IMPORTANT – PLEASE READ

Please note that the Council adopted the Stockport LDF Core Strategy on 17\textsuperscript{th} March 2011. As a result this SPD/SPG may well be out of date with regards to any quoted policy requirements. The information provided in the document is still considered to be relevant and should provide a useful guide but reference should be had to the Core Strategy and the other saved policies set out at www.stockport.gov.uk/corestrategy rather than to any quoted policy requirements.

This is of particular importance with regards to any numerical figures such as costs, thresholds and percentages.

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

Recreational Open Space Provision and Commuted Payments

July 2006

STOCKPORT
METROPOLITAN BOROUGH COUNCIL
RECREATIONAL OPEN SPACE PROVISION AND COMMUTED PAYMENTS

1.0 INTRODUCTION

1.1 This paper is prepared as supplementary planning guidance to the Unitary Development Plan Review (May 2006) in order to explain further the operation of Policy L1.3 PROVISION OF RECREATION AND AMENITY OPEN SPACE IN NEW DEVELOPMENTS. It will help prospective developers to establish their responsibilities and incorporate the requirements into their development proposals.

2.0 BACKGROUND

2.1 The National planning framework for the development of sport and recreation is set out in Planning Policy Guidance Note 17 Open Space, Sport and Recreation 2002. It emphasises that open spaces, sport and recreation all underpin people's quality of life. Well designed and implemented planning policies for open space, sport and recreation are therefore fundamental to delivering broader Government objectives. The Guidance also emphasises that planning obligations should be used as a means to remedy local deficiencies in the quantity or quality of open space, sports and recreational provision. Local authorities will be justified in seeking planning obligations where the quantity or quality of provision is inadequate or under threat, or where new development increases local needs.

2.2 ODPM Circular 05/2005 Planning Obligations states “Planning obligations (or "s106 agreements") are private agreements negotiated, usually in the context of planning applications, between local planning authorities and persons with an interest in a piece of land (or "developers"), and intended to make acceptable development which would otherwise be unacceptable in planning terms. Obligations can also be secured through unilateral undertakings by developers. For example, planning obligations might be used to prescribe the nature of a development (e.g. by requiring that a given proportion of housing is affordable); or to secure a contribution from a developer to compensate for loss or damage created by a development (e.g. loss of open space); or to mitigate a development's impact (e.g. through increased public transport provision). The outcome of all three of these uses of planning obligations should be that the proposed development concerned is made to accord with published local, regional or national planning policies.” The UDP Review policy L1.3 and this SPG adhere to the guidance.

2.3 The Stockport Borough Plan (1988) prescribed a method of making provision for public open space required by new developments which meant that beneath a certain size, no public open space was required. Such a situation was clearly inequitable and resulted in a large number of small or medium sized developments taking place whilst making little or no contribution to the provision of open space facilities. Indeed some areas now experience shortfalls of public open space because of this approach.
2.4 In view of the limited resources available to the Local Authority it will find it increasingly difficult if not impossible to make good existing and/or future shortfalls of public open space provision. Indeed the Local Authority should not be expected to provide open space that is required as a result of new development. It is appropriate to expect all new developments, except for some categories (see page 8) to contribute to the open space needs generated by that development.

This approach was established in 1994 and adopted in the UDP 1998.

3.0 UNITARY DEVELOPMENT PLAN REVIEW

3.1 Chapter 8 of the Unitary Development Plan is concerned with leisure facilities in Stockport. The following is an extract from the UDP Review.

This chapter contains policies to ensure that:

- adequate land is provided and safeguarded for active recreation
- new developments make adequate provision for their open space needs
- there is an adequate policy framework for indoor leisure, countryside recreation and golf development
- the Borough’s network of recreation routes is protected and enhanced

<table>
<thead>
<tr>
<th>L1 LEISURE IN STOCKPORT</th>
</tr>
</thead>
<tbody>
<tr>
<td>THE COUNCIL INTENDS TO ENSURE THAT THE BOROUGH’S LEISURE NEEDS ARE MET BY:</td>
</tr>
<tr>
<td>(i) PROMOTING AND SAFEGUARDING A WIDE RANGE OF WELL DESIGNED SPORT, LEISURE, LIBRARY, CULTURAL AND ENTERTAINMENT FACILITIES IN ACCESSIBLE AND OTHERWISE SUITABLE LOCATIONS;</td>
</tr>
<tr>
<td>(ii) RETAINING, ENHANCING AND EXTENDING FORMAL AND CASUAL RECREATIONAL OPEN SPACE, AND RESISTING THE LOSS OF SUCH ASSETS WHERE PROVISION IS BELOW AN ACCEPTABLE STANDARD;</td>
</tr>
<tr>
<td>(iii) MAINTAINING AND IMPROVING ACCESS TO THE COUNTRYSIDE.</td>
</tr>
</tbody>
</table>

8.1 Explanation: The leisure policies in this section seek to further this aim, principally by protecting existing facilities, providing guidelines for new recreational developments, identifying standards of provision and maintaining and enhancing countryside recreation opportunities. Any proposals should provide for access in accordance with Policy DCD1.3 Access for People with Access Difficulties. All facilities should as far as possible be accessible by public transport. The UDP provides a framework for the planning of leisure facilities, but for the most part is not the most appropriate means of dealing with specific and detailed recreation proposals. These are generally dealt with under separate strategies, management plans or programmes or through the consideration of private sector proposals.
L1.1 LAND FOR ACTIVE RECREATION

The Council will seek to achieve an overall minimum standard for the Borough of 2.4 hectares per thousand population for active recreation.

