regard to policies and relevant documents relating to play and open space of our constituent district councils. As such, for any future development in the Broads part of South Norfolk which triggers the need for open space and play, this SPD will be of relevance	Comments noted	None
		6.4	Suggest reference is given to Section 10 on maintenance. At the start of the document you state the Council will not take on responsibility of maintenance and management and it is section 10 where this is discussed in detail. The commuted sum section relating to maintenance sits with none of the qualification elsewhere in the document.	The SPD states clearly that South Norfolk Council will no longer being taking on the maintenance responsibilities of open space and play areas. Chapter 6 has detailed information on the preferred hierarchy of options.	Following revisions, the structure of the SPD has been updated and this has been clarified throughout.
		App.3 Page 26 (Design)	<ul style="list-style-type: none"> Request that reference is made to lighting to require schemes to be designed to minimise light pollution. The Broads Authority Executive Area has some areas of very good dark skies which we intend to protect through our Local Plan. Our constituent districts can assist with that aim 	Comment noted. Consideration to be given to whether the requirement for schemes to be designed to minimise light pollution can be included in Appendix 3	Consider including the requirement for schemes to be designed to minimise light pollution in Appendix 3

		“	<ul style="list-style-type: none"> There is no mention of cycle or scooter parking. Children and parents may cycle or scoot to the park and somewhere safe to leave their scooters or cycles would be welcomed 	Comments noted. Add recommendation to provide cycle and scooter parking to Appendix 3.	Add recommendation to provide cycle and scooter parking to Appendix 3.
		“	<ul style="list-style-type: none"> In the signage section, there could be merits in referring to no smoking signs. We are aware of the campaign in Norwich which might be something that could be captured in this SPD 	Comments noted. Discussion is ongoing regarding the South Norfolk Council approach to this issue so it is not considered possible to include it in the SPD at the current time. This will be considered for inclusion in future reviews of the SPD.	None
		“	<ul style="list-style-type: none"> Under safety and security, there does not seem to be reference to loitering of those not using the play area. Is this something that needs to be addressed when designed new play areas? 	Comments noted, but no amendments to the document are considered necessary – natural surveillance should help counter this risk somewhat, but lawful use of open space cannot be prevented	None
13.	Anne Phillips (Mulbarton Parish Council – Clerk)		Although the request asks for a ‘section by section’ approach we feel that an overall comment should be taken into consideration. It is clear that SNDC has already agreed its	The Council’s decision to no longer accept the transfer of assets was made as part of our Community Assets Strategy which was agreed	None

			<p>strategy of divesting itself of these responsibilities. As such, we are not sure what we are being consulted on. It is interesting, we think, that what SNDC is doing is not something that it is legally required to do. It is, we presume, a decision that SNDC Councillors have taken. Perhaps they would like to reconsider???</p> <p>There is a genuine issue of what can be expected of a volunteer based organisation. It also somewhat annoys us how such documents that are really about cost-shunting are presented as a community involvement opportunity</p>	<p>at Cabinet on 9 January 2017, following extensive consultation with all parish/town Councils, developers and others with an interest in development. Some reservations were noted as part of the consultation but overall it was considered that the Council could no longer sustain the future legacy arising from continuing to adopt such assets. It is intended that this part of the Community Assets Strategy will come into force upon adoption of this SPD.</p>	
		Section 2	<p>Says that it should be read in conjunction with the Neighbourhood Plan – we don't think it addresses this in detail</p>	<p>It is not the intention of the SPD to set out the detail of policies in individual Neighbourhood Plans. Section 2 is designed to set the policy context and presents the key policy for open space provision from the Council's Development Management policies document. Further information on other policies</p>	None

				can be found on the South Norfolk Council website	
		Section 3	Mentions the fact that we will get 25% of any CIL due to our Neighbourhood Plan but the rest of the “pot” is shared by the Greater Norwich CIL pot. We have never approved of this approach	The approach of Parish Councils getting 25% of CIL if they have a Neighbourhood Plan is set out in legislation. The remainder stays with the local authority, which in the case of South Norfolk is the Greater Norwich authorities who have a combined infrastructure delivery plan and have agreed to pool CIL to deliver key strategic infrastructure projects. This decision has already been taken and is therefore outside the scope of this SPD.	None
		Section 9	Says it “could” be offered to PCs and yet in the following sections it says “it will” – also Appendix 4 repeats this.	Comment noted. Need to ensure consistent wording throughout the document	Various minor changes made to ensure consistent wording used throughout the document
		Section 11	Mentions Sustainable Drainage systems and places the responsibility on Anglian Water – have we proof that AW have accepted this burden?	The Council understands that Anglian Water may well take on some (but perhaps not all) SuDS features – the	References to the adoption of SuDS by Anglian Water have

				wording will be adjusted appropriately	been amended as appropriate.
			Should we accept that we will take over this problem? Are we equipped /manned up to carry this extra workload? Given that we struggle to manage what we have got and the fact that SNC have effectively walked away from the management of our Common we feel we are not able to take on and manage this extra burden.	Comments noted – if the parish council does not wish to take on the maintenance of new open and/or playspace, it does not have to; it would then pass to a management company	None
			We note that SNC expect the owners on the new developments to carry any financial burden associated with the cost of maintaining the “open spaces” as part of the “deal”. Not sure how this would work	The cost of management companies to maintain open spaces as part of new housing will be borne by the residents of the new development through a charge per house, or (after 10 years) through the parish precept (if maintenance is taken on by the parish council)	None
			The financial incentives, as proposed, have a number of assumptions built into the costings. Is there historical data to support this? Whose figures are they based on? SNC or	Comments noted and agreed. The Council have revisited the figures and approach used in the original document in the light	The figures and approach in the document have be re-worked, with evidence (see Appendix 1)