Proposals which involve the loss of public or private sports grounds or other land currently or last used for active recreation will not be permitted except where the proposed development would provide facilities of sufficient benefit to sport and recreation to outweigh the loss.

Development of land currently or last used as playing fields will not be permitted unless:

(i) The proposed development is ancillary to the use of the site as a playing field (e.g. new changing rooms) and does not adversely affect the quantity or quality of pitches and their use;
(ii) The proposed development only affects land which is incapable of forming a playing pitch (or part of one) and results in the retention and enhancement of pitches;
(iii) The playing fields that would be lost as a result of the proposed development would be replaced by a playing field or fields of equivalent or better quantity, quality, usefulness and attractiveness in a location at least as accessible to current and potential users;
(iv) the proposed development is for an outdoor or indoor sports facility of sufficient benefit to the development of sport to outweigh the loss of the playing field.

8.2 **Explanation:** Background to this policy is at Appendix 4. There is strong pressure for development of land within Stockport Borough. This is directed towards the urban area by the maintenance of a tight Green Belt policy. Provision of land for formal sports is currently below the desired standard and protection of existing facilities from development is considered essential to meet the needs of the present and future population. Protection of private as well as public recreational land from development is in line with Government advice, which is reiterated in Planning Policy Guidance Note 17 “Planning for Open Space, Sport and Recreation”. In terms of assessing the supply under 2.4 ha per 1000 population, public and Private sports grounds include: publicly owned sports grounds, privately owned sports grounds (i.e. private sports clubs and sports grounds owned by businesses or institutions) and school playing fields where dual use exists. Playing fields which do not contribute to the dual use category will still be considered under this policy.

Where the condition of a sports ground has deteriorated due to lack of use and maintenance, the Council will consider that the site has potentially the same recreational value as it did when it was last in use and the site will continue to be safeguarded from development. Within the overall standard of 2.4 hectares per 1,000 population, 1.7 hectares should be for formal sports provision, including:

- pitches, courts and greens for public and private use by all age groups
• athletics facilities  
• pitch and putt courses and similar facilities.

[Note: for the purposes of this policy the term 'playing field' covers the three points mentioned above.]

8.3 Within the overall standard of 2.4 hectares per 1,000 population, 0.7 hectares should be available within easy access of homes for casual play. The Council will seek to achieve and maintain these standards at the Borough-wide level, but locally based calculations will also be made in response to particular proposals. Areas of “surplus” provision may make a contribution to meeting the needs of the Borough as a whole, but there will be a continuing need to protect existing sites in all areas and seek new provision in areas of deficiency. This policy is aimed at protecting land of recreational value, including that used for casual recreation, and will be applicable whether or not the land is identified as being of open space or amenity value on the Proposals Map or under the Urban Open Space policies of this plan. There is considerable overlap between leisure and open land issues and reference should be made where appropriate to the above policies. In certain circumstances the loss of open space in an area of surplus may be acceptable if additional provision is made in an area of deficiency.

8.4 GOLF COURSES - The standards set out in this policy do not include golf courses. Golfing organisations have suggested that there should be one 18-hole course for every 25,000 to 30,000 people. In Stockport, due to the relative affluence of the population, the Council accepts that provision should be towards the “higher” end of this range (i.e. one 18-hole course per 25,000 people). In mid 1991 there were eleven “18 hole equivalent” courses (total 12 courses) for a population of about 291,000, or one course for every 26,500 people. This represents a slight under provision in terms of the above higher standard. Limited further golf course provision may, therefore, be justified during the plan period (one further 18-hole course would more than compensate for the identified deficiency). Any proposals must, however, meet the criteria set out under policies for Countryside Recreation (see in particular L1.6), Green Belt, Agriculture and Nature Conservation.

8.5 ALL WEATHER PITCHES - There may be scope for the introduction of more all weather playing surfaces to offset the shortfall in formal open space in the Borough, particularly in areas of deficiency. While useful in enabling more intensive recreational use, such pitches should not be used to justify a reduction of existing recreational open space which contributes positively to the amenity of the urban area.

8.6 Statutory Instrument No. 1817 (1996) makes the English Sports Council a statutory consultee on proposals for development which affect playing fields, land used as playing fields at any time in the last five years which remains undeveloped, or land which is identified for use as a playing field in a development plan.
8.7 The Town and Country Planning (Playing Fields)(England) Direction, 1998, requires that in cases where the English Sports Council objects to a planning application and the Local Planning Authority (LPA) are minded to approve the LPA must notify the Secretary of State. He will then decide whether to intervene or leave the matter for the LPA to decide.

8.8 The revised PPG17 “Planning for Open Space, Sport and Recreation” (2002) is relevant to this policy. In line with PPG17 the Council intends to carry out a robust assessment of the existing and future needs of the population for open space, sports and recreation facilities.

L1.2 CHILDREN’S PLAY

In considering development proposals the Council will take account of children's play needs and will require, where appropriate, the provision of suitable and accessible space and facilities to meet these needs.