			contractors? Are they based on similar areas or larger areas, which might have lesser unit costs given the larger scale of activities. SNC have used an inflation rate of 2.5% - based on what? Given the uncertainties on the wider political field it may be meaningless	of comments received to the consultation and are mindful that updated figures will need to be fully evidenced and justified	
			We think SNC have overestimated the potential benefits to the Parish Councils for taking on the responsibilities. The majority of the benefits already exist e.g. No2 "the areas will be open and available for every resident in the parish to use". What's new about this? No 4 talks about CIL and what we could spend our money on? In fact items 2,3,4,5,6, and 7 are irrelevant as far as we are concerned	Comments noted. The Council feels that it is of benefit to have a section that explains the potential benefits of a Town or Parish Council taking on such areas and do not propose to make any changes to the document	None
			What if they transfer areas to a "management company"? What if the developer goes bust, who pays the company? What if the management company goes bust – do SNC take over responsibility? Who would be responsible for the day to day management of this company and who would decide if the work was	South Norfolk Council has limited powers to direct how management companies look after open space, so long as it is reasonable and in line with the requirements of the S106 legal agreement. However, the directors of a management	Expectations of the developers/ management companies have been clearly set out throughout the SPD.

			being carried out to a satisfactory standard? Who would mediate in the case of a dispute? SNC?	company (which normally includes local residents) have a duty to comply with relevant property laws	
			SNC say “in addition to these general requirements, there may of course also be specific legal requirements set out in the Section 106 agreements?” Further clarification required	It is difficult to provide further clarification as the type of specific legal requirements which may be set out in Section 106 agreements will vary from site to site depending on circumstance	None
			SNC quote ‘As with any landowner (are we getting it Freehold?) owning land accessible to the public, the PC would need to have public liability insurance in place – more cost? Something they do not refer to in their estimated costs for maintaining the “sites”. Nowhere in the document do SNC say the land and its freehold will be transferred to the PC and having been “bitten” by the Meadows experience, whereby we bought the land with a grant and SNC have the freehold for the top end and we maintain it under “licence” and at our cost we feel that we should avoid this offer.	If the Parish Council were to take on responsibility for these areas then they would be getting the land freehold and therefore as suggested in the document they would need to have appropriate insurance in place. It would be the responsibility of the Parish Council to arrange and finance this.	None

			<p>We feel that there are no upsides and too many uncertainties in this offer. However other Parish Councils may think differently. SNC's decision earlier this year to divest itself of new responsibilities for owning and managing open space, common land and parks is understandable given the current financial pressures on all district councils. However, despite being sympathetic to the difficulties, the overly positive light in which cost-saving matters are presented is unhelpful in fostering partnerships with parish and town councils</p>	Comments noted	None
			<p>Should Mulbarton receive more developments in the future it represents a significant financial choice for the Parish Council about whether to accept the responsibility for more open space. Investment from the District Council is already well below what is realistically required to manage open space properly. For example, the District Council budget of £20,000 spread across 35 common and parish lands is inadequate, serving to underline the role parishes like Mulbarton take in absorbing costs and management</p>	Comments noted	None

			responsibilities that would otherwise fall to the District Council.		
14.	Philip Raiswell (Sport England)		Sport England do not support the use of national standards such as the NPFA open space standard, in determining future provision for sport. We believe that levels of future provision should be determined through a robust local assessment of existing and future needs. Such a study was carried out in South Norfolk as part of the GNDP Playing Pitch Strategy (2015) and this study should be used to inform decisions regarding future needs for outdoor sport.	Noted, but the Playing Pitch Assessment does inform the needs for outdoor sports in South Norfolk. Most of the formal recreation space (football pitches etc) falls under CIL rather than on-site S106 agreements (in the Council's Regulation 123 list). See paragraphs 3.5 and 3.6 of the SPD	Appendix 1 has been re-worked to make clear typical formal sports costs
			With regard to the proposed new adoption arrangements (from October 2017), it will be important to monitor the effectiveness of the new proposals for the management and maintenance of new areas of open space, particularly where this involves the setting up of a management company by the developer.	Comments noted and it is agreed that monitoring will be particularly important.	None
		5.20	We support the flexible approach to new provision, which could involve on-site provision, off-site provision or	Noted – an amendment will be made to reflect this point	The SPD has been updated and includes reference to the

			enhancements to existing off-site facilities. The South Norfolk PPS should be used to inform which of these options is most suitable for the particular proposal being assessed, as some areas will have a quantitative deficit, whilst quality will be the key issue in other areas. The guidance should be revised to indicate that the PPS should be used to help inform this decision.		Playing Pitch Strategy in Chapter 3.
		10.2	With regards to the proposed maintenance costs, these could be challenged, therefore SNDC should be prepared to justify how the figure has been calculated	Comments noted and agreed. The Council has revisited the figures used in the original document in the light of comments received to the consultation and are mindful that updated figures will need to be fully evidenced and justified	The figures and approach in the document have been re-worked and a second public consultation will be undertaken. The updated figures are fully evidenced and justified.
			There is little in the document about the quality of new facilities to be provided. For outdoor sport, new pitches should be provided to Sport England guidelines contained within our publication 'Natural Turf for Sport' (2011). For larger on-site schemes that provide multiple pitches ancillary	Most of the formal recreation space (football pitches etc) falls under CIL rather than on-site S106 agreements (in the Council's Regulation 123 list).	Changes made in Chapter 3 to make reference to Sport England standards for formal recreation facilities.

			facilities will need to be provided such as changing rooms, toilets, car parking and storage facilities. It would be helpful if the guidance included reference to the need for new facilities to meet these qualitative standards.		
15.	Catherine Moore (Poringland Parish Council – Clerk)	5.15	Play facilities only go up to age 12 years and then open space is considered adequate for older children and teenagers. Councillors wish to see paragraph 5.15 strengthened with emphasis that developers <i>must</i> provide facilities rather than <i>should</i> . The requirement for provision for older children and adults should be strengthened with the emphasis on providing facilities rather than open space. Councillors felt that the word <i>can</i> should be replaced with <i>will</i> wherever possible.	Comments noted. It is not intended to strengthen the overall emphasis because the need to provide facilities and the type of facilities provided will vary on a site by site basis depending upon the development proposed and the existing facilities in the settlement however the developer will be required to provide the appropriate combination of recreation open space in accordance with the requirements of this SPD.	None
16.	Barbara Cattermole (Stoke Holy Cross Parish Council – Clerk)		Councillors fear that this would be another demand on Parish resources giving them more responsibility to maintain play areas without sufficient funds to implement it well	Comments noted. If taking on these areas the Parish Council would receive a 10-year commuted sum maintenance payment to fund this (to be agreed	None

				between the Parish Council and the developer) . After the 10-year period is up, further financial costs would fall to the Parish Council to cover (probably through the parish precept).	
			If a management committee adopts the open spaces, will standards of maintenance be prescribed by SNC/developer/parish? So that for example grass is cut twice monthly in the growing season as is the current regime in play areas owned by the Parish Council	If a management company adopts open space then they will be responsible for setting the standards of maintenance and these cannot be prescribed by South Norfolk Council or the Parish Council. However, the Directors of any management company will have a degree of control on this	None
			Would agreements with the PC/management committee be written into the property purchase deeds? How would Parishes collect the revenue?	<p>If open spaces are taken on by a management company then there will be a charge payable per property and this will be a legal agreement written into the property deeds.</p> <p>If the open spaces are taken on by the Parish Council</p>	None

				then there is no ongoing charge payable directly by property owners, as the developers will pay the Parish Council a 10-year commuted sum maintenance payment. After this time, further costs must be borne by the Parish (probably through the parish precept)	
			What plans would be in plan after 10 years?	If taking these areas on the Parish Council would receive a 10-year commuted sum maintenance payment to fund this. After the 10-year period is up further financial costs fall to the Parish Council	None
			Norfolk is a rural county and this draft consultation is a complex subject and could have been conducted more appropriately by having officers available to discuss this with Parish Councils, to give more details of the liabilities they would impose on Parish Councils if they were to adopt the new play areas	Commented noted. Unfortunately, the Council does not have the resources to visit all parish/town Councils individually but will try to give assistance/guidance to any parish/town council who specifically requests it.	Further guidance may be given to interested Parish Council's if this is considered to be appropriate/ required.

			The consultation documents were difficult to locate, rather lengthy and imprecise	Comments noted. The consultation documents were designed to be as easy to understand and locate as possible given the technical nature of the content, but the revised draft has been simplified in places	Various amendments have been made to the revised draft to add clarity and simplicity
17.	Jack Green (Waveney District Council)		Waveney District Council does not have any comments to make on the document at this time. However, the Council is supportive of the document and the aspirations set out within it to help facilitate quality development that will benefit communities in the long term.	Comments noted	None
18.	Tina Eagle (Tasburgh Parish Council – Clerk)	Section 3	A tightening up of the regulations is required	These are national regulations and South Norfolk Council have limited influence over these	None
		Section 5.13	Consideration is to be given to alternative ways of assessing developers' liability e.g. financial return per acre	Comments noted. A revised approach to assessing the need is identified, but "profit per acre" cannot be used as a general approach – a single, broadly consistent approach, must be used (accepting that each site is	None

				different in its characteristics)	
		Section 10.2	At this moment in time the Parish Council would not be in a position to accept the financial responsibility for any long-term maintenance but may reconsider if long term funding were made available. The Parish Council would not wish to make any firm decisions that would impact on future Parish Councils	Comments noted	None
19.	Jake Lambert (Bidwells)		Whilst we can understand why the Council has sought to update its previous Recreational Open Space Requirements for Residential Areas SPG (1994), we are concerned that the financial burdens that the application of the proposed replacement SPD will put upon certain developments could seem to be unfair and unreasonably related to such developments in contrary to the Governments tests for planning obligations	Comments noted. The Council have revisited the figures and approach used in the document in the light of comments received to the consultation and accept that some of the figures in the original draft are not correct. New figures will be published in a second consultation draft of the document.	The figures and approach in the document have been re-assessed, with appropriate evidence provided. The overall scale of the costs is not dissimilar to under the existing SPG, accepting that each case will be different
			Set out a practical application of the proposed SPD requirements for a single house and a 200 house development (assuming that a commuted sum is paid to a public	Comments noted. The Council have revisited the figures used in the document in light of the comments received to the	The figures and approach in the document have been re-worked based on responses received to

		<p>authority and not a management company).</p> <p>a) For off-site (in lieu) payments (para 6.4) the SPD would require a figure of £121.50 per sqm for installation of equipped play space and a maintenance figure of £29.10 per sqm per annum, which SNC would require for 10 years.</p> <p>So, for off-site (in lieu) provision per dwelling (£60sqm) taking account of the schedule in the SPD's Appendix 1, it would require a 'per dwelling in lieu' payment for laying out of children's play space only of £121.50 x 6.25m = £759.38 PLUS a maintenance figure of £29.10 x 6.25m x 10 years = £1,818.75 per dwelling</p> <p>For 200 dwellings, the total in lieu payment would be £363,750 + whatever SNC would charge for off-site children's and older children's space (if applicable) this is not made clear in the SPD.</p>	<p>consultation and accepts that the figures in the original draft are not correct. New figures will be published in a second consultation draft of the document.</p>	<p>the consultation and a second public consultation will be undertaken. This includes example costs for schemes of different sizes.</p>
		<p>b) For on-site provision, the SPD suggest that the equipped play</p>	<p>Comments noted. The Council have revisited the</p>	<p>The figures and approach in the</p>