8.9 **Explanation:** To play is the indisputable right of every child. The UN convention on the Rights of the Child, ratified by the UK Government 1991, confers on children the right to play (Article 31) and Article 2.1 confirms that this right applies to all children 'without discrimination of any kind'.

8.10 Children’s play, both formal and casual, merits special mention because of the particular problems faced by this age group. Overall open space standards are of necessity generalisations and mask detailed issues which are of importance in planning for recreation needs.

8.11 Children’s play takes a variety of forms, frequently unrelated to specific recreational areas or facilities. Over time, play fosters children's independence and self-esteem, helps them develop respect for others and offers opportunities for social interaction. It supports their well-being, healthy growth and development, increases their knowledge and understanding and promotes their creativity and capacity to learn. Issues are inevitably local and it is not possible to deal with these in detail. The planning process, however, impinges on children’s play in a number of ways, including the loss of cherished “wild” and undesignated areas through new development. New residential development itself brings the need for additional opportunities of children to play.

8.12 A thought from the child’s viewpoint when land use proposals are made and considered may enable the retention or provision of valued opportunities for play and may perhaps reduce the incidence of antisocial behaviour resulting from inadequate or inappropriate facilities.

8.13 This policy will be applied through the use of standards as set out elsewhere in this section, through the detailed consideration of development proposals and with reference to any available local survey information. The views of children and their families will be an important consideration when development proposals affect play areas (in their widest sense) and when new play areas are proposed. The impact of development on valued “wild”
and undesignated areas used for play will be taken into account in addition to the protection of more formal facilities covered by UDP Policy L1.1. Where practicable such areas should be retained or suitable alternative areas made available. Such areas may also be protected for nature conservation reasons.

8.14 The following factors will be relevant in assessing whether space for children’s play is sufficient, suitable and accessible:

- adequate space is needed within range of children’s homes
- spaces should allow for challenging activities
- land should be suitable and usable - not “leftovers”
- where limited space is available safer street play might be encouraged through Home Zones (see UDP Policy TD2.1), traffic calming and environment enhancement schemes
- children need access to the natural environment and to indoor play space.

8.15 The safety and security of children at play will be important considerations in the design of both recreational and non-recreational developments.

8.16 Any proposals should provide for access in accordance with Policy DCD1.3 Access for People with Access Difficulties and account should be taken of the needs of children with disabilities.

L1.3 PROVISION OF RECREATION AND AMENITY OPEN SPACE IN NEW DEVELOPMENTS

New Developments
Where appropriate in new developments landscaped amenity areas should be provided which are necessary and fairly and reasonably related in scale and kind to the proposed development.

In those parts of the Borough with a deficiency in recreation and amenity open space:

Large New Residential Developments should include provision, within an agreed timescale, for recreation and amenity open space on or readily accessible to the site, based on the following guidelines:

A Where occupancy levels of 100 people or more are expected, open space at a standard of 1.7ha per 1,000 population for formal recreation and 0.7ha per 1,000 population for children’s play and casual recreation should be provided;

B Where occupancy levels between 50 and 100 people are expected, open space at a standard of 0.7ha per 1,000 population for children’s play and casual recreation should be provided. In addition, a contribution to formal recreation space will be required.

Small New Residential Developments will be required to contribute towards
the provision of open space for formal and casual recreation and children’s
play in locations which are accessible to future occupiers. Such
contributions will be fairly and reasonably related in scale and kind to the
permitted development.

As much as possible of the open space should be within or adjacent to the
new development and play provision should incorporate facilities based on
the hierarchy set out in the table “Play Facilities” below. However, provision
of some or all of the recreational open space off site or through
contributions to improve and/or expand an existing facility or create a new
one will be permitted / required where the Council is satisfied that there is
no practical alternative or that it would be better to do so. Any off site
provision should be fairly and reasonably related in scale and kind to the
development proposal and be in a location where it would be of direct
benefit to the occupiers of the new development.

Where there is a likelihood that a number of different residential
developments will be carried out in the same area and in the same general
time period the anticipated populations of those developments will be
aggregated if it is appropriate to do so to assess the additional
demand/requirement for children's play and casual recreation and/or formal
recreation.

Sheltered Housing or Special Needs Housing for Elderly People will not be
expected to contribute to the provision of recreation and play space.

Where it can be demonstrated that existing provision of recreation and/or
play space in the vicinity exceeds the minimum standards, after allowing for
the demand likely to be generated by the proposed new residential
development, the requirements of this policy will be relaxed accordingly.

| 8.17 | **Explanation:** Developers of new housing, excluding those exemptions set out above, will be expected to make adequate provision for formal and children’s/casual recreation either on or adjacent to the site or in the form of commuted payments. Appendix 4 sets out background survey information and the basis of the system of commuted payments. Further detail is contained in Supplementary Planning Guidance. |
| 8.18 | **PPG17 Planning for Open space Sport and Recreation Paragraph 33 states** that ‘Planning obligations should be used as a means to remedy local deficiencies in the quantity or quality of open space, sports and recreation provision.’ |
| 8.19 | The policy requires that all proposed developments are assessed to establish their open space needs. Larger housing developments likely to accommodate about 100 people or more will be expected, in most circumstances, to provide both formal and casual open space on site in accordance with the Council's adopted standards. |
8.20 Developments likely to accommodate between 50 and 100 people will be expected, in most circumstances, to provide children's/casual open space on site. Contributions will be required towards the provision of formal recreation space which is fairly and reasonably related in scale and kind to the development. This is only applicable where such contributions would secure provision in a location close to and easily accessible from the new development, and where it would be of direct benefit to the occupiers of the new development.