			<p>space annual maintenance cost is £270 sqm (para 10.2), non equipped maintenance is £21, older children recreation maintenance cost is £17 and sports pitches £25 per sqm per year.</p> <p>So, for the on-site provision per dwelling (60 sqm), the SPD suggests that the annual maintenance charge for on-site equipped play space is £270 sqm and will apply to 6.25 sqm = £1687.50; and £21 for 11.25 sqm = £236.25 and £17 for 42.5 sqm = £722.50. This results in an annual maintenance charge of £2,646.25 per dwelling. For 10 years = £2,646.25 x 10 years = £26,462.50.</p> <p>So, for a 200-dwelling site, the total area of on-site open space would be 200 dwellings x 60sqm = 12,000 sqm, with a commuted maintenance cost of 200 units x £26,462.50 = £5,292,500</p> <p>In our view, maintenance costs at this level seem extremely onerous, which is applied in this way is going to put</p>	<p>figures used in the document in the light of comments received to the consultation and accept that the figures in the original draft are not correct. New figures will be published in a second consultation draft of the document.</p>	<p>document have been re-assessed, with appropriate evidence provided.</p>
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			considerable pressure on scheme viability, taking into account CIL and other on-site S106 obligations.		
			Also, the SPD does not clearly explain why the on-site equipped play space annual maintenance cost per sqm is £270 per sqm (para 10.2) where the off site is £29.10 (para 6.4). Even if the on-site annual maintenance cost for equipped play space was the same as off-site/in lieu at £29.10 sqm (rather than £270) then the sums would be $-\text{£}181.75 + \text{£}236.25 + \text{£}722.50 =$ annual maintenance charge of £1,140.50 per dwelling/60sqm. (For 10 years = £11,405 per dwelling). For 200 dwellings = £2,281,000. This still seems a very large commuted sum cost for open space maintenance and I would question whether SNC could demonstrate that the cost is fair and reasonably related to the development proposed.	Comments noted. The Council have revisited the figures used in the document in the light of comments received to the consultation and accept that the figures in the original draft are not correct. New figures will be published in a second consultation draft of the document.	The figures and approach in the document have been re-assessed, with appropriate evidence provided.
			I also draw your attention to the NPPF para 153: which states that... <i>"Each local planning authority should produce a Local Plan for its area. This can be reviewed in whole or part</i>	Comments noted. The scale of the costs for delivering and maintaining recreation and play space will be re-worked to ensure that they	The figures in the document have been re-worked, taking into account responses

		<p><i>to respond flexibly to changing circumstances. Any additional development plan documents should only be used where clearly justified.</i></p> <p><i>Supplementary planning documents should be used where they can help applicants to make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development.</i></p> <p>This is further amplified in the NPPG section on planning obligations PARA 0003 which states that <i>... "Supplementary planning documents should not be used to add unnecessarily to the financial burdens on development and should not be used to set rates or charges which have not been established through development plan policy".</i></p> <p>We would therefore suggest that as currently proposed, the SPD would unnecessarily add to the financial burdens on development; is proposing rates/charges that should be established through development</p>	<p>are comparable to the current (SPG) approach; it is not the intention of the SPD to significantly increase the costs to developers</p>	<p>received to the consultation</p> <p>The SPD has been updated to reflect that viability considerations may sometimes need to be taken into account when assessing the amount of recreation/play space being sought</p>
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			<p>plan policy and tested at examination; and would lead to a failure of the tests for CIL/S106, particularly the fairness and reasonably related tests. In light of this, we believe that the Council's current approach is potentially flawed and furthermore, is proposing requirements that should be included in a DPD with the intention of submitting it to scrutiny by an Inspector and tested at examination. We, therefore, request that the Council reconsiders its approach.</p>		
			<p>Finally, I wish to draw your attention to Appendix 1 of Norwich City Council's Open Space and Play SPD (2015). Norwich's SPD provides examples to demonstrate how the installation/maintenance costs for recreational spaces can vary depending upon the balance between hardworks and softworks. Therefore the Norwich SPD does not recommend a tariff approach to charging for recreational space based on a typical unit cost per square metre.</p>	Comments noted	<p>The figures and approach in the document have been re-assessed, with appropriate evidence provided.</p>

20.	Graham Minshall		<p>I have been asked by a member of the public to raise the following issues:</p> <p>Entire play space i.e. the entire 400sqm (based on the up to 25 dwellings scenario) or only the equipped element of that area i.e. 36% of that area would be equipped and the rest would be a casual/informal area as per the second table of Appendix 1. The figures should clearly in this section also set out the installation/annual maintenance costs for the proportion of the area that is casual/informal</p>	Comments noted. The Council have revisited the figures used in the document in the light of comments received to the consultation and accept that the figures in the original draft are not correct. New figures will be published in a second consultation draft of the document.	The figures and approach in the document have been re-assessed, with appropriate evidence provided.
		Para 6.4	<p>Where is the £29.10 per sqm figure derived? This appears on the high side. Is this to include maintenance and re-provision after 10 years? Even if it is, the figure appears high.</p>	Comments noted. The Council have revisited the figures used in the document in the light of comments received to the consultation and accepts that the figures in the original draft are not correct. New figures will be published in a second consultation draft of the document.	The figures and approach in the document have been re-assessed, with appropriate evidence provided.

		Para 6.4 and para 10.2	Why is there a difference in annual maintenance costs for equipped playspace in these two sections ie £29.10/sqm in para 6.4 and £270/sqm in para 10.2	Comments noted. The Council have revisited the figures used in the document in the light of comments received to the consultation and accept that the figures in the original draft are not correct. New figures will be published in a second consultation draft of the document.	The figures and approach in the document have been re-assessed, with appropriate evidence provided.
		Section 6	Section 6 probably needs to also cover the calculations for the contribution in lieu of on-site provision of recreational space – it only currently covers children’s play space. Equally if section 6 allows for a contribution in lieu of on-site provision of play space, this should probably be referenced in the table at Appendix 2.	Agreed that Section 6 should also cover calculations for the contribution in lieu of on-site provision of recreational space in addition to children’s playspace	Chapter 4 has been amended to include calculations for the contribution in lieu of on-site provision of recreational space in addition to children’s playspace
			Also generally, should the figures quoted for off-site provision be caveated “subject to viability”?	Comment noted and agreed.	The SPD has been updated and recognises that some viability flexibility may be employed by the Council
21.	Michael Haslam		We believe that your document is fundamentally flawed because it does	Comments noted. The SPD will be re-worked, including	The figures and approach in the

	(on behalf of Norfolk Homes)		not comply with national guidance set out in paragraph 153 of the NPPF and para 0003 of the Local Plan chapter of the Planning Policy Guidance (PPG). Further, paragraph 028 of the Local Plan chapter of the PPG clarifies that the role of an SPD is to build upon and provide more detailed advice or guidance on the policies in the Local Plan, not add unnecessarily to the financial burdens on development. The draft document goes further than this in specifying the calculations of (high) contributions to be made. We believe that you should instead be consulting on a DPD with the intention of submitting it to scrutiny by an Inspector.	adjusting the figures, to make clearer that it is not intended to add additional financial requirements to developers when compared to the current SPG approach	document have been re-assessed, with appropriate evidence provided.
			Using the figures set out in your para 6.4 and applying the standards set out in Appendix 1, which provide for 60sqm (17.5sqm + 42.5 sqm) of open space per dwelling, we calculate that using your figure of £121.5 per sqm the costs of laying out (in lieu of on site open space) are £7,290/dw. On a site of 200 dwellings this will give rise to a lump sum of £1,458million. In addition, the 10 year maintenance	Comments noted. The Council have revisited the figures used in the document in the light of comments received to the consultation and accept that the figures in the original draft are not correct. New figures will be published in a second consultation draft of the document.	The figures and approach in the document have been re-assessed, with appropriate evidence provided.

			<p>sum, using your figure of £29.10 per sqm, will be £1,746 per dwelling x 10 years = £17,460 per dwelling. On a site of 200 dwellings, this will give rise to a lump sum of £3,492 million.</p> <p>By any standards these figures and also the figures in para 10.2 are simply unrealistic and unachievable and very substantially above current market rates and the figures adopted by other Districts in Norfolk as set out below:</p> <ul style="list-style-type: none"> • SNC propose £24,750/dw all-in or £17,460dw adoption lump sum maintenance • GYBC have £1,400/dw all in or £265dw maintenance (but BCI indexation of 62% equates to £429dw maintenance today) • Breckland DC have £510dw maintenance (using their £8.50sqm @60 sqm/dw) • Broadland DC has £977dw maintenance (but even this is too high!) 		
			Turning now to non-financial matters the requirements in paras 7.3, 7.4 and 9.4 are excessive, unreasonable	Paragraph 7.3 refers to the need to provide drawings as part of the application which	None

			<p>and unnecessary particularly as the Council is not going to adopt any new open space</p>	<p>clearly show the location of the recreation provision.</p> <p>Paragraph 7.4 refers to the submission of a full method statement with full details of construction</p> <p>Paragraph 9.4 states that South Norfolk will ensure that certain standards are met before open space/play facilities are adopted.</p> <p>None of the requirements in these paragraphs are considered excessive. The aim of the SPD is to provide guidelines to developers and the level of detail required can be discussed with the Council</p>	
			<p>Para 11.2 suggest that Anglian Water will be taking on maintenance liability for SUDS, that is not our understanding following various discussions undertaken between ourselves and AW</p>	<p>Noted. There is some suggestion that this will happen, but the wording will be softened</p>	<p>Para 11.2 has been re-written to make clear that Anglian Water <i>may</i> take on <i>some</i> SuDS features</p>

			Notwithstanding our view that the consultation document is fundamentally flawed, we believe that an inevitable consequence of the cost figures set out in your document will be that the option of transferring the open space to a parish council with the accompanying maintenance contribution will be unviable (viability is required to be taken into account by paragraph 173 of the NPPF). Therefore, developers will use private companies to set up and manage new open space and we do not believe that this is in the long term public interest.	Comments noted. The Council have revisited the figures used in the document in the light of comments received to the consultation and accept that the figures in the original draft are not correct. New figures will be published in a second consultation draft of the document.	The figures and approach in the document have been re-assessed, with appropriate evidence provided. The overall scale of the costs is not dissimilar to under the existing SPG, accepting that each case will be different
22.	Charlotte Jarvis (Norfolk County Council – Historic Environment Service)		Thank you for consulting us about these draft guidelines. However, the guidelines do not relate to the historic environment and therefore we do not wish to make any recommendations	Comments noted	None
23	Nick Sandford (Woodland Trust)	Page 27	Under 'layout' we welcome the commitment to retaining existing trees and hedgerows so as to enhance the play experience. We would also like to see a commitment	Comments noted and the importance of retaining existing trees and hedgerows and planting new	Appendix 2 has been amended to read: 'It will not normally be acceptable to feel healthy mature trees to