8.21 In the case of smaller developments (those likely to be occupied by less than 50 people) contributions will be required:

- towards formal recreation space where a scheme for the provision of new facilities or the enhancement of existing facilities can be identified; and
- towards children’s/casual provision under the terms of the three tiered structure for children’s play, i.e. LAP within 100 metres, LEAP within 400 metres or NEAP within 1000 metres (see the table “Play Facilities” below).

8.22 THE THREE TIERED STRUCTURE - With regard to children’s play, of great importance is the ease of access to play areas; if access is problematic then open space will remain under used. It is considered more important to take account of the time taken to reach play areas rather than only considering the actual distances involved. Provided that open space is properly designed and well located it is less likely to be a maintenance liability and thereby open space can be provided more frequently. Proper consideration of open space should lead to more secure and varied play opportunities for different age groups. The table “Play Facilities” below sets out three categories of play provision:

(i) Local Area for Play (LAP)
(ii) Local Equipped Area for Play (LEAP)
(iii) Neighbourhood Equipped Area for Play (NEAP)

8.23 Where a new development is not of a size to require all categories of facilities it will be necessary to provide as much as possible of the standard. A development accommodating approximately 50 people would be required to provide a LAP. All houses should be within the safe prescribed walking time of each type of playground. Users should not have to cross busy main roads or other hazards. Opportunities to combine a LEAP and a NEAP in the same locality can achieve considerable savings in the amount of land needed for the buffer zone, and marginal savings in activity zone land use.

8.24 However, a LAP should not be combined with a LEAP or a NEAP because combining the different age groups and their facilities is not appropriate. The play areas need to be of suitable shape and topography to permit the activities outlined in the table “Play Facilities” below. This may not be practicable in all cases and the requirement will be relaxed where adequate
justification can be given, for example where the development proposed is unlikely to generate demand for play areas (e.g. sheltered housing).

8.25 **AMENITY OPEN SPACE** - The provision of amenity open space has little active recreational benefit, but is important in enhancing the environment of local communities and the Borough as a whole. Since it is so often associated with recreational open space provision, it is appropriate to include reference to it here. Whilst it is not proposed to subject amenity areas to any minimum standard of provision, it is important that existing areas be maintained and the policy of landscaping new sites be continued. Developers will be required to provide appropriate amenity areas and landscaping within new residential and non-residential development schemes. These areas should be designed positively as an integral part of the scheme, not added as an afterthought or made up of residual and inappropriate pieces of land.

8.26 **THE APPROACH FOR COMMUTED PAYMENTS** - Many residential developments during the plan period will be small-scale. In cases where it would be impractical or unreasonable for a development to accommodate useful areas of open space at the above rates, which is particularly the case with regard to formal open space, and the Council accept that provision of some or all of the recreational open space is to be covered by contributions, they shall be calculated on the following basis.

8.27 It is clear that, if any system of open space provision is to be equitable and effective in keeping pace with development, it will, where appropriate apply to new residential developments including those likely to be occupied by less than 50 people. Where appropriate it shall apply to net increases in accommodation such as in the case of conversions and redevelopment and also where applications are made to renew existing residential planning permissions. However, contributions will only be required where they are fairly and reasonably related in scale and kind to the development proposal and where such contributions would secure provision in a location close to and easily accessible from, and where they would be of direct benefit to, the occupiers of the new development. It shall not apply to minor extensions.

8.28 The standard for open space provision is based on population. In the past the amount of open space required has been calculated on an average household size of 2.4 persons per dwelling. A problem with using one occupancy rate for all types of housing is that it fails to distinguish between the sizes of dwellings so that the requirements for, say, a 20 dwelling scheme of one bedroom flats would equal that of a 20 dwelling scheme of 5 bedroom housing. It is therefore more appropriate to use a standard based on the capacity of each dwelling. The total population per dwelling is arrived at by assuming 2 persons in the first bedroom and only one in each of any additional bedrooms. The following population per dwelling is used for calculating the contribution.

8.29 **Table of Occupancy of dwellings**

<table>
<thead>
<tr>
<th>1 Bedroom dwelling</th>
<th>2 persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 Bedroom dwelling</td>
<td>3 persons</td>
</tr>
<tr>
<td>3 Bedroom dwelling</td>
<td>4 persons</td>
</tr>
<tr>
<td>--------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>4+ Bedroom dwelling</td>
<td>5 persons</td>
</tr>
</tbody>
</table>

8.30 Where a single dwelling house is to be converted to two or more self contained dwellings or flats a calculation shall be made to assess the net increase in population. Using the above table it will be necessary to assess the occupancy of the existing dwelling/s and subtract this from the population which will be generated by the proposal. A contribution will be required for each additional person. This “trade off” can only apply where the building remains at the time the planning application is made and is either converted or is to be demolished to make way for the development.