			<p>to planting new trees wherever possible, particularly when creating new play and recreational spaces where they can be designed in from the start.</p> <p>Native species should be chosen where possible, so as to attract wildlife. Trees can be useful in recreational and play areas as they provide shade in the summer months and can also have a beneficial impact on air quality in urban areas by absorbing pollutants through their leaves. In areas prone to surface water flooding, trees in the right place can trap water in their leaves and slow down the rate at which it reaches the drainage system.</p>	trees where possible is accepted.	facilitate a playground layout. New trees should be planted where possible to enhance the provision of play and recreational spaces. Native species should be chosen to attract wildlife.”
24.	Lindsey Wright (Persimmon Homes)		<p>Previously land has been adopted, in line with the Open Space Standards for Residential Areas (1994) with developers required to contribute towards the future maintenance cost of the play area and older children/adult recreation area. Originally secured in the form of a commuted lump sum maintenance payment based on 10 years costs.</p>	Comments noted. The Council have revisited the figures used in the document in the light of comments received to the consultation and accept that the figures in the original draft are not correct. New figures will be published in a second consultation draft of the document.	The figures and approach in the document have been re-assessed, with appropriate evidence provided.

			<p>The SPD introduces a new costing mechanism. Whilst the premise of the ten year annual maintenance payment is retained (although is substantially higher in cost), a one-off installation cost is also required.</p> <p>Paragraph 6.4 suggests: <i>'This is broken down into two aspects: £29.10 sq metre annually for a ten year period and one off installation costs of £121.50 per sq metre'.</i></p> <p>Para 10.2 offers a 'guide' to the annual maintenance cost (per sq. metre) and suggests that 'the commuted sum/maintenance contribution paid to the adopting body in advance base on rates calculated as at April 2017', however illustrate no detail or evidence of what is included in the SPD to support this calculation.</p> <p>Paragraph 6.4 states that: <i>'At April 2017 the average cost to construct and maintain a play space is £150.60 per sq. metre'.</i></p>		
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		<p>We are of the view that when considered against existing available data, these figures are disproportionately high. When compared against that of the previous payment standards which would be calculated on the 'assumed cost of acquiring and laying out such an area based on notional agricultural land value as improved to become playing fields (ie drained, seeded and including potential agents and other fees etc). Evidence of maintenance companies suggests this figure in actual maintenance and laying out costs are much lower. The Council should not simply base judgements on income, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p> <p>To achieve sustainable development, economic, social and environmental gains, including positive gains to the built and natural environment, should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to</p>		
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		<p>sustainable solutions, however penalising the provision of much-needed home could result in further under-delivery of homes as a consequence.</p> <p>The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and therefore planning should operate to encourage and not act as an impediment to sustainable growth.</p> <p>For a site of 200 dwellings, where the requirement is 60sqm/dw:</p> <p>The Annual Maintenance Cost would be: $\text{£}29.50 \text{ sqm/per annum} \times 60\text{sqm/dw}$ $= \text{£}1,746/\text{dw pa}$ $\text{£}1,746 \times 10 \text{ years} = \text{£}17,460/\text{dw}$ $\text{£}17,460/\text{dw} \times 200\text{dw} = \text{£}3,492\text{m}$</p> <p>The Installation Cost would be: $\text{£}121.50\text{sqm} \times 60\text{sqm/dw} =$ $\text{£}7,290/\text{dw}$ $\text{£}7,290 \times 200\text{dw} = \text{£}1,458\text{m}$</p>		
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			<p>Total cost to a scheme of 200 dwellings = £4,950,000</p> <p>The NPPF requires that planning policies for the needs and new provision of open space, sports and recreation facilities and opportunities, are be based on robust and up-to-date assessments. The assessment should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessment should be used to determine what open space, sports and recreational provision is required. In this case, taking a standardised 'one size fits all' is contrary to the intentions.</p> <p>Paragraph 6.4 concludes: <i>'These figures apply to the physical layout of equipped areas and not the wider site'.</i></p> <p>No clarification is offered to suggest which of the provided recreation space is included in this calculation, and whether this 'guide' is solely for</p>		
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			<p>play space or all type of the recreational space.</p> <p>In contrast to the original document, the new SPD does not include any caveat specifying that the use of the money needs to be specified. In the interests of transparency this is an essential practice and should be reinstated.</p> <p>Additionally the new document omits any mention that 'any agreement would require the money to be returned to the developer with interest if not spent within five years' originally 4.1. Again, this practice should be reinstated as an incentive for efficient delivery.</p> <p>Faced with the elevated and unreasoned costs, the viability of potential sites could be thrown into question and development could potentially become less appealing. The NPPF seeks to achieve a significant increase in housing delivery. Paragraph 173 of the NPPF states that pursuing sustainable development requires careful</p>		
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			<p>attention to viability and costs of plan-making.</p> <p>The Local Planning Authority should make sure they have undertaken a thorough assessment of the impact of the SPD on the viability and therefore the deliverability of development before proceeding with adoption.</p> <p>It is recommended that the Council use this opportunity to recognise that the SPD has been produced without adequate supporting evidence. The recommended costs have been suggested without the appropriate consideration.</p> <p>The Council should not adopt the SPD in its current form. It should be acknowledged that the draft guidelines do not provide sufficient evidence detailed from where judgements were made.</p> <p>It is recommended that the Council review the suggested approach with a fresh assessment, including the provision of sufficient supporting evidence.</p>		
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			We are of the view that when considered against existing available data, the annual maintenance cost suggested is disproportionately high, conflicting with the aims and intension of the NPPF.		
25.	Kate Parsons (Historic England)		As a statutory consultee, our role is to ensure that the conservation of the historic environment is fully integrated into planning policy and that any policy documents make provision for a positive strategy for the preservation and enjoyment of the historic environment. I can advise that Historic England supports the production of updated guidance on recreational provision in new residential developments. We have the following comments to make	Comments noted	None
			Although the SPD is intended to be separate from other guidance and policies with respect to design, the inclusion of such issues here is useful and helps to create a positive and robust strategy for the conservation of the historic environment in line with paragraph 126 of the NPPF. Although the SPD relates to new	Comment noted. Agree that the guidance would be strengthened by the inclusion of a reference to the need to have regard to the setting of heritage assets and the wider historic environment or landscape	Add reference to the need to have regard to the setting of heritage assets and the wider historic environment or landscape to Appendix 3.

			residential developments, there is still the potential for it to impact upon the wider historic environment or the setting of designated heritage assets. The guidance would therefore be strengthened by the inclusion of a reference to the need to have regard to the setting of heritage assets and that of the wider historic environment or landscape.		
			The requirement of the draft SPD to provide details such as layout of hard and soft works and landscaping, contours and proposed site drainage, materials, lighting, safety surfacing and equipment at an early stage is welcomed as it encourages detailed design to be thought through and fully assessed as part of an application. This will help conserve or enhance the historic environment.	Comments noted	None
		+	The focus on maintenance is a welcome inclusion as continued up-keep can help secure the longevity of open recreational spaces which when degraded can have an adverse effect on the character and quality of the public realm or surrounding landscape.	Comments noted	None

**GUIDELINES FOR RECREATION
PROVISION IN NEW RESIDENTIAL
DEVELOPMENTS
SUPPLEMENTARY PLANNING
DOCUMENT (Draft)**

**Strategic Environmental Assessment
Screening Report**

**May 2017
(Revised March 2018)**



1. Introduction

- 1.1 South Norfolk Council is preparing a Supplementary Planning Document (SPD) entitled 'Guidelines for Recreation Provision in New Residential Developments'.
- 1.2 The purpose of the SPD is to supplement the Council's adopted Development Management Policy DM 3.15 '*Outdoor play facilities and recreational space*'. The SPD will not set new policy requirements but it will provide clear guidelines to developers as to the local requirements of South Norfolk Council when submitting planning applications for new housing developments and will also give information regarding the Council's approach to the adoption and maintenance of play facilities and recreational spaces. In effect, the SPD will update the existing Supplementary Planning Guidance document on Open Space Requirements for Residential Areas (https://www.south-norfolk.gov.uk/sites/default/files/Recreational_Open_Space_Requirements_for_Residential_Areas_3.pdf).
- 1.3 The purpose of this screening report is to test whether the SPD requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

2. Legislative Background

- 2.1 Under regulations 16 and 17 of the Planning and Compulsory Purchase Act 2004 local authorities were required to undertake a Sustainability Appraisal for each Supplementary Planning Document (SPD) they prepared. Regulations 2 (5) and (6) of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009, removed previous requirements for local planning authorities to produce Sustainability Appraisal for SPDs. The explanatory memo which accompanied the 2009 Regulations states that "*Local Planning Authorities will still need to screen their SPDs to ensure the legal requirements for sustainability appraisal are met where there are impacts that have not been covered in the appraisal of the parent DPD or where an assessment is required by the SEA Directive*" (paragraph 8.29). As this SPD relies on the parent policy DM3.15 in the Council's Development Management Policies Document it has already undergone a full Sustainability Appraisal and Habitat Regulations Assessment.
- 2.2 SEA is a requirement of European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, also known as the SEA Directive. The Directive was transposed into UK law by The Environmental Assessment of Plans and Programmes Regulations 2004, often known as the SEA Regulations. Detailed guidance on these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (September 2005).

- 2.3 The objective of Strategic Environmental Assessment (SEA) is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development.
- 2.5 Under Regulation 5(6) of the SEA Regulations (2004) a SEA need not be carried out for a plan or programme which determines the use of small areas at a local level and/or for minor modifications to a plan or programme, unless the plan or programme or modification is determined to have significant environmental effects. Regulation 5 (9) explains that to assist in this determination local authorities are required to undertake a screening process, based on a set of criteria specified in the Regulations, to assess whether the plan is likely to have significant environmental effects. Before making its determination, a local authority is required to consult on the screening process with the three statutory bodies (Historic England, Natural England and the Environment Agency). Once an authority has determined that there are unlikely to be significant environmental effects (and accordingly does not require an environmental assessment) it must prepare a statement setting out the reasons for the determination.
- 2.6 Government guidance on SEA (<https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>) states that SPDs *“may in exceptional circumstances require environmental assessment if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan”*.

3. SEA Screening Methodology

- 3.1 Using the criteria, detailed in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004, for determining the likely significance of effects on the environment, the following assessment has been made regarding whether the SPD is likely to have significant environmental effects:

1. The characteristics of plans and programmes, having regard, in particular to:		
Criteria	Potential effects of the SPD	Likely Significant Effect
a) The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	<p>The SPD will provide guidance on how to apply Policy DM 3.15 '<i>Outdoor play facilities and recreational space</i>' from the Council's adopted Development Management Policies Document. It does not set new policy. The policy framework is set in the Local Plan, which has already been subject to SA/SEA.</p> <p>The SPD will also be the mechanism for the implementation of a new regime for the adoption and management of open space/play areas as agreed in the Council's Community Assets Strategy but is not the document that sets this policy</p>	No
b) The degree to which the plan influences other plans and programmes including those in a hierarchy	<p>The SPD sits in a hierarchy of documents underneath the Local Plan, providing detail on how to apply policy DM 3.15 from the Council's adopted Development Management Document, which has already been subject to SA/SEA. The SPD does not form part of the Local Plan and will not influence any other plans and programmes in the Local Plan.</p> <p>The SPD will also be the mechanism for the implementation of a new regime for the adoption and management of open space/play areas as agreed in the Council's Community</p>	No