8.31 The Council will require developers to maintain or pay commuted sums for the maintenance of open space only where this is consistent with paragraph B18 of Circular 05/2005. In cases where it is agreed between the developer and the Council that the Council will carry out the maintenance of open space on the developers’ behalf it will be necessary for the developer to pay a sum covering the maintenance for a set period based on the finished area.

8.32 USE OF FUNDS - It is necessary to use the funds in a way that they are directly related to the funding development.

8.33 FORMAL OPEN SPACE - Under Policy L1.1 it is established that a gross shortfall of formal facilities exist. The Council is aware that all existing facilities are already overused and are capable of being improved so as to cater for any additional demand. Although people travel some distance for formal sports, funds can only be used within the area and if easily accessible from the funding development thereby ensuring a direct relationship between a facility and the funding development.

8.34 CASUAL/CHILDREN’S PLAY SPACE - With regard to funds raised in lieu of physical provision for children’s play these can only be used within 100m (on a LAP), 400m (on a LEAP) or 1000m (on a NEAP) of the funding development, so as to ensure a direct relationship between the new development and the future investment of the contributions.

8.35 It is clear that some commuted payments, in themselves, are not adequate to bring about improvements immediately. When funds are added to by other commuted payments and thresholds are reached monies will be employed as soon as possible to improve facilities. It is necessary for the Council to hold the funds for a reasonable period of time to allow this process to take place. The Council accepts that it will refund any monies which remain unspent after 8 years from the date of payment. The Council, resources permitting, may use some of it’s own money to supplement commuted payments.

8.36 Further information on the implementation of this policy is provided in the related Supplementary Planning Guidance (SPG) - Recreational Open Space Provision and Commuted Payments including more detailed information such as the commuted sum cost in respect of provision (per person) and the maintenance cost.
8.37 The Council has approved Housing Supplementary Planning Guidance for the Town Centre. This guidance is approved for assessing planning applications for residential development within the Town Centre.

8.38 Table: “Play Facilities”

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

Outline planning applications

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

Flats above commercial premises

4.2 Applications for planning permission where one residential flat is proposed within a property in use as a Class A1, A2, B1(a) (office) and other commercial uses (appropriate to or within shopping centres), provided that the unit proposed would not have more than 2 bedrooms will be exempt from consideration under the SPG.

Reuse of residential premises

4.3 Applications for planning permission for residential use of buildings originally designed and built for residential purposes will be exempt from consideration under the SPG. This exemption will only apply where it can be proven with clear documentary evidence that the previous use was residential after 1947. However, if the proposal will lead to an increase in the number of persons based on the guidelines above in the explanation to the policy L1.3 then a contribution will be required for each additional person.

4.4 The assessment of occupancy will include rooms shown for other purposes but capable of being used as a bedroom.

5.0 HOW MUCH OPEN SPACE WILL BE REQUIRED

5.1 Residential developments will have to make provision for formal open space and children’s/casual open space in accordance with “Large New Residential Developments” categories A & B and “Small New Residential Developments” contained in Policy L1.3.

In respect of category A and formal open space needs there are very few identified housing sites of adequate size to be required to accommodate the open space requirements on site. It is likely that in most cases the Council will conclude that the formal open space needs will be covered by a commuted sum.

5.2 Proposals which fall within category A & B will be required to satisfy children’s play space needs on site in accordance with Table “Play Facilities” in policy L1.3 page 12. The 3 tiered structure which makes up the 0.7 hectares per 1000 population required for children’s/casual play includes local areas for play (LAPs) local equipped areas for play (LEAPs) and neighbourhood equipped areas for play (NEAPs).

6.0 WHERE WILL FUNDS BE USED?
6.1 Funds will be held by the Local Authority in an interest earning account until such time that the appropriate thresholds have been reached and an improvement can be brought about through the use of the accumulated funds. The Local Authority has established the level and distribution of open space provision that exists within the Borough and has adopted strategies for the improvement of provision. These strategies will be added to as certain work is completed and commuted payments are collected.

**Formal open space**

6.2 Funds collected in lieu of on site provision for formal facilities will be used within the area and if easily accessible from the funding development thereby ensuring a direct relationship between a facility and the funding development.

**Children’s/casual play**

6.3 Funds collected in lieu of on site provision for children’s/casual play space will be used within the appropriate distances as set out in Table “Play Facilities” - walking distance, up to a maximum of 1000 metres from the funding development. As opportunities to provide new facilities at new sites are limited, the Local Authority is more likely to lay out a new facility or improve an existing one at an existing site. The Council has developed a strategy which will create a network of NEAPS and LEAPs at existing sites within the Borough. A map showing the location of these facilities is available for Inspection. The Council may invest the funds on other facilities providing it would be within the guidelines of the adopted policy.

6.4 Housing developments will not proceed at a regular pace throughout the Borough or the plan period. Therefore, it must be borne in mind that financial contributions may be very limited in certain areas and therefore funds are again more likely to be used for improvements of existing facilities.

6.5 Funds will only be used for improvements to provision. They will not be used for more general purposes, such as to cover maintenance or running costs of existing facilities.

Types of improvements will include:–

- laying out new or improving existing sports grounds
- constructing or improving changing facilities
- laying out new, extending or improving children’s/casual play areas
- increasing car parking at an existing facility
- provision of new children’s play equipment
- additional seating
planting and screening/landscaping to minimise impact on adjacent residential areas.