	Assets Strategy but is not the document that sets this policy	
c) The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development	The SPD will promote sustainable development in accordance with national and local planning policy. It will ensure the provision of new open spaces of the right type and in the right location to meet the needs of people living in new housing developments. For larger scheme the provision of open spaces will be integrated into the development to increase its sustainability. This should have positive impacts with regard to sustainable development	No
d) Environmental problems relevant to the plan or programme	The SPD will not lead to any environmental problems. A Sustainability Appraisal including social, economic and environmental effects has already been undertaken on the policies and proposals of the Local Plan. The provision of open space on new developments in accordance with local needs will have a positive environmental effect and the SPD recognises the importance of enhancing ecology and biodiversity through development	No
e) The relevance of the plan for the implementation of European Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	The SPD has no relevance to the implementation of European Community legislation on the environment	No

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular to:		
Criteria	Potential effects of the SPD	Likely Significant Effect
a) The probability, duration, frequency and reversibility of the effects	The SPD should have positive effects through the delivery of good quality open spaces integrated with housing provision. There will be no adverse environmental effects, indeed local environments are likely to be improved somewhat, with the integration of ecology and biodiversity improvements. The effects of open space provision will be long term because the SPD requires formal recreation sites to be maintained in perpetuity	No
b) The cumulative nature of the effects	In the longer term, there should be some cumulative positive social and environmental effects through providing new recreational open space as part of new housing developments, in terms of building communities, encouraging healthy lifestyles and wellbeing, along with the integration of ecology and biodiversity	No
c) The transboundary nature of the effects	The SPD applies only to development within the administrative area of South Norfolk Council and will not impact on neighbouring authorities who have their own policies for addressing open space provision	No
d) The risk to human health or the environment (for example, due to accidents)	There are no significant or likely negative impacts to health or to the environment envisaged. The SPD seeks to ensure that all persons will have access to good quality open spaces, which is likely to make a positive contribution to	No

	health and wellbeing. The risk of accidents will be minimised by ensuring that all open spaces provided comply with prevailing health and safety legislation	
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD relates to the administrative area of South Norfolk Council. South Norfolk has an area of 909 sq. km and a population of 124,012 at the 2011 Census. The SPD only relates to recreation provision related to new housing developments so will not impact on the wider population of the district	No
f) The value and vulnerability of the area to be affected due to: i) Special nature characteristics ii) exceeded environmental quality standards iii) intensive land use	The area to which the SPD applies does not have any special characteristics which will be harmed by the guidance in the SPD. Open space proposals will still need to meet planning requirements and accord with any special character of an area	No
g) The effects on areas or landscapes which have a recognised national, community or international protection status	As the SPD only applies to recreation provision in new residential developments it is not envisaged that there will be any effects on areas or landscapes which have a recognised national, community or international protection status	No

4. Initial conclusion (April 2017)

- 4.1 As stated above, a plan or programme which determines the use of small areas at a local level and/or for minor modifications to a plan or programme will only require SEA in exceptional circumstances, and if the plan or programme or modification is determined to have potentially significant environmental effects. The Development Management Policies Document (under which the SPD sits) was subject to a process of Sustainability Appraisal. The intended Guidelines for Recreation Provision in New Residential Developments SPD will help determine the use of small areas at a local level (i.e. in relation to some new housing developments) and is considered unlikely to have significant environmental effects.

- 4.2 In accordance with Part 2 (9) of the Environmental Assessment of Plans and Programmes Regulations 2004, the Council, as the competent authority, considers that the intended Guidelines for Recreation Provision in New Residential Developments SPD (Draft) is unlikely to have significant environmental effects and accordingly does not require a Strategic Environmental Assessment.

5. Consultation

- 5.1 Consultation on this SEA Screening Report ran from 11 April to on 12 May 2017. Amongst the consultees were the three statutory consultees (Environment Agency, Historic England and Natural England).
- 5.2 Two consultation responses were received. **Natural England's** response was brief and simply said that "*Our view is that the SPD does not require an SEA*". **Historic England's** response stated that they could not provide detailed advice, but they referred the Council to Historic England's Advice Note on Sustainability Appraisal and Strategic Environmental Assessment.
- 5.3 Neither response therefore disagreed with the Council's initial conclusion that SEA of the SPD is not necessary.

6. Final conclusion (May 2017)

- 6.1 In accordance with Part 2 (9) of the Environmental Assessment of Plans and Programmes Regulations 2004, the Council, as the competent authority, considers that the intended Guidelines for Recreation Provision in New Residential Developments SPD (Draft) is unlikely to have significant environmental effects and accordingly does not require a Strategic Environmental Assessment.

7. Revised conclusion (March 2018)

- 7.1 In the light of preparing the revised draft SPD for a further round of public consultation in 2018, the Council considers that no changes of substance in relation to the matters listed in Table 2 has arisen.
- 7.2 In accordance with Part 2 (9) of the Environmental Assessment of Plans and Programmes Regulations 2004, the Council, as the competent authority, considers that the intended Guidelines for Recreation Provision in New Residential Developments SPD (Draft) is unlikely to have significant environmental effects and accordingly does not require a Strategic Environmental Assessment.

Regulation and Planning Policy Committee – Work Programme for 2018

Date of meeting	Subject	Officer / Responsible member	Objectives	Next stage
TBC	Annual Monitoring Report	John Walchester		
TBC	Starter Homes SPD	John Walchester	To provide additional guidance of the planning and delivery of Starter Homes in South Norfolk	
TBC	Update to Local Development Scheme	John Walchester		
Late May/ Early June (informal pre-consultation) Sept / Oct 2018	Conservation Area Appraisals Review	Chris Bennett	To recommend to Cabinet and Council the new CAA boundary positions following formal consultation process and consider these responses	Cabinet/Council
As and when appropriate	Responses to DCLG consultations	John Walchester / Helen Mellors	Report to policy committee if consultation time permits, if not agree any responses with Chairman and Cabinet Members	