6.6 The release of funds for open space provision will only take place after schemes for work have been approved in accordance with the types of improvements set out above. In certain instances improvements will require planning permission. Any proposal will require Council’s approval.

7.0 CALCULATING CONTRIBUTIONS

7.1 The approach requires that a calculation be made to assess the financial contribution. The calculation will take account of the number and type of dwellings proposed and the population capacity of the proposal having regard to the occupancy table on page 10. The calculation will also take account of the amount of open space which is to be provided on site.

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

The estimated costs include:-

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

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

The cost per person at June 2006 prices:-

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Formal open space</td>
<td>£198.35</td>
</tr>
<tr>
<td>Children’s/casual play</td>
<td>£167.31</td>
</tr>
<tr>
<td>Total cost per person</td>
<td>£365.66</td>
</tr>
</tbody>
</table>
Note:- The figures cater for the provision of reasonable standard facilities and are as realistic as possible.

8.0 MAINTENANCE

8.1 The current Council policy requires that the commuted sum cover maintenance for 25 years providing adequate cover for at least one generation.

On site provision

8.2 Where open space is provided on site in association with a new development, the Local Authority will need to satisfy itself that the required open space is laid out and completed satisfactorily and in accordance with the approved plan.

8.3 Where the developer wishes the Council to carry out the future maintenance of open space provided on site it will be subject to conditions set out at para 8.2 and it will be necessary for the developer to pay a commuted sum based on the total surface area x £11.86 per sq. m. This figure is based on data supplied by the Council’s Parks and Recreation Service.

Off site provision

8.4 Where the Council intends investing the “provision funds” on creating a new facility of direct benefit to the proposal then a commuted sum for maintenance will also be required.

9.0 EXAMPLES OF THE APPLICATION OF THE POLICY

New residential developments

Large New Residential Developments

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

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

Formal recreation space

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

Example: population capacity = 172

| Provision | 172 x £198.35 | =£34116.20 |
| Maintenance | 172 x 17(sq. m.) x £11.86 | =£34678.64 |
| **Total** | | =£68794.84 |
Children’s play space

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

Provision 58 x £167.31 = £9703.98
Maintenance 58 x 7(sq.m.) x £11.86 = £4815.16
Total = £14519.14

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

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

e.g.: 2 x 400 sq. m. (LAPs) x £11.86 = £9488.00
Actual sums can only be calculated once the finished surface area is known.

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

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

Example: population capacity = 60

Formal recreation space

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

Provision 60 x £198.35 = £11901.00
Maintenance 60 x 17(sq. m.) x £11.86 = £12097.20
Total = £23998.20

Children’s play space

The first requirement of the policy is for on site provision. Every 50 persons require the consideration of the provision of a LAP (1 LAP satisfies 57 persons).

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

\[
\begin{align*}
\text{Provision} & \quad 3 \times £167.31 & = £501.93 \\
\text{Maintenance} & \quad 3 \times 7(\text{sq.m.}) \times £11.86 & = £249.06 \\
\text{Total} & & = £750.99
\end{align*}
\]

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

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

e.g.: \(1 \times 400 \text{ sq. m. (LAP)} \times £11.86 = £4744.00\)

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

**Small New Residential Developments**

**9.3 Developments to be occupied by less than 50 people**

Proposals in this category are required to satisfy both formal and children’s play space needs by means of a commuted sum subject to their being a facility which can be improved or constructed within the appropriate distances (see page 12) of the proposal. In respect of children’s this test can be carried out reasonably quickly by use of a plan (see para 6.3) which shows all the existing facilities which can be improved within the borough. The basis for calculation is as follows:

Example: population capacity = 3

**Formal recreation space**

\[
\begin{align*}
\text{Provision} & \quad 3 \times £198.35 & = £595.05 \\
\text{Maintenance} & \quad 3 \times 17(\text{sq. m.}) \times £11.86 & = £604.86 \\
\text{Total} & & = £1199.91
\end{align*}
\]

**Children’s play space**

\[
\begin{align*}
\text{Provision} & \quad 3 \times £167.31 & = £501.93 \\
\text{Maintenance} & \quad 3 \times 7(\text{sq.m.}) \times £11.86 & = £249.06 \\
\text{Total} & & = £750.99
\end{align*}
\]

**Conclusion**

The consideration of any proposal under this policy should only be made after reading the guidelines set out above. The table below provides a brief summary which may be of some assistance, however, it cannot be used to make the final decision.
<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>CHILDRENS</th>
<th>FORMAL</th>
<th>MAINTENANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LAP on site</td>
<td>Off site</td>
<td>Children’s</td>
</tr>
<tr>
<td>Small new residential developments</td>
<td>NO</td>
<td>YES*</td>
<td>YES</td>
</tr>
<tr>
<td>Large New Residential Developments B &gt;50-&lt;100 pop.</td>
<td>YES*</td>
<td>any residual by com sum</td>
<td>YES*</td>
</tr>
<tr>
<td>A &gt;100 pop.</td>
<td>YES*</td>
<td>any residual by com sum</td>
<td>YES*</td>
</tr>
</tbody>
</table>

* Subject to the tests contained in the policy set out on pages 7-12.

Figures for commuted payments (apply as appropriate to size of development as explained above)

Provision

- Formal: £198.35 per person
- Children’s: £167.31 per person
- Both: £365.66 per person

Maintenance

- Formal: No. Persons x 17 (sq. m.) x £11.86
- Children’s: No. Persons x 7 (sq. m.) x £11.86

Costs for house types

<table>
<thead>
<tr>
<th></th>
<th>1BED 2person</th>
<th>2 BED 3person</th>
<th>3 BED 4person</th>
<th>4 BED 5 person</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large and Small Developments (inc. formal / children’s / maintenance)</td>
<td>£1300.60</td>
<td>£1950.90</td>
<td>£2601.20</td>
<td>£3251.50</td>
</tr>
</tbody>
</table>

10.0 **OPERATION OF THE POLICY**

10.1 The Corporate Director of Environment and Economic Directorate will seek to inform prospective developers or purchasers of sites for housing development of the requirements for open space provision in the borough. Information will be given at pre-application discussions.
10.2 A note regarding the open space system will be issued with all relevant planning application forms. This will allow the developer to be aware of all their responsibilities and will help in valuing a site.

- The open space requirements shall be assessed as part of the processing of the planning application and deficiencies will be calculated.
- The amount of financial contribution (if any) should be calculated covering the lack of physical provision and its maintenance, if appropriate.
- The contribution should be notified to the applicant.
- If planning permission is likely to be granted the applicant may:
  
  (i) make a voluntary payment before the decision is issued or;
  
  (ii) enter into a Section 106 Agreement, using a standard format to simplify procedures. This will require the financial contribution to be made into the open space account prior to commencement of the development or specific phases.

- The decision notice will only be issued after one of the above 2 options has been completed. If the latter of the two options is followed, there will be an additional charge for the drafting of the legal agreement. If the option followed involves a legal agreement and a delayed payment, the amount required is likely to be higher than that required for immediate payment, therefore, contributions calculated for provision and maintenance shall be index linked from the date of the Section 106 agreement.

- If the application is an outline application, the applicant shall be asked to enter into a Section 106 Agreement to determine the precise open space requirement or contribution at the detailed planning application stage.

- Once open space has been laid out and established for one year it shall be inspected to ensure it meets the Authority’s requirements before adoption can take place.

10.3 If an application is refused on the basis of the guidelines prescribed above, a reason for refusal will relate to the failure to make adequate provision for open space. If the applicant then appeals, the Local Authority would seek to enter into an agreement for the appropriate open space contribution to be paid, to ensure that provision for open space is made if the appeal is allowed and to restrict the appeal debate to those other issues of concern to both parties. In this way, development allowed on appeal would then be subject to the same requirements for open space provision as other housing developments in the Borough.

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

10.5 The funds are held in separate interest earning accounts which are specifically for open space provision.

**Background documents**

*Unitary Development Plan - Review (Adopted 31st May 2006)*

Anyone wishing further information about this guidance can telephone the Area Planning Officer or the contact listed below. If you wish to see a planning officer, please telephone to arrange an appointment first.

**East Area**
- Marple - 0161 474 3657
- Stepping Hill - 0161 474 3543
- Werneth - 0161 474 3544
- Tame Valley - 0161 474 3656

**West Area**
- Bramhall - 0161 474 3540/3557
- Cheadle - 0161 474 3538
- Four Heatons - 0161 474 3551
- Victoria - 0161 474 3550

or contact Bruce Child on 0161 474 3564
The following is Appendix 4 from the UDP Review

RECREATIONAL OPEN SPACE

Recreational Open Space Protection and Standards of Provision

Table 1 summarises the results of comprehensive surveys of recreational and other open space carried out in 1986/91/96. These surveys were undertaken based on the same criteria, thereby allowing the assessment of changes over this time period. It also provides opportunities to assess the performance of the policies. The Adopted UDP 1998 analysed changes between 1986 and 1991. Table 2 sets out the standard of provision by Committee Area. The table “Play Facilities” in the Explanation to Policy L3 sets out the basis of the three tiered structure, LAPs, LEAPs and NEAPs.

Tables 1 and 2 are included at the end of this appendix.

Changes 1991 - 1996

With regard to formal facilities, the total area of sites on a Borough-wide basis increased slightly. This hides a complex number of changes including; loss of a 5.1ha site from the "public" category to Manchester due to boundary changes and an addition of 3.7ha to the same category resulting from land at Lavington Avenue moving from the "Private" category. However, none of this land was included in the last survey whilst its future was under consideration. There were a significant number of changes within the "dual use" category. While the stock available remains largely unchanged a number of sites have been withdrawn, but a larger number of new sites have become available resulting in a slight increase.

The area for casual recreation / children's play fell slightly. This was not a result of any loss but mainly due to reclassification of open space.

Standards of Provision

The 1996 survey shows that provision for formal sports in the Borough was below the National Playing Fields Association (N.P.F.A.) standards. Formal sports provision is the principal component of the N.P.F.A. overall standard of 2.4 hectares per thousand population for active recreation. Columns 1 - 3 of Table 1 show a total of 390 hectares at 1996 (an increase of two hectares over the 1991 position) used for formal sports. This is equivalent to 1.34 hectares per thousand population in Table 2. The shortfall is very real in that demand gauged from enquiries made to the Local Authority for pitches far outweighs supply. In terms of provision per thousand population, six of the 8 Committee Areas continue to experience shortfalls leaving only the Four Heatons and Cheadle well provided.

The Council’s policy approach has been to strongly resist the loss of any existing public or private sports grounds. At the same time the aim has been to achieve an overall standard for the Borough of 2.4 hectares per thousand population for the
provision of active recreation of which 1.7 hectares should be for formal sports facilities (including playing pitches, courts and athletic tracks etc). The results of the 1996 survey confirm that there can be no justification for any relaxation in the protection of existing formal recreation open space.

Casual Recreation/Children’s Play Provision

The Council has adopted the N.P.F.A. standard of 0.7 hectares per thousand population. The total area for casual recreation amounts to 248 hectares. This is equivalent to 0.85 hectares per thousand population based on the N.P.F.A. standard.

However, when considering the policy for open space in new developments as set out in L1.3 which contains the requirement for all homes to be within easy access of casual open/children’s play space, there continues to be a number of localities within all Committee Areas, some covering large areas, which have either no supply of or deficiencies in casual open space provision. Indeed, no part of Stockport is currently served with the full three tiered structure LAP’s LEAP’s and NEAP’s as required in L1.3.

Table 1: Total Recreational Land 1986/1991/1996 Provision by Committee Area (Hectares)

<table>
<thead>
<tr>
<th>Area Committee</th>
<th>Formal Sports Provision</th>
<th>4. Areas for Casual Rec/Children’s Play</th>
<th>5. Amenity Open Space</th>
<th>6. Other Open Space</th>
<th>7. 18 Hole Golf Courses</th>
</tr>
</thead>
</table>

*includes 17 hectares of private fishing waters.

NOTES TO TABLE 1

“Public” in Column 1 includes pitches, courts, bowling greens and athletic tracks, i.e. all Council owned facilities where organised games and sports are played, which are not part of educational establishments.

“Dual use” in Column 2 refers to school pitches owned by the Council which are available for organised matches outside school hours.
“Private” in Column 3 includes all outdoor facilities not provided by the Council with exception of golf courses which are listed in Column 8 and private school fields which are not available for general use.

“Casual play” in Column 4 lists only those areas which are used solely for that purpose. However, in 1986 it was considered that most of the pitches in column 1 would be used for casual play when there were no matches in progress and a calculation of areas for casual play was obtained by adding column 1 to column 4, giving 419 hectares.

“Amenity areas” in column 5 are the ornamental areas in parks and major landscaped areas throughout the town which provide visual pleasure and passive relaxation.

“Other open space” includes water areas, woodland and natural vegetation generally in public ownership where public enjoyment is informal and often limited to footpaths and picnic areas. This level of usage is little different from that afforded by public footpaths across open countryside, in which case the whole of the Green Belt and the river valleys should be counted as countryside recreation area – almost half of the land area of the whole borough.

**TABLE 2: Active Recreation: hectares per 1000 population 1986/1991/1996.** (Figures in brackets indicate deficiency)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Tame Valley</td>
<td>41,000</td>
<td>(0.90)</td>
<td>1.7 Ha</td>
<td>0.80</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1.02)</td>
<td></td>
<td>(1.04)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1.04)</td>
<td></td>
<td>(0.98)</td>
</tr>
<tr>
<td>Heath Bank</td>
<td>38,000</td>
<td>(1.20)</td>
<td></td>
<td>(1.05)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1.13)</td>
<td></td>
<td>(0.44)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(0.44)</td>
<td></td>
<td>(0.44)</td>
</tr>
<tr>
<td>Four Heatons</td>
<td>27,500</td>
<td>1.80</td>
<td>1.70</td>
<td>0.60</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1.89</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Werneth</td>
<td>29,000</td>
<td>(1.00)</td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>(0.79)</td>
<td></td>
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<td></td>
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<td>(0.79)</td>
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<td></td>
</tr>
<tr>
<td>Marple</td>
<td>24,000</td>
<td>(1.30)</td>
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<td>(1.41)</td>
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<td></td>
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<td>(1.50)</td>
<td></td>
<td>(0.88)</td>
</tr>
<tr>
<td>Stepping Hill</td>
<td>42,000</td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td>(1.19)</td>
<td></td>
<td>(2.38)</td>
</tr>
<tr>
<td>Bramhall</td>
<td>47,000</td>
<td>(1.20)</td>
<td></td>
<td>(1.27)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1.29)</td>
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<td>(1.29)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1.29)</td>
<td></td>
<td>(0.38)</td>
</tr>
<tr>
<td>Cheadle</td>
<td>41,000</td>
<td>2.10</td>
<td>2.12</td>
<td>1.10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2.02</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2.12</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>290,000</td>
<td>(1.30)</td>
<td></td>
<td>(1.33)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1.34)</td>
<td></td>
<td>(1.34)</td>
</tr>
</tbody>
</table>

**NOTES TO TABLE 2**

A = based on Columns 1, 2 and 3 of Table 1
B = based on Column 4 of Table 1
C = based on Columns 1, 2, 3 and 4 of Table 1
EXAMPLES OF LAP 5.

Adapted from N.P.E.A. Every child deserves a place to